

8th Grade Civics and Economics Performance Task

Government & Power Performance Task

Purpose

The purpose of this performance task is to elicit student responses that show our civics students can

- Explain the role of government in our citizens' lives.
- Produce a product that shows evidence of extended, justified thought.
- Produce a product that draws on multiple resources to answer the task's essential questions.

Life-long Learner Standard

Primary

- Understand and apply principles of logic and reasoning; develop, evaluate, and defend arguments.

Secondary

- Plan and conduct research.
- Gather, organize, and analyze data, evaluate processes and products; and draw conclusions.
- Acquire and use precise language to clearly communicate ideas, knowledge, and processes.

ACPS Social Studies Essential Understanding

- Understand that the interplay among ideas, values, power, and leadership shape political systems and the rights they provide citizens.

Course Content/SOL

- CE2, CE3, CE5, CE6, CE7, CE8, CE9

Essential Questions (Students might be asked to choose one question to address)

- What is the proper role of government in citizens' lives?

Directions:

This task requires you to take on the role of a judge issuing a legal decision answering this question:

Did the administrator violate the students' right to free speech?

You will read and analyze the facts of the case as well as the relevant case law by completing the attached analysis sheets.

You will then write a legal decision that clearly states your decision and cites legal evidence that supports your conclusion.

Facts of the case:

Some high school students created a “We hate Principal Johnson” profile on a popular social networking site. On this “slam book” profile, they posted cruel and vicious comments about the principal at their school. They invited students to send Principal Johnson email messages telling her how ugly she is and how no one likes her. The teachers began to hear rumors and discussion about the site during their classes and they alerted the principal to the site’s existence. She investigated the situation and identified the students responsible for creating the “We hate Principal Johnson” profile. She suspended the students and those responsible for the web page.

Document 1: United States Constitution First Amendment:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; ***or abridging the freedom of speech***, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Document 2: Albemarle County School Board Policies

A student, either individually or as part of a group, shall not bully or harass others. Prohibited conduct includes, but is not limited to, physical intimidation, taunting, name-calling, and insults and any combination of these activities.

Students involved in prohibited behaviors will be subject to appropriate disciplinary and/or legal action, as outlined in Albemarle County School Board Policy

Document 3: The court case [Doninger v. Niehoff](#) allowed a school to punish off-campus student speech posted on the internet, and created a rule that would govern off-campus cyberbullying. The court held that “a student may be disciplined for expressive conduct, even conduct occurring off school grounds, when this conduct would foreseeably create a risk of substantial disruption within the school environment, [and] it was similarly foreseeable that the off-campus expression might also reach campus.”

Source: <http://www.unc.edu/courses/2010spring/law/357c/001/Cyberbully/off-campus-bullying.html>

Document 4: [Beussink v. Woodland R-IV School District](#), The first federal court opinion addressing a school's ability to punish a student for off-campus student speech posted on the internet.

Here, a student successfully challenged a school’s decision to punish him for a website, created off-campus and using personal computer equipment, which was vulgar and critical of school officials. The website encouraged readers to contact the principal and voice their opinion of how he was running the school. The website was accessed at school by a few students, but did not cause a disturbance.

The district court held that the punishment violated the First Amendment rights of the student. The court applied the standard from *Tinker*, and held that the school could not punish the student for speech that was not proven to be materially disruptive or an interference with the rights of fellow students.

Source: <http://www.unc.edu/courses/2010spring/law/357c/001/Cyberbully/lower-courts-student-free-speech--cyberbullying.html>

Document 5: J.S. v. Bethlehem Area Sch. Dist A major state court decision allowing a school to punish off-campus cyberbullying that was posted on the internet and then shared with other students in school.

Here, a student unsuccessfully challenged the ability of his school to punish him for creating a personal website, made off-campus and using personal equipment, containing vulgar and threatening statements made toward the student's teachers and principal. The website solicited funds to hire a hitman to kill the student's math teacher, causing the teacher to become upset and take a medical leave of absence. The website was accessed at school, causing some students to suffer anxiety.

