



# THINK LAW



## ENVIRONMENTAL JUSTICE EDITION

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### Instructor's Note:

This lesson provides an orientation to the thinkLaw program. It may be tempting to skip this lesson but explaining what thinkLaw is and going through the “Tips for thinkLaw Success” will make thinkLaw much clearer.

Depending on your time constraints, there are a few options:

- Complete the “Guidelines for Civil Conversations” doodle note lesson.
- Complete the thinkLaw student pre-survey.
- Complete the Lesson 1 Diagnostic Writing Assessment.

## Lesson 0 Introduction to thinkLaw

### About thinkLaw

It's not surprising that 24 US Presidents, 35 of our country's founding fathers, countless leaders in government, business, and industry, and visionary leaders like Nelson Mandela and Mahatma Gandhi have all been lawyers. Law is a universal language that controls almost every aspect of the world we live in. So just imagine how powerful your mind could be if you learned to think like a lawyer!

thinkLaw builds critical thinking skills through real-life legal cases. In thinkLaw lessons, you will learn how to argue both sides of cases, conduct investigations, settle disputes, make difficult decisions based on evidence and the law, and write persuasively.

thinkLaw is not designed to teach you the law. Some laws are important to certain thinkLaw lessons, but thinkLaw's purpose is to teach you the critical thinking skills you need to succeed in your academic, professional, and personal lives.

### Tips for thinkLaw Success

To get the most out of thinkLaw, follow these 4 important tips for success:

#### 1. It's okay not to be 100% sure

The words "I don't know" should NEVER be spoken in thinkLaw. For most thinkLaw problems, there is no clear right or wrong answer. So you should not worry about being "right."

#### 2. Stick to the facts

In a real case, you can only deal with the facts in front of you until you get more information. Almost all thinkLaw lessons are based on real life cases. Do not create your own facts. Do not look up laws, cases, or do your own research on thinkLaw cases. (Unless you are very interested and want to learn more after a thinkLaw lesson.)

#### 3. Read and listen closely

Little details may be very important to a case. Pay attention to every sentence and every word. Also, be sure to look out for missing information. Your thinkLaw instructor will be asking you several questions and giving you a lot of information. Listen closely so you do not miss any of these important details. Also, listen to other students completing these lessons with you. Together, a group of students will have a lot more to offer than you alone.

#### 4. Use the workbook

The thinkLaw student workbooks are designed to make it easy for you to organize your thoughts and ideas for each lesson. For that reason, be sure to use the tables, boxes, and other tools that you receive from your instructor.

Have fun building your critical thinking skills with thinkLaw!

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### Probing Questions:

- Do you think that the questions raised by legal cases have only one right answer? Why or why not?
- Is the decision reached by the Court automatically correct? Why or why not?
- Can you think of examples of times the Court's rulings have been wrong? What things used to be legal in the United States that are no longer legal today?
- Why do we take time in class to discuss issues and problems that do not have a correct answer? How does that help you to become a stronger thinker?

# Are you Going to Drink That? (Part 1)

## Making and Evaluating Tough Decisions

Objective: Thinkers will analyze the impact of the Flint, Michigan, water crisis on local residents and businesses. They will determine how they would have responded to the crisis if they were in charge.

### Common Core Content Standards

Grade 5	Grade 6	Grade 7
RI.5.6 Analyze multiple accounts of the same event or topic, noting important similarities and differences in the point of view they represent.	RI.6.6 Determine an author's point of view or purpose in a text and explain how it is conveyed in the text.	RI.7.6 Determine an author's point of view or purpose in a text and analyze how the author distinguishes his or her position from that of others.
RI.5.9 Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably.	RI.6.9 Compare and contrast one author's presentation of events with that of another	RI.7.9 Analyze how two or more authors writing about the same topic shape their presentations of key information by emphasizing different evidence or advancing different interpretations of facts.
W.5.4 Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.	W.6.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.	W.7.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.
SL.5.1C Pose and respond to specific questions by making comments that contribute to the discussion and elaborate on the remarks of others.	SL.6.1C Pose and respond to specific questions with elaboration and detail by making comments that contribute to the topic, text, or issue under discussion.	SL.7.1C Pose questions that elicit elaboration and respond to others' questions and comments with relevant observations and ideas that bring the discussion back on topic as needed.
SL.5.1D Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.	SL.6.1D Review the key ideas expressed and demonstrate understanding of multiple perspectives through reflection and paraphrasing.	SL.7.1D Acknowledge new information expressed by others and, when warranted, modify their own views.

