

Teacher Tool 141: Civil Rights Act of 1964

Program Study Guide

Study Guide for Civil Rights 6: Constitution Day 2014: The Civil Rights Act of 1964 and its
Current Implications Program 1 and
Civil Rights 6: Constitution Day 2014: The Civil Rights Act of 1964 and its
Current Implications Program 2

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HEC-TV Live! Presents
Constitution Day 2014: The Civil Rights Act of 1964 and
Its Current Implications
 Presented in Collaboration with The Missouri Bar

Original Date: September 17, 2014

Grade Levels: 7-12

Program Description:

2014 marks the 50th anniversary of the passage of the Civil Rights Act of 1964. To commemorate that anniversary and celebrate the historic importance of the Act and its impact on American life, we invite you to *Constitution Day 2014: The Civil Rights Act of 1964 and Its Current Implications*.

It is hard to overstate the importance of the Civil Rights Act of 1964. Historians generally agree that the passage of the Act, along with the Voting Rights Act of 1965, finally brought to fruition the promises embodied in the 13th, 14th and 15th Amendments to the United States Constitution. President Lyndon Johnson considered its passage and that of the Voting Rights Act of 1965, the highlights of his presidency. The Act's scope and depth, and additions made to it in subsequent years, truly brought about a comprehensive, meaningful change in the civil rights of not only African-Americans but other groups as well.

How did the Civil Rights Act of 1964 come to be? What were the cultural, legal, and political forces that made it a reality? What were its important provisions and what constitutional concepts were those provisions based on? Why has the Act made such a difference in the lives of Americans? What are the Act's continuing implications today? Join us from the Thomas F. Eagleton Federal Courthouse in St. Louis to learn from our panel of judges, constitutional scholars, attorneys, and historians for a vibrant and insightful discussion as we explore these questions and more.

Topics include details on the provisions of the Act itself and the political, cultural, and legal forces that caused its passage. We explore the Constitutional concepts that were at issue. And we gauge the importance of the Act as we discuss its impact on American life at the time of its passage and its continuing impact through subsequent legislation and the civil rights movement today. Additional program materials include a Study Guide created by the Missouri Bar specifically for the program.

Panelists for the program include: Rigel Oliveri—Associate Dean, University of Missouri School Of Law; Mark Updegrove—Executive Director, LBJ Presidential Library; Pam Meanes—President, National Bar Association; and Reuben Shelton—President, Missouri Bar Association.

Program Objectives:

Students will be able to:

1. Describe the essential components of the Civil Rights Act of 1964.
2. Explain the impact of the Civil Rights Act of 1964 for African-Americans.
3. Explain the impact of the Civil Rights Act of 1964 on gender equality.
4. Discuss current issues impacted by the Civil Rights Act of 1964.

Program Format:

The agendas below provides details on program content and order. Student questions asked during the program are also included. Time codes are provided to help you find specific segments in the program.

Agenda for Program 1 (Morning Program of Original Air Date)

1. Welcome and Introduction—Student groups and experts are introduced and welcomed to the program. (00:00 to 06:45)

2. Historic Context of the Time—In this segment, we explore the cultural and legal context of American life, especially for African-Americans, in the late 1950's and early 1960's that led to establishment of the Civil Rights Act of 1964. Topics also include the power of media to influence public opinion, President Johnson's skills as a political leader and deal maker, and the bipartisan nature of the attempt to get legislation passed. (06:46 to 15:58)

Images and video in this segment include [President Johnson meeting with Civil Rights leaders and a phone call between President Johnson and Martin Luther King, Jr.](#)

Student Questions in this Segment:

1. Many historians feel that President Lyndon B. Johnson's superb political skills ensured the passage of the Civil Rights Act of 1964 in Congress. What specifically did President Johnson do that was considered of superb political skill?

3. Provisions of the Act and Constitutional Concepts at Work—In this segment, we look at the important components of the Civil Rights Act of 1964 especially Title I, Title II, Title IV, Title V, and Title VII and explore the important constitutional concepts related to the Act and its components including the nature of "equal protection" under the law, the rights included in the 13th, 14th, and 15th Amendments, and the importance of the "Commerce Clause" in relation to the Act. We also look at the Supreme Court's decision in the Heart of Atlanta Motel case upholding the constitutionality of the Act in relation to the Commerce Clause. (15:59 to 43:38)

Graphics and Images in this segment include the 13th, 14th and 15th amendments to the Constitution, the Commerce Clause in Article 1, Section 8, and Titles 1 through 7 of the Civil Rights Act.

