

Canadian and International Law

CLN 4U

Grade 12, University Preparation

Unit #2: Rights and Freedoms

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UNIT OVERVIEW

Rights and Freedoms is Unit 2 of 6 in this course of study. In Unit 1, Origins of Law, students learn about the historical and philosophical beginnings of law. In this unit, students focused on Canada's legal heritage and the foundations of legal theory, which revealed that law was a dynamic process that correlates itself with the needs of society. Students explore the roots of law, as well as the meaning and purpose of law itself. Unit 2 focuses on making connections between these origins and contemporary society.

Moving into Unit 2, students have demonstrated an understanding of the relationship between law and social values and the influence of individual and collective actions on the evolution of the law. By engaging with a diversity of legal concepts, principles and theories, students have a solid base to engage in thinking about the nature of rights and freedoms and the legal machinery used to create, classify, interpret and enforce those rights and freedoms.

Unit 2 expands on the roots of law, and offers an explanation to the dynamic nature of law. It examines the key events that have shaped constitutional law and the role, development, and necessity of the constitution in Canada's legal system. A focus is placed on the rights and freedoms of Canadians and the significant change that has occurred in Canadian law since the Canadian Charter of Rights and Freedoms was created. Students examine the legal limitations and procedures entrenched within this Charter, and consider whether potential changes need to be made. In the latter part of this unit, students will explore the evolution of civil rights legislation, by focusing on the historical development of human rights in Canada, and will look at the discrimination that has taken place in Canadian history from the Aboriginal perspective. Landmark cases are reviewed in light of these topics, to analyze the Charter's influence on human rights and to reveal the meaning of equality. Students partake in an in-depth exploration of majority and minority rights (rights and security issues) to consider whether these rights are balanced, how conflicts can be resolved, and what the governmental role is in this balancing.

The CUP explores the possibilities that lie in human right's legislation, and consider current human right's issues from varying schools of thought and legal perspectives within the limits of the Charter.

Completion of Unit 2 provides students with an understanding of the broad, constituting rights and freedoms guaranteed by Canadian society, how they operate in the current political, economic, social and cultural context of Canada and the tools of interpretation and analysis courts and lawyers use to determine, protect and extend these rights and freedoms to new situations and/or social forces. Unit 2 provides the background necessary to understand and locate the more substantive and procedural nature of criminal law within larger protections, social goals and political priorities.

Human rights are of the most basic legal rights and protections offered by organised societies. It is crucial for students of law to understand where these rights originate, how they are constituted in law, how they are balanced and limited against one another and how they are protected and enforced. Unit 2 certainly operates on the idea that law is best understood and studied by moving from the most general to most specific concepts, principles and rules.

SUMMATIVE ASSESSMENT PLAN

COURSE: Canadian and International Law - CLU 4U

GRADE: 12

DESTINATION: University

Enduring Understandings

1. Students of law possess a developing understanding of the purposes and functioning of legal systems and a clear understanding of the sources of law, legal theories and concepts, law as a theoretical construct and the meaning of law versus the meaning of justice.
2. Informed students of law understand that law is a human institution and a process that exists within a social, political, economic and cultural context and construct.
3. Rights and freedoms have individual, collective and international aspects, best described as balancing a series of individual rights and freedoms within the context of larger social responsibilities and systems.
4. Skilful advocacy requires engaging the critical mind, developing strong legal research and writing skills and engaging in legal inquiry through gathering facts, mounting evidence, analysing and synthesising the law to build logical and persuasive legal arguments.

OVERALL EXPECTATIONS

- HTV.01 Explain the historical and philosophical origins of law and their connection and relevance to contemporary society.
- HTV.02 Evaluate different concepts, principles, philosophies, and theories of law.
- HTV.03 Describe the relationship between law and societal values.
- HTV.04 Assess the influence of individual and collective action on the evolution of law.
- RFV.01 Describe the historical development of human rights legislation in Canada;
- RFV.02 Explain the development of constitutional law in Canada;
- RFV.03 Explain the rights and responsibilities of individuals under the Canadian Charter of Rights and Freedoms;
- RFV.04 Explain the roles of the legislature and the judiciary in defining, interpreting, and enforcing Charter rights in Canada;
- RFV.05 Analyse the conflicts between minority and majority rights and responsibilities in a democratic society, and examine the methods available to resolve these conflicts.
- LIV.01 Use appropriate research methods to gather, organise, evaluate and synthesize information.
- LIV.02 Apply the steps in the process of legal interpretation and analysis.
- LIV.03 Explain, discuss and interpret legal issues using a variety of formats and forms of communication.

SPECIFIC EXPECTATIONS

STRAND: HERITAGE

- HT2.01 Explain legal concepts such as democracy, justice, equity, equality, rule of law, sovereignty, and the primacy of right.
- HT2.02 Analyse the views of historical and contemporary philosophers of law (e.g., Socrates, Aristotle, John Locke, Jeremy Bentham, Thomas Hobbes, R.M. Dworkin, Henry Shue, H.L.A. Hart).
- HT2.03 Evaluate the strengths and weaknesses of different theories of law (e.g., natural and positive law, legal realism, feminist law).
- HT2.04 Explain the concept of justice as defined by philosophers and legal scholars.
- HT2.05 Analyse contemporary legal situations that raise the question of conflict between what may be legally correct but is generally viewed as unjust.
- HT3.03 Analyse contemporary events and issues that demonstrate a possible conflict between the law and societal values.

STRAND: RIGHTS AND FREEDOMS

- RF1.01 Explain the evolution of Canadian human rights legislation from English common law to the *Canadian Bill of Rights* and then the *Canadian Charter of Rights and Freedoms*.
- RF1.02 Evaluate the protections provided by federal and provincial human rights legislation (e.g., *Canadian Human Rights Act*, *Ontario Human Rights Code*).
- RF1.03 Identify historical and contemporary barriers to the equal enjoyment of human rights faced by individuals and groups in Canada, and analyse their effects.
- RF2.01 Distinguish between the law-making powers of the federal, provincial, and municipal governments;
- RF2.02 Explain what a constitution is and why it is necessary.
- RF3.01 Explain what is meant by entrenching rights in a written constitution
- RF3.02 Analyse how rights and freedoms are protected under the Charter of Rights and Freedoms (e.g., fundamental freedoms; democratic, mobility, legal, equality, and language rights)
- RF3.03 Explain how rights included in the Charter are accompanied by corresponding responsibilities or obligations
- RF3.04 Explain how citizens can exercise their rights under the Charter (e.g., by initiating Charter challenges in the courts to legislation or government action; by raising the Charter as a defence when charged with an offence).
- RF4.01 Explain how rights may be limited or overruled according to the Charter evaluate the role of the courts and tribunals and, in particular, the Supreme Court of Canada, in interpreting Charter rights describe how Charter rights are enforced.
- RF4.02 Evaluate the role of the courts and tribunals and, in particular, the Supreme Court of Canada, in interpreting *Charter* rights.
- RF5.01 identify historical and contemporary examples of conflicts between minority and majority rights (e.g., Riel Rebellion, the Quebec sovereignty debate, First Nation land claims)
- RF5.02 Explain why it is difficult but essential to balance majority and minority rights in a democracy

STRAND: METHODS OF LEGAL INQUIRY AND COMMUNICATION

- LI1.01 Formulate questions that lead to a deeper understanding of a legal issue.
- LI1.02 Conduct research on legal topics, using traditional and non-traditional sources of information (e.g., law-related websites, primary and secondary source documents, legal professionals).

L12.02 Draw conclusions based on analysis of information gathered through research and awareness of diverse legal interpretations (e.g., case studies).

L12.03 Apply an analytical/inquiry method to legal issues (e.g., choose a subject, formulate a question, develop a research plan, gather information, distinguish between opinions and facts, decide on an interpretation, write and present their analysis).

L13.01 Express opinions, ideas, arguments, and conclusions, as appropriate for different audiences and purposes, using a variety of styles and forms (e.g., mock trials, case studies, interviews, debates, reports, papers, seminars), as well as visual supports (e.g., graphs, charts, organisers, illustrations).

L13.03 Use correct legal terminology to communicate legal concepts, opinions and arguments.

SAP TEMPLATE

Unit & Title	Title of Task	Brief Description	Enduring Understandings Addressed	Types of Assessment – Formative, Summative, Scaffolding
2: Rights & Freedoms	Value Line Organizer 2.1	Students are asked to create a value line ranking the importance of the different constitutional powers.	1, 2	Formative Students will receive written feedback – that does not reflect their choices – but looks at the reasoning behind their choices. (i.e. evaluation strategies)
2: Rights & Freedoms	Evolution of Charter Timeline	Students are asked to create a timeline that plots out the evolution of the Canadian Charter.	1, 3	Formative Students will receive brief verbal feedback that they have demonstrated an effective understanding of the evolution of the Charter.
2: Rights & Freedoms	Small Group Acting	Students are asked to complete a case analysis and present a dramatized version of their case.	1, 2, 4	Formative/ Scaffolding Students will receive a presentation checklist that will expose them to the factors being assessed in their CUP
2: Rights & Freedoms	Teacher/Student Check-In	To check-in on understanding of philosophers argument for legal panel/human rights salon	3	Formative/Scaffolding Students will receive verbal feedback on their understanding of the arguments. Give students a foundation to build on for their summative task.
2: Rights & Freedoms	Reasons for judgment	Small groups submit written reasons for judgment on the Vriend case	4	Formative Written feedback on students rationale for their judgment
2: Rights & Freedoms	Burning Questions	Students submit two questions generated from the media sources in preparation for guest speakers.	2, 3	Formative/Scaffolding Written feedback for developing critical inquiry skills. The development of these skills is helpful for the unit summative task.
2: Rights & Freedoms	Written Reflection	Students write a reflection paragraph on emotional reactions to the film clip from	4	Formative Oral feedback through small group discussion

		"Rabbit Proof Fence"		
2: Rights & Freedoms	Charter Pop Quiz	Students write 2 different versions of a quiz and discuss this in terms of affirmative action	3, 4	<p>Formative</p> <p>Oral feedback through large group debate, discussion and simulation</p>
2: Rights & Freedoms	Presentation	Students present a human right's case/issue to the class and answer a series of questions/topics as well as stimulate discussion	1, 3, 4	<p>Summative/Scaffolding</p> <p>Students are assessed on their knowledge and inquiry skills of the chosen issues.</p> <p>This rubric is a lead-up to the final presentation rubric used in the summative task.</p>
2: Rights & Freedoms	Summative Unit Task Meetings	Throughout the unit, students participate in collaborative learning techniques and assess their effort/ achievement through individual and peer assessment rubrics.	4	<p>Formative/Scaffolding</p> <p>Helps students to think about their learning processes and it is a development process both for their summative task and for seeing a connection between effort & achievement.</p>
2: Rights & Freedoms	CUP	Students will be presenting their schools of thought and legal philosophers in a legal panel presentation that outlines the reforms they intend to propose on the Charter.	1, 2, 3, 4	<p>Summative</p> <p>Students are assessed on a written portion, that assesses the knowledge they have of the legal philosophers and schools of thought they were exposed to in the Salon, and reflects on the knowledge and experience of the Salon.</p> <p>Students are also assessed on their Legal Panel Presentation, and how well they communicate the ideas of their philosopher and school of thought in relation to the Charter and the reforms they are proposing.</p> <p>The final component of CUP is the Salon, where students are assessed on their ability to communicate these reforms with philosophers from other school's of thought.</p>

INSTRUCTIONAL ORGANISER

Day One Lesson #1: From the Hindsight of History *Sources of the Canadian Constitution	Day Two Lesson #1: From the Hindsight of History *Constitutional Issues	Day Three Lesson #2: Constitutional Powers *Distribution of Constitutional Powers	Day Four Lesson #2: Constitutional Powers *The Evolution of Canada's Constitution *Selection for Human Rights Salon	Day Five Lesson #3: The Extent of Human Rights Coverage: The Canadian Charter *Timeline Organizer for evolution of Charter
Day Six Lesson #3: The Extent of Human Rights Coverage: The Canadian Charter Case Analysis	Day Seven Meeting # 1 Assessment: Observation Questioning	Day Eight Lesson #3 (continued): The Extent of Human Rights Coverage: The Canadian Charter	Day Nine Lesson #4: Enumerated and Analogous Grounds – S 15 Case Study Media Studies & Case Analysis	Day Ten Lesson #4: Continued Reasons for Judgment Meeting #2
Day 11 Lesson #5: Human Rights & Security Media Sources (Prior to class) Guest Speaker Panel	Day 12 Lesson #6: Human Rights & First Nations Examining Both Sides of the Issue	Day 13 Lesson #6: Human Rights & First Nations Examining Both Sides of the Issue Continued Meeting #3 Questioning	Day 14 Library Research/Work Period for Human Rights Salon	Day 15 Lesson #7: Methods of Legal Inquiry Research
Day 16 Lesson #8: Human Rights from a Distinct Perspective Affirmative Action Simulation	Day 17 Lesson #8 (cont): Human Rights from a Distinct Perspective Human Rights Issues	Day 18 Lesson #8 (cont): Human Rights From a Distinct Perspective Summative Human Rights Presentations	Day 19 Lesson #8 (cont): Human Rights From a Distinct Perspective Identifying Key Issues/ Meeting #4	Day 20 Lesson #9: Meeting #5
Day 21 Legal Panel (see Unit Culminating Activity)	Day 22 Human Rights Salon (see Unit Culminating Activity)			

Lesson #1: From the Hindsight of History

Curriculum Expectations

Enduring Understandings

RF1.03

1

RF2.02

2

RF5.02

Time Required

Student/Teacher Resources

150 min.

Dimensions of Law: Canadian & International Law in the 21st Century

Tree Organizer – Appendix 1.1

EBS Organizer – Appendix 1.2

Article: "Funding of Religious Schools: Should all religious schools receive government funding?"

Overview of Activity/Strategy

Learning Strategies

- Analogy
- Questioning
- Cooperative Learning
- Graphic Organizers

Lesson Overview – Day #1

Activity #1: Hook (15 min.)

