# IS IT EVER TOO LATE TO CHANGE? THE AMENDMENT PROCESS AND CONSTITUTION GOVERNMENTS (9-12)

#### **OBJECTIVE:**

Students will be able to:

- Compare and contrast rights found in the Arizona and U.S. Constitutions
- Compare and contrast methods for amending the Arizona and U.S. Constitutions
- Consider Arizonians' responsibilities to state and local governments
- Understand the types of changes made to the U.S. Constitution through amendments
- Present a constitutional amendment proposal reflecting a needed change to update the U.S. Constitution or your SPB Constitution
- Participate in a democratic process at a simulated constitutional convention

#### **STANDARDS:**

- **HS.C2.5** Compare the rights guaranteed in Arizona Constitution to those in the United States Constitution
- **HS.C2.4** Analyze the responsibilities of citizens.
- **HS.C4.7** Apply a range of deliberative and democratic strategies and procedures to make decisions in the classroom, school, and out-of-school civic contexts.

#### **CIVICS EXAM QUESTIONS:**

- What does the Constitution do? A: Sets up and defines the government
- What is an amendment? A: A change to the Constitution
- How many amendments does the Constitution have? A: 27

TIMELINE: It is recommended to use this lesson plan/activity in the first stages of compiling SPB Project ideas and understanding roles of different government levels. This lesson would work well when creating a SPB Constitution or Classroom Rules and Norms or a Classroom Bill of Rights. This lesson can also be revisited at the end of the SPB process to reflect and propose any SPB Constitutional Amendments.

**APPROXIMATE LESSON LENGTH:** Two – 55-minute lessons (depending on extensions)

#### **SUPPORTING MATERIALS:**

- United States Constitution
- Slides: HS Where Do I Go To Make A Change?
- Student Handout 1: HS Where Do I Go To Make A Change Handout 1
- Student Handout 2: HS Where Do I Go To Make A Change Handout 2
- Student Handout 3: Constitutional Amendment Proposal
- Student SPB Constitution Creation Template: Creating a Club Constitution for SPB
- Optional Additional Reading Resource: <u>He Got A Bad Grade. So, He Got The</u> Constitution Amended. Now He's Getting The Credit He Deserves.
- Optional Viewing Source: Simple Civics: Amending the Constitution

#### **VOCABULARY:**

- Amendment/to Amend
- U.S. Constitution
- State Constitution
- Federalism
- Local
- State

- Federal/National
- Article
- Section
- Congress
- State Legislatures
- Ratification/Ratify

- Majority
- Initiative
- to Propose
- Representative

#### **INSTRUCTIONS:**

#### DAY ONF

## 1. Engage

• Give students time to brainstorm using the prompt: Think of something you want to change in your city, town, state, or country. Lead students in a brainstorm and allow time to discuss. Where would you go to make that change? Local, State, or National?

## 2. Explore

- Progress through the Where Do I Go To Make A Change? slideshow to introduce students to the lesson vocabulary. Pause as needed to check for understanding.
- Provide students with opportunities to practice new vocabulary during and after the lesson. Suggestions include having students create example sentences, discussing new words in pairs or groups, adding terms to the word wall, or engaging in a sort, game, visual depiction, or other similar activity.
- Continue moving students through the slideshow, pausing as needed to check for understanding. The slideshow moves from vocabulary into the main lesson where students are introduced to Constitutional Government.

## 3. Explain

- Student Handout 1: HS Where Do I Go To Make A Change at slide 16 as well as scissors and glue or tape for each student. Allow time for students to cut and assemble their tri-folds. Model how to use them.
  - NOTE: To use the tri-fold, students should turn the tri-fold so that the answer they select is facing forward on their desk so that the teacher can see it. Scan the tri-folds and check students' understanding of the concept of levels of power as you move through the next step. You can also do this as a GROUP activity. One tri-fold per group.
- Continue through each of the scenarios in the slideshow. After each scenario, ask students who has the power to make that change: Local, State, or National. Instruct students to display their answer with their tri-folds.
  - NOTE: It is important to call on students with both correct and incorrect
    answers to explain their thinking. Some answers that seem incorrect may
    make sense when the student explains their thinking. This discussion is
    the most important part of the day's lesson and lays the groundwork for
    discussing the levels of government in the next lesson.

#### 4. Elaborate

• Day one may end well at slide 41 - Revisit this important question: Where can we go if we want to make a change? Students can use a sticky note to write their idea of how they would want to change their school and post it to an idea wall or on the board for next day's lesson.

