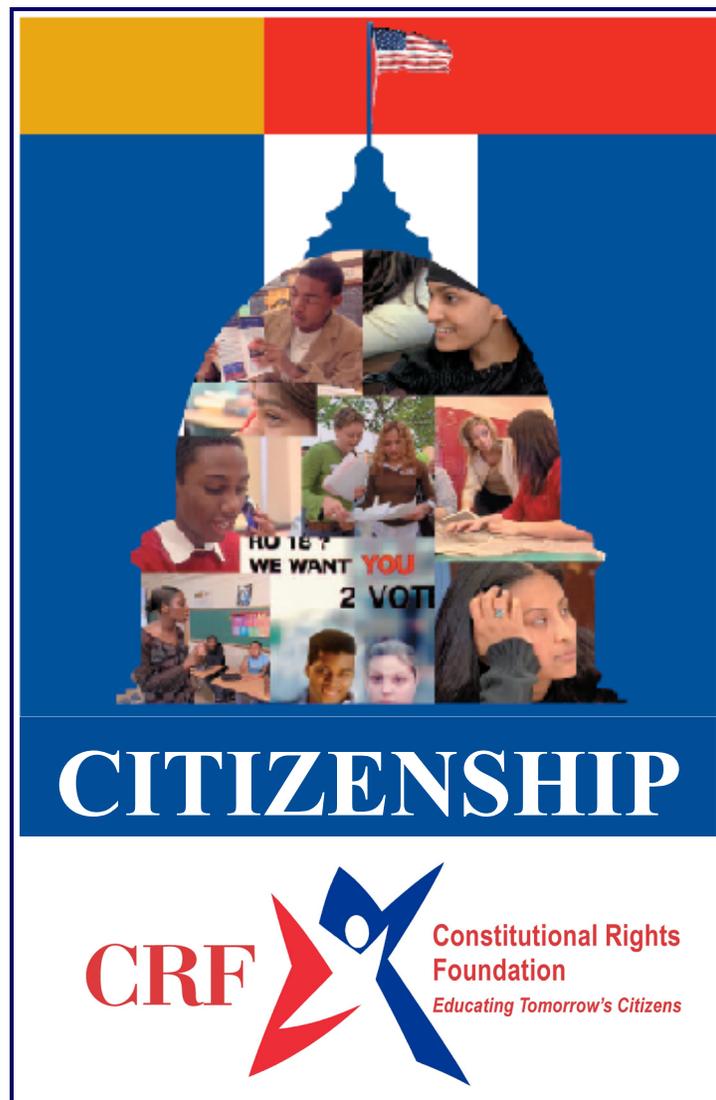


Civic Action Project

Training Version June 2009
California ▪ Colorado ▪ Illinois ▪ Nevada ▪ Pennsylvania



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Civic Action Project

Training Version

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TEACHER BACKGROUND

A Teacher's Introduction to CAP

The qualifications for self-government are not innate. They are the result of habit and long training.—Thomas Jefferson

As Jefferson and many of the other founders realized, if America's experiment in representative democracy were to survive, each new generation of its citizens needed to be educated about the Constitution, our system of government, and the rights and responsibilities of a participating citizenry. It is, after all, the people who make a democracy work.

In fact, the perceived need for ongoing civic education of the populace was one of the primary reasons for establishing public and free education in the United States. Advocates from Horace Mann to John Dewey recognized that a civically ignorant population would not remain a free population.

The challenge of educating each new generation of U.S. citizens has been borne by schools and teachers since the middle of the 19th century. Today, most states require instruction in state and U.S. history to help students understand the ideas, events, and the people who shaped our nation. They require instruction in world history to place our nation's story in an international and global context. Most also require instruction in civics and government so that students understand their constitutional heritage and the workings of government at the national, state, and local levels.

Unfortunately, national and state studies demonstrate that students graduate ill prepared to take on their role as informed and effective citizens. Levels of content knowledge are insufficient and students lack the dispositions to effectively participate.

