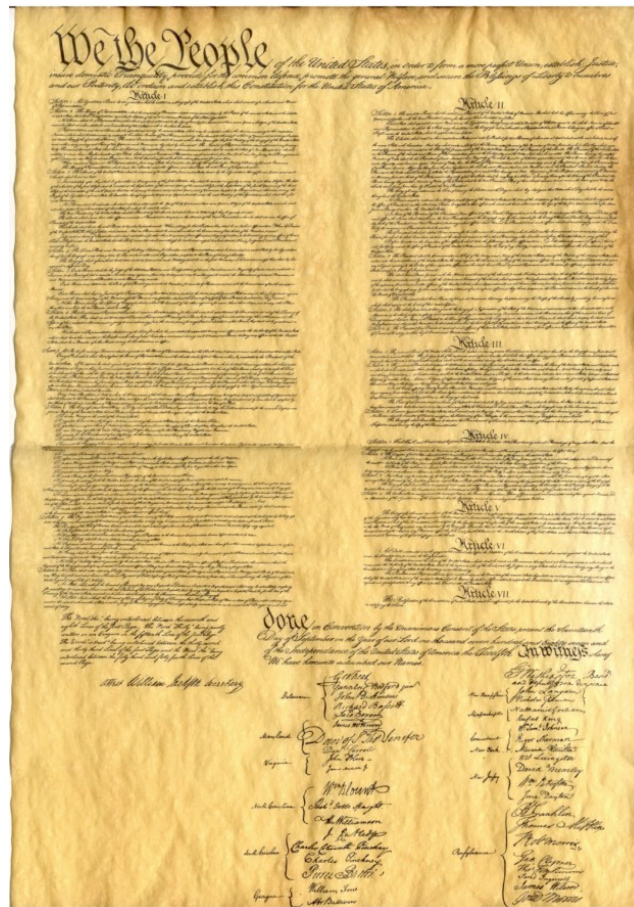




Constitution Day 2007 Implementation Guide



you access the information collection, click on "Download Attachments" to view. Written requests for information should be addressed to U.S. Department of Education, 400 Maryland Avenue, SW., Potomac Center, 9th Floor, Washington, DC 20202-4700. Requests may also be electronically mailed to the Internet address OCIO_RIMG@ed.gov or faxed to 202-245-6621. Please specify the complete title of the information collection when making your request.

Comments regarding burden and/or the collection activity requirements should be directed to Katina Ingalls at her e-mail address

Katrina.Ingalls@ed.gov. Individuals who use a telecommunications device for the deaf (TDD) may call the Federal Information Relay Service (FIRS) at 1-800-877-8339.

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DEPARTMENT OF EDUCATION

Notice of Implementation of Constitution Day and Citizenship Day on September 17 of Each Year

AGENCY: Office of Innovation and Improvement, Department of Education.

ACTION: Notice of implementation of Constitution Day and Citizenship Day.

SUMMARY: The Assistant Deputy Secretary for Innovation and Improvement announces that, pursuant to legislation passed by Congress, educational institutions receiving Federal funding are required to hold an educational program pertaining to the United States Constitution on September 17 of each year. This notice implements this provision as it applies to educational institutions receiving Federal funding from the Department.

FOR FURTHER INFORMATION CONTACT: Alex Stein, U.S. Department of Education, 400 Maryland Avenue, SW., room 4W218, Washington, DC 20202-5910. Telephone: (202) 895-9085 or via Internet: Alex.Stein@ed.gov.

If you use a telecommunications device for the deaf (TDD), you may call the Federal Relay Service (FRS) at 1-800-877-8339. Individuals with disabilities may obtain this document in an alternative format (e.g., Braille, large print, audiotape, or computer diskette) on request to the contact person listed in section.

SUPPLEMENTARY INFORMATION: This notice informs educational institutions receiving Federal funds from the U.S. Department of Education (Department) of a new statutory requirement for implementation of an educational

program pertaining to the United States Constitution, on a date designated by statute as Constitution Day and Citizenship Day ("Constitution Day"). This Congressional initiative is authorized by Section 111 of Division J of Pub. L. 108-447, the "Consolidated Appropriations Act, 2005," Dec. 8, 2004; 118 Stat. 2809, 3344-45 (Section 111). The Assistant Deputy Secretary for Innovation and Improvement (Assistant Deputy Secretary) takes this action in order to implement this provision as it applies to educational institutions receiving Federal funding from the Department.