### 5. Evaluate

 Students can share their sticky note ideas before the end of class. One or two students could begin to take the sticky notes and organize them into similar categories for students to see similar ideas or differing priorities.

#### DAY TWO

## 1. Engage

• Give students time to consider the brainstorm using the prompt: **Think of the**RIGHTS you have here in the United States. What RIGHTS do you have living
here? What about here at school? What RIGHTS do you have protected here
at our school? If you do not know them, where could you find what rights you
have?

## 2. Explore and Explain

• Distribute Student Handout 2: *HS Where Do I Go To Make A Change Handout 2* at slide 41. Allow time for students to discuss and brainstorm what rights they have at your school as a student. This might be a good time to have students stop and

research what rights they have protected by our constitution. This might also be a great time for students to review their school conduct book or student code of conduct.

- NOTE: Again, call on students with both correct and incorrect answers to explain their thinking and what rights they have that are protected here locally at the school and the state.
- Prompt students at slide 44 to answer the discussion question: "WHY Do YOU
  Think the Creators of Our Government Allowed We the People to CHANGE it?"
  Encourage the possibility of several correct answers.
- Continue moving students through the slideshow, pausing as needed to check for understanding. After each method to change the US or State Constitution, ask students who has the power to make that change: citizens, the government, both, neither. Which constitution is easier to change? Note: It is important to call on students with both correct and incorrect answers to explain their thinking. Some answers that seem incorrect may make sense when the student explains their thinking. An emphasis should be placed on how both citizens (we the people) and representatives of our government often have to work together to change our national constitution, whereas here in Arizona, the citizens and people have much more direct say in how to change our state government.

#### 3. Evaluate

- Distribute one copy of Student Handout 3: *Constitutional Amendment Proposal* to each student in the group at slide 54. After discussing the amendment process at the national level and the state level, encourage students to think about what changes they would like to see made to our national government. Invite students to share their ideas with the class. This could be done as a group as well instead of individually.
  - NOTE: Posting student ideas in the classroom and encouraging them to add new ones as they think of them builds excitement for civic engagement in the classroom.
- Students will create their own CHANGE or AMENDMENT to the US Constitution. This can be adapted to create a change in the state constitution or school rules, the classroom rules, or they can come up with a RIGHT they would like to see added to the school or their classroom. This could be opened up to a classroom discussion. If the teacher finds it appropriate, the teacher could lead the class through the national constitution requirements to propose and ratify amendments. The teacher could also lead the students through the state constitution changes requirements.

#### FORMATIVE ASSESSMENT OR ARTIFACT:

- Student Handout 3: *Constitutional Amendment Proposal* requires students to come up with their own CHANGE or AMENDMENT to the US Constitution. This could be used to generate a classroom set of rights and rules.
- Exit Activity and Formative Assessment: Where Do I Go If I Want to Make a Change?

#### **EXTENSION ACTIVITIES:**

#### CREATE YOUR SPB CONSTITUTION FOR YOUR SCHOOL!

#### **CREATING A CLUB CONSTITUTION**

**GROUP WORK TASK:** Creating a Club Constitution for the School Participatory Budget Committee

**OBJECTIVE:** To collaboratively draft a club constitution for the School Participatory Budget Committee.

#### **INSTRUCTIONS:**

- Formation of Roles: Assign each group member a specific role within the committee:
  - **Facilitator:** Responsible for guiding the discussion and ensuring everyone participates.
  - Scribe: In charge of documenting the constitution draft.
  - **Timekeeper:** Monitors the time and keeps the group on track.
  - **Researcher:** Gathers information on budget committee guidelines and best practices.

#### Brainstorming and Discussion (5 minutes):

- Discuss the purpose of the participatory budget committee.
- Brainstorm key elements to include in the constitution (e.g., mission statement, roles and responsibilities, decision-making processes).

#### • Drafting the Constitution (10 minutes):

- Each member contributes to writing specific sections of the constitution based on their assigned roles.
- Ensure that all ideas are considered and incorporated into the draft.

#### • Review and Finalize (5 minutes):

- Review the drafted constitution as a group.
- Discuss any revisions or additions needed for clarity and effectiveness.
- Finalize the constitution draft.

