

UVUTM

Center for
**CONSTITUTIONAL
STUDIES**

UTAH VALLEY UNIVERSITY

**CONSTITUTIONAL
LITERACY INSTITUTE**

Constitutional Literacy Institute

July 13, 2020 - July 17, 2020

The purpose of the Constitutional Literacy Institute is to provide education, resources, and experiences for teachers to increase their personal constitutional literacy and thereby help their students to do the same, ultimately equipping the rising generation of citizens and leaders with a broad understanding of political thought and economic and political practices critical to the perpetuation of constitutional government, ordered liberty, and the rule of law.

Monday



Nicholas Cole

Senior Research
Fellow,
University of
Oxford

The Nature of the Constitutional Convention

Dr. Cole gave a fascinating lecture on the Constitutional Convention, immersing participants in both the primary and secondary sources associated with the convention. He discussed the classical and British influences at the convention, the framers' concerns about democracy, the most contentious issues, and the previous experiments in republican government conducted by the states. He highlighted the significance of the convention as the first attempt to establish a government through reflection and choice.

Teacher Feedback

I really learned from Dr. Cole's exploration of the Constitutional Convention. I learned things in a way that will allow me to take that learning to my students.



Thomas Lee
Justice, Utah
Supreme Court

Theories of Constitutional Interpretation

Justice Lee used case studies from his personal experience on the Utah Supreme Court to contrast the two ways that judges interpret the Constitution: originalism and living constitutionalism. He discussed how originalists carefully consider documents associated with the framing of the Constitution, such as letters written by the framers, the Federalist Papers, and journals. In contrast, he explained that living constitutionalists use the original framework of the Constitution but suggest that interpretations should evolve as conditions change. Justice Lee gave an engaging and balanced criticism of both perspectives.

Teacher Feedback

Having Justice Lee explain how decisions are made was an extremely helpful reminder. I felt like it helped us have the tools to explain court decisions better in our classes.



**Wood
Research
Assistants**

Quill Project Training

Participants received instruction on ways to use the resources produced by the Quill Project, and had time to explore these resources with support from student-trainers. The focus of this training was on resources associated with the Constitutional Convention.



Jeffrey D. Nokes
Associate
Professor of
History, BYU

Pedagogical Training: The Great Compromise

Dr. Nokes provided the teacher participants with lesson materials for teaching about the Great Compromise using primary sources. The group engaged in an analysis of several documents. He highlighted strategies for teaching students to acknowledge the perspective of others, a skill that is vital in both historical inquiry and civic engagement. Using primary sources, participants engaged in a model lesson, considering the rhetoric at the convention that was likely to lead to compromise and rhetoric that discouraged compromise.

Teacher Feedback

I loved seeing Prof. Nokes' lesson in action and plan on using it in our Ben Franklin Academy.



Kyle Jensen
Educator,
Jordan School
District

Daily Classroom Adaptation Workshop

Mr. Jensen discussed with teachers three pillars of the ideas that formed the framework of the Constitution, Classical republicanism, the British Enlightenment, and protestant Christianity. He then addressed the way teachers can teach students about the many tensions and binaries associated with the Constitution. For example, he discussed the clash between the ideas of monarchy and democracy, individual rights and the common good, justice and mercy, and state governments and the federal government. He gave several ideas for teaching about these binaries.

Teacher Feedback

I plan on incorporating the use of binaries and think that bridging the large between 6th, 7th, and 8th graders I will explicitly reference classical republicanism and use a graphic organizer with the columns you see on our present day government buildings, (that students learned about in 6th grade world history) to bridge the gap of their understanding.

Tuesday



Grace Mallon
Professor,
University of
Oxford

Dividing Sovereignty in 1787

Dr. Mallon discussed the idea of divided sovereignty, one of the remarkable features of the United States Constitution. She first considered the notion of sovereignty, and how different philosophers had considered the concept prior to the convention. She pointed out Madison's study of historic attempts to create a federal system, which had all ended in failure, caused the founders to consider this principle carefully as they enumerated powers. Dr. Mallon also discussed the challenges associated with putting the principles into practice—evident even today with issues of stewardship over coronavirus and the use of federal law enforcement.