CAP offers a solution.

What Is CAP?

CAP is a different kind of civics and government course. Think of it as a culmination of what students learn through the course of their social studies education, a chance to apply what they have learned in the real world experience of taking civic action.

Students and adults learn best by doing. In the science curriculum, students learn the scientific method by being challenged to form a hypothesis, conduct experiments to test it, and draw conclusions on the basis of the data collected. In speech classes, students learn public speaking by organizing their ideas, writing a speech, and presenting it. In college, students often participate in a practicum, where they apply the theory of the classroom to the real world.

CAP is a practicum for high school students in civics and government. In it they see how the content of a government course can apply to the real world. By taking **civic actions**, they also practice what real citizens do when they go about trying to affect policy or solve a real problem. These actions can be many and varied, including getting informed about a public issue or problem, thinking critically about it, discovering how government is involved and makes decisions, developing a position, engaging in civic dialogue, building constituencies, working

together toward a common goal, doing civic writing, making presentations, advocating for and defending positions, meeting with officials, and making decisions.

It's the stuff that empowered citizens do to solve a community problem, influence policymakers, advocate for resources, and support or oppose legislation. By conducting civic actions, students can learn how government really works, gain the skills and confidence to participate themselves, and understand the importance of what they are doing in their government course.

The CAP Classroom

In some ways a CAP classroom is similar to a high quality traditional government course classroom. Students cover the required government content and standards, participate in class discussions and other learning activities, and are evaluated on the basis of their achievement. Every effort has been made to link the CAP curriculum to standards, model research-based methods, and provide multiple opportunities for qualitative assessment.

But in the CAP classroom, the teacher has additional goals and expectations and a different role. In the CAP classroom, teachers not only cover the material but provide opportunities for students to actually learn how to be engaged and effective citizens.

To do this, the teacher serves as a coach and a guide to students through the civic action process as they select a problem or issue, research it, determine and take civic actions, and report and document the experience. The teacher motivates, challenges, critiques, and assesses student progress.

The student's role is to be accountable for completing the civic action process, just as with a science project or term paper, to the best of their ability. Along the way they must seek guidance when necessary, work with their peers to solve problems, manage their time to meet deadlines, and document their work. To help them, CAP provides structure, tips and "how-tos" for conducting civic actions and templates for reporting on their activities.

The CAP Curriculum

The CAP curriculum consists of a series of 14 policy-related lessons connected to the civic action process. Through the readings and interactive classroom activities contained in the lessons, students learn how government content applies to policymaking at the local level, how policy is made and can be influenced, and strategies for effective citizenship. The civic action process requires students to select a problem or issue relating to policy, examine and analyze the problem or issue, and consider and implement civic actions to effect change. The curriculum is designed to give teachers a range of options for conducting the civic action process and supports student work with requisite planning support, guidance, content, and practical tips.

The CAP curriculum incorporates a range of interactive learning strategies, which are central to good classroom instruction. They include class discussion, simulations and role-play activities—all promising approaches outlined in the seminal *The Civic Mission of Schools* report. The report identified research-based promising approaches that promote the development of student civic content and capacity gains.

Summary of Lessons

Lesson 1: A Different Kind of Government Course introduces students to the Civic Action Project (CAP) as a practicum for their government course. To help students understand CAP's rationale, they first discuss why government is a required course and then brainstorm knowledge, skills, attitudes, and actions of effective, productive citizens.

Lesson 2: Introduction to Public Policy introduces the link between policy and problems. First, students read and discuss a short article defining policy. Then they discuss policy and its connection to problems. Next, in small groups, they do a newspaper search to find examples of public policy.

Lesson 3: Problems, Policy, and Civic Actions gives students further background in problems, policy, and civic action to prepare them for CAP. First, students analyze problems in terms of causes and effects. Next, they explore how policy can be linked to problems. Finally, they list possible civic actions that can be taken to when working on a problem.

