

THE RENDELL CENTER FOR CIVICS AND CIVIC ENGAGEMENT



Civics Tools for Teachers

BY MARJORIE O. RENDELL

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“It may be an easy thing to make a Republic; but it is a very laborious thing to make Republicans; and woe to the republic that rests upon no better foundations than ignorance, selfishness, and passion.”

— Horace Mann, 1848¹

More than 170 years ago, the man often referred to as the “father of American education” told us that the best way to preserve and sustain our democratic society and avoid the pitfalls of the Old World was to have an educated citizenry. We have failed to heed that advice. A recent report funded by the National Endowment for the Humanities, *Educating for American Democracy*, found that “[t]he United States stands at a crossroads of peril and possibility. . . . We, as a nation, have failed to prepare young Americans for self-government, leaving the world’s oldest constitutional democracy in grave danger, afflicted by both cynicism and nostalgia, as it approaches its 250th

anniversary.” Regrettably, we have neglected civic education for the past several decades. Fortunately, we are coming to the realization that we need to do something about it. As the report notes, “The time has come to recommit to the education of our young people for informed, authentic, and engaged citizenship. Our civic strength requires excellent civic and history education to repair the foundations of our democratic republic.”²

I started working to promote civics education when my ex-husband, Ed Rendell, became governor of Pennsylvania. Justice David Souter spoke at a Third Circuit Court of Appeals Conference in 2000, where he related a story about a Russian lawyer who visited the Supreme Court and wanted a tour. Justice Souter volunteered to take him through the building and was surprised at the lawyer’s knowledge of Supreme Court opinions. He inquired how he learned so much about the Supreme Court’s work. The lawyer replied that during

the Cold War, when he or one of his lawyer friends got their hands on one of the opinions, they would meet clandestinely and discuss them. The lawyer then asked Justice Souter what he thought was the most impactful Supreme Court opinion of the modern area. Justice Souter immediately replied *Brown v. Board of Education*. The lawyer looked disappointed. So Justice Souter asked him what he thought was the most important decision. He responded, “The Nixon tapes decision,” adding, “because in my country, the idea that the head of government could be told what to do by the courts is unheard of.” At that moment, Justice Souter said, he had an epiphany: We don’t teach our children civics, we don’t teach them how amazing our government is. That message inspired me — as it still does today — to try to do something about this, to educate our children about the workings of our unique system of government, and to prepare them for their role as active, engaged citizens. ▶

What started as an effort to be a convener of like-minded organizations when Ed was governor was initially called “PennCord,” for Pennsylvania Coalition for Representative Democracy. In 2014, after we left the state capital, it became the Rendell Center for Civics and Civic Engagement. Ed and I incorporated the center with the mission:

The mission of The Rendell Center is to promote civic education and engagement. To do this, The Rendell Center offers opportunities for educators, students, and the broader community to develop the knowledge, practices, and dispositions of engaged citizenship. For educators, The Rendell Center creates curriculum content, pedagogical tools, and professional development experiences. For students, The Rendell Center develops literacy-based programs and experiential learning exercises.

We determined that what the teachers lacked was curriculum, so we set about to create lesson plans for grades K–8. We chose elementary school because we wanted to take advantage of the excitement — yes, excitement — of younger children in the learning environment. At the stage when children are learning the importance of individual responsibility, cooperation, respect for others, and the importance of being part of a team, children can also be encouraged to self-identify as citizens. It is the perfect time to lay the foundation for engaged citizenship.

We underestimated their ability to take in the concepts. I remember visiting an Allentown school and the students singing a rap song about authority, responsibility, justice, and privacy. It was amazing to see how these young fourth graders understood the concepts

and were excited about making them their own. But we soon learned a disappointing fact, which remains a challenge today: Despite our providing an easy-to-incorporate civics curriculum, teachers weren’t interested. They had already planned their days, weeks, and months, and had standardized tests to prepare the students for. As numerous teachers, principals, and superintendents put it, there was simply “no time.” The thought of “making time” got no traction, as civics and social studies were increasingly de-valued as subjects that needed to be taught, because, as we know all too well, they are not emphasized in the high-stakes testing regime that tends to characterize American schools. So curriculum was an uphill battle not worth fighting.

Instead, we set our sights on activities that we thought teachers would be interested in, which involved some trial and error. Our experience has borne fruit in terms of the receptivity of teachers and students alike to our three main programs: Read Aloud Lessons, Literature-Based Mock Trial, and the Citizenship Challenge.