Videos in this segment include an excerpt from President Johnson's speech to the nation when he signed the act.

Student Questions in this Segment:

1. Was gender discrimination actually outlawed when the Act was passed? How did this affect women?
2. The Heart of Atlanta Motel case was based on interstate commerce. Is the government overstepping its authority when telling a small business to sell to people they do not agree with or be fined for discrimination? The small, local Oregon bakery did not want to make a wedding cake for a gay couple. How would this relate to interstate commerce?
3. The Civil Rights Act of 1964 bans racial discrimination even in privately owned venues. Today, how do some restaurants ban people due to sexual orientation on basis of religious beliefs?
4. Why are private clubs exempt from discrimination or segregation laws?
- 4. Implications of the Act**—In this segment, we explore both the immediate implications and consequences of the Act’s passage on the Civil Rights Movement of the 1960’s as well as longer term implications on future Supreme Court decisions and other laws dealing with civil rights issues such as Title IX, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and current civil rights issues. (43:39 to 56:12)

Videos in this segment include an excerpt from an interview with Dick Gregory on the impact of the Civil Rights Act.

Student Questions in this Segment:

1. In the wake of Shelby County v. Holder, does Title I of this Act stand threatened?
2. How is the 1964 Civil Rights Act interpreted today regarding special needs people? Later legislation, like IDEA, specifically addresses the needs of people with disabilities, but what rights do disabled people have regarding employment, education, and living conditions?
3. Was Affirmative Action a direct result of the Civil Rights Act of 1964? Does it do what it should?
4. If the Civil Rights Act of 1964 was intended to make all people equal, why are we asked about race on applications, scholarships, and other documents? Race should not be considered.
5. Corporations have the status of people according to several court rulings. How can a non-living entity have this status and how do their rights compare to the rights of living people? (Insurance, unequal pay based on gender color, etc.)?
6. Why do students have to live in a certain district to go to a certain school? Schools cannot be segregated according to the law, but if they are located in segregated neighborhoods, aren’t the schools still segregated?

5. Summary and Closing—We’ll summarize the major Constitutional implications of the program’s discussion and close the program. (56:13 to)

Student Questions in this Segment:

What grade in 2014 would you give the CRA of 1964? What is its greatest legacy? Its greatest failure?

Agenda for Program 2 (Afternoon Program of Original Air Date)

1. Welcome and Introduction—Student groups and experts are introduced and welcomed to the program. (00:00 to 06:28)

2. Historic Context of the Time—In this segment, we explore the cultural, political, and legal context of American life, especially for African-Americans, in the late 1950’s and early 1960’s that led to establishment of the Civil Rights Act of 1964. Topics also include the power of media to influence public opinion, President Johnson’s skills as a political leader and deal maker, and the bipartisan nature of the attempt to get legislation passed. (06:29 to 17:08)

Images and video in this segment include President Johnson meeting with Civil Rights leaders and a phone call between President Johnson and Martin Luther King, Jr.

Student Questions in this Segment:

1. Was there any backlash in the south for white individuals that supported the Civil Rights Act?
2. How did Civil Rights legislation get passed through Congress given the climate of the nation at the time?

3. Provisions of the Act and Constitutional Concepts at Work—In this segment, we look at the important components of the Civil Rights Act of 1964 especially Title I, Title II, Title IV, Title V, and Title VII and explore the important constitutional concepts related to the Act and its components including the nature of “due process” and “equal protection,” the rights included in the Thirteenth, Fourteenth, and Fifteenth Amendments, and the importance of the “Commerce Clause” in relation to the Act. We also look at the Supreme Court’s decision in the Heart of Atlanta Motel case to uphold the constitutionality of the Act in relation to the Commerce Clause. (17:09 to 33:14)

Graphics and Images in this segment include the 13th, 14th and 15th amendments to the Constitution, the Commerce Clause in Article 1, Section 8, and Titles 1 through 7 of the Act.

Student Questions in this Segment:

1. In what ways did the Civil Rights Act impact women specifically since the Act outlawed *both* gender and race discrimination?
2. Could private owners only provide business to those individuals in their state and therefore only provide services to the individuals that they choose because it would not be interstate commerce?
3. Why are private clubs exempt from discrimination or segregation laws?