Lesson 4: Introducing Policy Analysis helps students develop a deeper understanding of public policy and the interaction between government and citizens in making policy. They look at case studies and are introduced to policy analysis.

Lesson 5: Policymaking in the Three Branches of Government introduces students to executive, legislative, and judicial policymaking and to policy evaluation. First, students discuss how policy can be made by each of the branches. Then they read about and discuss how the Chicago City Council passed an ordinance to suppress gang activity and how each branch of government was involved in the policy. Finally, students are introduced to a policy-analysis rubric (GRADE) and apply it to the Chicago gang ordinance.

Lesson 6: Analyzing Anti-Gang Policies provides students with practice in analyzing policy. First, as a whole group, they evaluate an anti-gang policy using GRADE. Then in small groups, they are given policies that address gang violence and they evaluate each.

Lesson 7: Policymaking at the Local Level gets students to examine an instance of policymaking at a school board, one of the most common institutions at the local level. First, students read about and discuss a common local (and national) problem, the dropout rate. Then they role play subcommittees of a hypothetical school board, examine documents about the dropout problem, and craft a policy to address the dropout problem. Finally, they exchange policies with other groups and evaluate one another's policies using the GRADE rubric.

Lesson 8: Law & Policy informs students about how existing law can influence public policy and policymaking. First, students read about and discuss how existing law can influence public policy. Then in small groups, they role play members of a public policy law firm and decide whether a policy of evicting renters violates existing law and whether a new law is needed to protect renters.

Lesson 9: Persuading introduces students to the art of persuasion. First, they read about and discuss the three types of persuasion: *logos*, *ethos*, and *pathos*. Then students prepare two-minute persuasive talks on why the issue that they have chosen to address in CAP is important. Finally, in pairs, students present and critique one another's talks.

Lesson 10: Building Constituencies introduces students to the importance of building a constituency to support or oppose public policies. First, students complete a brief reading about the Montgomery Bus Boycott. Next, they examine documents created during the boycott and identify the civic actions taken to help build constituencies. Finally, in small groups, students brainstorm how they can get support for their CAP issue.

Lesson 11: Setting the Public Agenda introduces students to the public agenda and its importance to policy. First, students read about and discuss the public agenda and ways that citizens can influence it. Then in small groups, students are given different situations and they develop strategic plans for getting their issues or solutions to issues on the public agenda.

Lesson 12: Using the Media helps students learn about the importance of the media in setting the public agenda. First, they read about and discuss how the media help set the public agenda and how citizens can influence the media and even create their own media to help change the public agenda. Then they develop a plan to do one action to use or affect the media. Finally, they begin to implement their plan. As homework, they complete their action.

Lesson 13: Persuading Policymakers informs students that legislative and executive bodies often hold public hearing and how students can make effective presentations at these hearings. First, students read about public hearings and techniques for making presentations at these hearings. Then students role play a city council and people appearing before it attempting to persuade policymakers on hypothetical issues.

Lesson 14: Creating Change Through the Electoral Process focuses on electoral politics and how it deeply influences policymaking. First, students read about and discuss the role that electoral politics plays in policymaking. Then in small groups, students role play campaign workers and create strategies to attract young people to participate in an election campaign.

Lesson 5: Policymaking in the Three Branches of Government

Overview

This lesson introduces students to executive, legislative, and judicial policymaking and to policy evaluation. First, students discuss how policy can be made by each of the branches. Then they read about and discuss how the Chicago City Council passed a controversial ordinance to suppress gang activity and how each branch of government was involved in the policy. Finally, students are introduced to a policy-analysis rubric and are guided through applying it to the Chicago gang ordinance.

Civic Mission of Schools Promising Approach: 1, 2

Objectives

Students will be able to:

- Explain and give examples of how each branch of government can make policy.
- Explain how each branch of government was involved in a particular policy case study.
- Evaluate a policy using a rubric.