Teacher Feedback

The lesson on sovereignty was fascinating. I learned the term 'Fiscal-military' state which I don't believe I had heard before. I also got better understanding of the difference between Sovereignty and Federalism and how they relate.



**Federalism
Research Team**

Theories of Constitutional Interpretation

Dr. Bibby was unable to attend, but a team of researchers who have been working with him made a presentation on their work. They discussed the value of studying state constitutions, pointing out that most Americans don't know the federal Constitution very well and know even less about state constitutions. They shared resources, such as the courses on federalism, available at www.federalismindex.org

Teacher Feedback

I loved learning about federalism and state constitutions -- a reminder to emphasize that more in my classroom. I loved the federalism applied lesson presented today about federalism.



**Wood
Research
Assistants**

Quill Project Training

Participants received follow-up instruction on ways to use the Quill Project resources, and had personalized training based upon their familiarity with the resources. The focus of this training was on resources associated with state constitutions.



Jeffrey D. Nokes
Associate
Professor of
History, BYU

Pedagogical Training: Federalism Case Study

Dr. Nokes conducted a model lesson on federalism using primary sources associated with Recapture Canyon and Bears Ears National Monument in southeastern Utah. Teacher participants engaged in a lesson, considered the question should the federal government, state government, local government, or tribal governments decide how land should be used? Modeling a classroom strategy, participants worked together to form a consensus document.

Teacher Feedback

I really liked Jeff's ideas about land management and the way to draw kids into the process of cooperation to come up with solutions that work for most people.



Application Workshop

Discussion Groups Divided by Grade Level

Participants split into breakout rooms according to grade level, with each group discussing instructional methods for teaching constitutional principles such as federalism. Kyle Jensen led a discussion of high school teachers. Jeff Nokes led the middle school discussion while Axel Ramirez and Paul Wangeman led the elementary teacher discussion.

Wednesday



Nicholas Cole

Senior Research Fellow,
University of Oxford

The Declaration of Independence and the Bill of Rights

Dr. Cole spoke on the Declaration of Independence and the Bill of Rights. He explained the historical context of each document, highlighting the Virginia Declaration of Rights and the preface of the Massachusetts Constitution of 1780.

Teacher Feedback

Dr. Cole is a gifted lecturer. The lecture on the Declaration of Independence and the Bill of Rights were both insightful.



Eric Baxter

Senior Counsel,
Becket Fund for Religious Liberty

The Bill of Rights in the 21st Century

Dr. Baxter used cases that Becket has taken to illustrate the current interpretations of the “separation of church and state,” the “establishment clause,” and the “free exercise clause.” He discussed, for example, the courts’ inconsistent decisions regarding Christmas displays, and religious symbols on government seals.

Teacher Feedback

I was obsessed with the presentation from Eric Baxter and Professor Cole on the Bill of Rights. I’m so intrigued by discussions about religious freedom.



Wood Research Assistants



Kyle Jensen
Educator,
Jordan School
District

Quill Project Training

Participants received follow-up instruction on ways to use the Quill Project resources, and had personalized training based upon their familiarity with the resources. The focus of this training was on resources associated with the Bill of Rights.

Pedagogical Training: Winthrop's City on a Hill

Mr. Jensen explained the difference between the “big C” Constitution, the laws, processes, and written Constitution, and the “little c” constitution, the values, identities, and beliefs of citizens. He explained that civic engagement requires a knowledge of both. He drew from a number of resources to illustrate the concept including Winthrop's “City on a Hill” speech and the book *Hip, the History of America*.

Teacher Feedback

Loved learning about Kyle's perspective on HIP! Very interesting. Thinking about how to make it work on a smaller level with elementary school kids.