*Teacher begins by drawing the outline of a tree on the board

*T-P-S - She asks the students to work together to label the important parts of a tree (2 minutes)

*Class discussion - The teacher gathers suggestions from the class & labels the tree - (if students say roots continue on, if not use prompts to encourage students to mention the roots of a tree)

*Questioning: Why are roots considered to be an important component of a tree? What would happen to the tree if it has no roots?

*T-P-S: Teacher writes the following incomplete analogy on the board:

Roots are to a tree as _____ is to law. (5 minutes)

*Working with the students through prompts if needed or discussion, the class completes the following analogy: *Roots are to a tree as constitution is to law.*

*Brief discussion of what that means

Activity #2: Cooperative Learning/Numbered Heads (15 min.)

Direct Instruction: The teacher informs the class that there are 5 different types of roots that contribute to the Canadian Constitution: unwritten, the BNA Act, the Statute of Westminster, the Canadian Charter & Court Decisions. The teacher puts the students into groups of 5. Each student is instructed to read a different component of the Canadian Constitution, to summarize their findings and brainstorm the ways in which this has contributed to the Canadian legal system.

Activity #3: Cooperative Learning/Jig Saw (30 min.)

The students are instructed that they are going to leave their 'home' groups to meet with students who have just read their section of the material. In these groups, they are to become experts on their 'source of Canada's constitution' so that they can teach the information to their home groups. (15 minutes)

Students are instructed to return to their home groups.

The teacher provides them with an image of a tree with 5 different roots. The students are instructed to share their information, by labeling the roots and writing one sentence that briefly describes this source of the Constitution.

-Then on the trunk of the tree the students are to list one way that each source of the Canadian Constitution has influenced Canadian Law.

Note: The teacher should still have the image of the tree on the board, and should model an example for the students, before they begin to work in their home groups
(15 minutes)

Activity #4: Class Review of Information (10 min.)

The teacher asks the students to turn their attention back to the picture of the tree on the chart paper.

She then asks one member from each group to outline 2 pieces of information that their group came up. Working together the class, collaborates and complete a graphic organizer that defines the sources and outlines the contributions they have made to Canada's Constitution.

The teacher posts the 'Tree Organizer' up at the front of the classroom.

Activity #5: Wrap-Up/Homework (5 min.)

The students are asked to read: "Funding of Religious Schools": Should all religious schools receive government funding?" p. 110-111 in *Dimensions of Law* and complete questions #1-3 on p. 111

Lesson Overview – Day #2

Activity #1: Hook/Review (10 min)

-Teacher returns the students attention the 'Tree Organizer' - he/she asks them if they have any information that they wanted to add that they didn't have a chance to add yesterday.

-Reviews information presented in organizer and uses questioning to check for student understanding.

Activity #2: Examine Both Sides/Cooperative Learning (20 min)

-The teacher puts the students into groups of 4

-Each group is give an 'Examine Both Sides' Organizer to review yesterday's reading entitled "Funding of Religious Schools": Should all religious schools receive government funding?"

-The teacher puts a copy of this organizer on an overhead and models for the students how to complete it.

-The teacher tells the students that yesterday for homework they were asked to answer 3 questions. In their groups they are to complete their EBS organizer using the information they used yesterday.

-Every group member has a particular role:

- a) Timekeeper (pay attention to the time and ensure that your group is completing their goals within the given time constraints)
- b) Recorder (record the key ideas of your group)
- c) Facilitator (keep everyone on track)

Activity #3: Class Discussion (10 min.)

- The teacher puts the EBS organizer on the overhead projector
- She asks the students to share their ideas & records their key thoughts down on the overhead
- Looking at the information gathered, she asks the students to individually think about the following questions (2 minutes):
 1. Do they personally believe that all religious schools should receive government funding?
 2. Do they think that Canada's constitution legally supports the concepts of all religious schools getting government funding?

Activity #4: Four Corners (10 min.)

The teacher leads the students through a 4 corners activity regarding the issue that government should fund all religious schools: Strongly Agree, Strongly Disagree, Agree, Disagree

*This activity is more about illustrating the divergent views in the class as opposed to the discussion, because that has already taken place in small groups and class discussion using the EBS organizer

- Prompts quick discussion on divergent views and the law

Activity #5: Cooperative Learning (20 min.)

The teacher instructs students to return to their home groups, and asks them the following:

Canada is a diverse nation that consists of many divergent perspectives. Therefore, is it possible to create Constitutional laws that benefit all citizens?

Is law a divisive or unifying force? Explain your answer?

What criteria, other than the 'Rule of Law', should be used to decide if a law should be viewed as valid?

Activity #6: Wrap-Up (5 minutes)

The students are instructed to hand in their responses and reflect on the following question "Who should have the power to make the most important Canadian laws? Be prepared to explain 'why'?"

Assessment/Evaluation

Formative:

- Observation
- Questioning
- Checking for understanding
- Review of written answers on Day 2

Accommodations/Notes

- Multiple strategies are being used

- Modeling all activities
- Small group work
- Will review students' IEPs and make any other necessary accommodations.

Lesson #2: Constitutional Power: Competing Rights & Intro. To Human Rights

Curriculum Expectations

RF1.03
RF2.01
RF2.02

Enduring Understandings

1
3

Time Required

150 min.

Student/Teacher Resources

Dimensions of Law: Canadian & International Law in the 21st Century
Value Line Organizer – Appendix 2.1
Article “The Challenge of Toronto” - p.112-113 *Dimensions of Law*
Copies of Canada's constitution (focus on distribution of powers)
Overhead note on “Evolution of Canada's Constitution”

Overview of Activity/Strategy

Learning Strategies

- Questioning
- Cooperative Learning
- Individual Reflection
- Direct Instruction/Note-Taking

Lesson Overview – Day #1

Activity #1: Hook (15 min.)

Students are asked to return to yesterday's home groups & are given formative feedback for yesterday's submitted work. The teacher has compiled a list of key ideas that they students' submitted in response to yesterday's questions.

*Class discussion about list, role of law, balancing rights, etc. (use of questioning & prompts)

*Teacher asks students to reflect on the following: When you are 'evaluating' something what questions are you asking yourself? Briefly, take a minute and write down those questions. Please submit to your teacher.

Activity #2: Cooperative Learning (40 min.)

The students are put in different groups. Again, each group member has a function. Examples: Recorder, Facilitator, Time Keeper, etc. The teacher provides each group with a list of constitutional powers. The students are asked to read through these powers and create a value line of these powers ranking them from the powers they consider to be the most important to the powers they consider to be the least important. The students are asked to be prepared to explain their ranking (20 minutes).

Students quickly present their value lines and explain their reasoning. (10 minutes)

Next, in their groups, the students are asked to refer to p. 106-107, which outlines how Constitutional powers are distributed between the Federal government and the Provincial government. Using their value lines, the students are asked to answer the following "In your group's opinion, which level has the most powers? Why?" Based on your answer, do you think the Fathers of Confederation achieve their goal regarding the division of powers. (10 minutes)

Again, each group member has a function. Examples: Recorder, Facilitator, Time Keeper, etc.

The teacher provides each group with a list of constitutional powers. The students are asked to read through these powers and create a value line of these powers ranking them from the powers they consider to be the most important to the powers they consider to be the least important. The students are asked to be prepared to explain their ranking (20 minutes).

Students quickly present their value lines and explain their reasoning. (10 minutes)

Next, in their groups, the students are asked to refer to p. 106-107, which outlines how Constitutional powers are distributed between the Federal government and the Provincial government. Using their value lines, the students are asked to answer the following "In your group's opinion, which level has the most powers? Why?" Based on your answer, do you think the Fathers of Confederation achieve their goal regarding the division of powers? (10 minutes)

Activity #3: Class Discussion (15 min.)

Which level of government has the most important powers? Why?

What, if any, issues could this create for fair implementation of laws?

*Continue with questioning & prompts

Activity #4: Wrap-Up (5 min.)

*Concluding thoughts

*H.W: "The Challenge for Toronto" on p. 112-113 and answer questions 1-3

*Read bottom of p. 113 "The Municipal Level of Government" - summarize the key points & answer the following "Should the municipalities be given more constitutional powers?"

Lesson Overview – Day #2

Activity #1: Hook/Class Discussion (10 min)

Review article: "The Challenge for Toronto" -

What challenges is it facing? How can some of these issues be resolved? Are there any other municipalities that may also face these financial/legislative difficulties?

Activity #2: Cooperative Learning (25 min.)

The government has given your group the power to redistribute the powers of the different levels of government as outlined in the Constitution.

1) What powers would you redistribute?

2) What is your rationale for these decisions?

3) How will this redistribution of powers impact Canadian society?

In your group, review your copy of Canada's constitution. Are there any groups noticeably excluded from the Constitution? List those groups.

Activity #3: Class Discussion (15 min.)

*Distribution of Constitutional Powers (Questioning & Prompts)

*Who is excluded? Create a list on chart paper to post in classroom.

Activity #4: Note-Taking: The Evolution of Canada's Constitution (15 min.)

(Aside: Teacher introduced a number of note-taking strategies in the first unit.)

The teacher begins by referring the students back to some effective note-taking strategies and distributes a skeleton outline of the note that highlights main ideas.

Ex. BNA Act, Statute of Westminster, Patriation of the Constitution, The Meech Lake Accord, The Charlottetown Accord & The 1995 Referendum

Activity #5: Class Discussion

Questioning:

What steps did Canada take to obtain more constitutional independence?

Which groups were excluded from these changes?

What issues are created as a result of ignoring these groups?

Activity #6: HW

Reflect on the following question & record a brief answer: Does Canada's Constitution benefit the majority and the expense of the minority?

Assessment/Evaluation

Formative:

- Observation
- Questioning
- Checking for understanding
- Review of written answers on Day 2

Lesson #3: The Extent of Human Rights Coverage: The Canadian Charter

Curriculum Expectations

Enduring Understandings

RF1.01
RF1.03
RF3.03
RF3.04

1
2

RF4.01
RF4.02
RF5.02

Time Required

225 min.

Student/Teacher Resources

Dimensions of Law: Canadian & International Law in the 21st Century
Evolution of Charter Timeline – Appendix 3.1
Charter Organizer – Appendix 3.2
Presentation Checklist – Appendix 3.3

Overview of Activity/Strategy

Learning Strategies

- Questioning
- Cooperative Learning
- Graphic Organizers
- Direct Instruction

Lesson Overview – Day #1

Activity #1: Hook/Review (15 min.)

Class Discussion: Has the constitution been set up to protect the majority at the expense of the minority?
-Look at different groups of exclusion (add to chart)

Teacher lead-in - Human Rights legislation - Question for reflection - Was the evolution of human rights necessary to protect the minority from the tyranny of the majority?

Activity #2: Review Word Wall for Chapter 4 (15 min.)

The teacher divides the class into 6 groups. Each group is given a key term from Ch. 4 (amending formula, Confederation debates, entrenchment, pith and substance, power of disallowance, sovereignty-association)

The students are asked to define their assigned term and provide a written/visual example based on what they've learned about Constitutional law in the last few lessons.

The word wall is shared and posted up around the classroom.

Activity #3: Individual Work (20 min.)

The teacher distributes a blank timeline organizer and models how to use it for the class.

The students are instructed to create a timeline that plots out the Charter's Evolution by reading p. 121-133 in *Dimensions of Law*

**Teacher will collect all timelines for formative assessment*

**Students who do not finish their timelines in the assigned time are asked to do so for homework. The teacher will then collect these timelines for formative assessment.*

Activity #4: Cooperative Learning (20 min.)

In groups, the students are asked to create their own Canadian Charter super hero using p. 132-144. They are instructed to draw their super hero & clearly outline their hero's powers and limitations.

Activity #5: Wrap-Up/Homework (until the end of class)

*The students will post their superheroes

*The students will complete a Charter chart – see Appendix 3.2

Lesson Overview – Day #2

Activity #1: Hook/Review (15 min.)

Review the Charter Chart
(15 minutes)

Activity #2: Small Group Acting - Precedent Setting Cases (40 min.)

The class will be divided into 5 groups. Each group will be assigned a precedent setting case:

R v. Oakes p. 134-135

R v. Keegstra p. 137

M v. H. S. 15

R v. Sharpe s. 33

R v. Tessling s. 23

The students are asked to create a skit that:

- Summarizes the case
- explains the relevant Charter sections
- outlines the legal precedent that the case established

For further information, the students are asked to refer to the rubric that their teacher will be using to assess them.

Activity #3: Wrap-Up/Homework (until the end of class)

-Bring in any necessary props, etc. for SGA

-Be prepared

-Read p. 145-149 of your textbook and complete the following:

- Define judicial activism
- Explain how the introduction of the Charter has given the courts more powers
- EBS - outline reasons for and reasons against the courts being given more powers

Lesson Overview – Day #3

Activity #1: Warm-Up (5 min.)

Students are given 5 minutes to prepare their SGA

Activity #2: Student Presentations (40 min.)

The students present their cases and answer Q & A's

-During the presentation the students complete a "Case Chart" distributed by the teacher

Activity #3: Class Discussion: Judicial Activism (15 min.)

Working together, the class creates an EBS organizer for Judicial Activism

-the students record the key points in their notebooks

Activity #4: World Wall of Review for Chapter 5 (15 min.)

The students are divided into 6 groups and create a word wall of 6 key terms from Chapter 5. Each group is assigned a specific term and has to create a visual/written example. These are posted in the class.

Assessment/Evaluation

Formative:

- Word Wall
- Written Feedback
- SGA Presentation Rubric
- Observation
- Questioning

Lesson 4: Enumerated and Analogous Grounds – Section 15 Case Study

Curriculum Expectations

Enduring Understandings

RFV.03
RFV.04
HT2.05
HT3.03
RF1.03
RF3.02
RF4.02

2
3

Time Required

Student/Teacher Resources

150 min.

Text – George Anexandrowicz, Marion Austin, Rosemary Cairns-Way, et al. (Emond Montgomery Publications Ltd., 2004).
Media Sources – Appendix 4.1
Charter Analysis Scenario – Appendix 4.2
Reasons for Judgment – Appendix 4.3
Self/Group Assessment Rubrics – Appendix A.13-15

Overview of Activity/Strategy

Learning Strategies

- Media Analysis
- Cooperative Learning (Jigsaw Technique)
- Case Study
- Discussion
- Direct Instruction

Lesson Overview – Day #1

Activity #1: Hook - Media Analysis

Students are exposed to three different media sources related to the issue/evolution of gay rights in Canada. In a jigsaw format, students are divided into three expert groups (each group will view/read/discuss the media source).