Preparation & Materials

- **Handout 5A: Chicago’s Gang Congregation Ordinance**—1 per student
- **Handout 5B: GRADE**—1 per student

Procedure

I. Focus Discussion

- A. Remind students that they have been studying policy and policymaking and tell them that today they are going to take a look at how policy can be made in the three branches of government.

Ask students for examples of policymaking in each branch. Begin with the legislative branch. If students have trouble coming up with examples, use the prompts below:

Legislative. This branch makes laws and students probably will have little difficulty grasping this and coming up with examples. Remind them of examples from previous case studies:

- Plastic bag ban (San Francisco Board of Supervisors)
- Lead-testing requirement (Congress)
- Bans on driving with hand-held cellphones (state legislatures)

Executive. This branch enforces the law. It can be involved in making policy by deciding how to enforce the law. Remind them of examples from previous case studies:

- The executive was involved in the three legislative examples above because the executive signed them into law.
- Suicide barriers on bridge (Caltrans—Department of Transportation in the executive branch of California)

Judicial. This branch interprets the law. Clearly, this branch affects policy as students have seen in the random drug testing case study (which the Supreme Court ruled constitutional). But this branch also makes policy (judicial policy-making is often controversial). Consider these examples:

- A Colorado judge has a sentencing policy for young people convicted of playing their music too loud while driving around the city. Instead of imposing a fine, he sentences them to one hour of listening to his music. He claims to no longer see repeat offenders.
- The *Miranda* rule was created by the Supreme Court in a confession case. The rule sets forth requirements that police must follow before questioning a criminal suspect. It is a policy to make sure police comply with the Fifth Amendment.

B. Tell students that they are going to examine a case study showing how all three branches of government can be involved in policymaking.

II. Reading and Discussion—Chicago’s Gang Congregation Ordinance

A. Distribute **Handout 5A: Chicago’s Gang Congregation Ordinance** to each student. Tell students that this handout tells the story of an attempt by the city of Chicago to put a new gang suppression policy into place. Ask them to read it and look for the actions taken on the policy by the legislative, executive, and judicial branches.

B. When students finish reading, hold a discussion using the questions on the handout:

1. What problem(s) was the policy designed to address?
 - Violent crimes, vandalism
 - Fearful residents
 - Gangs
2. How was the legislative branch involved with the policy? Name the actions and what legislative body did them.
 - Public hearings on gangs (City Council’s Committee on Fire and Police)
 - Passed the Gang Congregation Ordinance (City Council)
3. How was the executive branch involved? Name the actions and what executive body did them.
 - Signed Gang Congregation Ordinance into law (Mayor)
 - Issued General Order 92-4 (Chicago Police Department)
 - Issued dispersal orders (Chicago Police Department)
 - Arrested people for violating the ordinance (Chicago Police Department)
 - Put those arrested on trial (Prosecutors)
 - Handled appeals (Prosecutors)
4. How was the judicial branch involved? Name the actions and what judicial body did them.
 - Tried the defendants (State Trial Courts)
 - Heard appeals (Illinois Appellate Court, Illinois Supreme Court, and U.S. Supreme Court)
 - Ruled on the ordinance’s constitutionality (All of the courts mentioned above)

III. Guided Activity—GRADE

A. Explain that analyzing policy is important:

It is important to policymakers deciding what to do about a problem and when deciding whether to change a policy. Analyzing policy is also important to citizens. Voters may be asked to vote on policy initiatives. Politicians may promise to enact certain policies, and citizens may need to analyze what the politicians are proposing. Citizens in a democracy can influence policy, and it's important to have the tools to analyze it.

B. Tell them that they are going to practice analyzing policy by evaluating the Chicago Gang Congregation Ordinance using a policy-analysis tool. Distribute **Handout 5B: GRADE** to each student. Review the handout and then, calling on students, begin using GRADE to analyze the ordinance. Below are some possible responses:

G — The goal of the policy is to stop gang members from hanging around neighborhoods and intimidating people.

