

**Lesson:** An introduction to the first California state constitution.

**Time needed:** one class period-approximately an hour

**Grade:** middle school

**Background:** These lessons will come mid-year in a traditional 8<sup>th</sup> grade United States history class in California. This lesson belongs at the end of a study of Westward Expansion following lessons about the Mexican-American War (CA Standard 8.8). The development of the United States constitution and the important role of state constitutions in our federalist system (CA Standard 8.1 and 8.2) should be studied earlier in the year and reviewed prior to the introduction of the lessons below.

**CA Standard addressed: 8.8.6-Describe the Texas War for Independence and the Mexican-American War, including territorial settlements, the aftermath of the wars, and the effects the wars had on the lives of Americans, including Mexican Americans today.**(Sections in bold will be the focus of the lesson below.)

**Statement of Purpose:**

This lesson will enable students to look at the first California state constitution to see the political and social values of the state at its inception. Further they will begin to see how the early development of the state has shaped the culture of the state today.

**Objectives:**

- Students will brainstorm what should be contained in the first California state constitution.
- Students will compare and contrast the first California constitution with the United States constitution.
- Students will analyze the two constitutions and make predictions about differences and similarities that exist between the two.
- Students will look specifically at provisions in the first California state constitution regarding Mexicans in the state and Mexican-Americans.

**Materials:**

- Student journals
- Chart paper, marker
- Comparing Constitutions chart
- copy of the first state constitution of California-  
**[http://www.ss.ca.gov/archives/level3\\_const1849txt.html](http://www.ss.ca.gov/archives/level3_const1849txt.html)**
- copy of United States constitution-text inside An American Nation or other U.S. History/Government textbook)

**Procedure:**

- 1) Introduce the agenda for the day to students.

- 2) In journals, answer review question about the Mexican-American War and the Treaty of Guadalupe-Hidalgo.

**Journal question-**Discuss a minimum of three agreements made in the Treaty of Guadalupe-Hidalgo. Answer should be in a detailed paragraph. Make sure to discuss the options that Mexicans had who choose to remain in the areas that were being claimed by the United States.

- 3) Share and discuss answer to journal question. The teacher should write down students' responses on the overhead/chalkboard as they are shared.
- 4) Put students in groups for brainstorm activity about the first California state constitution. One student should be assigned to be the writer. Answer the question on chart paper. Students may give answers in bullet point sentences.  
**Question for brainstorm-**What should the first California state constitution include? Remember what you have learned about the United States Constitution, federalism, and the Treaty of Guadalupe-Hidalgo.
- 5) Share and discuss answers. Pick one student in each group to post the poster up so it is visible for the duration of the unit.
- 6) Put students in pairs. Hand out to each pair the Comparing Constitutions chart, copy of the first state constitution of California, copy of United States constitution. Explain that they will be looking at both constitutions to compare them and analyze the differences and similarities. Do the first row of boxes together with students. While students work on the chart independently, circle around the room to help direct them through the long documents.
- 7) **Closure:**
  - Go over the answers to the chart on the overhead/chalkboard with students.
  - Assign homework
  - Preview lesson for tomorrow-The California state initiative and impact on immigrants in the state.

#### **Assessment:**

- The Comparing Constitutions charts should be collected and graded for accuracy following the next lesson.
- Journals should be collected and graded for completeness and detail.

#### **Homework:**

- **Journal question (homework)-**What did your groups predict would be in the first California state constitution? What was your group correct about? What did your group not anticipate? Answer should be in a detailed paragraph.

#### **ELD modification-**

- Students could be given a chart that is partially filled in.
- Students could do the chart in pairs with more directed instruction from the teacher. For example, rather than waiting until the end of the period to go over the answers to the entire chart, the teacher could review the answers with students after each row in the chart is filled in.

### **Advanced modification-**

- In addition to comparing the first California state constitution and the United States constitution, additional columns could be added to the chart to compare the first Texas state constitution written in 1845 and/or one of the constitutions of the original 13 states.
- A longer chart could be made with higher level thinking concepts. For example, items to look for in both constitutions could be, “concepts from the Declaration of Independence in the constitution.”

**Lesson:** The California state initiative and its recent impact on immigrants in the state.

**Time needed:** one block class period or two class periods-approximately two hours

**Grade:** middle school

**Background:** See previous lesson

**1) CA Standard addressed: 8.8.6-**Describe the Texas War for Independence and the Mexican-American War, including territorial settlements, **the aftermath of the wars, and the effects the wars had on the lives of Americans, including Mexican Americans today.**(Sections in bold will be the focus of the lesson below.)

**2) CA Standard addressed: 8.3.6-**Describe the basic law-making process and how the Constitution provides numerous opportunities for citizens to participate in the political process and to monitor and influence government (e.g., function of elections, political parties, interest groups).

### **Statement of Purpose:**

This lesson will introduce students to the California initiative process. In addition, students will look at three specific initiatives to examine the changing attitudes of Californians towards Mexicans and Mexican-Americans in the state from the states' inception to the present day.