#### Reflection (Post-Activity):

- After completing the task, have each group member reflect on their contributions and the collaborative process.
- Provide feedback on the group dynamics and the final constitution draft.
- Discuss what worked well and areas for improvement in future collaborative tasks.
  - NOTE: The template for the club constitution should follow a structured format with clear headings and sections, ensuring it reflects the goals and values of the School Participatory Budget Committee. Students can post their constitution ideas in a public forum so students can review each other's ideas and come to a consensus on what they want to ratify (adopt) and what they want to leave out.

### CREATING SPB OR CLASSROOM NORMS/RIGHTS/RULES

- Consider starting the class with a "Do Now" activity on the importance of norms. Students can write on and answer the following questions on a sheet of paper:
  - Write down your favorite sport or game. Pick 3 rules that you would take away from the sport or game. How would the game be different? Would it be easier or harder to play? More or less enjoyable? Why?
  - Think of classes you have had that you have enjoyed being in, and those you were uncomfortable being in. Write down 5 reasons, or things about the class that made that class enjoyable, and 5 things that made that class uncomfortable.
- **Divide your classroom.** Divide the class into smaller sub-groups of three to five individuals.
  - Create a list. Ask each sub-group to make a short list of desirable and undesirable classroom behaviors. Provide 3-5 minutes for each group to make their lists. This can also include RIGHTS of students in the classroom if the teacher desires.
  - Share lists and work towards consensus. Encourage each group to share their lists and work to achieve consensus. Talk about the rationale behind each rule and how it impacts the well-being of students in the class. Contrasting viewpoints are encouraged. Norms may also be structured in a list of "shoulds" and "should nots" for classes needing more guidance.
  - Decide on the classroom norms and responses to norm breaking: Work with students to engage in perspective-taking by asking how breaking a norm might affect others in the class and why the person breaking the norm might have done so. Facilitate a conversation on how to respond if a student departs from the norms.

#### **SAMPLE NORMS FOR A CLASS:**

- Be a respectful listener by paying attention to the speaker and avoid interrupting, yelling, and name-calling.
- Treat your classmates the way you would like to be treated.
- If you're talking too much, let someone speak. If you haven't contributed at all, speak up—your opinion is important!
- Work to understand other points of view. Ask yourself, "Why might they have that opinion?"
- Be a builder of ideas! Think how you might be able to contribute to someone else's idea.
- Respect one another even through disagreement. If you disagree, think about asking a question to try and understand the other student's perspective.
- Everyone is a teacher and learner: keep your mind open.
- (For some schools) Turn your phone off or have on silent.
- When feeling strong emotions, address them using different techniques like drawing or writing them, practice expressing them using an "I feel" statement, or taking 5 deep breaths.

- Post the SPB or Classroom "Constitution" on the wall or in the classroom for students to continue to refer back to throughout the year.
- Students can come up with a way to CHANGE/AMEND the rules or ADD to the rules/rights of the classroom. This can become their amendment process.

## Where Do I Go When I Want to Make a Change?

Handout 1

**Directions:** Cut along the dotted lines and fold along the solid lines to make a tri-fold.

## **Local Government**

- parks and recreation
- town streets
- police and fire services
- emergency medical services
- marriage licenses
- housing and more

## **State Government**

- issue driver's licenses
- manage elections
- create local governments
- make rules about business inside a **state**
- charter banks and corporations
- run public schools
- provide police and emergency services

## **National Government**

- print money
- make rules about trade
- declare war
- establish a post office
- provide an army and a navy
- make laws
- decide what units of measure we use

## Where Do I Go When I Want to Make a Change?

Handout 2

**Directions:** Think about your school and what rules you have to obey. Do you have a student rules book or a school conduct code? List some of the rules students at your school have to obey:

RULES I Have to Obey at School:
<b>What about my rights?</b> Now think about what RIGHTS you have as a student at your school. If you don't know, you can look in your student handbook! If you do not have one, what RIGHTS do you think students should have at your school?
RIGHTS I Have Protected at My School:
<b>TIME to MAKE A CHANGE!</b> If you could change one rule you have to obey or add one right that should be protected at your school, what CHANGE or AMENDMENT would you propose? What is your reasoning to make this addition or change? What level of government would you consult to make this change?