Thursday



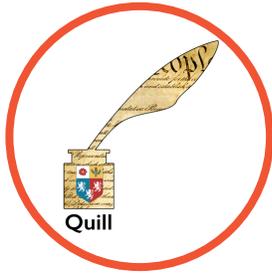
Nicholas Cole
Senior Research
Fellow,
University of
Oxford

Slavery and the Convention

Dr. Cole discussed the framers' position on slavery, including Jefferson's criticism of slavery in his first draft of the Declaration of Independence. He discussed the historical precedence of slavery, suggesting that where slavery existed historically, there was also criticism of slavery. Dr. Cole explored the idea of slavery in both the North and South, documenting the gradual abolition of slavery in northern states. He discussed slavery as an issue during the Constitutional Convention and during the expansion of the United States. He traced it to the Civil War and its eventual abolition.

Teacher Feedback

The prevalence of slavery in the northern states prior to the U.S. Constitution and even a couple decades prior to the Civil War was surprising.



Wood Research Assistants

Quill Project Training

Participants received follow-up instruction on ways to use the Quill Project resources, and had personalized training based upon their familiarity with the resources. The focus of this training was on resources associated with reconstruction.



Nicholas Cole

Senior Research
Fellow,
University of
Oxford

Reconstruction

Dr. Cole continued his discussion of racial issues in United States history, considering Reconstruction, the passage of the 14th Amendment, and the Civil Rights movement.

Teacher Feedback

A lot of about analyzing how I view racism! Also, how he gave a great chronological order of how the 14th Amendment addressed civil rights!



Justin Collings

Associate Dean,
J. Reuben Clark
Law School, BYU

Important Court Cases Related to Race

Dr. Collings explored important court cases related to race. He discussed the potential of the 14th Amendment to protect civil rights, which has never been fully realized because of the precedents set in Plessy vs. Ferguson, the Slaughterhouse Case, and the Civil Rights Cases of 1883. Dr. Collings showed that in the Civil Rights Acts of the 1960s the courts used the “commerce clause” broadly because of the limiting interpretations the 14th Amendment. Collings traced major court decisions through Brown v. Board in 1954.

Teacher Feedback

Kyle Reyes and Justin Collings were fantastic! Their perspectives and how they present the information was amazing! They gave such great background and had such an open mindset.



Kyle Reyes
Vice President of
Student Affairs,
UVU

Constructive Dialogues on Race, Equity, and Justice

Dr. Reyes discussed the need for teachers to engage in culturally sensitive pedagogy. Dr. Reyes used several metaphors to illustrate the concept of privilege—metaphors that teachers could use to help their students understand this complex concept. He encouraged teachers to include the narratives of people of color in their instruction. He encouraged teachers to promote cultural humility and encouraged them to help their students identify an injustice and take action.

Teacher Feedback

The conversation with Kyle Reyes was incredible. Understanding these dynamics through the concepts of lenses is incredibly helpful, and allows me to (hopefully) understand my students better in a variety of ways.



Jeffrey D. Nokes
Associate
Professor of
History, BYU

Pedagogical Training: Civil Rights Act of 1964

Dr. Nokes engaged participant teachers in a model lesson using primary sources to compare the Olympic Protest of 1968 and the NFL protests that started in 2016. The lesson included suggestions for teaching students about effective demonstrations, showing them that there are often more effective ways of taking informed action but that sometimes demonstrations are needed to gain attention to a neglected cause.

Teacher Feedback

I think the lesson from Jeff Nokes taking the topic of protests from 1968 and comparing them to today will be so beneficial as a model for creating meaningful experiences and lessons.



Application Workshop

Discussion Groups Divided by Grade Level

Participants split into breakout rooms according to grade level, with each group discussing instructional methods for teaching constitutional principles such as federalism. Kyle Jensen led a discussion of high school teachers. Jeff Nokes led the middle school discussion while Axel Ramirez and Paul Wangeman led the elementary teacher discussion.