Section 111(b) states "[e]ach educational institution that receives Federal funds for a fiscal year shall hold an educational program on the United States Constitution on September 17 of such year for the students served by the educational institution." For purposes of the Department's implementation of this requirement, "educational institutions" includes but is not limited to "local educational agencies" and "institutions of higher education" receiving Federal funding from the Department.

Section 111 applies to all educational institutions receiving Federal funding, not only those receiving Federal funding from the Department. However, the Department's authority only extends to those educational institutions receiving funding from the Department, and consequently the Department can only regulate with regard to those institutions.

Section 111 requires that Constitution Day be held on September 17 of each year, commemorating the September 17, 1787 signing of the Constitution. However, when September 17 falls on a Saturday, Sunday, or holiday, Constitution Day shall be held during the preceding or following week.

Section 111 does not authorize funds to carry out this requirement, and Section 111(d) indicates that this section shall apply "without fiscal year limitation." Accordingly, the Assistant Deputy Secretary intends that this notice pertain to this fiscal year and all subsequent years.

Some informational resources pertaining to the Constitution are listed below. In addition to these, the Department is aware that there may be other public and private resources available that may be helpful to educational institutions in implementing Constitution Day. While the Department does not endorse any particular program or Web site, this information is provided because it may be of use to educational institutions

developing their Constitution Day programs.

One of the Library of Congress' repositories for Constitutional documents and information may be accessed at: <http://memory.loc.gov/ammem/bdsds/bdsdhome.html>.

The National Archives also has a Web site with a scan of the U.S. Constitution available online at: http://www.archives.gov/national_archives_experience/charters/constitution.html. In addition, the National Archives has a nationwide network of research facilities, including presidential libraries that welcome students as young as 14 years of age. Information about the facilities (by region and state) can be located online at: <http://www.archives.gov/facilities/index.html>.

In addition to the resources mentioned above, it is our understanding that the U.S. Office of Personnel Management will be making available to all Federal agencies, information to help train and educate Federal employees on the Constitution and, in particular, its relationship to the Oath of Office Federal employees take. This information will be posted shortly on the OPM Web site, at: <http://www.opm.gov/>. We expect that educational institutions may find this material useful in planning their Constitution Day activities.

Electronic Access to This Document: You may view this document, as well as all other Department of Education documents published in the **Federal Register**, in text or Adobe Portable Document Format (PDF) on the Internet at the following site: <http://www.ed.gov/news/fedregister>.

To use PDF, you must have Adobe Acrobat Reader, which is available free at this site. If you have questions about using PDF, call the U.S. Government Printing Office (GPO), toll free, at 1-888-293-6498; or in the Washington, DC, area at (202) 512-1530.

Note: The official version of this document is the document published in the **Federal Register**. Free Internet access to the official edition of the **Federal Register** and the Code of Federal Regulations is available on GPO Access at: <http://www.gpoaccess.gov/nara/index.html>.

Dated: May 19, 2005.

Nina Shokraii Rees,

Assistant Deputy Secretary for Innovation and Improvement.

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Constitution Day Background

Senator Robert C. Byrd, a West Virginia Democrat and the United States Congress unofficial constitutional scholar, believes that American primary, secondary, and post-secondary students lack significant knowledge regarding the United States Constitution. In December 2004, Senator Byrd offered an amendment that was passed by both the United States House of Representatives and the United States Senate in attempt to increase constitutional knowledge.

The legislation requires that all educational institutions that receive federal funds implement educational programs relating to the United States Constitution on September 17 of each year. September 17th was selected as the date for celebration due to the fact that on September 17, 1787 the delegates to the Constitutional Convention met for the last time to sign the United States Constitution and presented it to the American public.

The United States Department of Education, charged with implementation of this legislative requirement, intentionally left the implementation language vague. With no specific curriculum or interpretation of the United States Constitution provided by The U.S. Department of Education or Senator Byrd, academic institutions are free to provide a wide array of programming for their students.