## **Constitutional Amendment Proposal**

Our proposed a	mendment is
----------------	-------------

It changes the U.S. Constitution by (adds a right, fixes a problem, addresses a new issue in society)
Three reasons to support this amendment are:
2.
<b>3.</b>
One argument against this proposal might be:
BUT a counter-argument is:

Conclusion - Here is how our change will update the U.S. Constitution:

#### Creating a Club Constitution for the School Participatory Budget Committee

In this activity, you will create a club constitution for your school's participatory budget committee. A constitution is an important document that outlines the rules and structure of an organization. By creating your own constitution, you'll have a clear understanding of how the participatory budget committee will operate and make decisions. Your team can use this template as a way to formulate your constitution ideas.

#### **Participatory Budget Committee Constitution**

#### **Article I: Name and Purpose**

Section 1: Name: The name of this organization shall be [Club Name].

Section 2: Purpose: The purpose of [Club Name] is to [briefly describe the purpose and goals of the club].

#### **Article II: Membership**

Section 1: Eligibility: Membership in [Club Name] sha	nall be open to all [school] students
who are interested in [club's focus or activities].	

Section 2: Rights and Responsibilities: Mer	nbers of [Club Name] shall have the right to
	. They are also responsible for

#### **Article III: Club Officers**

Section 1: Positions: The officers of [Club Name] shall consist of [list of officer positions, e.g., President, Vice President, Secretary, Treasurer, etc.].

Section 2: Election: Officers shall be elected annually by a majority vote of the club membership. Nominations may be made by any member in good standing.

Section 3: Duties: The duties of each officer shall be outlined in the club bylaws and may include but are not limited to [briefly describe the responsibilities of each officer].

#### **Article IV: Meetings**

Section 1: Regular Meetings: [Club Name] shall hold regular meetings [specify frequency, e.g., weekly, bi-weekly, monthly] during the [semester/year]. The time and location of meetings shall be determined by the officers and communicated to the membership.

Section 2: Special Meetings: Special meetings may be called by the President or upon written request of [number] members of the club. Notice of such meetings must be given to all members at least [number] days in advance.

#### **Article V: Finances**

Section 1: Funding: [Club Name] may generate funds through [list potential fundraising activities] and may also receive funding from [school/college/university].

Section 2: Treasurer: The Treasurer shall be responsible for maintaining accurate records of all financial transactions and presenting financial reports at regular club meetings.

#### **Article VI: Amendments**

Section 1: Proposal: Any member may propose an amendment to this constitution.  Proposed amendments must be submitted by
Section 2: Approval: Proposed amendments shall be voted on by the membership at a regular club meeting. Avote of members present shall be required for adoption.
Article VII: Dissolution
Section 1: Procedure: In the event that [Club Name] decides to dissolve, any remaining funds shall be [specify how remaining funds will be distributed, e.g., donated to a designated charity, returned to the school].
Section 2: Approval: Dissolution of the club must be approved by a two-thirds majority vote of the membership.
Article VIII: Ratification
Section 1: Approval: This constitution shall be considered ratified upon approval by a vote of the founding members of [Club Name].
Section 2: Effective Date: This constitution shall take effect
Section 3: Amendments: Any subsequent amendments to this constitution shall follow the procedures outlined in Article VI.
Adopted this [day] of [month], [year].
[Club Name] President:
[Club Name] Secretary:

## He Got A Bad Grade. So, He Got The Constitution Amended. Now He's Getting The Credit He Deserves.

KUT 90.5 | By Matt Largey

Published March 21, 2017 at 10:38 PM CDT



Gregory Watson went on a mission after getting a C on a paper in government class.

Jorge Sanhueza-Lyon/KUT

With everything that's going on in politics these days, it helps to remember the power that we have as individuals to make change. Examples of this are far too few, of course.

But there is one that stands out. And you've probably never heard it.

The story begins in 1982. A 19-year-old sophomore named Gregory Watson was taking a government class at UT Austin. For the class, he had to write a paper about a governmental process. So he went to the library and started poring over books about the U.S. Constitution — one of his favorite topics.

"I'll never forget this as long as I live," Gregory says. "I pull out a book that has within it a chapter of amendments that Congress has sent to the state legislatures, but which not enough state legislatures approved in order to become part of the Constitution. And this one just jumped right out at me."

That unratified amendment read as follows:

"No law varying the compensation for the services of the Senators and Representatives shall take effect until an election of representatives shall have intervened."

Basically, it means any raise Congress votes to give itself can't take effect until after the next election, allowing voters to decide how they felt about that.

The amendment had been proposed almost 200 years earlier, in 1789. It was written by James Madison and was intended to be one of the very first amendments, right along with the Bill of Rights.

The handwritten proposal for the amendment.