4. Implications of the Act—In this segment, we explore both the immediate implications and consequences of the Act’s passage on the Civil Rights Movement of the 1960’s as well as longer term implications on future Supreme Court decisions and other laws dealing with civil rights issues such as Title IX, the Age Discrimination Act of 1975, the Americans with Disabilities Act of 1990, and current civil rights issues. (33:15 to 53:58)

Images and video in this segment include an excerpt from President Johnson’s speech to the nation when he signed the act and an excerpt from an interview with Dick Gregory on the impact of the Civil Rights Act.

Student Questions in this Segment:

1. How is the 1964 Civil Rights Act interpreted today regarding special needs people? Later legislation, like IDEA, specifically addresses the needs of people with disabilities, but what rights do disabled people have regarding employment, education, and living conditions?
2. What have been some of the intended *and* unintended consequences of the Civil Rights Act?
3. What do you think our country would look like if the 1964 Civil Rights Act had not passed?
4. If you could go back in time what would you change about the Civil Rights Act?
5. Is the Civil Rights Act still needed today?
6. With the progress of modern science, is it time to acknowledge other sexes for data collection for civil rights purposes (i.e. transgender)?
7. If Congress were to pass a Civil rights Act of 2014, which group or issue would be a priority (to the members of the panel) to address in the law?

5. Summary and Closing—We summarize the major Constitutional implications of the program’s discussion and close the program with panelist final thoughts on the legacy of President Johnson, the legacy of the Civil Rights Act, and how students today can get involved with that legacy. (53:58 to 59:50)

Featured National and State Standards:

Schools from across the country are invited to join in the program. Missouri state standards are provided for Missouri schools since funding for this program comes from The Missouri Bar. (Missouri’s civics standards are based on the *Civitas* national standard.)

The Missouri Bar Constitution Day provides the content and teaching methodology, based upon inquiry instruction necessary to meet the Missouri Department of Elementary and Secondary Education’s Show Me Standards, Course Level, and Grade Level Expectations (GLE) that complement the standards for several areas of social studies. Note: Only the goals, CLEs, and GLEs that are relevant to Constitution Day activities are included in this document. These standards are both from the Government and U.S. History standards.

Show Me Knowledge/Content Standards:

Social Studies 1—Principles expressed in the documents shaping democracy in the U.S.

Social Studies 3—Principles and process of governance systems.

Performance Process Standards:

1.2—Conduct research to answer questions and evaluate information and ideas.

3.6—Examine problems and proposed solutions from multiple perspectives.

Course Level Expectations/Depth of Knowledge

1-A 2

1-B 2

2-C 2

7-E 2

Program-Related Activity Suggestions:

These pre-program activity suggestions are provided to help you prepare students for viewing the archived program. Please select the ones that work best for your students, your time schedule, and your curriculum.

1. Access The Missouri Bar Constitution Day 2014 Study Guide—A variety of pre-program activities are included in the Constitution Day Study Guide prepared by the Missouri Bar and are available for anyone’s use on our Educate.Today website in **Teacher Tool 140: Missouri Bar Civil Rights Act of 1964 Study Guide**. To access the document, just click on the Teacher Tool button on the Video Play page for this program.

2. Provisions of the Civil Rights Act—Utilizing resources of your own or the web link below, have students read the text of the Civil Rights Act of 1964. Titles I, II, IV, V, and VII are the sections we will refer to during the program. Conduct a jigsaw activity with your students with different individuals or groups reading different sections of the Act and sharing what they have learned with each other. As a result of reading the legislation, what questions do they have about the provisions of the Act? What questions do they have about the way legislation is written? See if the student questions are answered during the program or any remain that you’d like to e-mail us after viewing the archive per instructions included with Post-Program Activity #5.

<http://teachingamericanhistory.org/library/document/civil-rights-act-of-1964/>

3. President Johnson’s Political Skills—Utilizing resources of your own or the web link below, have students learn more about the political skill and tactics used by President Johnson to get the Civil Rights Act of 1964 passed. As a result of reading and discussing this information, do students have questions they’d like to see answered in the program. View the archive to see if those student questions are answered. If some remain after viewing the program, consider e-mailing them to us per instructions included with Post-Program Activity #5.