In order to provide even more flexibility, implementation rules included provisions for when September 17 falls on a weekend or Federal holiday. In such cases, "Constitution Day" may be celebrated the preceding or following week.

However your campus decides to provide programming fulfilling this requirement, purposeful and educational programming relating to the United States Constitution provides students with increased awareness and appreciation of this important document of freedom.

U.S. Constitution vs. Pop Culture

In a survey released by the National Constitution Center, evidence of a lack of constitutional knowledge is quite apparent. More students have greater knowledge of pop culture versus the United States Constitution. Six-hundred students responded to the survey.

Key findings from the survey include:

- 25.5% of respondents know that Philadelphia is the city where the Constitution was written compared to 75.2% who know what city the zip code 90210 is attributed to.
- 21.2% of respondents know how many senators served in the U.S. Senate compared to 81.2% who know how many members there are in the music group “Hanson.”
- 35.5% of respondents know the first three words of the Constitution compared to 71.2% who know that www is the first three letters of most Web site addresses.
- 1.8% of respondents know that James Madison is considered the father of the U.S. Constitution compared to 58.3% who know that Bill Gates is the father of Microsoft.
- 25% of respondents know that the Fifth Amendment protects against double jeopardy/self incrimination/right to a grand jury/due process/compensation for private property taken for public use compared to 63.7% who know that “The Club” protects against car theft.
- 41.2% of respondents know the names of the three branches of government compared to 59.2% who know the names of the three stooges.

If these statistics make you chuckle, imagine how Senator Byrd must have felt. It is the results of surveys such as this that promote an increased desire in knowledge regarding American history and our documents of freedom.

Constitution Day Programming

The United States Department of Education, according to its guidelines for implementation of Constitution Day, provides campuses with the flexibility to conduct Constitution Day programming as they desire. This allows for programming to range from simple to complex. Below are some examples of programs campuses may wish to conduct.

Student Affairs & Academic Affairs Collaborative Programming

Create a Web site

One of the simplest types of programming that a university can create is a Web site. Student affairs divisions, in collaboration with political science/public policy departments, can create a Web site providing text from the United States Constitution, along with an interpretation from political science/public policy faculty members. Student affairs divisions may include information on student life aspects that relate to the Constitution (i.e. due process, freedom of association, free speech on campus, student fees, educational malpractice, contracts, etc). A direct link from the university's home page or intranet system would provide students easier access to the site.

A Forum on the United States Constitution

Create a forum whereby the vice president of student affairs, provost/vice president of academic affairs, and the student body president discuss how the United States Constitution affects higher education. Provide invitations to campus student leaders, political science/public policy students, faculty, and staff members. By creating a general flyer to inform the university community, an increase in attendance may result.

Justice Learning Programs

The Annenberg Public Policy Center, The National Archives and Records Administration, National Public Radio, and the New York Times Learning Network have several Constitution Day programs available via broadcast or satellite links (see flyer at the end of this document). Student affairs and academic affairs could partner to create discussion groups based on the content of these programs. Invite students, faculty, and staff members to listen or view the programs followed by discussion groups based on topics from the programs.

Student Activities Programming

Sign the Constitution

Student activities offices could place an information table in a high-traffic, common area of campus (i.e. the student union, food court, or recreational facility, etc). Copies of the United States Constitution should be made available to students. Also on the information table could be a large, poster-sized version of the United States Constitution. Students can be given the opportunity to sign the Constitution next to the name of the state where they permanently reside.

Constitution Workshop

Constitution Day is celebrated early on in the academic year providing ample opportunity for development and growth of student organization officers. A workshop could be conducted to assist student organization officers with drafting a constitution for a student organization. Student activities staff and student leaders should reference the United States Constitution so that students can understand the importance and purpose of such a document.

Constitution Fair

Student activities offices can create a Constitution fair. The Constitution fair would consist of information booths. Each booth can relate to a section of the United States Constitution, and may be manned by student government officers or other student leaders who provide information or test knowledge of the United States Constitution.