Credit National Archives

But it didn't get passed by enough states at the time. You see, to ratify an amendment, you need three-quarters of states to approve it.

This amendment, though it was 200 years old, didn't have a deadline.

Gregory was intrigued. He decided to write his paper about the amendment and argue that it was still alive and could be ratified. He got to work, being very meticulous about citations and fonts and everything. He turned it in to the teaching assistant for his class -- and got it back with a C.

"So I thought right then and there, 'I'm going to get that thing ratified."

He didn't know what to make of it. He was sure it was better than a C.

He appealed the grade to the professor, Sharon Waite.

"I kind of glanced at it, but I didn't see anything that was particularly outstanding about it and I thought the C was probably fine," she recalls.

Most people would have just taken the grade and left it at that. Gregory is not most people.

"So I thought right then and there, 'I'm going to get that thing ratified."

#### Lobbying Lawmakers

Gregory needed 38 states to approve the amendment -- three-quarters. Nine states had already approved it, most back in the 1790s, so that meant he needed 29 more states for it to pass. He wrote letters to members of Congress to see if they knew anyone in their home states who might be willing to push the amendment in their state legislature. When he did get a response, it was generally negative. Some said the amendment was too old; some said they just didn't know anyone who'd be willing to help. Mostly, he got no response at all.

But then, a senator from Maine named William Cohen did get back to him. Cohen passed it on to someone back home, who passed it on to someone else, who introduced it in the Maine Legislature. In 1983, lawmakers passed it.

"So I'm thinking my first success story; this can actually be done," Gregory says.

Feeling emboldened, Gregory started writing to every state lawmaker he thought might be willing to help. He wrote dozens of letters. After a while, it started to work. Colorado passed the amendment in 1984. And then it picked up momentum. Five states in 1985. Three each in 1986, 1987 and 1988. Seven states in 1989 alone (including Texas).

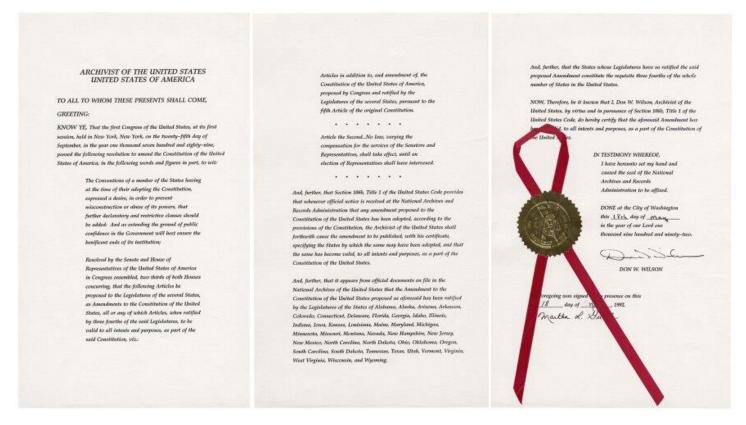
By 1992, 35 states had passed the amendment. Only three more to go. After 10 years of letter-writing, sweet-talking and shaming, Gregory was within reach of his goal.

On May 5, 1992, both Alabama and Missouri passed it. And on May 7, as Gregory listened on the phone, the Michigan House of Representatives put the amendment over the top.

His quest was finally over: More than 200 years after it was written, the 27th Amendment was finally ratified.

"I did treat myself to a nice dinner at an expensive restaurant," Gregory recalls.

(Though it did come to light later that, unbeknowst to anyone, Kentucky has ratified the amendment in 1792, which made Alabama the 38th state to ratify it.)



The official proclamation declaring the 27th Amendment to be part of the U.S. Constitution. Credit National Archives

#### Man on a Mission

What's so striking about this story is the sheer degree of difficulty of what Gregory did. Amending the Constitution is — by design — incredibly hard to do.

"The founders saw this as higher law," says Zach Elkins, a government professor at UT-Austin who introduced me to this story.

"So in some sense [the Constitution] should be beyond the reach of majorities and certainly a majority in the legislature, which makes sense for higher law. You want something a little more stable."

But here's a guy, really a kid when he began, who actually did it. The 27th Amendment is still the most recent amendment to the Constitution.

"His story is very much an Austin story," says Zach. "You'd expect people wandering the streets talking about their grand project for changing the country. And here is Greg Watson, who is not just wandering the streets muttering about the 27th Amendment — he actually got it passed."

And it's comforting to know that one person really can make a difference.