<http://www.crf-usa.org/black-history-month/the-civil-rights-act-of-1964>

4. Send Us Your Insights—Have students journal about new information they learned or a new insight they gained as a result of viewing the program. If they wish, have students share their entries with each other. If students would like to share an insight with, or send a thank you to, any of the program’s panelists, you may e-mail them to us at live@hectv.org or mail them to us at HEC-TV, 3221 McKelvey Road, Suite 106, Bridgeton, MO 63044, Attention: Helen Headrick.

5. Learn More About President Johnson and Civil Rights—For students interested in learning more about President Johnson and his actions as President regarding events related to civil rights, please have them consider the following resources from the LBJ Presidential Library digital archives.

<http://digital.lbjlibrary.org/record/VID-MP2265-66> This is video of President Johnson’s commencement address to Howard University in May of 1965. His speech doesn't begin until 5:34; introductions happen before then. In the speech, the President addresses moving beyond the Civil Rights Act through Great Society programs in the hopes of making the reality of equal opportunity and economic success for all more likely.

<http://digital.lbjlibrary.org/record/OH-Martin-84-1-1> This document is an oral history transcript of an interview with Louis Martin who was an advisor to Presidents Kennedy and Johnson. Most of the conversation deals with his job as liaison between the White House and African-American newspapers and other leaders and organizations in regard to the topic of civil rights. At the end, he provides a nice summary of what he considers President Johnson’s greatest achievements.

<http://digital.lbjlibrary.org/record/OH-Marshall-74-216-1> This document is an oral history transcript of an interview with Supreme Court Justice Thurgood Marshall who served as Solicitor General for President Johnson and was appointed by President Johnson to the Supreme Court. He describes conversations with President Johnson regarding his appointments and his assessment of President Johnson’s strengths and his commitment to civil rights.

<http://digital.lbjlibrary.org/record/VID-MP538> Have students view and listen to this excerpt from a statement given to the press by President Johnson in March 1965. The statement refers to a meeting he had with Governor George Wallace of Alabama after the “Bloody Sunday” events in Selma earlier that month.

6. The Impact of the Equal Opportunity Employment Commission—Utilizing resources of your own or the web link below, have students learn more about the Equal Employment Opportunity Commission that was part of the Civil Rights Act of 1964.

<http://www.archives.gov/education/lessons/civil-rights-act/>

7. Learn From Other Web Resources—Additional lesson plans, activities, and related archived video programs can also be found at the websites included below in the Supplemental Resources section of this document.

Supplemental Resources:

1. Web resources with materials and additional web links related to the content of the program can be found at:

www.lbjlibrary.org/ (Website of the Lyndon Baines Johnson Presidential Library and Museum)

<http://www.discoveryeducation.com/teachers/free-lesson-plans/civil-rights-an-investigation.cfm> (Discovery Education lesson plan on teaching the Civil Rights Act of 1964)

<http://www.tolerance.org/sites/default/files/general/> (Tolerance.org website with many articles related to current implications of the civil rights movement)

<http://docsteach.org/activities/14011/detail> (National Archives teaching activity for the Civil Rights Act of 1964)

<http://afroamhistory.about.com/od/civilrightsstruggle1/a/> (Links to many websites on important events in America’s Civil Rights Movement)

<http://www.google.com/culturalinstitute/exhibit/the-civil-rights-act-of-1964/wRSRa8FV?hl=en&position=0%2C-1> (Google Cultural Institute exhibit on the Civil Rights Act)

<https://www.youtube.com/watch?v=LF0TxpxIMA0> (You Tube video of President Johnson’s address to Congress on 11/27/63; it includes references to the Civil Rights Act.)

2. Archives of previous HEC-TV programs dealing with civil rights issues can be found on Educate.Today and/or on HECTV.org. Check out any of the resources below to learn more.

Civil Rights 9: History in the First Person: Stories of the Civil Rights Movement—Sister Mary Antona Ebo

Available on Educate.Today

Civil Rights 11: History in the First Person: Stories of the Civil Rights Movement—Memorable Moments in St. Louis Civil Rights History

Available on Educate.Today

Civil Rights 8: History in the First Person: Living Under Jim Crow Laws

Available on Educate.Today

Liquid Light: Jim Crow to Barack Obama

Available at <http://www.hectv.org/video/12859/jim-crow-to-barack-obama/>

Frames: Against All the Odds—A Documentary on the Rise and Precipitous Fall of East St. Louis, Illinois

Available at <http://www.hectv.org/video/15445/against-all-the-odds/>