Through the jigsaw, students will gain an appreciation of the diversity of views on this topic and how s. 15 equality rights under the *Charter* connect to the issue. The materials are meant to provide background and context and to spark a more informed discussion on a sensitive/controversial contemporary issue. See Appendix 4.1 for sources.

Activity #2: Cooperative Learning

Carrying on with the second half of the jigsaw, in small home groups, using reaction/insights from the media sources above, the handouts provided below, the *Charter* analysis learned previously, and the text pp. 178 to 183 (Human Rights and the *Charter*), take on the role of a Supreme Court Justice and decide the following case. Your group must provide written reasons for your decisions, which make specific and detailed reference to the materials listed above.

In your judgment of this case, use a Charter Analysis to structure your decision. Your reasons must be detailed in the worksheet provided.

Case

This case concerns the 1991 dismissal of Delwin Vriend from his position as a laboratory coordinator at King's College, Halifax. It was clear that Mr. Vriend was fired because of his sexual orientation. Mr. Vriend filed a complaint pursuant to the *Alberta Human Rights Code*, but his complaint was denied a hearing as, "the legislation did not explicitly prohibit discrimination based on sexual orientation." Mr. Vriend challenged the absence of protection based on sexual orientation in the legislation. He argued that he was terminated simply because he was a homosexual and, thus, that his rights were violated under the *Charter*. Prepare a judgment for Mr. Vriend's case using the *Charter* analysis as covered in class and the accompanying resources listed above.

Lesson Overview – Day #1

Activity #1: Cooperative Learning (Jigsaw Technique) (Cont'd)

Reasons for Judgment – Student reconstitute their home groups from last class and continue on with the *Vriend* case. At this point, students begin to complete the "Reasons for Judgment" handout as a group. See Appendix 4.3.

Activity #2: Meeting #2

Students are to meet in their groups to work through Meeting #2. See Appendix A.3. Students are to complete the Self/Group Assessment Rubrics at the end of the session. See Appendix A.13-15.

Activity #3: Debrief / Closure

Return to the Big Questions and purpose of the lesson. Connect this with the focus of Lesson 3 and the direction taken in Lesson 5.

*** Addendum: Independent Practice / Homework / Plan for Assessment ***

Between class 1 and 2, students must prepare for Meeting #2 (see details above).

Assessment/Evaluation

Formative

- Observation
- Participation
- Checking for Understanding (Handout 5)
- Teacher – Student Check-Ins

Accommodations/Notes

- Provide a handout outlining key points from the lesson.
- Match learners in cooperative learning activities.
- Use a visual organiser (Venn diagrams) to represent different legal concepts and machinery and how they relate to one another.
- Chunk Material into teachable elements.
- Provide extra /extended thinking time to answer questions and/or complete tasks.
- Role model and encourage students to communicate with simple words.
- Define, discuss and write on the board crucial terms / vocabulary to assist student's ability to understand and engage with the material and others throughout the lesson.

Inclusive Curriculum Considerations – Reconceptualise and transform parts of the curriculum to include diverse perspectives of law and legal history – Encourage student processing of multiple social identities to help locate themselves in the content and classroom discussions AND the weaving together of the multi-layered complexities of human experiences – Ensure meaningful and relevant material to students has been chosen as a lens to view to course content (Select cases and rights that are controversial and offer students a different world view) – Allow for discussion of human differences and similarities in the context of how decisions are made and what is considered important in that process.

Ensure and role model a supportive atmosphere where individual differences, contributions and learning styles are respected.

Visual/Spatial, Verbal/Linguistic, Interpersonal, Intrapersonal, and Emotional intelligences/learning styles are incorporated into lesson design and delivery.

Lesson #5: Human Rights and Security – Recent Cases of Limits to Rights (Current Issues in the Media)

Curriculum Expectations

RFV.04
RFV.05
HT2.05
HT3.03
RF1.03
RF4.02
RF5.02

Enduring Understandings

2
3

Time Required

75 min.

Student/Teacher Resources

Text – *Dimensions of Law: Canadian and International Law in the 21st Century*
Guest Speakers – Maha Khadr (Omar Khadr's Mother) and Nehal Bhuta (Human Rights and Security expert at University of Toronto Faculty of Law).
What is a Security Certificate? – Appendix 5.1
Podcast (see link below)
Video Footage – NFB Citizenshift (see links below)

Overview of Activity/Strategy

Learning Strategies

- Media Analysis
- Expert Panel Lecture
- Questioning
- Discussion

Lesson Overview – Day #1

Activity #1: Hook

Open class with a thought provoking clip from a legal expert on security (1 min.)
http://citizen.nfb.ca/node/787&dossier_nid=1116

According to Lawyer Julius Grey, Security Certificates must not remain in Canadian law. Even if it may be argued that they are used in a very restricted way right now, who is to say how they might be used in the future, in a different political climate? A future government might even expand their use to include naturalized citizens.

Activity #2: Instructional Input / Modeling

Students read/view the assigned media prior to class using the active reading/viewing model and legend introduced at the beginning of the course. Students bring their reactions, insights and questions from both the various media as preparation for the guest speaker panel discussion and interview.

Media Sources

Media #1 Podcast – Bill C3: Security Certificate Special Advocate Model (22 min. 43 sec.)

Stark Raven interviews Mary Foster with the Coalition Justice For Adil Charkaoui in Montreal about Bill C3.

This podcast clearly defines Bill-C3 and the situation taking place here in Canada where individuals are subject to the highly controversial "security certificate" process.

Media #2 NFB Citizenshift Clips

Σ Mathew Behrens: Imagine Being a Prisoner (3min. 11 sec.)
http://citizen.nfb.ca/node/799&dossier_nid=1116

Mathew Behrens, organizer of the Measuring Security Measures event in Toronto, opens the screening by inviting the audience to imagine themselves imprisoned in solitary confinement with no access to the evidence against them. Behrens tells his audience that the victims of the Canadian government's security measures are only the tip of the iceberg, extreme representatives of the repression of the wider community of immigrants and refugees in this country.

Σ Adil Charkaoui: Not a Question of Balance (4 min. 13 sec.)
http://citizen.nfb.ca/node/802&dossier_nid=1116

Adil Charkaoui spent 21 months in prison on a Security Certificate. He was released under strict bail conditions in February 2005. He tells an audience in Montreal that the question of how to balance national security with civil liberties is a false one, because national security can be secured without infringing on the human rights of individual people, rights that he believes to be absolute.

Media #3 Reading Package to copy and distribute to each student prior to class – What is a Security Certificate? (see Appendix 5.1).

Activity #3: Guided Practice

Guest Speaker Panel and Interview – each guest has 10 minutes to make remarks on the topic of human rights and security and have been asked to specifically relate that topic to their own personal experiences and expertise.

Student led panel/interview – student moderator chosen prior to class – students invited to ask prepared questions to guests and follow-up with questions generated from the guest remarks.

Each student submits a copy of their two burning questions generated from the media sources as formative assessment. The questions may be directed at one of the authors/creators/subjects profiled in the media, or one of the guests.

Activity #4: Debrief / Closure

Guests invited to make 1 minute closing remarks and then thanked by student moderator.

Activity #5: Independent Practice / Homework / Plan for Assessment

Handout a copy of the *R. v. Sparrow* case excerpt to students to read for next class. Ask students to focus their reading through the focus questions provided at the end of the case.

Assessment/Evaluation

Formative

- Observation
- Participation
- Checking for Understanding (Burning Questions)

Lesson #6: Human Rights & First Nations

Curriculum Expectations

HTV.03
HTV.04
RFV.05
HT2.05
HT3.03
RF4.02
RF5.01
RF5.02

Enduring Understandings

2
3

Time Required

225 min.

Student/Teacher Resources

Dimensions of Law: Canadian and International Law in the 21st Century
R. v. Sparrow, [1990] 1 S.C.R. 1075 (available in the McGraw-Hill Publication titled *Case Studies*).

Media 1 – Film clip of opening scene *Rabbit-Proof* – Appendix 6.1

Media 2 – Website <http://ring.uvic.ca/01feb02/viewpoint2.html> to offer one Aboriginal's perspective on the underlying relationship between First Peoples and the Government.

Media 3 – Website <http://www.cbc.ca/canada/story/2008/06/12/f-vp-walker.html> to offer students a contemporary viewpoint on apologies from an alter-native perspective.

Self/Group Assessment Rubrics – Appendix A.13-15

Overview of Activity/Strategy

Learning Strategies

- Media Analysis
- Anticipation

- Cooperative Learning
- Questioning
- Peer Teaching
- Discussion

Lesson Overview – Day #1

Activity #1: Hook / Thought Provoking Image – Two “Soldiers” Stand Off

Link to image <http://www.worldsfamousphotos.com/face-off-during-the-oka-crisis-1990.html>

Before Image – ask to come together as a group – transition into learning by asking students to close eyes, fall into a series of deep breaths to clear the mind and focus on the moment. Write up on the board 3 questions and ask students to answer these questions independently once the image is presented:

1. Who are these people?
2. What is going on?
3. How did they get there?

Image – present the image by overhead and ask students to take a minute to think about what they see and who they see, reactions, emotions – invite students to answer the 3 question by writing them down – in addition, invite students to think of 2 thoughts, reactions or emotions that came to mind – inform students that they will be asked to share some of these thoughts, reactions and emotions with the group. See Appendix 6.1.

After Image – ask the students to pair and share and decide on a common answer for each question and 1 thought, reaction, emotion to share with the entire group – ask a student to record the answers, thoughts, reactions and emotions on the board as the pairs share with the entire group.

Activity #2: Theme Focusing Questions

- What is this image about? What do we know about these people? What are they doing? How are they dressed? (Understanding)
- How could this image relate to human rights and human relationships? (Analysis)
- If these men could speak to us now as students of law, what do you think they would say about what they are doing? Why? (Synthesis/Evaluation)

Discussion of Big Questions (listed above) – relate back to the Image (conflict and resolving conflict, rules of engagement, power structures, coercive nature of the state, majority versus minority views, the legal system as a human system where decision-making has a human face and a human impact, ideas about voice and voicelessness and power as relationships).

Activity #3: Instructional Input / Modeling

A key learning activity is viewing and explaining the opening scene of *Rabbit Proof Fence*, an Australian film about the 20th century residential and breeding programs for Aborigines. The clip will draw out some of the key forms of treatment and government policies that now colour current day Aboriginal and human rights claims. It is important to note that many of the Australian policies and laws dealing with Aboriginals was modeled from the Canadian *Indian Act*.

A reflection paragraph on students' emotional reactions to the film clip and our collective past treatment of Aboriginals in Canada is an effective and meaningful formative assessment through individual writing followed by small group sharing/discussion.

Activity #4: Guided Practice

Given the context provided by the above activities, students turn their study toward contemporary Aboriginal rights and title issues through the examination of a leading case in the area.

Students will gain an appreciation of human rights from the perspective of First Nations Peoples in Canada. The lesson will require students to stretch their new found understanding of human rights law in Canada to reconcile notions of Aboriginal rights and majority interests through the case *R. v. Sparrow*. Again, this is an exercise in drilling down the ideas of reasonable limits and competing rights by applying it to a concrete and controversial set of issues our courts are currently facing around First Nations and s.35 of the *Charter*.

Students will work in small groups and compare answers to the case questions. Each group will be assigned one question to lead in a large group discussion of the case.

A copy of the *R. v. Sparrow* case excerpt is to be handed to students to read prior to this class. Ask students to focus their reading through the focus questions provided at the end of the case.

Lesson Overview – Day #2

Activity #1: Guided Practice (Cont'd)

Students continue with the *R. v. Sparrow* case questions and discussion from last class. Once complete, class discusses the case questions through peer teaching each lead question.

Activity #2: Meeting #3

Students continue to work in their Salon groups. See Appendix A.4. Students are to complete the Self/Group Assessment Rubrics at the end of the session. See Appendix A.13-15.

Activity #3: Debrief / Closure

Return to the Big Questions and purpose of the lesson. Connect this lesson with the focus of 7, 8, & 9.

Activity #4: Independent Practice / Homework / Plan for Assessment

Students need to prepare for the library research period next class.

Lesson Overview – Day #3

Activity #1: Library Research Period

Students will be working in their groups to prepare for their upcoming CUP.

Assessment/Evaluation

Formative

- Observation
- Participation
- Individual Written Reflection
- Discussion

Lesson #7: Methods of Legal Inquiry

Curriculum Expectations	Enduring Understandings
RF2.03	1
RF3.02	4
RF4.01	
RF4.02	
LI1.01	
LI1.02	

Time Required	Student/Teacher Resources
75 min.	Text: <i>Dimensions of Law: Canadian & International Law in the 21st Century</i> PowerPoint Presentation – Methods of Legal Inquiry

Overview of Activity/Strategy

Learning Strategies

- Note Taking
- Cooperative Learning
- Observation
- Modeling
- Case Studies
- Questioning

Lesson Overview – Day #1

Activity #1: Methods of Legal Inquiry – PowerPoint Presentation

Students will view a PowerPoint Presentation that introduces the concept behind: “Facts”, “Issue”, “Decision”, and “Questions”. Things they will be considering: How do we determine which facts are relevant? What is the importance of prioritization here?

Activity #2: Modeling a Case

A case will then be modeled in class – M v. H [1999] (pg. 149 in text).

Activity #3: Human Right’s Salon Research Period (rest of class)

Activity #4: Homework

Students must have a working knowledge of the *Canadian Charter of Rights and Freedoms*. Homework: Review the *Charter*, to understand and identify its components.

Lesson #8: Human Rights from a Distinct Perspective

Curriculum Expectations

Enduring Understandings

RF1.02
RF1.03
RF3.01
RF3.02
RF3.03
RF4.01
RF4.02

2
3
4

Time Required

Student/Teacher Resources

300 min.

