

## PHILOSOPHY AND IMPLEMENTATION

A recent study by Langton and Jennings<sup>1</sup> of 1,669 high school seniors in 97 secondary schools correlated the number of government and civics courses taken with several dependent variables that included political interest, political knowledge, civic tolerance, political cynicism and political efficacy. The study concluded that civics curriculum, at least as presently constituted, has very little if any impact on most of the foregoing behavioral outcomes. The incremental change with increasing number of civics courses was so miniscule as to raise serious questions about the utility of government classes in secondary schools. The study concluded:

Until changes take place in instructional objectives and methods, course context, timing and exposure, teacher education, and the school milieu; one must continue to expect little contribution from formal curriculum in the political socialization of American pre-adults.

The Langton and Jennings study in 1967 confirms the finding of Hess and Torey,<sup>2</sup> that unlike secondary schools, for grades 2-8 the public school is the most important and effective instrument of political socialization in the United States.

The conclusions of the secondary school study are disappointing in view of the wide range of stimulating topics

1. *Massialas, Citizenship and Political Socialization, Encyclopedia of Educational Research 129 (4th Ed. 1960)*
2. *Hess and Torey, Development of Political Attitudes In Children, Aldine Publishing Co. Chicago (1967)*

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included within the social studies discipline and the desire of high school students to study just such relevant material. The topics, if taught effectively, should provide the high school students with a better assessment of the world and the changes that are occurring in it.

Critical to an understanding of the workings of society is an understanding of the law. Few social studies classes provide high school students with any view of the legal process.

The Golden Gate High School Legal Education Program developed several units of law-oriented curricula designed for presentation to high school students. The Staff chose high school students for several reasons:

1. law students can better relate to high school students than to younger students;
2. high school students to some extent still have open minds about the legal system and therefore can be affected by such presentations;
3. law students can provide a familiarity with the laws in a form useable and interesting to high school students; and
4. many students terminate their education at the high school level and need to be made aware of basic legal concepts, including their fundamental rights as citizens.

The distinguishing feature between the Golden Gate program and other programs designed to teach the law to secondary school students was Golden Gate's emphasis on law student's involvement. Law students explained their curricula to the teachers and suggested methods of teaching the materials. Law students also taught substantive law in the classroom and, in doing so, tried to impart an appreciation for the judicial process as a system that balances competing values. Using their own curricula and presentations, the staff illustrated the conflicts involved in any judicial decision. The overall objective of the project was to lead the high school students to the realization that the judicial system is a viable, non-violent means of resolving human conflicts and affecting change in our society.

#### AN OUTLINE OF THE PROJECT:

The High School Legal Education Program consisted of two divisions: the first created curricula in selected legal areas; the second co-ordinated the project within local high schools. The curricula designers also were responsible for informal teacher training and for question and answer sessions following the teachers' presentations.

The project co-ordinators researched the legality of including the curricula within standard high school courses. The California Education Code provides that while the State Board

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of Education does prescribe certain mandatory areas of education, each school district has great latitude in determining the specific course materials and the subject matter offered.<sup>3</sup>

The extent of the district's latitude in curricula development is illustrated by section 7502 of the Education Code which states:

The Legislature hereby recognizes that, because of the common needs and interests of the citizens of this state and the nation, there is a need to establish a common state curriculum for the public schools, but that, because of economic, geographic, physical, and social diversity, there is a need for the development of educational programs at the local level, with the guidance of competent and experienced educators and citizens. Therefore, it is the intent of the Legislature to set broad minimum standards and guidelines for educational programs and to encourage local districts to develop programs that will best fit the needs and interests of the pupils.

Initially the staff thought that many high schools throughout the Bay Area could be incorporated into the program. Limited time and personnel forced concentration on only two high schools: Capuchino High School in San Bruno and Serramonte High School in Daly City.

At Capuchino, the project began with a general discussion involving two instructors and 180 eleventh and twelfth grade students. For eight weeks, the teachers presented the cur-

3. *Cal. Ed. Code sections 8002, 8051, 8055, 8502 and 8571.*

ricula units with law students available to answer questions and present skits re-emphasizing the material. The experience at Capuchino was enriched by the addition of programs by the High School Seminar Group.<sup>4</sup> Using role playing techniques involving both law students and high school students, these sessions covered many of the subject areas for which the high school teachers and students had requested curricula, e.g., juvenile rights, drug law, and small claims court.

At Serramonte, a course entitled "Juvenile and the Law" was being taught to about 70 educationally terminal twelfth grade students. The instructor was very knowledgeable in constitutional law, so that he easily incorporated the staff's curricula into his course. Since the Serramonte course included field trips and numerous guest speakers there was less direct law student involvement.

