Common Core Social Studies Learning Plan Template

**Lesson Title:** Commerce Clause and US v. Lopez

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**Appropriate for Grade Level(s):** 12th Grade: United States government

**History Standard(s)/Applicable CCSS(s) (RI, W, S&L, L):** CCSS ELA RH. 11-12.1-6,.8

**Type of Lesson:** Research Based Discussion Strategy

**Student Readings (list):** Words We Live By – Linda Monk “To regulate Commerce with foreign nations, and among the several States, and with the Indian Tribe” US v. Lopez (93-1260), 514 U.S. 549 (1995) Majority Opinion – William Rehnquist & Dissenting Opinion – Justice Stephan Breyer

**Total Time Needed:** 1 – 50 minute class period or two 50 minute class if you read the materials in class

**Lesson Outline: Structured Academic Controversy**

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| **Time Frame**  **(e.g. 15 minutes)** | **What is the teacher doing?** | **What are students doing?** |
| 5 minutes | Assign reading for homework | Listening to instructions on what to read |
| 2 min | Pass out graphic organizer & assign groups | Sitting in assigned groups |
| 2 min | Explain directions | Listening |
| 5-7 min | Walking around answering question | Prepping their arguments in groups of 2/3 |
| 1 min | Bringing order and preparing for the structured argument | Finalizing arguments and preparing to argue or listen and take notes |
| 2 min | Walking from group to group listening and answering any questions | Pro – Rehnquist present argue, pro- Breyer take notes and listen |
| 2 min | Walking from group to group listening and answering any questions | Pro- Breyer present argue, Pro – Rehnquist take notes and listen |
| 1 min | Instruct students to go through the group Discussion section | Listening to instructions |
| 5 | Walking from group to group listening and answering any questions | Conducting group discussion |
| 5-8 | Discussing group questions | Discussing group questions |
| 5 | Walking from group to group listening and answering any questions | Conducting reflection discussion |
| 5-8 | Discussing reflection questions & wrapping up the SAC | Discussing reflection questions & wrapping up the SAC |
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**Description of Lesson Assessment:** Students will turn in their graphic organizer and written arguments. Most of the assessment will come from the discussion and reflection questions

**How will students reflect on the process and their learning?** It is built into the lesson!

**US. v. Lopez and the Commerce Clause**

**Handout A:**

**Step 1**

**Pro - US v. Lopez**

1. Using the information you learned regarding the commerce clause, take the position of a pro-Lopez advocate. Using the space below provide 2 or 3 pieces of information from Justice Rehnquist’s majority opinion that helps to support your argument.

2. Be sure to use Justice Breyer’s dissenting opinion as a counter-claim to bolster your argument.

**Step 2**

**Anti – US v. Lopez**

1. After listening to their argument, what piece of evidence did your opponents provide that you thought was relevant to the anti-Lopez position? What piece of evidence did they bring forth that was weak or irrelevant? What further evidence would you use to make their argument stronger? Using the space below provide 2 or 3 pieces of information that would help you advance this position.

**Group Discussion: Commerce clause today -**

1. How does Justice Rehnquist define commerce?
2. Give some examples of things that would fall inside congressional power of commerce. What would fall outside ?

**Refection:**

1. What common ground did you find with other members of the group?
2. What did you learn about the commerce clause today that you did not know before?
3. What are two questions about this subject that you still have?

**US. v. Lopez and the Commerce Clause**

**Handout B:**

**Step 1**

**Anti - US v. Lopez**

1. Using the information you learned regarding the commerce clause, take the position of an anti-Lopez advocate. Using the space below provide 2 or 3 pieces of information from Justice Breyer’s dissenting opinion that helps to support your argument.

2. Be sure to use Justice Rehnquist majority opinion as a counter-claim to bolster your argument.

**Step 2**

**Pro – US v. Lopez**

1. After listening to their argument, what piece of evidence did your opponents provide that you thought was relevant to the pro-Lopez position? What piece of evidence did they bring forth that was weak or irrelevant? What further evidence would you use to make their argument stronger? Using the space below provide 2 or 3 pieces of information that would help you advance this position.

**Group Discussion: Commerce clause today -**

1. How does Justice Rehnquist define commerce?
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**Refection:**

1. What common ground did you find with other members of the group?
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