PowerPoint Presentation – Methods of Legal Inquiry (cont'd)
Version #1 of Pop Quiz – Appendix 8.1
Version #2 of Pop Quiz – Appendix 8.2
Answer Sheet for Pop Quiz – Appendix 8.3
Standing in the Right Place – Appendix 8.4
Presentation Rubric – Appendix 8.5
Self/Group Assessments – Appendix A.13-15

Overview of Activity/Strategy

Learning Strategies

- Note Taking
- Cooperative Learning
- Observation
- Modeling
- Case Studies
- Questioning

Lesson Overview – Day #1

Activity #1: Pop Quiz - Canadian Charter of Rights and Freedoms (15 min.)

To fully have students comprehend affirmative action, students will unknowingly participate in an activity that will allow them to experience what affirmative is all about. Students will be strategically divided into two groups, and two different pop quizzes will be administered – one pop quiz will be more difficult than the other (multiple choice vs. short answer). See Appendix 7.7 and 7.8 for the two versions of the quizzes. Results will be discussed tomorrow. Quizzes must be graded by next day's class. For answer sheets, see Appendix 7.9.

Activity #2: Making Affirmative Action Relative (30 min.)

These test results will be distributed, and the answers will be taken up on an overhead note. Students will then realize that two different tests have been administered. This is where the exercise begins. The teacher will act as if there is nothing wrong with what has happened and will defend the decision to have this pop quiz count for marks until the bitter end. See Appendix 7.9 for the exercise.

Activity #3: PowerPoint Presentation

Students will view the rest of yesterday's PowerPoint Presentation, to make the connections between minority/majority rights and affirmative action. Questioning period is intended to get their thoughts moving towards relevant human right's issues.

Activity #4: Homework

Students are to come with a human right's issue for tomorrow.

Lesson Overview – Day #2

Activity #1: Current Human Right's Issues (65 min.)

In groups of 2-3, students will spend the remainder of class working on the current human right's issue they selected for homework. Groups will choose one that one group member has brought in. The chosen issues will be the ones considered for the Salon. Groups need to find the full case report by visiting the appropriate court website or human rights commission. Present the case to the class. The format is as follows:

- a) Present the facts.
- b) Identify the issues. Ask yourself which rights are being violated.
- c) Outline the decision.
- d) Evaluate the protections provided by human right's legislation.
- e) Ask Questions. Consider: did the resolution protect and maintain the rights of the minority groups?

These presentations will be given tomorrow during class. They should be ~5-7 minutes in length.

Activity #3: Choosing the Order of Operations (10 min.)

Student groups will draw numbers from random to identify the order of presentations for tomorrow. These names should be recorded on a class visual (blackboard). Students are to come prepared with costumes, presentation materials, visuals, etc. for tomorrow.

Lesson Overview – Day #3

Activity #1: Human Right's Presentations

Students will give presentations to the class. The discussion period after each presentation should be related to the questions posed. Once each group is finished, the issue will be posted on a bulletin board. Use Appendix 7.11 as the rubric for this exercise. This will introduce students to the Salon presentation rubric evaluators.

Activity #2: Posing Pressing Questions – Think, Pair, Share (10 min.)

What do we need to focus on when we are asking key questions about the case? Discuss which factors are the most important to consider. Have students brainstorm things to consider – think, pair, share exercise.

Lesson Overview – Day #4

Activity #1: Continue Human Right's Presentations (if needed)

Students will give presentations to the class. The discussion period after each presentation should be related to the questions posed. Once each group is finished, the issue will be posted on a bulletin board. Use Appendix 7.11 as the rubric for this exercise. This will introduce students to the Salon presentation rubric evaluators.

Activity #2: Identifying Key Issues (10 min.)

Students will be given 2 stars (or any other sticker) to use on the Issues Board. Students will need to put their stars beside the two issues they believe to be most significant. The tally from this exercise will determine which 2 human right's issues will be discussed in the Salon.

Activity #3: Meeting #4

Students will work within their groups to determine their chosen philosopher's perspectives based on the issues chosen yesterday. They will spend time examining their school of thought, and will develop perspectives and identify potential changes that need to be made to the Charter for their philosopher. Students are to complete the Self/Group Assessment Rubrics at the end of the session. See Appendix A.13-15.

Lesson Overview – Day #5

Activity #1: Meeting #5

Students will work in their groups to determine the finalized materials for the Legal Panel Presentations. See Appendix A.6. Students are to complete the Self/Group Assessment Rubrics at the end of the session. See Appendix A.13-15.

Assessment/Evaluation

Observation
Think, Pair, Share
Questioning
Prompts

Summative:

Presentation Rubric

Lesson #9: Legal Panel Presentations

Curriculum Expectations

Enduring Understandings

HTV.01
HTV.02
HTV.03
HTV.04
RF3.03
RF3.04

1
3
4

Time Required

Student/Teacher Resources

75 min.

Individual Presentation Materials
Presentation Rubrics – Appendix A.8
Assignment Sheet – Appendix A.7

Overview of Activity/Strategy

Learning Strategies

- Cooperative Learning
- Individual Reflection
- Critical Observation

Lesson Overview – Day #1

Activity #1: Presentations

Using the presentation order determined from yesterday, students are to present their ideas for Charter reforms based on their determined school of legal thought. Teacher will grade each presentation using the rubric from Appendix 9.2. Each group presentation should be approx. 5-10 minutes in length.

Format:

1. All classroom desks will be arranged in a circle.
2. Participants are encouraged to sit with their group members for the first day of the Salon, and to create a group sign or symbol that identifies them.
3. The teacher facilitator will welcome everyone to 'Day One' of our Human Rights Salon and provide each participant with the opportunity to introduce themselves, provide some very, very brief biographical information about themselves, and explain why they are here.
4. Once introductions are completed, the teacher facilitator will provide each group with the opportunity to present their 'Reform *the Canadian Charter* presentations.' These presentations will focus on proposed Charter reforms that represent their school of legal thought's perspective and focus on three contemporary human rights issues, as selected by the class. This is further explained as you complete each of the formative 'tasks' of this assignment. These presentations should be no longer than 5 minutes in length. Please see the attached rubric for more details.
5. After all of the presentations have been completed the students will create their own individual questions for the different presenters.

Assessment/Evaluation

Summative:

- Presentation Rubric

Lesson #10: The Salon

Curriculum Expectations

HTV.02
HTV.03
LIV.03
HT2.03
HT2.04
RF3.04

Enduring Understandings

1
3

Time Required

150 min.

Student/Teacher Resources

Salon Assignment Sheet – Appendix A.
Salon Rubric – Appendix 10.2
Student Organizers – Appendix 10.3
Written Report Rubric – Appendix 10.4
Individual Costumes
Grading Assistants

Overview of Activity/Strategy

Learning Strategies

- Graphic Organizers
- Collaborative Learning

Lesson Overview – Day #1

Format:

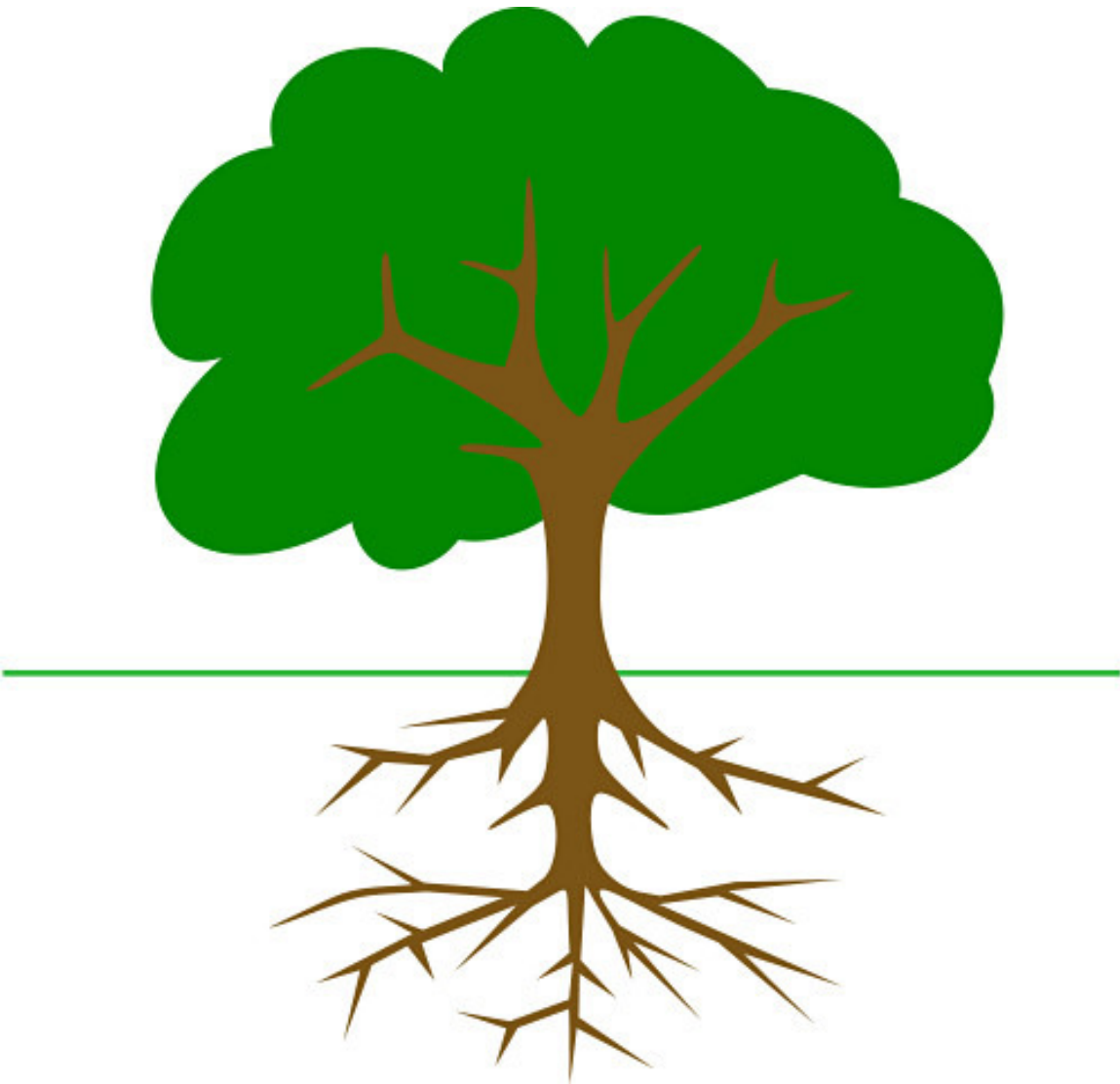
1. All desks will be pushed to the side of the room. Everyone is standing.
2. The teacher facilitator will reconvene and welcome our presenters.
3. The next 35 minutes of the class will function as a Salon (lots of conversation). It is up to each individual philosopher to connect with others from different groups and first describe the core ideas of their school of thought, perhaps a relevant example to illustrate the application of their core theory, and then debate these thoughts in terms of the specific human rights/legal issues being discussed.
4. As this is taking place, teachers and invited assessors (ex. VP and other teachers) are walking around listening in and assessing the quality of conversation using the provided rubric.
5. The facilitator will reconvene the class and provide each group the opportunity to prepare their closing remarks, which are limited to 2 minutes.
6. Each group will present their closing remarks.
7. Finally, the group will participate in a class vote on the reforms proposed (this may have to carry into the following class). For the vote to pass, it will need 2/3rds of the class support as is currently required for any Constitutional Amendment.

Assessment/Evaluation

Summative:

- Salon Rubric

Tree Organizer



Examining Both Sides - “Funding of Religious Schools”: Should All Religious Schools Receive Government Funding”

Main arguments against funding religious schools	Main arguments for funding religious schools

Based on the above information & your own personal views, reflect on the following & record your response: Should the Ontario government fund all religious schools?

Constitutional Value Line Checklist

1. Students are able to clearly explain the reasons for their choices by citing relevant evidence..

All the time

Usually

Sometimes

Never

2. Students demonstrate an understanding of the powers extended to the different levels of government when presenting their value lines.

All the time

Usually

Sometimes

Never

3. The students have understood the 'ranking procedure' and have effectively ranked all powers from most important to least important in a clear & coherent manner.

All the time

Usually

Sometimes

Never

4. The students have collaborated together to create a value line that reflects a collaboration of their view points and that considers many different components of the powers.

All the time

Usually

Sometimes

Never

5. It is clear that students have engaged in critical inquiry skills to fully examine the different constitutional powers set out in the Canadian Constitution.

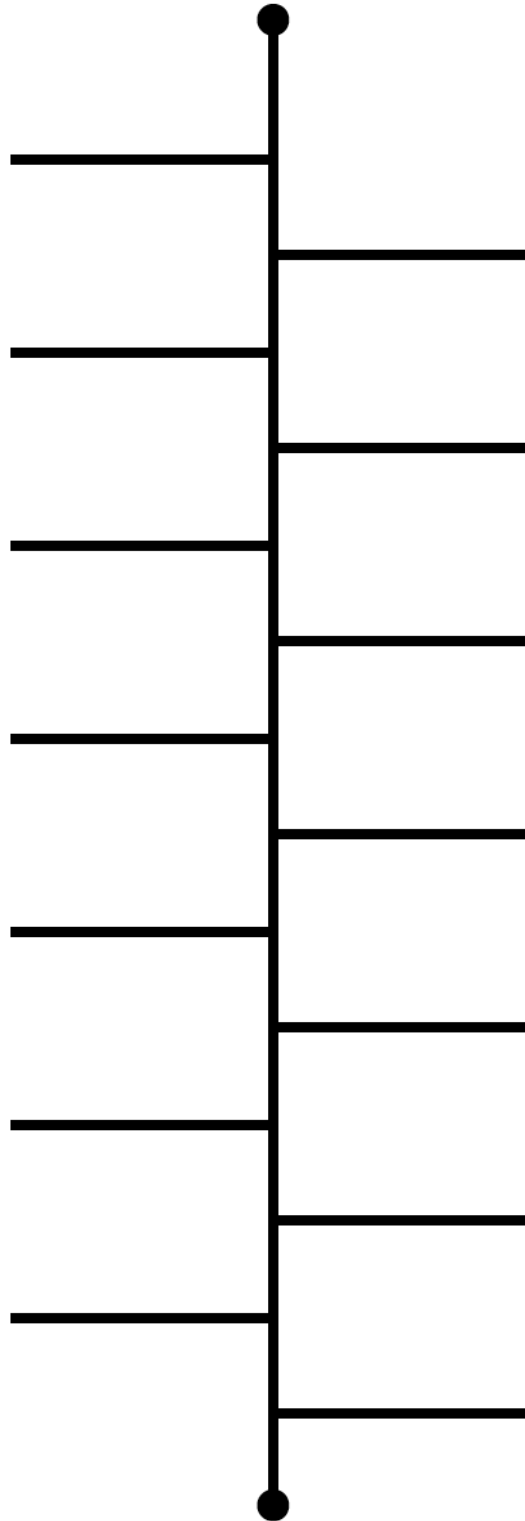
All the time

Usually

Sometimes

Never

Evolution of Charter Timeline



The Canadian Charter of Rights & Freedoms Organizer

Using you textbook, and the superheroes you created, complete the following chart.
Briefly outline the rights, responsibilities & limitations of each right/freedom listed.

