

Living Democracy: How Constitution High School Molds Better Citizens

Marc Brasof

The schoolroom is the first opportunity most citizens have to experience the power of government. Through it passes every citizen and public official, from schoolteachers to policemen and prison guards. The values they learn there, they take with them in life.—Supreme Court Justice William Brennan

Conflict and Compromise

It's June of 2007, the second year of operation for Constitution High School (CHS), Pennsylvania's first history-themed public high school. Outside, it's about 90 degrees, but in the Faculty Senate conference room it's much warmer. Diante, the acting representative of the House of Students, is presenting the House version of the School Dress Code Policy Bill to the Faculty Senate. The original dress code policy has failed: various acts of civil disobedience by students challenged the original policy, leading to disciplinary action deemed unfair by students. When a faculty member proposed a new, more conservative policy, students responded with their own bill. While granting students this much legislative power may seem unusual, this is a typical channel used at CHS to address academic and social issues.

CHS's legislative branch debates the advantages and disadvantages of the two propositions and a new policy is accepted. Diante leaves the conference room frustrated. Running after the sophomore, I ask him what is wrong. "The faculty destroyed our bill," he says solemnly. "No they didn't," I respond. "You just didn't get everything you wanted. Sure, you'll have to wear a collared shirt now,

but you can choose any color and style. Plus you got your jeans clause. A compromise has been reached." Still, Diante walks away frustrated. But during the House of Students meeting the next day, he is much more upbeat. After reporting to the student-elected representatives, Diante speaks about the victories: the defeat of the "button-down shirt and khakis" clause and the acceptance of the jeans clause.

Over those few weeks of bill writing and active deliberation, Diante, the faculty, and the student body learned a powerful lesson: in a pluralistic society, you will not always get what you want. Democracy comes from our ability to reach a compromise between strong-minded opponents so that the greater good can be served. Through processes enumerated in the school's constitution, which was co-authored by students and faculty, the two constituencies created a policy that balanced the cultures of students, families, and faculty with the mission of the school. This is just one example of how we teach democracy and civic responsibility at CHS.

As our name indicates, CHS is a theme-based high school that focuses on history, government, and civic action. Our goal is to help students become better

citizens. The work begins as soon as students apply: applicants are required to write an essay on what it means to be a good citizen. In addition, applicants are introduced to democratic processes during the mandatory interview given by a panel that includes faculty as well as students. Faculty and student interviewers evaluate each candidate and reach a consensus. So even applicants know that CHS students have a voice in the school's development. As a result of this process, our student body reflects the diversity of the city, with students coming from all Philadelphia neighborhoods and a variety of socioeconomic and cultural backgrounds. But the truly unique aspect of CHS is the way democracy is taught: students at CHS learn democracy by living it.

Popularity Contest Contested

According to The Civic Mission of Schools, "empirical evidence indicates that simulations of voting, trials, legislative deliberation, and diplomacy in schools led to more political knowledge and interest."¹ Included in their six approaches to improving our nation's civic knowledge is the incorporation of simulations of democratic processes and procedures. But what if such "simulations" were actually part of the school's culture? Consider the following situation: A popular student runs for student-body president and wins more than 80 percent of the vote—not an uncommon situation



CHS sophomores use the school's courtroom during American Studies to hone judicial argumentation skills.

in high schools today. The day after the election, the administration discovers that the newly elected president was unqualified to run for office. In a typical high school, administrators would remove the student, no questions asked. But at CHS, removing the student without due process—in other words, without the right of the student to appeal—would be unconstitutional. This was the case in our 2007 presidential election.

During our school-wide constitutional convention, students and staff agreed that elected officials should have good disciplinary records—after all, they are being charged with the weighty responsibility of creating and evaluating school policy. In this case, the elected student had gotten in trouble too many times, yet the behavior record had not been made available to the government advisors before

the election. As a government advisor, I was confronted with a serious problem: removing the student (who was elected by a landslide) would anger the student body and, more importantly, would cause the students to lose confidence in our democratic system. But upholding the election would also damage our democracy by undermining the qualifications for office. To make matters worse, the student hadn't technically served in office, so we couldn't hold an impeachment trial as outlined in our constitution. Basically, we had the first constitutional crisis in our mini-democracy.

In the United States, when the Constitution needs further interpretation, citizens petition the Supreme Court. So that's what we did. Instead of allowing the administration to decide the fate of the president-elect, the principal petitioned

our school's Supreme Court, which is comprised of seven students and two faculty members elected using the same process as the U.S. judicial branch. Many schools have student courts designed to mediate between students and settle disputes. CHS, on the other hand, has a judicial branch that, like the U.S. government, has the power of judicial review. In other words, students at CHS have the power to create, interpret, and challenge laws. In this instance, our Supreme Court held a hearing to interpret the constitutionality of the election.

