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WHAT'S NOT IN THE BILL OF RIGHTS

Topics addressed

- Overview of the U.S. Constitution
- The Bill of Rights
- Constitutional amendment process

Time needed: 40 to 50 minutes or less if modified

Overview: Participants will be introduced to the first 10 amendments to the U.S. Constitution and the process for amending the Constitution. Participants will consider proposing a 28th amendment to the U.S. Constitution. This is a great presentation for Constitution Week.

Group size: Intended for adult civic/nonpartisan groups and may be implemented in a variety of settings including dinner meetings for groups with much larger groups.

Materials needed:

- PowerPoint
- Chart paper
- Small red sticky dots (two per group)
- Paper for participants to write at tables
- Handouts (1-4)

Equipment: Computer for PowerPoint, projector and screen. Bring web-based materials on a flash drive or have Internet access on site.

Preparation:

- Review presenter's guide of "What to Do and Not to Do."
- Review and become familiar with the PowerPoint and handouts so you can breeze through the slides without reading.
- Make copies of handouts for distribution.

Getting Started: As participants are being seated, ask them to list on the paper at their tables five rights that everyone has in this country.

40 to 50 minutes
required



Needed:
Laptop and projector for PowerPoint



Warm-up activity:
Name 5 rights we have in the United States

5 minutes



Begin presentation
Review purpose for Constitution and Bill of Rights



- Review Handout 2 for case precedent and/or review these links:
 - United States v. Place:
<https://www.oyez.org/cases/1982/81-1617>
 - City of Indianapolis v. Edmond:
<https://www.oyez.org/cases/2000/99-1030>
 - Kyllo v. United States:
<https://www.oyez.org/cases/2000/99-8508>
 - Illinois v. Caballes:
<https://www.oyez.org/cases/2004/03-923>

Once the presentation begins and everyone is seated, make sure everyone in the audience has completed this warm up exercise. Show screen two of the PowerPoint and discuss generally what is included in a constitution. Expand upon the purposes of a constitution and how/why the U.S. Constitution was developed.

The amendments: Focus on the amendments to the U.S. Constitution. Ask how many rights are in the Bill of Rights. Appropriate answers should be the first 10 amendments to the U.S. Constitution. Let participants know that although today we know the Bill of Rights as the first 10 amendments to the U.S. Constitution, there were actually 12 amendments proposed to be included in the Bill of Rights. The Bill of Rights was later added as a compromise to ensure the U.S. Constitution would be ratified.

Handout 1: Without discussing the rights in the Bill of Rights yet, distribute Handout 1 and ask participants to review the 12 proposed amendments to be included in the Bill of Rights. Individually, ask participants to determine which 10 amendments were approved originally to be included in the Bill of Rights. Ask participants to work independently and place a check mark by each amendment they think is in the Bill of Rights today.

Small group exercise: In groups of five have participants review their responses and agree as a group on the 10 rights in the Bill of Rights. Allow five to ten minutes. While the groups are working, post chart paper with the 12 rights listed. At the conclusion of the group work, hand out two red dots per small group. When everyone has finished, each group should place their red dots on the chart paper next to the two amendments (one dot per amendment) that they believe are not included in the Bill of Rights. ***(Do not allow participants to examine the Bill of Rights before or during this activity!)***

Handout 2: After all groups have placed their dots on the two rights they believe are not included in the Bill of Rights, discuss with participants their decisions. Distribute pocket Constitutions (or Handout 2) and highlight the ratified/approved amendments that were included in the Bill of Rights. Highlight the two amendments that were not ratified to be in the Bill of Rights. The PowerPoint provides details on their fate.

Amending the Constitution: Briefly review the process for amending the U.S. Constitution. Ask if it should be easy or difficult to change the Constitution. Emphasize that the U.S. Constitution has existed for more than 220 years.

Handout 1:

Which 10 of these 12 amendments were ratified?

Have audience answer first individually then in small groups

Highlight the 2 amendments not included using chart paper and red dots



Allow 5 minutes

Handout 2

Review the first 10 ratified amendments

Review

process for amending Constitution

Thumbs up or thumbs down?



Which of these proposed amendments did not pass?

Have full group give a thumbs up or thumbs down

Full group discussion: Proceed to the Thumbs Up or Thumbs Down component of the PowerPoint. Introduce this section by telling participants that more than 10,000 proposals to amend the U.S. Constitution have been introduced since its inception. Announce each proposed amendment that appears in the PowerPoint and ask participants to consider if the proposal passed and is in the U.S. Constitution or if it failed and is not. (Note to presenter: All of the examples used failed so the correct answer would be Thumbs Down for all proposals in the PowerPoint. You can add others as well.) Let participants know that while approximately 10,000 amendments have been introduced, far less than 1 percent of them have been approved/ ratified.

Handouts 3 and 4: Distribute copies of the Constitution Outline (Handout 3) and Constitutional Amendment Proposal Form (Handout 4). Participants should reassemble in their original small groups and work together to review the amendments to the U.S. Constitution.

28th Amendment: Each small group should brainstorm ideas they think should be included in the U.S. Constitution today and develop the wording for an amendment using the form provided.

Time for a vote: Have participants present some of their proposals to the full group. The full group can vote to approve or reject each proposal.

Handouts
3 and 4

In small groups
review the 27
amendments
to the U.S.
Constitution



Have each
group come
up with a
28th
amendment

Debrief
proposals

Vote
Full group can
vote to accept or
reject each
amendment