Section	Rights	Responsibilities	Limitations
1			
2 (a)			
2 (b)			
2 (c)			
2 (d)			
3-5			

6			
7-14			
15			
16-22			
24			
33			

Presentation Checklist

	Never	Sometimes	Usually	Always
Identified key facts				
Summary was effective				
Legal precedent was clearly articulated				
Skit was organized effectively				
Charter sections were well explained				
Charter sections were relevant				
Ideas were communicated effectively				

Media Sources

Media Source #1 – CBC Archives Video Footage – The Rocky Road to Gay Rights (Broadcasted January 16, 1978)

http://archives.cbc.ca/politics/rights_freedoms/clips/3237/

Media Source #2 – Egale Canada Press Release 01 May 2009 on Bill 44

FOR IMMEDIATE RELEASE (May 1, 2009)

Alberta Government Supports Making Sexuality, Evolution Optional

Religious Preference to Trump in Public Education

Alberta: A new bill introduced by the Alberta government proposes mandatory notification of parents when classes will be discussing evolution, sexuality or sexual orientation, as well as allowing the parents to opt their children out of them. This comes as the province is putting millions of dollars into remaking its image on the world stage.

"Fundamental to the thinking of the bill is that the parental right to control their children's education trumps the right to unfettered access to information", said Helen Kennedy, Executive Director of Egale Canada. "The impact that this will have on the early development of young LGBT persons from religious families, already in an extremely difficult situation, could be catastrophic."

The religious message of the bill is clear and leading to a quickly growing chorus of criticisms, especially around how children are going to be able to adapt to the world without basic knowledge in critical areas. How will future generations learn acceptance if they receive the message that there are things that should not be known or discussed?

This new bill comes on the heels of Egale Canada's recent release of a report disclosing the grim realities of day-to-day life in Canada's schools for LGBTQ students. The report proposes actions on the part of provincial Ministries of Education and School Boards to help create, assess, and enforce policies regarding LGBTQ issues. Kennedy says that the bill will push LGBT students and issues further into the closet.

The bill may also face a constitutional challenge, as it proposes to restrict the rights guaranteed to children under sections 2 and 15 of the Charter of Rights and Freedoms. ¶In addition to the public school system, Alberta has funding provided for Catholic, Jewish and Muslim schools.

Egale Canada is Canada's LGBT human rights organization advancing equality, diversity, education and justice.

Media Source #3 – Canadian Civil Liberties Association Letter in Response to Bill 44

<http://ccla.org/wordpress/wp-content/uploads/2009/05/2009-05-22-letter-to-minister-blackett.pdf>

A. Supreme Court of Canada guidelines to determine whether an action offends s. 15 equality protections –

1. Does the action deny an equal benefit or impose an unequal burden on an individual or group?
2. Is the action discriminatory (discrimination must be captured under an enumerated or analogous ground)?
3. Is the action discriminatory on the FACTS of the case?

*Once these questions are answered in the affirmative, the Crown is given a chance to defend its action (policy, law, etc.) based on s.1 of the *Charter* as being a reasonable limit in a free and democratic society.

B. Questions used by a court to decide what constitutes and analogous ground under s. 15 of the Charter.

1. Does the ground describe a group that **has** experienced and/or is **now** experiencing a social, legal, or economic disadvantage?
2. Does the ground describe a group that is vulnerable to prejudice or stereotyping?
3. Does the ground describe a group that is vulnerable to being mistreated or having its needs/conditions overlooked?
4. Does the ground describe a group that has or is being prevented from participating fully in society?
5. Does the ground describe a minority community within broader Canadian society?

Yes to all questions in **not** required to decide that an analogous ground exists.

Questions developed in *Vriend v. Alberta*, [1998] 1 S.C.R. 493.

Reasons for Judgment

1. Decision

2. Issue, Arguments and Rationale

*Did you consider "extralegal" issues and factors such as: (a) policy? (b) social justice and equality? (c) moral values? (d) majority rights or competing rights and freedoms?

What is a Security Certificate?

A "security certificate" is part of the Canadian immigration system. It has been around since 1976, with the current process adopted in 1988 for non-citizens. The 2002 Immigration and Refugee Protection Act re-introduced the certificate, making the process for permanent residents the same as the process for non-citizens.

In a nutshell, it has allowed the government to detain non-citizens without charge or trial for years, on the basis of secret suspicions and vague allegations, indefinitely, and keep them under threat of deportation, even though there is risk of death, torture or other ill-treatment.

Current cases

1. Mohammad Mahjoub, an Egyptian refugee and father of two, detained without charge since June 2000 in Toronto and then Kingston. Moved to house arrest in spring 2007.
2. Mahmoud Jaballah, an Egyptian refugee and father of six, who was held 9 months in 1999, released, re-arrested in August 2001 on the same basis and held without charge ever since in Toronto and then Kingston. Moved to house arrest in spring 2007.
3. Hassan Almrei, a Syrian refugee held without charge since October 2001 first in Toronto and then in "Guantanamo North", a specially built prison which opened in May 2006.
4. Mohamed Harkat, an Algerian refugee and married man, held without charge since December 2002 in Ottawa and then Kingston. Moved to house arrest in July 2006.
5. Adil Charkaoui, a Permanent resident from Morocco, married with three kids, held without charge since May 2003 in Montreal. Released under severe conditions in February 2005.

How it works

The certificate is issued by the Minister of Immigration and the Minister of Public Safety on the recommendation of the Canadian Security Intelligence Service (CSIS) and on the basis of secret information supplied by CSIS.

Under the old law, only permanent residents were guaranteed a detention review within 48 hours of arrest and every six months thereafter. Others (e.g., refugees) could be detained without review for up to 120 days after the reasonableness of the certificate was confirmed. In Mohamed Harkat's case, this meant over two years even before the certificate was upheld. In Hassan Almrei's case it has meant detention since October 2001 and counting. The Supreme Court found that this lengthy detention without review infringed on the guarantee against arbitrary detention (s. 9 of the Charter) and the right to prompt review of detention (s. 10(c) of the Charter). Under C-3, all persons held under a security certificate have the right to a detention review within 48 hours (82(1)), and at least once every six months thereafter (82(2) and (3)). That is, there is no longer a distinction between refugees and permanent residents with respect to detention. To put this improvement into perspective, the case of Charkaoui, the only Permanent Resident currently held under a security certificate, indicates what this could mean in practice. Under the system that will now apply to refugees, Charkaoui was subject to 22 months of imprisonment (from May 2003 to February 2005), and has ever since lived under severe conditions which deeply affect his

entire family, all prior to any court review of the certificate.

Under the current legislation - which is subject to a new constitutional challenge launched by Adil Charkaoui in April 2008 - a Federal Court judge reviews the certificate in a process which severely limits the judge's discretionary power. The government only has to prove that there are "reasonable grounds to believe" the allegations, a far lower standard of evidence than in a criminal trial, where the Crown must prove guilt beyond a reasonable doubt.

Part or all of the information on which the judge bases his decision can be presented by the government in a secret hearing from which the person and his lawyer are excluded. Neither the person detained, nor his lawyer, are allowed access to the information submitted to the judge. The detainee therefore has very few means of contradicting or questioning the case against them.

The 'evidence' may include hearsay and information from foreign intelligence services, which may have been obtained under torture. In the Arar case, such 'evidence' was found to be worthless; in the case of the 24 'Project Thread' detainees (arrested in Toronto in 2003), it was exposed as the product of racial profiling.

Finally, there are no precise charges laid, and key terms such as "terrorism", "national security", and "membership" are simply not defined in the law.

The person named in a certificate thus finds him or herself in the impossible position of having to prove that it is not reasonable to believe that, for example, he "was, is or will be engaged in terrorism [undefined]; and posed, poses or will pose a danger to the security of Canada" - all without having access to the case being presented against him, and in a context of racism where being a practising Muslim is viewed as suspect from the outset.

Bill C-3 introduces an appeal on the determination, but only on certification by the Federal Court judge that a serious question of general importance is involved (79). On the other hand, appeals on interlocutory decisions are now prohibited.

Once the certificate is found "reasonable" by a single Federal Court Judge, the certificate automatically becomes a deportation order: it "is a removal order that is in force without it being necessary to hold or continue an examination or admissibility hearing" (*Immigration and Refugee Protection Act*, 80).

Amnesty International, Human Rights Watch, the Canadian Bar Association, the Quebec Bar Association, legal academics and many others have expressed concern that the new security certificate process fails to meet international standards of justice.

Torture, arbitrary and indefinite detention, or house arrest

In the context of the so-called "war on terror", a deportation order on grounds of "national security" is a sentence to torture or execution. All individuals currently subject to a security certificate are at risk of death, torture or other ill-treatment if they are deported. Under its interpretation of the Immigration and Refugee Protection Act, the government maintains that people who have been labelled security threats can be threatened with deportation despite an acknowledged risk of torture.

In practice, the alternative to deportation to death or torture is indefinite detention without

charge or trial, or indefinite house arrest.

Supreme Court decision ... and déjà vu

Charkaoui's constitutional challenge to the process was heard by the Supreme Court in June 2006. In February 2007, the **Supreme Court ruled** that the certificate process violated sections 7, 9 and 10 of the Canadian Charter of Rights and Freedoms. Accordingly, it struck down that section of the *Immigration and Refugee Protection Act* (articles 33 and 77 to 85 of the old law).

However, the Supreme Court gave the government one year before the ruling entered into force. This meant that all detainees were held in situations of arbitrary, indefinite detention, under a law recognized as illegal for an additional year.

The government introduced **Bill C3** on 22 October 2007, new security certificate legislation. This was enacted into **law** on 22 February 2008. The new security certificate process relies on a government-appointed and paid special advocate, cleared by CSIS, who has access to the secret information given to the judge, but is prevented from disclosing it to the person named in the certificate or to the public. This reform neither meets the concerns about secrecy nor a broad range of other concerns about the certificate, including the use of illegal evidence, a low standard of proof, lack of precise charges, and particularly the equal treatment of non-citizens. It continues the practice of indefinite detention under threat of deportation to torture.

Article excerpted from the official website Coalition Justice for Adil Charkaoui
<http://www.adilinfo.org/en/what-is-a-security-certificate>

TEACHER BACKGROUNDER AND SET-UP FOR THE FILM CLIP

Film Clip – *Rabbit Proof Fence* (approximately a four-minute clip of the film)

Write this caption below on the board before class and cover over until ready to introduce the film clip.

Western Australia 1931 (The British Commonwealth) – For 100 years the Aboriginal Peoples have resisted the invasion of their lands by white settlers. Now, a special law, the *Aborigines Act*, controls their lives in every detail. Mr. A. O. Neville, the Chief Protector of Aborigines, is the legal guardian of every Aborigine in the state of Western Australia. He has the power “to remove any half-caste child from their family”, from anywhere in the state.

Begin Clip. The four-minute clip starts at the scene where several Aborigine women/mothers and their children visit a “Rations Outpost” to collect food and other goods (the scene is not the opening scene of the film but is quite close to the beginning). As the women are busy at the Outpost, three Aborigine children, who are sisters, talk with a white man who is maintaining the rabbit proof fence that spans Australia from north to south. Through this conversation, we learn the purpose of this fence and that the three sisters are “half-caste” children, meaning their father is white and their mother Aborigine. As the girls talk with the white man, a law-enforcement official, who has been in the area investigating and assessing the number of “half-caste” children living among this group of Aborigines, spots the three girls and chases them down in an automobile. The Aborigine women helplessly shout for the girls to flee. The chase ends almost as soon as it starts as the law-enforcement official cuts them off along the fence. The official waves a piece of paper at the Aborigine women that represents the government’s legal power to take “half-caste” children from their families to “educate”, “integrate” and “socialise” them in residential schools. The official forcefully grabs the three girls as the Aborigine mothers resist. The scene is both powerful and painful to watch because of its telling and emotional nature. The automobile drives away with the mothers in despair and the children terrified. The film then shifts to a scene in a government office in Perth. The final piece of the clip ends with the Chief Protector of the Aborigines, A. O. Neville giving a presentation to “women of society” on the government’s “half-caste” and breeding program. End clip.

Resource Access Information

Rabbit Proof Fence is based on a true story.

Rabbit Proof Fence is a widely available film rental. The film was released in 2002 meaning it will not be located in the “new release” section. Depending on the rental store, the film is usually located in the “foreign” or “drama” genre. Although the film is over 3 years old, it is a high demand film meaning any plan to use this resource needs 1 to 3 days before use in order to safely secure a copy. Major film retailers retail the film for approximately 10 dollars so it might be worth purchasing a copy for future use by you and/or other teachers in your department/school.

