



Curriculum Units by Fellows of the Yale-New Haven Teachers Institute
1988 Volume I: The Constitution in Public Schools

The Constitution, Censorship and the Schools: Tennessee v. John Thomas Scopes

Guide for Curriculum Unit 88.01.02
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This curriculum unit is designed for ninth-grade Contemporary Law and U.S. History courses presently required in the New Haven Public Schools. It is intended to take up to ten class periods to complete and could be useful in any history or Contemporary Issues course in which First Amendment principles are examined. One goal of this project is to increase student awareness of the role the U.S. Constitution has played and continues to play in the choosing of curricula for public school classrooms. What does the law have to say about textbooks, films and practices that may be “inappropriate” for teachers and students? What is the constitutional nature of this question? There are many individuals and groups which have a vested interest in schools: students, parents, local and state boards of education. Who ultimately has the right to determine what is and what is not permitted to be taught? How often have lawmakers and courts (particularly the Supreme Court) ruled in cases involving teachers’ right to teach and students’ right to know? The United States claims to be a pluralistic society in which the rights of minorities are protected. Under law, how does a school system act to indeed protect the rights of minorities within a framework of intellectual freedom and the “right to know?” One of the underlying purposes of this unit will be to examine ways of effecting possible changes in schools within the boundaries of the U.S. Constitution.

The particular focus of the unit is the famous Scopes trial in 1925 and the issues raised as far as religion v. science. The trial itself is examined, day-to-day, and courtroom procedures emphasized. Vocabulary lists are included, as well as questions and court documents. A viewing of the film based on the trial, “Inherit the Wind,” is recommended. Study-discussion sheets are included in the unit.

Modern cases are discussed as well, to encourage the students to debate the issues of censorship in classrooms. Interview activities and jury selection role plays are all included in the unit.

Students will hopefully conclude, after studying this unit, that Constitutional issues may affect them personally, can be quite emotional, and that court decisions may not satisfy everyone.

(Recommended for Contemporary Law classes, grade 9; and U.S. History classes, grade 11)

Key Words

*Student Teacher Rights United States Constitution American History Judicial System Supreme Court Cases
School Desegregation Law Scopes Trial Contemporary*

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