#### EVALUATION OF THE PROGRAM:

BY A HIGH SCHOOL TEACHER

Mr. Ken La Crosse, in evaluating the program at Capuchino High School,<sup>5</sup> stated that the program was highly interesting and provocative. He continued:

4. See *infra*, 209

5. Mr. La Crosse's entire evaluation is found in the Appendix at 112.

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Those of us in the school really stand to benefit from the involvement you have initiated--the bringing together of various segments of the community to provide young people with the highest kind of education. We feel keen about increased liaison between social, economic and professional agencies in our culture and the classroom. We must focus on the real needs of our young people which can't happen when students are isolated in the schools.

To improve the program, Mr. La Crosse suggested: (1) the curricula arrive early enough to permit the teachers to review them and ask questions prior to the presentation of the material; (2) the communication between the teachers and the law students be increased; and (3) general discussions about the functions and purposes of the law should be avoided; keep the materials substantive.<sup>6</sup>

BY THE LAW REVIEW STAFF

The program was highly rewarding for the law students involved. The major problems that arose were administrative, especially the conflicts between law review commitments and the law students' own classes. As a result of this year's experience, the staff has several suggestions for future projects of this type.

Such projects should make use of curricula and testing materials available from other sources as a supplement to locally created curricula. However, since each high school

6. *By "substantive," Mr. La Crosse means that the Law Curricula and class presentations ought to make high school students aware of some of the rules of law, however, they should depict the judicial and legislative processes allowing the students to decide whether such processes are good or bad.*

class is a separate entity and requires a separate approach, pre-packaged curricula should not be used exclusively.

The existing curricula should be constantly upgraded on the basis of experience in the classroom. The "educational unit" approach of the contracts unit was more successful than the "law school" approach of some of the other units.

The law students should participate in a larger scope of activities with the high school students, such as court tours or panel discussions with practicing attorneys, judges and other legal authorities.

Proper testing procedures should be developed and carefully administered. The tests should yield useful learning and attitudinal data to measure the success of such a project.

In addition, an in-service teacher training program is needed to acquaint the participating teachers with the extent of the Golden Gate Law Review's project and to provide them with more substantive legal knowledge.

The staff feels that the following objectives were realized from this year's project:

1. The high school students were provided with legal information relevant to their lives.
2. The high school students began to appreciate that the law is not static and that it changes to meet social conditions, even though that change may be slow.
3. The law students were able to restate the essence of sophisticated legal reasoning in a form high school students could understand. The units revealed the competing interests that come to bear in any judicial decision.

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4. High school teachers were provided with materials for teaching specific areas of the law which is another step toward gaining an acceptance for legal curricula as a part of general secondary education.

5. Students were made aware of various legal services available to the community.

### CONCLUSION:

A great benefit of this year's project has been the scope of the experience. Since all of the materials and techniques used were generated internally, the staff experienced virtually every facet of a complex educational project. The students who return to law review work next year will have a much broader understanding of the problems involved because of their personal experiences.

Although the curricula were successfully used in this year's project to the benefit of several hundred students, it can be developed in future years. The substantive product of this year's work should be viewed as a starting point for future projects.



## APPENDIX

LETTER FROM KEN LA CROSSE, CHAIRMAN, SOCIAL STUDIES DEPARTMENT,  
CAPUCHINO HIGH SCHOOL, SAN BRUNO, CALIFORNIA

The following is an evaluation, as per your request, of the assistance you provided our government program the fall semester, 1970. As you know, our staff and students have had considerable discussion about the merits of the effort.

As a generalization, the students and teachers do not differ. The program was highly interesting and good quality. While individual law students, or particular groups, were rated as more interesting than others, the consensus was that all presentations were provocative from a learners viewpoint. You are well-aware that the most popular unit was that on the "small claims court," but the later units on "contract" and "the 4th, 5th, 6th, and 14th Amendments" were well-received.

It should be remembered that our Capuchino social studies program has been altered enormously under a district supported three-year redesign. Among the major goals of the project was that of increasing significantly the flexibility of teacher, plant use, and curriculum so as to welcome ongoing change and new educational trends. We think this sort of posture must be top priority in education today; we simply have to get beyond looking fearfully and over-cautiously at prospective redirection. We like to flatter ourselves that we may occasionally lead certain educational advances.

Generally, however, our educational system, of necessity, tends to lag behind the suggestions from related research. Projects such as the one we benefited from helped us achieve a position from which to utilize your developing efforts. We were very excited with your new approach, and we remain so. Were this same proposal to have been made three years ago, we would have been frustrated. We were in no position to plan together; our scheduling system would have voided any significant contact between teachers; there would have been little teaming attitude; and our plant would have suggested no solutions to inflexibility.

I have emphasized the foregoing because I believe it is instructive to note some of the ingredients necessary to the success of innovative programs. We, for example, have come to realize that we do not need a "super-plant" to achieve flexibility, but we do need a "super-attitude" from teachers, local and district administration, and the board. There is not one person on this staff who is even close to satisfied with his performance as a teacher, but there is no reason why he should be embarrassed about his effort and its results to date.