Version #1:

Pop Quiz – Canadian Charter of Right and Freedoms

- 1) The four sets of rights specifically included in the *Charter* are:
 - a) Equality, Democratic, Fundamental, and Legal
 - b) Mobility, Equality, Democratic and Legal
 - c) Fundamental, Mobility, Democratic, and General
 - d) Equality, Democratic, Legal and General
- 2) Fundamental freedoms include:
 - a) freedom of conscience and religion
 - b) freedom of association
 - c) freedom of speech
 - d) both a) and b)
- 3) The maximum duration of the House of Commons and legislative assembly is:
 - a) four years
 - b) three years
 - c) five years
 - d) six years
- 4) Any person charged with an offence has the right to:
 - a) be tried within a reasonable time
 - b) be given one phone call to a person of choice
 - c) be presumed innocent until proven guilty
 - d) both a) and c)
- 5) Under the *Charter*, Affirmative Action Programs can be implemented in provinces where:
 - a) the rate of employment is below the rate of employment in Canada
 - b) a specified minority group composes at least 10% of the population
 - c) provincial datum illustrates the need for diverse representation in a specified industry
 - d) a specified minority group composes less than 10% of the population
- 6) The only province to be specifically mentioned in Section 16 – Official Languages of Canada is:
 - a) Ontario
 - b) Quebec
 - c) New Brunswick
 - d) Both a) and c)
- 7) Discrimination can be based on:
 - a) sex, race, ethnicity, religion
 - b) physical appearance, age, colour, mental disability
 - c) colour, age, professional associations, physical disability
 - d) mental disability, stature, religion, ethnicity

Version #2:

Pop Quiz - *Canadian Charter of Right and Freedoms*

- 1) Identify the four 'Rights' listed in the *Charter*.
- 2) List two fundamental freedoms.
- 3) The maximum duration of the House of Commons and legislative assembly is:
- 4) Identify two rights a person charged with an offence has.
- 5) What does the *Charter* say about Affirmative Action Programs?
- 6) Name the province(s) identified in Section 16 – Official Languages of Canada.
- 7) According the *Charter*, discrimination can be based on what? Name four.

Version #1:

Pop Quiz – Answer Sheet

- 1) b
- 2) d
- 3) c
- 4) d
- 5) a
- 6) c
- 7) a

Version #2:

Pop Quiz – Answer Sheet

- 1) Mobility, Equality, Democratic and Legal
- 2) Freedom of conscience and religion, freedom of association, freedom of peaceful assembly, and freedom of thought, belief, opinion and expression
- 3) Five years.
- 4) See Section 11 of the *Charter*.
- 5) Affirmative Action Programs can only be implemented in provinces where the rate of employment is below the rate of employment of Canada, or where disadvantaged groups or individuals have been identified as such.
- 6) New Brunswick
- 7) Four of: race, colour, age, religion, sex, mental or physical disability, ethnicity.

Standing in the Right Place Activity

The purpose of this exercise is to provide students with a shared, concrete and high-stakes reference point for discussions of affirmative action by:

- * Selectively creating advantage and disadvantage in the classroom;
- * Using common arguments opposing affirmative action to defend this advantage and disadvantage; and
- * Encouraging students to consider solutions.

This exercise can be facilitated with class sizes up to 50.

The Exercise

This exercise requires that the facilitator selectively assign advantage and disadvantage to students in the class. Students are to be given no indication of the advantage. This way their performance will reflect their undistracted best effort on assignment which increases their emotional investment.

The facilitator may assign disadvantage in any way she chooses but students must believe that their group assignment is the result of random choice. As with most classes, some students are more vocal than others, so be sure that there are vocal students represented in each group. Additionally, try not to divide students that are obviously friends as they are more likely to use their friendship as a basis for interpreting the exercise.

Starting Points

This exercise requires that the facilitator has created a classroom climate that allows students to critique an idea without attacking the person offering it.

Furthermore, having trust is critically important because the facilitator, for a time, will betray this trust with an act of discrimination. Because the purpose of this exercise is not to discriminate against a particular group of students, it is important not to purposefully expose some students to discrimination that may resent being singled out in this manner. It may be more useful to assign students that seem inclined towards beliefs and behaviors that reproduce inequality to the advantaged group.

The Stakes - Grades

Unbeknownst to the students, two types of assignments are administered. One version should be much easier for students - one version which has multiple choice questions and another that has short answer. This puts the students with the short-answer version at a distinct disadvantage.

There are likely a number of assignments that might be used here but it is important that the disadvantage can be easily and clearly resolved. The facilitator must be able to resolve the inequality in the graded component easily and most importantly, overtly. Following the exercise, the students should trust that no advantage exists for any student.

When discussing the correct answers, the facilitator should offer a matter-of-fact explanation that there are two versions of the assignment with no recognition of the prescribed advantage. When some of the students begin to protest, this is when the real exercise begins. Remember, there should be no reference to affirmative action! The exercise will be transparent if the students recognize the covert reference point of affirmative action.

Throughout this portion of the exercise, the facilitator must behave as if he/she is oblivious. The students' protests should be treated as unreasonable. Feign shock at the protests, and defend the obviously unfair administration of the assignment. The following are defenses that could be employed:

"I'm the teacher and that's just the way it is!"

Underachieving students should just try harder.

The exam was based on the same material and that if students studied sufficiently, this "injustice" would be irrelevant.

Clearly, all of these defenses deflect attention from the clear unfairness of two different versions of the exam. By the time all of the defenses are employed, students will likely sort themselves into two primary groups: those vocally opposed to the manner in which the assignment was administered and everyone else. There will be exceptions with some students agreeing with the defenses offered by the facilitator. Of course, many students, especially those benefiting from the advantage, will remain silent.

A Magnanimous Offer: Toward Solutions

The facilitator should appear exasperated and succumb to the demands of the students -to a degree. The facilitator should grant that perhaps two versions are indeed unfair. This will provide some relief to protesting students. The next statement, however, will not. As a magnanimous solution to the protests from the students, the facilitator should apologize for the error and promise never to disadvantage anyone else from, this point forward. With that proclamation, the facilitator should attempt to move on. When students continue to protest (as they should) the facilitator's level of exasperation should intensify greatly. The problem, after all, was fixed, as it was promised that assessments would be completely fair from this point forward! Why should these students still protest?

Clearly, the students should protest. The facilitator's promise to never commit this error again does not, in fact, address the unfairness.

Completely exasperated, the facilitator should begin to seek out and offer alternative solutions. These may include:

- * That points be given to those that were disadvantaged by the facilitator.
- * That points be taken away from those that were advantaged by the facilitator.
- * That the entire assignment be thrown out.

Let the students decide, and come up with ideas. For the purpose of this exercise, these suggestions should be dismissed because the facilitator's integrity does not permit her to give points to any student. Additionally, some of the students will remind that class that it is a fact that no points were *given* to any student. The advantaged students still had to perform and essentially earn their points. (Note the silent group and the vocal group)

The facilitator must defend the assignment with steadfast commitment. The facilitator should make note of the fact that the students that performed better on the assignment are not complaining as much as those that did not perform as well if this is the case. Great efforts should be made to deflect attention from the inherent unfairness of the assignment.

Students may offer to give up their marks, but this only reveals the systematic nature of issues such as racism. Although laudable, the individual act (giving up points) is not nearly enough to offset the benefit his group received as a result of the injustice imposed on them. Furthermore, such isolated individual acts are ultimately inconsequential in the face of institutionalized and systemic discrimination. Finally, this act was not an act against a discriminatory system but rather an act within the system. There was no proposition to change the system and therefore this act is of little ultimate consequence.

Debriefing and Discussing the Exercise

The benefit of the exercise is not in coming to a solution that is palatable to all students but rather in creating deracinated tension for discussing affirmative action. When further discussion seems fruitless or when some students appear to be "at the end of their rope," the facilitator can bring the exercise to a close. Simply write the phrase "so what do you really think about affirmative action?" on the board and smile. There will probably be responses ranging from laughter, curses, gasps of awareness and even the occasional "What the heck does affirmative action have to do with my quiz grade!?!"

Inform the students that the grades are indeed on equal ground and that this was an exercise to "help you think about affirmative action without first thinking about race." Reiterate and make explicitly clear that EVERYONE will receive full credit on the designated assignment.

Discuss: Is all disadvantage unfair? Can disadvantage be fair?

By using students' grades as the reference point, these questions take on additional weight but are, again, deracinated. They are forced into an either/or dilemma. Either they do nothing, thereby accepting what is clearly an unjust scenario or they do something. It is very difficult if not impossible to escape this dilemma. Reassert that the exercise is neutral.

The facilitator can then push the students to imagine an entire semester of consistently preferential grading criteria in every class. That is, that the experiences of advantage or disadvantage would be consistent for each student in every class. Simply stopping the preferential treatment is a woefully inadequate solution. Just as one's grade does not reflect only the last day of class but rather the entire semester, the life chances of groups of people are built, at least to some degree, on those that preceded them. Unlike interpersonal exchanges of prejudice, institutionalized discrimination cannot just be stopped, it must be undone.

Conclusion

Clearly this exercise is, at its essence, simply an analogy.

Since affirmative action provokes such intense feelings and remains a key symbol of race relations in this country, educators must not ignore it. Affirmative action is problematic only in the sense that race relations in this country remain problematic. By helping students think about and feel the issue separate from a racial context, they are better able to think about affirmative action and by extension, and ultimately most importantly, racism in this country.

Source: Gayles, Jonathan. "Standing in the Right Place": Engaging Affirmative Action¹ in the Classroom.

Multicultural Education, 2004.

Presentation Rubric

	Level 4	Level 3	Level 2	Level 1
Knowledge <i>The understanding and exemplification of facts given in case are effective and relative human right's issues are identified.</i>	<ul style="list-style-type: none"> • Demonstrates thorough and insightful understanding of chosen case • Facts presented are prioritized and relevant • Human right's issues are clearly and effectively addressed 	<ul style="list-style-type: none"> • Demonstrates considerable understanding of chosen case • Facts presented are considerably prioritized and relevant • Human right's issues are clearly addressed • A bit more clarity required. 	<ul style="list-style-type: none"> • Demonstrates some understanding chosen case • Facts presented are somewhat prioritized and relevant • Human right's issues are addressed, although more clarity is needed • Be careful of facts, and be sure to refer to them effectively 	<ul style="list-style-type: none"> • Demonstrates limited understanding of chosen case • Facts presented are limited. More are required to clearly present case • Human right's issues are not addressed clearly if at all. Issues must be articulated effectively. • More accurate details and depth are required. • There are inaccuracies in the presentation
Inquiry <i>The accurate understanding of protections offered by human right's legislation and clear development of relative questions to the case</i>	<ul style="list-style-type: none"> • Evaluates protections provided by human rights' legislation clearly and effectively • Questions developed stimulate in-depth discussion on the issue(s) presented 	<ul style="list-style-type: none"> • Evaluates protections provided by human rights' legislation clearly • Questions developed stimulate discussion on the issue(s) presented 	<ul style="list-style-type: none"> • Evaluates protections provided by human rights' legislation with some clarity and effectiveness • Questions developed stimulate some discussion on the issue(s) presented 	<ul style="list-style-type: none"> • Evaluates protections provided by human rights' legislation with limited clarity and effectiveness • Questions developed stimulate limited discussion on the issue(s) presented
Communication <i>The ideas offered in the presentation are clearly and logically organized in relation to the chosen case. Communication skills are effectively used to present these ideas.</i>	<ul style="list-style-type: none"> • Communicates orally with an excellent sense of audience and purpose. • Communicates content with a high degree of clarity and effectiveness. 	<ul style="list-style-type: none"> • Communicates orally with a good sense of audience and purpose. • Refine communication skills • Communicates content with a considerable degree of clarity and effectiveness. • A few areas require development 	<ul style="list-style-type: none"> • Communicates orally with a sense of audience and purpose. • Please review effective communication skills. • Communicates content with some degree of clarity and effectiveness. • Some areas require more development • Refine information to ensure relativity • Organizational glitches in presentation 	<ul style="list-style-type: none"> • Communicates orally with a limited sense of audience and purpose. • Please review effective communication skills. • Communicates content with a limited degree of clarity and effectiveness. • A number of areas require more development • Information needs to be relative and presentation requires organization

A Human Rights Salon

What happens when legal philosophers from the past and present meet up to discuss issues of modern human rights and the law? Will chaos ensue or will you fundamentally reform human rights legislation for the benefit of Canadian society?

Your goal is to take on the role of a legal philosopher in a particular school of legal thought (historical or contemporary). From here you will be conducting research on your chosen school and respective philosopher and writing on core ideas, theories and contributions to modern legal thought.

Process Work: *Below, your assignment has been broken down into several small more manageable components. Throughout this process, you will have multiple opportunities for individual & group formative feedback. Each mini-task has a due date, and it is important that ALL work is completed for the assigned due date. On group meeting days, you will be picking up an instruction sheet from your teacher that will outline your goal(s) for this particular session. Each member of the group will have an important goal and it is very important that all group members come prepared for class.*

- 1) Choose a philosopher. Go home tonight, and examine the list provided. Do some research and make a top three list. You will be divided up into groups tomorrow.

Task 2: To be completed by _____.

- 2) Individually, research your school of legal philosophy. Find at **least** two sources of information about your school of thought and cite them using proper **MLA Format**. Take notes - following the format outlined in class and then bring them on the due date. Things to keep in mind when conducting your initial research:
 - a) How does your school of legal philosophy define the purpose of 'law'?
 - b) What criteria does your school of thought use to determine whether or not a law should be seen as valid?
 - c) What is their view of the relationship between law and morality?

Task 3: To be completed on _____.

- 3) Complete Group Meeting #1 and appropriate self-assessment and group assessment forms. Submit to teacher for feedback.

Task 4: To be completed by _____.

- 4) Research your assigned philosopher. Find at **least** three sources of information about your philosopher and cite them using proper **MLA Format**. Take notes - following the format outline in the class and bring them on the due date: _____. Things to consider:
 - a) In what ways, does your philosopher fit in with his or her particular school of thought, and in what ways does he/she challenge it?
 - b) What are your philosopher's thoughts/ideas around the importance of individual rights and freedoms?
 - c) Create a brief outline of his or her arguments regarding: the purpose of 'law' & the relationship between law and morality.

Tasks 5-7: To be completed on _____.

- 5) Complete Meeting #2 and appropriate self-assessment and group assessment forms. Submit to teacher for feedback.
- 6) Book your first individual conference appointment. Prepare for your conference by creating some questions that you would like answered. Consider: concepts that have been introduced

that you are struggling with, clarification on key points, teacher examination of a particular concept, etc. Keep in mind that you have **10 minutes** for your conference so it is **essential** that you come prepared. **My first conference date is:** _____.

- 7) Complete Meeting #3 and appropriate self-assessment and group assessment forms. Submit to teacher for feedback.

Task 8: To be completed by _____.

- 8) Find 2 **Canadian** 'human rights issues' that are currently being presented in the media. Bring in a newspaper, a magazine clipping, or a video footage product to the class for the completion date.