Read Aloud Lessons

Unlike the subject of civics, literacy is foremost in the minds of elementary school teachers. At the Rendell Center, we have adapted the mantra: *Reading is our first freedom*. One of our most popular literature-based programs for K–5 classes is our Read Aloud Lessons. These curriculum-based exercises include books about civics themes — such as rule of law issues, responsibilities, and rights — that can be easily incorporated into lesson plans, insights about the book, questions to pose, and suggestions to make the read aloud session a fun and memorable experience. Reading aloud helps students learn how to use lan-

guage and retain key points of the story, while also improving their information-processing skills, vocabulary, and comprehension. Adding questions and discussion to the instructional mix makes the lessons more engaging for all involved. For example, during a read aloud and class discussion of *Carl the Complainer* by Michelle Knudsen, students learn about the importance of becoming a change agent in their classrooms, schools, homes, and communities. As the students learn, Carl was only able to effectuate change when he realized he needed to use his voice in a positive way and not just complain.

In addition, we have prepared scripted trials based on popular stories that allow the students to identify and learn about the roles and responsibilities of people in the courtroom. Students read the part of the bailiff, the attorneys, witnesses, and jury members. Not only do students learn about these parts, but they also learn to express an opinion and support that opinion, for example during jury deliberations. Teachers tell us that these Read Aloud Lessons make an even greater impression on their students when a Rendell Center-enlisted attorney or judge actively participates in the session (either in person or via Zoom). These participants engage by reading from the book and handling a subsequent Q&A session, which helps students to better grasp the law-related concepts introduced in the book. And their involvement provides many schoolchildren with their first personal interactions with an attorney or judge.

Literature-Based Mock Trial Program

Our Literature-Based Mock Trial program is the crown jewel of our literacy-based civic education programs for K–8 students. The program allows teachers and students to learn about our judicial

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system by writing and arguing a mock trial based on a piece of literature that they are already reading. For example, one of our K-8 mock trial lessons might find Goldie Locks being tried for criminal trespass, or Steve Harmon from *Monster* by Walter Dean Myers on trial for second-degree murder. Our program materials include a comprehensive handbook that guides teachers from step one — identification of a piece of classic or classroom literature on which to base the trial — through to the concluding culminating event — the actual trial and jury deliberation. In addition, the handbook appendix offers suggested activities and sample literature-based mock trials to supplement the exercise.

Using our mock trial framework, teachers challenge their students to think through the storylines and characters in a deeper and more practical, real-life way, helping them learn from the issues and apply the lessons to their own lives. The experience takes students into the gray areas of democratic deliberation by creating an opportunity for them to form and support their own opinions about situations where there may be no right or wrong answer.

Once the teacher has chosen a piece of literature for the exercise and the class has read the work, Rendell Center staff join the process by introducing the concept of a mock trial to the students and helping them to build common vocabulary, strengthening their understanding of the concepts of rules and laws. In subsequent class periods, our staff, and often legal volunteers (judges, attorneys, and law students), help the students to develop a fact packet that

contains a narrative with information about the trial, identification of and written statements by witnesses, opening statements for both the prosecution and defense, direct and leading questions for each side to pose, and the closing arguments for both sides. Ideally, this process involves four-to-five classroom sessions that culminate in a trial, at which time a guest judge is brought into the classroom, or the class visits a nearby courthouse to engage in the mock trial process, complete with student jurors. These interactions with legal professionals are noteworthy because, for many students, it is the first time they will interact with the legal system, and in such a positive way.

Many teachers who have implemented our Literature-Based Mock Trial program have told us it presents a fantastic opportunity to engage their students in literature while at the same time improving their writing abilities, speaking skills, and knowledge about the judicial system and the Constitution. Moreover, teachers acknowledge that such programs help to establish a solid foundation of civics understanding that will serve students well into the future. Several have cited the pre- and post-test results for their own classes, some seeing as much as 33 percent improvement.

Prior to the COVID-19 pandemic, our Literature-Based Mock Trial program had been implemented in 59 classrooms, reaching more than 1,800 students. That level of engagement, however, ground to a halt in the spring of 2020, when schools closed and teachers and students were forced to interact in a virtual learning environment. Despite

their struggles to adapt to this new format of student instruction, teachers and administrators continued to seek innovative programming for their home-based students, and they reached out to the Rendell Center to learn what we could offer them. We modified our Literature-Based Mock Trial structure to include a virtual format, enabling us to reach 10 classrooms in 2020 and 27 classrooms in 2021.