Constitutional Convention

Student activities offices could create a simulation of a constitutional convention. Students should be given the opportunity, through a convention process, to draft a new Constitution of the United States of America. A half-hour briefing session on how the process works should occur, reviewing the theme and main ideas of the Constitution. Depending upon the number of students participating in the convention, students should be broken up into committees to work on different sections. This one-day process should conclude with presentations from each committee to the convention as a whole, along with an amendment process and final vote on the Constitution that would be submitted to the states for ratification.

Residence Life Programming

Resident Assistant (RA) Programming

Residence life staff can require resident hall assistants to provide programming based on the United States Constitution. Flexibility may be given to the RAs to allow for creativity in programming. Residence life staff members, ensuring that basic learning outcomes are met, can determine basic curricular aspects.

- Constitutional trivial pursuit – Trivia based on the United States Constitution
- Who were those guys – Get to know the signers of the constitution
- Film chat – Watch a film on the United States Constitution and have a discussion following the film (Films could include “1776,” “This is America Charlie Brown V.6. – This is the Constitution,” and “Founding Fathers, from the History Channel”)
- Constitution bulletin boards – bulletin boards can have articles and the Bill of Rights posted
- Constitution debate – The RA can choose topics from the United States Constitution. Students could debate importance and applicability to life today.

Hall Government Pre-Amble Challenge

Residence life staff can create a pre-amble challenge. Each resident hall government council should encourage residents to memorize and understand the pre-amble. The hall with the most number of residents to correctly state the pre-amble can win a pizza-party/ice-cream social, for example. Hall government presidents and residence life staff should serve as judges.

Constitution Lock-In

Residence life staff can create a lock-in to be held in the lounge of a residence hall or other on-campus facility. Students can have social time by screening “National Treasure” followed by discussions on topics such as freedom, file sharing, student activism, free speech, the right to bear arms, political participation, etc.

International Student Programming

Comparative Constitutional Programming

International students can gain increased knowledge about the United States Constitution through comparative programming. International programs staff members can create a program where international students learn the basics of the United States Constitution, allowing them to also share information on their own countries constitutional composition. Through comparison, students and invited guests may learn about similarities or differences of political structures across the globe.

Greek Life Programming

Banners

Greek life staff can encourage fraternities and sororities, with facilities on campus, to place banners visible to the campus community in support of the United States Constitution. Examples may include: “(Fraternity or Sorority Name) supports and defends the Constitution of the United States,” “We The People...Find out more, read the Constitution of the United States of America,” “(Fraternity or Sorority Name) celebrates Constitution Day”

The Constitution Challenge

In an intramural competition, fraternities and sororities can compete against each other in teams. Questions regarding content of the United States Constitution and current political topics can be asked, with intramural points awarded to teams with the three highest scores.

The purpose of Constitution Day is to ensure that students in our country are gaining an increased knowledge and appreciation for this valuable and important document of freedom. Colleges and universities across the country should ensure that programming is fun, yet has an impact on the greater understanding and content of the United States Constitution. While enforcement of this provision is not in the forefront, it is important that institutions abide by the provisions released by the United States Department of Education.

Links

Article – Education Department Issues Rules on Constitution Day Requirement

<http://chronicle.com/prm/weekly/v51/i39/39a01904.htm>

Article - Few Rules for New Constitution Day Requirement

<http://www.insidehighered.com/news/2005/05/25/constitution>

Article – Schools Ordered to Observe Constitution Day

<http://msnbc.msn.com/id/7960256/>

Article – Schools Told to Hold Constitution Day

<http://www.washingtontimes.com/national/20050524-114234-6960r.htm>

Constitution Day, Inc.

<http://www.constitutionday.com>

Justice Learning – Constitution Day

<http://www.justicelearning.org/constitutionday.asp>

National Archives and Records Administration – United States Constitution

http://www.archives.gov/national_archives_experience/charters/constitution.html

Notice of Implementation – Constitution Day

<http://www.ed.gov/legislation/FedRegister/other/2005-2/052405b.html>

Teaching with Documents – National Archives and Records Administration

http://www.archives.gov/digital_classroom/lessons/constitution_day/constitution_day.html

The United States Constitution –1789

<http://www.house.gov/Constitution/Constitution.html>

The United States Constitution Pocket Guide

http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=108_cong_documents&docid=f:hd096.pdf