Task 9: To be completed on _____.

- 9) When you arrive to class on _____, please help your teacher arrange the desks in a circle. Once all the desks are in a circle, the teacher will begin by having each student take a turn introducing their **Canadian** human rights issue and why they think it should be explored in this unit. After each student has had the opportunity to present their information, there will be 10 minutes provided for students to ask questions and receive clarification on the different issues being presented. Then, the students will vote on the **3 human rights** issues that they would like to explore for this assignment.

Task 10 & 11: To be completed by _____.

- 10) Read the copy of *The Canadian Charter of Rights and Freedoms* provided on pages 604-607 of your textbook *Dimensions of Law: Canadian and International Law in the 21st Century* for homework. After you have finished reading it, complete the following:

- List any sections of *the Charter* that you do not fully understand
- List sections of *the Charter* that you feel relate to the current Canadian human rights issues that were selected by the class.
- In your own words, explain the relationship you see between the human rights issues and the *Charter* rights or freedoms you have selected

Ex. I think Section 2(b) of *the Charter* clearly relates to the issue of cyber bullying because it argues that all Canadians should have the freedom to express their views whether they are popular or not...

- 11) Become your philosopher (poof.. Magic ;) - How would he or she feel about each of the human rights issues the class has selected? What would your philosopher argue is the role of law in each of these issues? Based on the information you have collected, brainstorm reforms that your philosopher may suggest in relation to the particular *Charter* rights you have examined.

Task 12: To be completed by _____.

- 12) Look at the dates & times available for group conferencing and select a date. Brainstorm some questions you wish to discuss at that time. **Our group conference date is:**
_____.

Task 13: To be completed on _____.

- 13) Complete Meeting #4 and appropriate self-assessment and group assessment forms. Submit to teacher for feedback.

Task 14: To be completed on _____.

- 14) Complete Meeting #5 and appropriate self-assessment and group assessment forms. Submit to teacher for feedback.

Schools of Legal Theory

School of Legal Thought	Theorists
Legal Positivism & Legal Formalism	Hobbes, Locke, Rousseau, Bentham, Austin, J.S. Mill, Hans Kelsen, H.L.A. Hart
Legal Utilitarianism	Bentham, J.S. Mill, J. Rawls
Legal Realism & Pragmatism	Oliver Wendell Holmes, William James, K. Llewellyn, Jerome Frank, L.L. Fuller
Natural Law	Socrates, Plato, Aristotle, Cicero, Justinian, Saint Augustine, Thomas Aquinas, Patrick Devlin, Shariah, Fiqh
Neo-Natural Law	Ronald Dworkin and J. Rawls
Legal Marxism & Economic Analysis of Law	Marx, Richard Posner
Legal Feminism	Catharine MacKinnon, Andrea Dworkin, Lenore Walker, Susan Estrich, Susan Orkin, Patricia Hill-Collins, Demita Frazier
Critical Legal Theory	Noam Chomsky, D. Kairys
Critical Race Theory	Patricia Williams, Anthony P. Farley
First Nations Legal Theory	Taiaiake Alfred, Mary Ellen Turpel

Meeting #1: The Philosophy of Your School of Law

Share the information you have gathered for Task #2. How does your school of legal philosophy define the purpose of 'law'? What criteria does your school of thought use to determine whether or not a law should be seen as valid? What is their view of the relationship between law and morality?

Manager: _____

(Ensures all members have an active role in discussion and keeps everyone on task)

Checker: _____

(Maintains a positive and effective working environment and ensures that everyone agrees with ideas and responses before they are recorded)

Recorder: _____

(Writes down necessary information on this sheet and summarizes key points)

Time Keeper: _____

(Monitors time, sets limits for each point of discussion and ensures that everyone sticks to them, adjusts time as needed to make sure that enough time is allocated to achieve today's goals)

Meeting #2: How Your Philosophers Fit Into Your School of Law

Share the information you have gathered for Task #3. In what ways, do your philosophers fit in with this particular school of thought, and in what ways does he/she challenge it? What are your philosopher's thoughts/ideas around the importance of individual rights and freedoms? Create a brief outline of each philosopher's arguments regarding: the purpose of 'law' and the relationship between law and morality, and formulate brief conclusions.

Manager: _____

(Ensures all members have an active role in discussion and keeps everyone on task)

Checker: _____

(Maintains a positive and effective working environment and ensures that everyone agrees with ideas and responses before they are recorded)

Recorder: _____

(Writes down necessary information on this sheet and summarizes key points)

Time Keeper: _____

(Monitors time, sets limits for each point of discussion and ensures that everyone sticks to them, adjusts time as needed to make sure that enough time is allocated to achieve today's goals)

Meeting #3: Your School of Law's Overall View

Share the information you have collected over the past two days, and try to answer the following questions: How does your school of 'legal philosophy' define the purpose of law? What criteria does your school of thought use to determine whether or not a law should be seen as valid? What is their view of the relationship between law and morality?

Use the following organizer to assist you:

Natural Law Philosophers	Defines law as...	A law is valid when...	The relationship between law and morality it...	This philosopher is similar to, because...	This philosopher is different than, because...

Manager: _____

(Ensures all members have an active role in discussion and keeps everyone on task)

Checker: _____

(Maintains a positive and effective working environment and ensures that everyone agrees with ideas and responses before they are recorded)

Recorder: _____

(Writes down necessary information on this sheet and summarizes key points)

Time Keeper: _____

(Monitors time, sets limits for each point of discussion and ensures that everyone sticks to them, adjusts time as needed to make sure that enough time is allocated to achieve today's goals)

Meeting #4: Your Take on the Issues

Review the comments and descriptive feedback provided on your group's last submission. Discuss and if needed, ask your teacher for clarification. Also consider any comments that came up during your group conference. In terms of planning, look at the reforms your group brainstormed last time - work on making them into a more concrete proposal. Consider:

- a) We are addressing these human rights issues because... (you may want to look at each human right issue separately or as a whole, depending on your reforms)
- b) Clearly outline which sections of the *Charter* are applicable & why.
- c) The reforms your group is proposing - your group should look at a minimum of two legal cases - summarize them and assess how they reflect or challenge your proposed reforms. Whether they challenge or support your reforms, you should illustrate how your reforms would result in better laws for Canadian citizens.
- d) Start brainstorming how you will present this information to the class!!!

Ideas: Multimedia presentation (ex. Video, music video, etc.), Dramatic Presentation, PowerPoint (do not just read your information), Rap, etc. Be creative! Remember your goal is to convince the class that the reforms you are suggesting are effective. Also, remember, each individual must have a role in the presentation.

Hand in your summary of information (should look like a proposal - may want to take this home and refine it to submit it next class)

Manager: _____

(Ensures all members have an active role in discussion and keeps everyone on task)

Checker: _____

(Maintains a positive and effective working environment and ensures that everyone agrees with ideas and responses before they are recorded)

Recorder: _____

(Writes down necessary information on this sheet and summarizes key points)

Time Keeper: _____

(Monitors time, sets limits for each point of discussion and ensures that everyone sticks to them, adjusts time as needed to make sure that enough time is allocated to achieve today's goals)

Meeting #5: Your Presentation

Review feedback from previous submissions, and use this information to plan out your presentation in detail. Make arrangements, if needed, to work outside of class to complete an effective, well-rehearsed and effectively organized presentation. Hand in summary of work completed to your teacher.

Manager: _____

(Ensures all members have an active role in discussion and keeps everyone on task)

Checker: _____

(Maintains a positive and effective working environment and ensures that everyone agrees with ideas and responses before they are recorded)

Recorder: _____

(Writes down necessary information on this sheet and summarizes key points)

Time Keeper: _____

(Monitors time, sets limits for each point of discussion and ensures that everyone sticks to them, adjusts time as needed to make sure that enough time is allocated to achieve today's goals)

The Components of the Assignment:

- A. Written
- B. Presentation
- C. Salon

Part A: The Written Component

Each task submitted will be looked at as a whole to examine your ability to summarize key ideas. Remember that you are to follow MLA for each component. Each of the following tasks must be submitted:

- 1) **Biography of your Chosen Philosopher.** Using the information you obtained from Step #3, you are to compose a biography of your philosopher that is ~50 - 70 words in length.
- 2) **Summary of Your Philosopher's Views on Human Rights.** Create a briefing of your philosopher's views on key human rights issues by examining the rest of the information you obtained in Step #3. Your task is to summarize these views in relation to the information you obtained re: your school of law in Step #2. It should be ~ 250 words in length.
- 3) Using the information you collected in your **Salon Discourse** organizer, use the ideas of two philosophers as well as the one you have studied to analyze one of the human rights issues that we have explored in class. Your analysis should include: A brief overview of the philosopher's views about human rights & the law; their view on the importance of individual vs. collective human rights; your interpretation of what the philosophers' would propose about addressing this human rights issue, as well as your own evaluation of whose ideas you think would be the most effective at combating this human rights dilemma.

Written Component is to be completed by: _____.

Part B: The Presentation Component

The idea of your presentation is to provide a backdrop for the information your group will be presenting in the Salon. Using the information each of you created for Part A, your task is to create a presentation using Video, PowerPoint, Corel Presentations, Adobe Photoshop, et. al. that will conceptually encapsulate your philosophers core ideas. You will need to locate images that fit into this presentation, and you are more than welcome to use any forum for this presentation you wish. You may also want to include visuals, video clips, etc. to enhance your presentation. The requirements:

- a) It should be ~ 5 minutes in length
- b) It must include the name of your philosophers and his/her associated school
- c) Your philosophers' views must be clear, and concise, and should be directly related to your school of thought.
- d) Key concepts of your school of thought should be identified.
- e) *Charter* reforms should be clear
- f) Reforms should clearly link to your philosophers, your school of thought, and the human right's issues chosen in class.

Presentation Component is to be completed by: _____.

Presentation Rubric

	Level 4	Level 3	Level 2	Level 1
Knowledge <i>The understanding and exemplification of the legal school of thought, the school's accompanying philosophies, and relative view points on human rights issues.</i>	<ul style="list-style-type: none"> Demonstrates thorough and insightful understanding of the legal school Knowledge presented is highly relevant to chosen philosophers and school of thought Human right's issues are clearly and effectively addressed Analyzes and interprets information with a high degree of accuracy and effectiveness. 	<ul style="list-style-type: none"> Demonstrates considerable understanding of the legal school Knowledge presented is considerably relevant to chosen philosophers and school of thought Human right's issues are clearly addressed Analyzes and interprets information with considerable accuracy and effectiveness. A bit more clarity and depth required. 	<ul style="list-style-type: none"> Demonstrates some understanding of the legal school. Knowledge presented is somewhat relevant to the chosen philosophers and school of thought. Human right's issues are addressed, although more clarity is needed Analyzes and interprets information with some accuracy and effectiveness. Be careful of facts, and be sure to refer to them effectively 	<ul style="list-style-type: none"> Demonstrates limited understanding of the legal school. Knowledge presented is limited. More is required to clearly present chosen philosophers and school of thought Human right's issues are not addressed clearly if at all. Issues must be articulated effectively. Analyzes and interprets information with limited accuracy and effectiveness More accurate details and depth are required. There are inaccuracies in the presentation
Inquiry <i>The clear development and accurate understanding of human rights reforms for specified school of thought</i>	<ul style="list-style-type: none"> Charter's reforms have been clearly and effectively developed Reforms clearly link to philosophers and school of thought Human right's issues are accurately linked to reforms and school of thought 	<ul style="list-style-type: none"> Charter's reforms have been clearly developed Reforms link to philosophers and school of thought Human right's issues are linked to reforms and school of thought More depth of details would enhance presentation 	<ul style="list-style-type: none"> Charter's reforms have been developed More development is required Reforms somewhat link to philosophers and school of thought Human right's issues are somewhat linked to reforms and school of thought Connections need to be clearer 	<ul style="list-style-type: none"> Charter's reforms have been attempted but require more development and clarity Reforms do not always link to philosophers and school of thought Human right's issues are not always linked to reforms and school of thought More connections need to be made
Communication <i>The ideas offered in the presentation are clearly and logically organized in relation to one another and to the chosen philosopher and school of thought. Communication skills are effectively used to present these ideas..</i>	<ul style="list-style-type: none"> Communicates orally with an excellent sense of audience and purpose. Communicates content with a high degree of clarity and effectiveness. Media component is visually appealing and intriguing, and clearly extends the class's understanding of the philosophers, their school of thought, and the view points taken on issues discussed. 	<ul style="list-style-type: none"> Communicates orally with a good sense of audience and purpose. Refine communication skills Communicates content with a considerable degree of clarity and effectiveness. A few areas require development Media component is visually appealing and extends the class's understanding of the philosophers, their school of thought, and the view points taken on issues discussed. 	<ul style="list-style-type: none"> Communicates orally with a sense of audience and purpose. Please review effective communication skills. Communicates content with some degree of clarity and effectiveness. Some areas require more development Media component has some visual appeal, and somewhat extends the class's understanding of the philosophers, their school of thought, and the view points taken on issues discussed. Refine information to ensure relativity Organizational glitches in presentation 	<ul style="list-style-type: none"> Communicates orally with a limited sense of audience and purpose. Please review effective communication skills. Communicates content with a limited degree of clarity and effectiveness. A number of areas require more development Media component is lacking visual appeal, and is limited in the extension of the philosophers, their school of thought, and the view points taken on issues discussed. Information needs to be relative and presentation requires organization

Salon Philosophie du Droit

Legal Theory

What is law? Over many centuries, legal scholars and philosophers have formulated various definitions of law, its meaning and nature. Their writings, theories, and debates are known collectively as jurisprudence. The field of jurisprudence covers such topics as definitions and purposes of the law, the rationale for making and obeying laws, characteristics of good law, and the distinction between law and justice. Legal theory draws contributions not only from the study of law, but from a wide range of related disciplines in the humanities and social sciences, including philosophy, political science, economics, history and sociology.

Salon

What happens when historical and contemporary legal philosophers gather to discuss issues of modern human rights and the law? Vigorous discussion of course! You will assume the role of a significant legal thinker from a particular school of legal thought. In role, you will explain your thinker's principle ideas and contributions to modern legal thought, and debate your thinker's theories and position on contemporary human rights issues and crises. Using current legal jurisprudence (cases) to help illuminate important aspects, controversies and ideas about human rights, you will apply your understanding of your philosopher in the form of authentic response and reaction to other philosophers and their ideas.