R — The reading does not specifically mention supporters or opponents. It's important that students begin thinking about who might support and oppose particular policies. Ask students to think of who might support or oppose the policy. Below are a few possibilities:

Possible Supporters

police	prosecutors
neighborhood associations	people terrorized by gangs
local politicians	

Possible Opponents

gang members	minority-group organizations
civil-liberty organizations	non-profits supporting the homeless
defense attorneys	

A — Among the advantages:

- Police can break up groups even when they are doing nothing wrong and thus rid neighborhoods of gang members.
- People will not be intimidated by gang members hanging around the neighborhood.

D — Among the disadvantages:

- Police may arrest people who are doing nothing wrong and are not even gang members.
- The law violates peoples' basic liberties.

E — Ask students to weigh the advantages against the disadvantages. If they believe the advantages outweigh the disadvantages, then they favor the policy, but they must also consider alternatives. Tell them that one alternative is always to do nothing. Ask them if they know of any other alternatives. If they do, briefly discuss them.

IV. Debrief

A. Ask students:

- Can you think of other examples of policy-making in different branches of government? (national and local)
- Why should citizens know about policy-making in the three branches of government? Think of when knowing which branch might be associated with a particular policy would come in handy.

B. After completing this lesson, have students return to the Citizenship Brainstorm, identifying and adding to the lists.

Chicago's Gang Congregation Ordinance

In the United States, particularly in urban areas, criminal street gangs pose great danger. They often try to take over parts of a city, battling other gangs in turf wars and terrorizing residents. Like other cities, Chicago has had much experience with gangs. In the 1990s, more than 100 criminal gangs roamed its streets. In an eight-year period, Chicago street gangs committed more than 60,000 crimes, including 20,000 violent crimes and 894 homicides.

In 1992, the Chicago City Council's Committee on Fire and Police conducted public hearings on the city's street gangs. Many testified about the terror they felt on city streets. One woman stated: "When I walk out my door, these guys are out there . . . They watch you . . . They know where you live. They know what time you leave, what time you come home. I am afraid of them." Another resident said: "I have never had the terror that I feel every day when I walk down the streets of Chicago. . . . I have had my windows broken out. I have had guns pulled on me. I have been threatened. I get intimidated on a daily basis. . . ." From these hearings, the City Council concluded "criminal street gangs establish control over identifiable areas . . . by loitering in those areas and intimidating others from entering those areas." It found that the "burgeoning presence of street gang members in public places has intimidated many law abiding citizens" and "creates a justifiable fear for the safety of persons and property in the area."

In response, in June 1992, the City Council passed the Gang Congregation Ordinance, and the mayor signed it into law. To violate this law, four things must happen. First, a police officer must reasonably believe that a street gang member is present in a group of two or more. Second, the people must be "loitering," which the law defines as staying "in any one place with no apparent purpose." Third, the officer must issue an order for the group to disperse. Fourth, the people must disobey the order. If convicted, an offender could face up to six months in jail, a fine up to \$500, and up to 120 hours of community service.

Within two months of the ordinance's passage, the Chicago Police Department issued General Order 92-4, containing guidelines on how it was going to enforce the law. The purpose of the guidelines was "to ensure that the anti-gang loitering ordinance is not enforced in an arbitrary or discriminatory way." The guidelines limited enforcement to "designated areas," not made public. They further allowed only officers in the Gang Crime Section and other specific officers to make arrests under the ordinance. They also spelled out criteria for identifying gang members.

The ordinance was in effect from August 1992 to December 1995. During that period, police issued almost 90,000 dispersal orders and arrested more than 40,000 people for violating the law.

Many of these people were put on trial. Thirteen trials were held. In each, lawyers for the defendants challenged the constitutionality of the ordinance. Eleven judges ruled that the ordinance was unconstitutional, and the prosecutors appealed. Two trial judges, however, upheld the law, and the ensuing trials convicted some defendants. These defendants appealed their convictions.