Both the plaintiff and the defendant presented their cases to the judges. A student-lawyer, on behalf of the defendant, presented a counter argument invoking two Supreme Court cases: *Bush v. Gore*, the case dealing with the 2000 election; and *Jeffrey McCall v. Colorado*, a case

in which the Supreme Court ruled against removing a judge simply for not upholding the requirements to become a lawyer. The student-lawyer was trained to do this: as freshmen, students are taught how to read Supreme Court documents and use legal precedents to support their claims.

Invoking the precedents laid out in *Marbury v. Madison*, the judges affirmed their right to correct an issue facing the school, reminded the administration to be more careful when planning out elections, and sent a message to the entire student body regarding the importance of respecting the constitution, especially since it was written by both students and staff. The court opinion, co-authored by a faculty and student judge, concludes:

...a large mandate from the student body does not precede the school's social contract established through the [CHS] constitution. As stated in this opinion, other processes within the constitution have been established if the rules of our social contract need adjustment. This court encourages the student body and faculty to exhaust their constitutional options to correct problems in our school before petitioning the court.

As in any budding democracy, there is no guarantee that the citizens will respect the court's decisions and the democratic process as a whole, especially during transitions of power. A crucial element of democracy as well as social education is open dialogue. So the school set aside instructional time to discuss the outcome, and all students and faculty members were able to read the decision together in their classes and voice their opinions. In addition, through a blog and an online poll, as well as several articles and editorials in the school newspaper, students and faculty members were able to comment on the decision. Students were then surveyed, and more than 60 percent of

the school agreed with the court's decision. A peaceful transition of power occurred with another election and our mini-democracy was successful.

Living Democracy

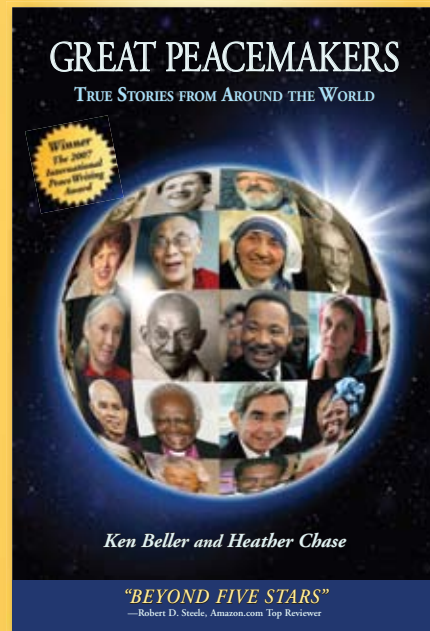
Why the change in public opinion? Undoubtedly, providing students with appropriate avenues to express their opinions helped ease the tension. But giving students a voice doesn't necessarily ensure agreement. Students agreed with the court because they understood the processes and how those processes uphold the social contract. Although most educators are aware of the concepts of experiential learning espoused by John Dewey, researchers in civic education found that "schools provide opportunities 'to know' but few opportunities 'to do'" outside of community service or service learning.² Students at CHS understand democracy because they have every opportunity 'to do' democracy.

As the above examples indicate, our school structure is based on the U.S. government. We have an executive branch headed by the principal and a student president, and supported by a student-elected cabinet containing a vice president, secretary, and treasurer. Legislative powers have been divided into a bicameral body consisting of a Faculty Senate and a House of Students. Additionally, a nine-member Supreme Court, consisting of faculty and students, can review the constitutionality of laws in our school. The interaction between all three branches and the school's stakeholders creates a system of checks and balances, separation of powers, protection of individual freedoms, and federalism. And even though students and faculty do not have the constitutional power to remove the principal or create laws that contradict district policy, a two-thirds vote in the House of Students and Faculty Senate can override the principal's veto of a bill.

Scholars often mention that on the 2006 nationwide civics test, "two-

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thirds of students scored below proficiency... [and] [l]ess than a fifth of high school seniors could explain how citizen participation benefits democracy.”³ At CHS, civics is the first social studies course students take because, in order for students to be responsible, participating members in our school’s culture, they need to first understand how the U.S. government operates. After an in-class simulation, during which they study the form and function of the federal Constitution and its philosophical foundations, students analyze CHS’s government, including its laws and court cases. As scholars note, “[s]tudents will only be truly empowered by their understandings of democracy when they can move beyond the diagrams and apply their knowledge in the real world of political action and social change.”⁴ So upon completing the course, students are encouraged to actively participate in their government, either by running for office or supporting candidates via Political Action Committees created by the students for the students. According to a 2001 IEA study:

14-year-olds who believe they can make a difference in the way their own school is run—and those who believe their student council has an impact on school policies—are more knowledgeable about politics and interested in current events than other youth....Thus, giving students a voice in school governance can be a promising way to encourage all young people to engage civically.⁵