"I wanted to demonstrate that one extremely dedicated, extremely vocal, energetic person could push this through," Gregory says. "I think I demonstrated that."

"I wanted to demonstrate that one extremely dedicated, extremely vocal, energetic person could push this through.

I think I demonstrated that."

Gregory has kept pursuing these kinds of quests since then. In 1995, he realized Mississippi had never ratified the 13th Amendment, which abolished slavery. So he pushed that state's Legislature to do it — and it worked. It was symbolic, but it meant something.

Gregory has been a state legislative aide and a city council aide in Austin for years.

Lately, his project has been getting the city to put up street signs at intersections that don't have them.

"They don't want to put a sign at Andrew Zilker and Columbus drive, but I'll keep pestering them. And finally they will!"

They did, by the way.

Making the Grade

Back in 1992, as Gregory celebrated his achievement with the 27th Amendment, things weren't going as well for his former professor, Sharon Waite. She had moved back to South Texas in the 10 years since Gregory was her student. She tried to get a teaching job down there, with no luck.

"I was feeling sorry I'd spent all those years studying and you know...nothing!" Sharon says.

She'd look at all the papers and books and stuff she'd collected over the years getting her master's degree and her PhD, and she wondered, "What was it all for?"

Until one day, she gets a phone call from someone writing a book about constitutional amendments.

"They said, 'Well did you teach at UT Austin in the early '80s?' and I said, 'Yes I did,'" Sharon says. "And then they asked, 'Did you know that one of your students, Gregory Watson, pursued getting this constitutional amendment passed because you gave him a bad grade?'"

Sharon was blown away. And in that moment, she felt redeemed.

"Many people have said you never know what kind of effect you're going to have on other people and on the world. And now I'm in my 70s, I've come to believe that's very, very true. And this is when it really hit me because I thought to myself, 'You have, just by making this fellow a grade he didn't like, affected the U.S. Constitution more than any of your fellow professors ever thought about it and how ironic is that?'"

And with the benefit of hindsight, Sharon says, Gregory clearly doesn't deserve that C she gave him.

"Goodness, he certainly proved he knew how to work the Constitution and what it meant and how to be politically active," she says. "So, yes, I think he deserves an A after that effort -- A+!"

And that's exactly what happened.



UT government professor Zach Elkins and KUT's Matt Largey present Gregory (left) with his new grade at the Paramount Theatre in Austin. *Credit Ilana Panich-Linsman for Pop Up Magazine* 

Zach Elkins, the UT professor we heard from earlier, engineered a grade change for Gregory.

On March 1, Sharon signed a form to officially change the grade. At the Pop-Up Magazine show at the Paramount Theatre in Austin on March 4, we brought Gregory up on stage to surprise him with the grade change.

		UPDATE OF	STUDENT A	CADEMIC R	RECORD			
1. Student's name	Watson	Grego	ru_			Doc ID		
2. UT EID W	atsonad	fire		s college/school	Busi		gistrar's Office L	
5. Check only one of Conv. Corre Corre Other Corre Other Corre Other 7. Print/type instructor	Course Unique Number Unique (Colon due to grading or ission of time to resolve). Explain special circum delay or special circum unique (See #10 below)	ippropriate: a. (See rules governin recording error. Expla (Symbol X is extend istances below. instances (attach letter  proper y  germ fag  y  y  y  y  y  y  y  y  y  y  y  y  y	ig symbol X on reverse in below. ed until	e side.)  Explain le	ght of deserves	Spring 19 Somehow Session & Year symbol/grade was as  The Stude Introng in A + D  Campu Date 3-1-	the original signed  lant's their	
	American							
9. For dean's action:	Disapprove	of academic dean (or					Da	te
9. For dean's action:  10. In the absence of the be forwarded to the Approved.	Disapprove	of academic dean (or	designated represent grade, the chairman she vice president.	tative) authorizing	this update After the dean	's approval, this form		

The official grade change form.

Credit Zach Elkins

To justify it, Sharon writes: "In light of the student's heroic efforts to prove the professor and T.A. wrong in their assessment of his term paper, Mr. Watson deserves A+."

On April 20, the dean of the McCombs School of Business (Gregory was a business major back in 1982) signed off on the grade change. So, 35 years after Gregory wrote his paper, he finally changed that C to an A.

"Very long overdue, to put it very mildly," says Gregory. "This is something that should have happened decades ago. But better late than never, as the old saying goes."