The Illinois Appellate Court consolidated all the appeals and ruled that the ordinance was unconstitutional. This occurred in December 1995, and police stopped enforcing the ordinance.

The prosecutors appealed to the Illinois Supreme Court. This court also ruled that the law was unconstitutional. The prosecutors appealed to the U.S. Supreme Court.

The U.S. Supreme Court granted certiorari, meaning it decided to hear the case. In 1999, the court issued its opinion in *City of Chicago v. Morales*. (Jesus Morales was one of the defendants in the case. The name of the party appealing the case is always listed first.) The court found Chicago's Gang Congregation Ordinance unconstitutional. It ruled that the law violated the 14th Amendment's due process clause, which, among other things, requires fair notice. The court said that the meaning of staying "in any one place with no apparent purpose" was unclear. "[T]he purpose of the fair notice requirement is to enable the ordinary citizen to conform his or her conduct to the law. . . . Although it is true that a loiterer is not subject to criminal sanctions unless he or she disobeys a dispersal order, the loitering is the conduct that the ordinance is designed to prohibit. If the loitering is in fact harmless and innocent, the dispersal order itself is an unjustified impairment of liberty."

Excerpts From the Chicago Gang Congregation Ordinance

- (a) Whenever a police officer observes a person whom he reasonably believes to be a criminal street gang member loitering in any public place with one or more other persons, he shall order all such persons to disperse and remove themselves from the area. Any person who does not promptly obey such an order is in violation of this section.
- (b) It shall be an affirmative defense to an alleged violation of this section that no person who was observed loitering was in fact a member of a criminal street gang.
- (c) As used in this section:
 - (1) "Loiter" means to remain in any one place with no apparent purpose. . . .
 -
 - (5) "Public place" means the public way and any other location open to the public, whether publicly or privately owned. . . .
 -
- (e) Any person who violates this section is subject to a fine of not less than \$100 and not more than \$500 for each offense, or imprisonment for not more than six months, or both. In addition . . . , any person who violates this section may be required to perform up to 120 hours of community service

For Discussion

1. How was the legislative branch involved with the policy? List the actions and what legislative body did them.
2. How was the executive branch involved? List the actions what executive body did them.
3. How was the judicial branch involved? List the actions and what judicial body did them.

GRADE

As citizen in a democracy, you'll be confronted with policy questions. Is a tax proposal a good idea? Should you vote for a particular ballot initiative? Government policies can profoundly affect our nation and your life. In a democracy, you have a say on government policies and proposed policies. It's important that you take a critical look at them. Use the following GRADE tests to evaluate a policy:

Goal. What is the goal of the policy? If you don't know what it's supposed to do, you can't measure its success or failure. Policies are designed to address problems. What problem or problems is this policy supposed to address?

Rivals. Who might (or does) support the policy? Who might (or does) oppose it? Knowing the rivals can help you understand who the policy might affect and whether the policy favors special interests. Also, rivals are terrific sources for information, but you must check their facts.

Advantages. What are the policy's benefits? What is good about the policy? Does the policy address the causes or effects of the problem? Will it achieve (or has it achieved) its goal? Will it achieve the goal efficiently? Is it inexpensive? Does it protect people from harm? Does it ensure people's liberties?

Disadvantages. What are the policy's costs? What is bad about the policy? Does the policy fail to address the causes or effects of the problem? Is it inefficient? Is it expensive? Does it cause harm? Does it intrude on people's liberties? Are there any potential consequences that may cause damage?

Evaluate. Weigh the advantages versus the disadvantages. Are there alternative policies? One alternative is to do nothing. Most serious problems have various policy proposals. Evaluate them. Look at their goals, advantages, and disadvantages.

Policy Analysis

Proposed Policy:

Problem or Issue the policy is attempting to address:

G

Goal/s

R

Rivals

A

Advantages

D

Disadvantages

E

Evaluate