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Specifically, we have agreed on the following information relative to the units taught:

1. Students reacted most eagerly and with best follow-up results when simulated experiences were used to support points of emphasis. Thus,
  - a. The small claims court unit was most favored since it incorporated the best simulation format. However, it should be remembered that individual members of the small claims group were extraordinarily well-informed on a variety of aspects of related law. Thirty students from Balboa High visited us during the presentation of this unit and were totally energized as a result.
  - b. Conversely, the first unit--assault and battery--was the least effective although the longest unit. These law students showed less ability to expand beyond prepared unit materials, which is a disturbing effect for high school students.
  
2. Prepared materials were very thorough, enabling regular classroom teachers to develop teaching strategies to communicate the essence of units to students and to best prepare students for your visits. There are the following criticisms:
  - a. Units should arrive in plenty of time for teachers to digest and enrich. If possible, there should seldom be a lack of clarity about major points of emphasis. (Incidentally, since we adopted your group on rather short notice we really are not faulting you on this point; but we think it should be clear that for best effect your reliability has to be thoroughly credible. We are pretty "adjustive" to shifts, but it is uncomfortable to not have sufficient lead time.
  - b. There was not sufficient facility of exchange between unit authors and teachers, again for the stated reason--inadequate time in the experimental stage. Since there likely will always be conflicts as regards your time schedules in particular, very careful pre-planning can be very rewarding. This shouldn't suggest the need for some sort of tactical monstrosity; but a great deal of ambiguity shouldn't be tolerated, either.

3. Students do not react favorably to generalized discussions--for example, about the functions and purpose of law. They deal much more enthusiastically with actual or simulated cases. Deal, therefore, as substantively as possible.

4. The drug unit was an example of a unit "colored" by the bias of the student involved. Although he did an otherwise excellent job in developing the substance of his presentation, most of us felt he faltered at the point of implicit philosophy. I make a separate point of this because I personally believe it affords a valuable example of a critical point: regardless of how well-prepared a student is, he isn't a teacher-- and that means he lacks some of the sophistication that comes with experience. It is likely to be pointless to try to achieve an exaggerated identification with the students in high school on brief exposures.

5. Perhaps most importantly, it mustn't be understated that those of us in the schools really stand to benefit from the involvement you have initiated--the bringing together of various segments of community to provide young people the richest kind of education. It would be rather easy to lose sight of the potentials suggested by your effort. We have given considerable thought to that potential, and feel keenly about increased liaison between socio-economic-professional agencies in our culture and the classroom. There is an implied improving focus on the real needs of our young people which can't be accounted for when students are isolated in schools.

Hopefully, the foregoing has covered salient points with respect to your program. Again, we have benefited from the effort and would welcome you in the future--the sooner the better. Each of your representatives came through with well-prepared information. If my criticisms suggest dissatisfaction, it is the fault of inadequate English preparation way back when. Please accept our thanks and feel free to visit at any time. I hope we are correct in assuming that your group has benefited from the lively classroom experiences they did so much to create.

Sincerely,

Ken La Crosse

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LETTER FROM ERNIE A. HICKSON, PRINCIPAL, CAPUCHINO HIGH SCHOOL

February 5, 1971

Mr. Ron Bogard has requested that I write to you giving some details and my reactions to the work done by him and other students from the Golden Gate College, School of Law, at our school during the fall semester which has just closed.

During the fall semester these students spent many hours working with members of the social science department staff at this school. Their objectives were to test whether they could write and otherwise provide meaningful and appropriate curriculum materials at the high school level. I am very pleased to report that, in the main, their efforts were successful. One group from the college concentrated on writing curriculum materials based on case law and courtroom procedures which were then provided to our instructional staff for presentation to our students. These curriculum materials were found to be useful, well written and, most of all, contained up-to-date information. At times the materials were not available when needed but this problem of timing is understandable with the schedule of the students from law school who were also concerned about classes they were taking there.

Another group came to the school in person to assist with the presentation of classroom materials. Again, time demands upon them caused some conflicts with our schedule but overall their contributions to our curriculum are considered to have been excellent. These law students were especially good at presenting skits based on trial procedure and case law that is generally not well known to the typical high school teacher.

In summary, it seems clear that the Golden Gate College students were successful in translating case law and trial procedure into an understandable form for high school students to which they can relate. The evaluations by our staff and students are generally positive. The reciprocal benefits of meetings between high school students and the law students are judged to be highly positive. On the basis of this experience, I would urge that these law students be given every encouragement and whatever help, including financial assistance, might be available to further pursue this approach which they pioneered at our school this past year. It is my further hope that if they are provided with this opportunity, we might be considered as on-site for testing out and using their contributions. It must be emphasized that it seems absolutely necessary that if such an arrangement were possible, a strong effort be main-

tained at coordination with a requirement that all planning be done on a firm and reasonable timetable as a pre-requisite to the optimum success of such a venture.

It has been our pleasure to be associated with these fine students and I hope we may be able to look forward to more such experiences in the future.

Sincerely,

Ernie A. Hickson