The enumerated processes for addressing challenges facing our school have facilitated and continue to facilitate the development of a school culture in which faculty members and students govern together. Through processes such as law making, petitioning, town hall meetings, school-wide voting, polls, classroom discussions, elections, and committees, students and faculty have found common ground on issues such as school and

class lateness, grace periods in between classes, public recognition of student achievement, the creation of more social and academic activities during and after school, issue-centered elections, and student and faculty recruitment. To obtain quantitative data on student involvement, we required voters to register for our last election. The results: nearly 100 percent voter registration and 90 percent voter turn out. Thus far, democracy has worked pretty well in our school. But can it work in yours?

Infusing Democracy in Your School

Because constitutional democracy is ingrained in the culture of our school, translating CHS’s model would probably require a culture change in many schools. But it’s not as difficult or scary as it may sound. Infusing democracy into a school’s culture can be achieved through “positive school-wide experiences in civic participation” and classroom instruction which addresses the civic activity of the school.⁶

There are three crucial school-wide experiences that must occur:

1. Write or rewrite your school’s constitution and ratify it. At CHS, each social studies class drafted their own version of a school constitution. Different classes combined to create three revised versions, and then we held a school-wide convention to write the final version. The entire school voted on the final version, and it was ratified with well over the required ³/₄ vote. The following year, after experiencing and analyzing our constitution in action, we held a convention to make the necessary amendments.

It’s important to note that your constitution should try to include the three branches of government. If that’s not possible, it should at least include a bicameral legislative branch, so that students have real law-making power. For those schools that are fearful of giving students so much power, be sure that your consti-

tution recognizes the supremacy of the U.S. Constitution and state law (this is a teachable moment for the concept of federalism).

2. Hold democratic elections.

Empower students to become active citizens by requiring them to register to vote in their school elections. This allows them to practice the voter-registration process. Require candidates to participate in issue-centered debates rather than give campaign speeches. This helps foster issue-centered elections that are not simply popularity contests.

3. Hold town hall meetings. Town hall meetings enable staff and students to identify issues facing the school and offer ways to address those issues. They also facilitate school-wide democratic discourse without taking away from instructional time.

In addition to these steps, the National Constitution Center, in collaboration with CHS, is in the process of publishing a more thorough manual on creating a more democratic school government that will be made available soon for free on their website.

Risk vs. Reward

Every social studies teacher knows that democracy is messy. So why would anyone want to implement it in a school? Most educators, especially those who have read *Lord of the Flies*, would adamantly oppose giving students such unprecedented power. However, students must become part of the process of creating and maintaining authority in the school. Otherwise, they are not truly learning about the source of authority and the difficulty of governance in representative democracy. But is the risk worth the reward? Can teenagers be trusted to govern responsibly? The answer may be surprising.

Not many schools would allow the school government to manage a \$3,000, grant-funded activities budget. We did. The students set forth an application process, stipulating that programs must

directly address the mission of the school. In addition, applicants had to outline a timetable for the programs as well as all associated costs. A student committee reviewed each application and required a presentation to the House of Students prior to voting. The executive branch now oversees the implementation of the approved projects. This entire process was created by students.

Our school is an experiment in social education, and as such we have taken many risks, specifically in giving students so much authority. But the rewards have been well worth it. Student elections have high voter turnout, school government positions are highly sought after, school policies have a greater student buy-in, and civic participation is the driving force of our school culture. By allowing students to live democracy, we help ensure that the principle of government of the people, by the people, and for the people continues to be valued and upheld. 🇺🇸

Notes

1. Carnegie Corporation of New York and CIRCLE: The Center for Information and Research on Civic Learning and Engagement, "The Civic Mission of Schools" (New York: CIRCLE and Carnegie Corporation of New York, 2003), www.civicsmissionofschools.org.
2. Joseph Kahne and Joel Westheimer, "Teaching Democracy: What Schools Need to Do," *Phi Delta Kappa* 85, no. 1 (September 2003): 34-40, 57-67.
3. Sandra Day O'Connor and Lee H. Hamilton, "A Democracy Without Civics?" *Christian Science Monitor* (September 17, 2008), www.csmonitor.com.
4. Terri Camajani and Ingrid Seyer-Ochi, "Leading Students Toward Citizenship," *Phi Delta Kappa* 85, no. 1 (September 2003): 39.
5. Judith Torney-Purta, Rainer Lehmann, Hans Oswald, and Wolfram Schulz. *Citizenship and Education in Twenty-eight Countries: Civic Knowledge and Engagement at Age Fourteen* (Amsterdam: International Association for the Evaluation of Educational Achievement, 2001), www.wam.umd.edu/~iea.
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