Instructions

You must bring with you at least one of your thinker's works – a primary resource – on which you may include points for discussion and exchange. Throughout the salon you are encouraged to circulate and enter into discussion and debate with as many of your contemporaries as possible. You are not, however, to talk to more than two people at any one time. The salon will be an authentic experience, meaning that you will be free to move about the room and encouraged to mingle with your fellow guests to exchange ideas about human rights and legal theory. Drink and food will be provided.

The challenge is to begin immediately researching and developing a sophisticated understanding of your chose school of thought and how your thinker fits and furthers its core ideas. The objective of this salon is to cultivate a more complete understanding of the law and to recognize the intimate connection between legal theory, contemporary legal issues and the idea of social justice.

Good Luck!

Due Date: _____



Student Name _____
 Portrayal of _____

Evaluator _____

Salon (Role Play) Rubric

Criteria	Level 4 (80-100%)	Level 3 (70-79%)	Level 2 (60-69%)	Level 1 (50-59%)
Knowledge & Understanding Knowledge & understanding of content (e.g., facts, terms, definitions, concepts, ideas, theories)	Σ demonstrates <i>thorough</i> knowledge & understanding of the core ideas of the schools of legal theory, their thinker's principal ideas and the impact of those ideas upon human rights issues 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	Σ demonstrates <i>considerable</i> knowledge & understanding of the core ideas of the schools of legal theory, their thinker's principal ideas and the impact of those ideas upon human rights issues 7.8 7.6 7.4 7.2 7.0	Σ demonstrates <i>some</i> knowledge & understanding of the core ideas of the schools of legal theory, their thinker's principal ideas and the impact of those ideas upon human rights issues 6.8 6.6 6.4 6.2 6.0	Σ demonstrates <i>limited</i> knowledge & understanding of the core ideas of the schools of legal theory, their thinker's principal ideas and the impact of those ideas upon human rights issues 5.8 5.6 5.4 5.2 5.0
Thinking Use of processing skills (e.g., analysing, generating, integrating, synthesizing, evaluating, detecting point of view, assumptions and bias)	Σ uses critical/creative thinking processes to engage in discussion with other thinkers with a <i>high degree</i> of effectiveness Σ demonstrates a <i>high degree</i> of critical analysis, interpretation and original thought in planning a collaborative salon Σ uses critical listening skills, such as, identifying main ideas and supporting details, note making, assessing validity of arguments and conclusions, making inferences, evaluating implicit and explicit ideas, detecting assumptions, omissions and biases with a <i>high degree</i> of effectiveness 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	Σ uses critical/creative thinking processes to engage in discussion with other thinkers with <i>considerable</i> effectiveness Σ demonstrates <i>considerable</i> critical analysis, interpretation and original thought in planning a collaborative salon Σ uses critical listening skills, such as, identifying main ideas and supporting details, note making, assessing validity of arguments and conclusions, making inferences, evaluating implicit and explicit ideas, detecting assumptions, omissions and biases with <i>considerable</i> effectiveness 7.8 7.6 7.4 7.2 7.0	Σ uses critical/creative thinking processes to engage in discussion with other thinkers with <i>some</i> effectiveness Σ demonstrates <i>some</i> critical analysis, interpretation and original thought in planning a collaborative salon Σ uses critical listening skills, such as, identifying main ideas and supporting details, note making, assessing validity of arguments and conclusions, making inferences, evaluating implicit and explicit ideas, detecting assumptions, omissions and biases with <i>some</i> effectiveness 6.8 6.6 6.4 6.2 6.0	Σ uses critical/creative thinking processes to engage in discussion with other thinkers with <i>limited</i> effectiveness Σ demonstrates <i>limited</i> critical analysis, interpretation and original thought in planning a collaborative salon Σ uses critical listening skills, such as, identifying main ideas and supporting details, note making, assessing validity of arguments and conclusions, making inferences, evaluating implicit and explicit ideas, detecting assumptions, omissions and biases with <i>limited</i> effectiveness 5.8 5.6 5.4 5.2 5.0
Communication Expression and organization of ideas and information (e.g., clear expression, logical organization, use of persuasive language)	Σ expresses and organizes ideas and information with a <i>high degree</i> of effectiveness Σ <i>excellent</i> grasp of oral communication skills (e.g., rhetorical devices; voice projection; gestures; body language; timing; proper citation of research) Σ <i>outstanding</i> use of persuasive language 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	Σ expresses and organizes ideas and information with a <i>considerable</i> effectiveness Σ <i>good</i> grasp of oral communication skills (e.g., rhetorical devices; voice projection; gestures; body language; timing; proper citation of research) Σ <i>competent</i> use of persuasive language 7.8 7.6 7.4 7.2 7.0	Σ expresses and organizes ideas and information with a <i>some</i> of effectiveness Σ <i>fair</i> grasp of oral communication skills (e.g., rhetorical devices; voice projection; gestures; body language; timing; proper citation of research) Σ <i>satisfactory</i> use of persuasive language 6.8 6.6 6.4 6.2 6.0	Σ expresses and organizes ideas and information with <i>limited</i> effectiveness Σ <i>poor</i> grasp of oral communication skills (e.g., rhetorical devices; voice projection; gestures; body language; timing; proper citation of research) Σ <i>limited</i> use of persuasive language 5.8 5.6 5.4 5.2 5.0
Application Making connections within and between various contexts (e.g., past, present, and future; legal; philosophical; social; cultural; personal; political; multidisciplinary)	Σ makes connections between the ideas of various thinkers and schools of thought within the context of human rights issues with a <i>high degree</i> of effectiveness Σ organizes researched ideas and information coherently and transfers knowledge and skills to a new context with a <i>high degree</i> of effectiveness 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	Σ makes connections between the ideas of various thinkers and schools of thought within the context of human rights issues with <i>considerable</i> effectiveness Σ organizes researched ideas and information coherently and transfers knowledge and skills to a new context with <i>considerable</i> effectiveness 7.8 7.6 7.4 7.2 7.0	Σ makes connections between the ideas of various thinkers and schools of thought within the context of human rights issues with <i>some</i> effectiveness Σ organizes researched ideas and information coherently and transfers knowledge and skills to a new context with <i>some</i> effectiveness 6.8 6.6 6.4 6.2 6.0	Σ makes connections between the ideas of various thinkers and schools of thought within the context of human rights issues with <i>limited</i> effectiveness Σ organizes researched ideas and information coherently and transfers knowledge and skills to a new context with <i>limited</i> effectiveness 5.8 5.6 5.4 5.2 5.0

The Salon Discourse Chart

While at the salon, be sure to get the following information from at least **five (5)** other philosophers of various schools of thought. You will have to converse with your classmates in order to get this information.

Philosopher	School	Human Rights Issue	Beliefs/Ideas

Legal Brief Rubric

Criteria	Level 4 (80-100%)	Level 3 (70-79%)	Level 2 (60-69%)	Level 1 (59-50%)
Knowledge/ Understanding Knowledge & understanding of content (e.g., facts, terms, definitions, concepts, ideas, theories)	Demonstrates thorough knowledge and understanding of chosen philosopher in the context of human rights law and issues. 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	Demonstrates considerable knowledge and understanding of chosen philosopher in the context of human rights law and issues. 7.8 7.6 7.4 7.2 7.0	Demonstrates some knowledge and understanding of chosen philosopher in the context of human rights law and issues. 6.8 6.6 6.4 6.2 6.0	Demonstrates limited knowledge and understanding of chosen philosopher in the context of human rights law and issues. 5.8 5.6 5.4 5.2 5.0
Thinking Use of processing skills (e.g., analysing, generating, integrating, synthesizing, evaluating, detecting point of view, assumptions and bias)	Demonstrates a high degree of analysis, interpretation and original thought. Provides an exceptional number of informed conclusions and plausible analysis of thinkers' ideas and their relation to human rights dilemmas. 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	Demonstrates a considerable degree of critical analysis, interpretation and original thought. Provides a considerable number of informed conclusions and plausible analysis of thinkers' ideas and their relation to human rights dilemmas. 7.8 7.6 7.4 7.2 7.0	Demonstrates some degree of critical analysis, interpretation and original thought. Provides a few informed conclusions and plausible analysis of thinkers' ideas and their relation to human rights dilemmas. 6.8 6.6 6.4 6.2 6.0	Demonstrates a limited degree of critical analysis, interpretation and original thought. Provides a limited number of informed conclusions and plausible analysis of thinkers' ideas and their relation to human rights dilemmas. 5.8 5.6 5.4 5.2 5.0
Communication Expression and organization of ideas and information (e.g., clear expression, logical organization, use of persuasive language)	Excellent grasp of the material and purpose of the brief. Clear expression of ideas and effective use of language. Outstanding quality, quantity, and diversity of research. 9.8 9.6 9.4 9.2 9.0 8.8 8.6 8.4 8.2 8.0	A good grasp of the material and purpose of the brief. A good expression of ideas and effective use of language. Considerable quality, quantity, and diversity of research. 7.8 7.6 7.4 7.2 7.0	A fair grasp of the material and purpose of the brief. Satisfactory expression of ideas and effective use of language. Satisfactory quality, quantity, and diversity of research. 6.8 6.6 6.4 6.2 6.0	A poor grasp of the material and purpose of the brief. Poor expression of ideas and effective use of language. Limited quality, quantity, and diversity of research. 5.8 5.6 5.4 5.2 5.0

Formative Self-Assessment Rubrics

Scale: 4 = excellent; 3 = good; 2 = needs improvement; 1 = unacceptable

A: Effort Rubric

Level 4	Level 3	Level 2	Level 1
<p>I worked consistently to stay on task and help my group members achieve our goals.</p> <p>I came to the meeting prepared with all the necessary components completed</p> <p>I pushed myself to continue with the task even when faced with difficulties, and viewed them as opportunities for learning not obstacles.</p> <p>I welcomed new ideas and constructive criticism, and offered many of my own ideas.</p>	<p>I worked on the task until it was completed.</p> <p>I came to the meeting prepared, but there were one or two components that I should have completed more thoroughly.</p> <p>I usually stayed on task even when faced with difficulties, but I need to work on pushing myself to work on a solution.</p> <p>I often welcomed new ideas and constructive criticism, and offered some of my own ideas.</p>	<p>I worked on the task, but when I was faced with difficulties I no longer wanted to stay on task and had trouble refocusing on the work.</p> <p>I was not completely prepared for today's group meeting.</p> <p>I liked hearing new ideas, but I didn't always welcome ideas that were different than my own.</p>	<p>I put very little effort into the task.</p> <p>I was unprepared for our group meeting.</p> <p>I did not really participate when we were planning out our group's ideas.</p>

B: Achievement Rubric

Level 4	Level 3	Level 2	Level 1
I exceeded the goals set out by my teacher.	I met all of the goals.	I met a few of the goals, but did not complete all of the goals.	I did not meet the goals set out for this component of the assignment.

Looking at the ratings that you assigned yourself on the rubric, please answer the following:

1. What contribution did you make to your group's assignment that you are proud of?

2. How can you improve your contribution next time?

3. What are your next steps?

Formative Group-Assessment Rubric

Group Members Names: _____

Scale: 4 = excellent; 3 = good; 2 = needs improvement; 1 = unacceptable

A: Effort Rubric

Level 4	Level 3	Level 2	Level 1
<p>We worked consistently to stay on task and help each other achieve our goals.</p> <p>We pushed ourselves to continue with the task even when faced with difficulties, and viewed them as opportunities for learning not obstacles.</p> <p>We welcomed new ideas and constructive criticism, and used our collaborative ideas to reach our goals.</p>	<p>We worked on the task until it was completed.</p> <p>We usually stayed on task even when faced with difficulties, but we need to work on pushing ourselves to work on a solution.</p> <p>We often welcomed new ideas and constructive criticism, and we usually worked together to bridge our different ideas.</p>	<p>We worked on the task, but when we were faced with difficulties we no longer wanted to stay on task and had trouble refocusing on the work.</p> <p>We liked hearing new ideas, but we didn't always work together collaboratively to create an effective product.</p>	<p>We put very little effort into the task.</p> <p>We did not work together well and we did not try to create or bridge divergent ideas.</p>

B: Achievement Rubric

Level 4	Level 3	Level 2	Level 1
<p>We exceeded the goals set out by our teacher.</p>	<p>We met all of the goals.</p>	<p>We met a few of the goals, but did not complete all of the goals.</p>	<p>We did not meet the goals set out for this component of the assignment.</p>

Looking at the ratings that you assigned yourself on the rubric, please answer the following:

1. What contribution did you make to your group's assignment that you are proud of?

2. How can you improve your contribution next time?

3. What are your next steps?

Individual Effort and Achievement Chart

Student Name:

Group Meetings	Effort Rubric	Achievement Rubric	Individual Feedback (point form - highlight your strengths and areas of improvement)	Identify any connections between your effort & achievement scores	Teacher Feedback
Meeting #1					
Meeting #2					
Meeting #3					
Meeting #4					
Meeting #5					

This achievement chart has been modified from: Marzano, Robert J., Pickering, Debra J., and Pollock Jane E. *Classroom Instruction that Works: Research-Based Strategies for Increasing Student Achievement*. Upper Saddle River, New Jersey: Pearson Education Inc., 2005

STATEMENT OF THE DESIGN PROCESS

The backwards design process provided a very effective road map for designing our lesson plans and unit calendar. Our group members discovered that by starting off with the end in mind, we were able to create independent lessons that flowed together effectively and tied in formative assessment and scaffolding that would assist our students to heighten their learning experience. The collective vision of our group was to create an authentic performance task that built and extended upon the prior learning and knowledge that our students gained in the Heritage Unit. We unanimously took a skills-focus approach to our unit, focusing on developing the transferable skills of effective critical inquiry, research and skilful advocacy. Furthermore, the incorporation of assessment for learning was a priority as we made a point of ensuring that our students were individually accountable and actively involved in their own learning processes. Thus, we are very proud of the unit that we have created and believe that it will help our students to achieve success and facilitate a deeper understanding of the issues explored in this unit.