The district court held that the punishment did not violate the First Amendment rights of the student, partly because of the threatening nature of the cyberspeech, and partly because the speech caused a material and substantial disruption.

The court held that "Although a student does not shed his or her constitutional right to free speech in the school setting, a school district might, within constitutional bounds, prohibit speech and punish a student for speech, if the school sustains its burden of establishing that the student speech materially disrupts class work, creates substantial disorder, invades the rights of others or it is reasonably foreseeable that the speech will do so."

Source: <http://www.unc.edu/courses/2010spring/law/357c/001/Cyberbully/lower-courts-student-free-speech--cyberbullying.html>

Document 6: Layshock v. Hermitage School District: a federal court decision holding that a school violated the rights of a student when it punished him for engaging in off-campus cyberbullying that did not cause a substantial disruption on-campus.

Here, a student successfully challenged the ability of his school to punish him for creating a fictitious MySpace profile for his school principal, made off-campus and using personal equipment. This fake profile ridiculed the principal's weight and sexuality, mentioned steroid and alcohol abuse, and contained a photograph of the principal copied from the school's website. The page was accessed by Layshock and other students during school. Some teachers reported disruption in their classes, which involved students congregating and talking about the page. As a result, school computer use was disrupted and computer classes were canceled.

The Third Circuit Court of Appeals held that the punishment violated the student's First Amendment rights. Important to the court's holding was the fact that, while the profile was accessed by the defendant and other students on school grounds, it did not create a "foreseeable and substantial disruption to the school."

Source: <http://www.unc.edu/courses/2010spring/law/357c/001/Cyberbully/lower-courts-student-free-speech--cyberbullying.html>

Analysis of the Case

Question: *Did the administrator violate the students' right to free speech?*

My thesis

Scenario

What are the relevant facts of the scenario?

Document 1: First Amendment

Relevant Information	
Does the document support the action of the administrator?	
Explain why or why not.	
How will I use the document in my essay?	

Document 2: School Board Policy

Relevant Information	
Does the document support the action of the administrator?	
Explain why or why not.	
How will I use the document in my essay?	

Document 3: Doninger v. Niehoff

Relevant Information	
Does the document support the action of the administrator?	
Explain why or why not.	
How will I use the document in my essay?	

Document 4: Beussink v. Woodland

Relevant Information	
Does the document support the action of the administrator?	
Explain why or why not.	
How will I use the document in my essay?	

Document 5: J.S. v. Bethlehem Area Sch. District

Relevant Information	
Does the document support the action of the administrator?	
Explain why or why not.	
How will I use the document in my essay?	

Document 6: Layshock v. Hermitage School District

Relevant Information	
Does the document support the action of the administrator?	
Explain why or why not.	
How will I use the document in my essay?	

Rubric

Standard	3 - Attained	2 - Developing	1 - Not Attained
Apply principles of logic & reasoning	You organize your product so that it has a clear structure, a clear and reasonable thesis, and several pieces of proof or justification that directly support your thesis.	You organize your product so that it has a clear structure, but something in the way you present your thesis or proof is unclear.	Your product seems to lack organization that makes it easy for the reader to follow and understand your ideas.
Use precise language to clearly communicate ideas, knowledge, and processes.	You accurately use course vocabulary to describe the relationship between government, its parts, and its relationships with value and powers.	You use general language clearly to share your ideas and support, but you don't use much course vocabulary.	Your word choice is so general that it's difficult to follow your thesis and proof.
Understand how ideas, values, power, and leadership shape government and life.	Your product demonstrates a clear understanding and explanation of how government, its values, and/or its power shapes life for its citizens in multiple ways.	Your product demonstrates a clear understanding of how government, its values, and/or its power shape life for its citizens in one way.	Your product does not explain how government, its values, and/or its powers shape life for its citizens.