The pandemic also revealed that a virtual framework is a bit more conducive to recruiting legal volunteers because it requires less time for attorneys and judges to be away from the office as there is no travel time. As a result, as we emerge from COVID mandates, we plan to continue to leverage the virtual framework, while also seeking opportunities for volunteers to return to the classrooms where they can personally interact with students and teachers.

Due to the success of and strong demand for our mock trial formula, the Rendell Center is developing a History-Based Mock Trial program grounded in primary source documents. Much like the literature-based counterpart, our history-based offerings allow students to deepen their understanding of an historical event, review primary source documents, improve their understanding of the U.S. judicial system, and develop higher-level thinking skills. To date, trials have been developed based on the Hamilton-Burr duel and the Boston Massacre.

Citizenship Challenge

The third program is the Citizenship Challenge, an essay contest for fourth and fifth grade classes. We ►

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pose a question, such as, “Should the Constitution be amended to eliminate the Electoral College system for selecting the President and replaced with the national popular vote?” We then solicit and receive emails (of up to 500 words) submitted by classes that take a position on that question. The essays are judged, and the top ten classes come to the National Constitution Center (or attend via Zoom during the pandemic) to present a skit about their essay (or, on Zoom, answer questions about it). The top three finalists receive a cash prize. It is amazing how well researched, thoughtful, and persuasive the essays are. One year, we asked how we could increase the number of people who vote, and one class advocated putting ads on cereal boxes and painting over graffiti with pro voting messages. Out of the mouths of babes! Teachers and parents alike are almost as excited as the students at the final competition. This obviously involves more organization than other programs, but it is well worth it.

There is documented evidence showing the benefit of innovative experiential learning programs for students, and I have witnessed firsthand how these programs inspire young students to emerge from disinterested, heads-down-on-the-desk bystanders to fully engaged, motivated, and knowledgeable program participants. (I found it particularly powerful to see a young, somewhat shy fourth grader confidently approach the bench in a courtroom to pose questions to a witness as part of a literature-based mock trial.) And the excitement generated by the Citizenship Challenge — featured on our website — among teachers, students

and parents is really gratifying. Part of the beauty of the programs we have created is the interaction between lawyers and educators. The combination creates a meaningful force, with each bringing their skillsets to the program to benefit the students on various levels: content learned, interpersonal development, and literacy improvement.

Pay It Forward!

Now: some good news, bad news. The bad news is that it is difficult to have an impact in terms of the number of students we reach. Education is, for the most part, local. It takes a teacher, a principal, or a superintendent to understand the importance of incorporating one of these exercises. The exercises involve reading and writing, which is a selling point, but they also involve change, *i.e.*, something new and different. The good news is that while, years ago, the public’s realization that civic education was important required an epiphany much like Justice Souter experienced, today, there seems to be a universal understanding that we have failed in this area and a desire to do so something about it. Indeed, bills have been introduced in both houses of Congress to expand support for high-quality civics education programs and service learning initiatives for K-12 schools and in higher education.

More good news is that teachers are interested in having lawyers and judges come into their classrooms to help educate students. They just don’t know how to go about it. Lawyers and judges can easily reach out to their child’s or grandchild’s teachers and offer to do a read aloud, or to assist

with a mock trial, or to help the class write an essay on a topic involving the Constitution. Our 2021 challenge focused on the First Amendment, asking school-aged participants whether schools should discipline students for their comments on social media.

I like to say that we in the legal profession corner the market on the understanding of the Constitution and how our government works. Constitution Day, Law Day, and Bill of Rights Day present great opportunities. This is not only a good way to enhance the image of those in our profession, and to share our knowledge, but it will also provide memorable experiences for the students as well as for those who choose to engage in educating the next generation of citizens. I urge you to do your part to pay it forward! The rewards you receive will greatly outweigh the effort you put forth. We at the Rendell Center stand ready to help you get started!



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¹ Horace Mann, *Report No. 12 of the Massachusetts School Board (1848)*, <https://usa.usembassy.de/etexts/democrac/16.htm>. For his role in creating the unified public school system and for his vision for non-secular education, Mann has become known as the “father of American education.” See DAVID CARLETON, *Horace Mann, First Amendment Encyc.*, <https://www.mtsu.edu/first-amendment/article/1283/horace-mann>.

² EDUCATING FOR AMERICAN DEMOCRACY INITIATIVE, EXCELLENCE IN HISTORY AND CIVICS FOR ALL LEARNERS (Mar. 2, 2021), <https://www.educatingforamericandemocracy.org/the-report/>.