Nicholas Cole

Senior Research
Fellow,
University of
Oxford

Separation of Powers

Dr. Cole discussed the philosophical foundations and historic origins of the separation of powers. He showed that “rule for society” has always tended to drift toward “rule for self.” Kinships become tyrannies, aristocracy becomes oligarchy, and democracy becomes mob rule. He suggested that the separation of powers in Rome is what led to its greatness. Dr. Cole spent a great deal of time discussing the separation of powers that were discussed at the Constitutional Convention. He showed that many of the checks and balances that are taken for granted today were put into place by practice rather than in the Constitution.

Teacher Feedback

Dr. Cole’s break down of the separation of powers and where those ideas come from was invaluable in gaining the whole picture.



Thomas Griffith

Federal Judge,
U.S. Court of
Appeals, D.C.
Circuit

Civility

Justice Griffith claimed that our nation is in jeopardy to a greater degree today than ever before except for during the Civil War. And the answer, he contended, starts with one word—civility. He explained the importance of respecting those who hold different points of view, giving the Supreme Court justices as examples. Justice Griffith talked about the willingness of delegates at the Constitutional Convention to interact civilly and to reach compromise, showing that their friendships and their willingness to compromise were vital to their success. He encouraged teachers to help students become involved in government at the local level.

Teacher Feedback

Judge Griffith was incredible to listen to and I enjoyed how passionate he was about civility. It was informative as well as gave me that little nudge to keep discussing the hard topics and using my energy to teach these kids how to have civil discourse.



Wood Research Assistants

Quill Project Training

Participants received follow-up instruction on ways to use the Quill Project resources, and had personalized training based upon their familiarity with the resources. The focus of this training was on resources associated with reconstruction.



Jeffrey D. Nokes

Associate
Professor of
History, BYU

Pedagogical Training: Classroom Civility

Dr. Nokes discussed a framework for nurturing civility in classrooms: They say, you say, I say, we say. “They say” indicates that we need to know what others have said about an issue before we can take informed action. What the framers said, for example, establishes the parameters within which we work. “You say” involves listening to others—really listening. “I say” suggests that I am not only entitled to express my opinion, but I need to do so. “We say” means that in the end, we need to see the common good in the policies we develop. Dr. Nokes contended that there is no better place to teach civility than in diverse public schools.

Teacher Feedback

I loved the ideas of “They say, You say, We say, I Say.”



Panel Discussion

End of Week Wrap-up

Kyle Jensen, Jeff Nokes, Axel Ramirez, Paul Wangeman, and Nicholas Cole answered questions posed by participants and discussed their major take-aways from the week.



Participant Information

- 24 teachers admitted into the institute
 - Ranging 3 to 37 years of teaching experience
 - Involving 5th through 12th grades, adult education, and concurrent enrollment
- Involving teachers, school administrators, and district employees
- Representing:
 - Wasatch School District
 - Nebo School District
 - Jordan School District
 - Murray School District
 - Alpine School District
 - Provo School District
 - Sanpete School District
 - Karl G. Maeser Preparatory Academy
 - Providence Hall High School
 - Lumen Scholar Institute

Teacher Feedback

“This has been an exceptional week. I’m feeling very hopeful and excited to be a better teacher. Thank you for having this seminar and letting me attend. I’m excited about the books I have now at my disposal.”

“It was a marvelous week! I was able to get more context and details regarding the convention. In addition, I am leaving with even more passion to teach the Constitution to my 8th graders. Thank you so, so much for allowing me to be a part of this experience.”

“I’m so excited to have been part of this program. The way the reading helped me understand what was discussed all week from all of the professors. They paired well together and helped me keep things in order in my mind. I appreciate all the books, professors and support! I have been greatly enriched, and I can’t wait to share it! Thank you for all of your time and expertise!!”

“This has honestly been the highlight of my year so far, even though it was online. Though I don’t generally participate in online discussions, I can assure you I was listening and taking thorough notes and thinking about future classroom applications the entire time. Never have I ever been more excited for a school year to start, despite not knowing what that year will actually look like. Thank you for your hard work and dedication to us and to the cause. It has meant the world.”

“I learned I have a lot more to read, to study.”

“I learned to have hope in America.”

And finally,
THANK YOU
to the donors and faculty who made
this incredible experience possible.



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