### **Objectives:**

- Students will read about the development of the California state initiative and the amendment in the text of the state constitution pertaining to the initiative process.
- Students will debate their views on the initiative during the class period.
- Students will read about 3 recent initiatives proposed and passed by California voters.
- Students will compare the states' changing attitude on Mexicans, Mexican-Americans, and other immigrants from the first California state constitution in 1849 to the current state constitution with regards to the 3 initiatives discussed.

### **Materials:**

- Article XI Section 21 from the first California state constitution in 1849 (regarding English and Spanish spoken in the state)-  
**[http://www.ss.ca.gov/archives/level3\\_const1849txt.html](http://www.ss.ca.gov/archives/level3_const1849txt.html)**

- Article III Section 6 of the current California state constitution (regarding English as official language of the state.)-<http://www.leginfo.ca.gov/const.html>
- Public Policy Institute of California's 2000 survey results, "The California Initiative Process-How Democratic Is It?"-  
<http://www.ppic.org/publications/reports.html#political>
- Article II Section 8-Section 12 of the current California state constitution (regarding initiative process)- <http://www.leginfo.ca.gov/const.html>
- Text of Proposition 187-  
[www.americanpatrol.org/REFERENCE/prop187text.html](http://www.americanpatrol.org/REFERENCE/prop187text.html), Proposition 209-  
[vote96.ss.ca.gov/Vote96/html/BP/209text.htm](http://vote96.ss.ca.gov/Vote96/html/BP/209text.htm), and the Unz initiative-  
[www.catesol.org/unztext.html](http://www.catesol.org/unztext.html)
- Chart paper, markers

### **Procedure:**

- 1) Introduce lesson plan for the day to students.
- 2) Instruct students to take out their journals and comparing constitutions chart from yesterday. Share answers to journal question- What did your groups predict would be in the first California state constitution? What was your group correct about? What did your group not anticipate? Answer should be in a detailed paragraph.
- 3) Review chart from yesterday.
- 4) Instruct students to prepare for another journal. Put on the overhead/chalkboard for students Article XI Section 21 from the first California state constitution in 1849 (regarding English and Spanish spoken in the state) and Article III Section 6 of the current California state constitution (regarding English-only in the state).  
Journal prompt-Read each of the statements above. Which one do you think was from the 1849 constitution and which one is in the constitution today? Explain your predictions in a detailed one paragraph answer.
- 5) Show students the answer. Discuss.
- 6) Segway into discussion of the California state initiative. Give every student a copy of the California state constitution-Article II Section 8-Section 12 and a selected section of the Public Policy Institute of California's 2000 survey results, "The California Initiative Process-How Democratic Is It?". Select readers to read paragraph at a time to the class. Review information. Ask students to define initiative and explain how it works in California. Write student responses on the overhead/chalkboard.
- 7) Conduct a debate in the "Philosophical Chairs" style-1) write a statement on the overhead.chalkboard-Initiatives are an positive way of getting citizens more involved in government.2) Students write three statements each with a different argument giving their opinion on the statement in their journals. 3) Divide room into three sections. Students who agree with the statement move to one side, students who disagree with the statement move to another side, and students who are not sure, move to the middle. 4) Teacher directs conversation by calling on students to state their opinions. 5) As arguments are heard, students can switch sides of the room they are sitting on.
- 8) Instruct students to get into group of four. Explain that the class will be reading the text of 3 different initiatives. More than one group will be reading about each

initiative. Teacher should assign roles for the groups-leader/discussion moderator, supply person, writer, reader and model what the poster should look like on the overhead/chalkboard. All students participate in the debate/discussion in the group. On chart paper, students should write the title of their initiative, a sentence or two giving the main idea of the initiative, and two arguments in favor of the initiative and two arguments against the initiative.

- 9) The leader of one group from each initiative will present to their informational poster to the class. Following each presentation, the other groups who read about the initiative presented may add their arguments to the class discussion.
- 10) Teacher should answer student questions about the initiatives and the initiative process.
- 11) Conduct the Philosophical Chairs debate again in the same fashion reminding students to consider specifically the initiatives they just studied (**time dependent**).
- 12) Return to the Public Policy Institute of California's 2000 survey results, "The California Initiative Process-How Democratic Is It?" Select students to read sections to the class. Discuss.
- 13) **Closure:** Tying today's lesson together.
  - Return to student journals.  
Journal question-How has legislation regarding the rights of immigrants changed from the first California state constitution of 1849 to the current state constitution? Consider all information presented today. Answer in a detailed one paragraph answer.
  - Think-Pair-Share—Students verbally share what they wrote with a student sitting next to them, 3) Teacher calls on students to share. In a pair, each student would share what their partner wrote rather than what they themselves wrote.
- 14) Introduce homework.

### **Homework:**

Make a list of five ways to amend the initiative process, while still keeping it in the state constitution. These suggestions will be discussed together in class tomorrow.

### **Assessment:**

- Posters will be graded for accuracy and strong pro and con arguments.
- Journals should be collected and graded for completeness and detail.
- Homework will be graded for completeness and detail.

### **ELD modification:**

- The text of the propositions could be reworded and simplified for ELD students.
- Homework should be started in class.

### **Advanced modification:**

- Students could be assigned a research homework assignment to look up more recent initiatives on the internet and bring them in to be discussed in class.