**Lesson Outline:**

1. Thinkers will begin by considering how they would react to a water crisis at their school.
2. Thinkers will examine the timeline of the water crisis in Flint, Michigan, and determine what they would have done if they were the mayor of Flint.
3. Thinkers will create questions they would ask if they were residents of Flint.
4. Thinkers will analyze the impact of the contaminated water on all areas of the community.

**Common Core Content Standards****Grade 8**

RI.8.6 Determine an author's point of view or purpose in a text and analyze how the author acknowledges and responds to conflicting evidence or viewpoints.

RI.8.9 Analyze a case in which two or more texts provide conflicting information on the same topic and identify where the texts disagree on matters of fact or interpretation.

W.8.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

SL.8.1C Pose questions that connect the ideas of several speakers and respond to others' questions and comments with relevant evidence, observations, and ideas.

SL.8.1D Acknowledge new information expressed by others, and, when warranted, qualify or justify their own views in light of the evidence presented.

**Grade 9/10**

RI.9-10.6 Determine an author's point of view or purpose in a text and analyze how an author uses rhetoric to advance that point of view or purpose.

RI.9-10.8 Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is valid and the evidence is relevant and sufficient; identify false statements and fallacious reasoning.

W.9-10.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

SL.9- 10.1C Propel conversations by posing and responding to questions that relate the current discussion to broader themes or larger ideas; actively incorporate others into the discussion; and clarify, verify, or challenge ideas and conclusions.

SL.9-10.1D Respond thoughtfully to diverse perspectives, summarize points of agreement and disagreement, and, when warranted, qualify or justify their own views and understanding and make new connections in light of the evidence and reasoning presented.

**Grade 11/12**

RI.11-12.6 Determine an author's point of view or purpose in a text in which the rhetoric is particularly effective, analyzing how style and content contribute to the power, persuasiveness or beauty of the text.

RI.11-12.8 Delineate and evaluate the reasoning in seminal U.S. texts, including the application of constitutional principles and use of legal reasoning and the premises, purposes, and arguments in works of public advocacy.

W.11-12.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

SL.11-12.1C Propel conversations by posing and responding to questions that probe reasoning and evidence; ensure a hearing for a full range of positions on a topic or issue; clarify, verify, or challenge ideas and conclusions; and promote divergent and creative perspectives.

SL.11-12.1D Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.

## PowerPoint:

### Are You Going to Drink That? (Part 1)

Making and Evaluating Tough Decisions



#### Instructor's Note:

There are no right or wrong answers to most thinkLaw questions. The teacher edition shows possible thinker responses in red. It is okay if thinkers reach different conclusions. The most important part of their answer is the explanation of their thinking.

#### Instructor's Note:

thinkLaw lessons contain a lot of probing questions. These are discussion questions you can use as you go through the lesson. You do not need to ask every question. Pick and choose the questions that you feel have the best fit.

#### Probing Questions:

- What questions would you have for your administrator after hearing this announcement? Why?
- How do you think your parents would react when you told them about this announcement? Why do you think they would react in that manner?
- If you heard this announcement in the morning, would you feel comfortable eating lunch from the cafeteria? Why or why not?
- What other ways does the school use tap water throughout the building? (To wipe down tables in the cafeteria, to mop the floors, etc.) What safety concerns would you have about these water uses?
- Do you think that access to clean drinking water is a basic human right? Why or why not?
- If the water at your school was contaminated for a day, do you think that's a violation of your human rights? For a week? For a month? For a year? Why or why not?

## Lesson 2

### Are You Going to Drink That?

Making and Evaluating Tough Decisions

#### thinkStarter

Imagine your school principal made an announcement to the school:

Good morning students! We are having some issues today with water in the building. You may use water to flush the toilet, but do not use the water to wash your hands. You must not drink any of the school water or get it into your mouth. Do not use the drinking fountains or use school water to fill up your water bottles. If you drink the school water, you may get sick. The water is not safe, at this time.

What would you think about this announcement? Why?

Thinkers may feel this announcement would be upsetting. They might say that they wouldn't feel safe at school and that they wouldn't want to come to school until the problem was fixed.

What would you expect the school to do? Why?

Thinkers might feel like school should be canceled until the problem is fixed. They might say that the school should provide bottled water and hand sanitizer for students to use until the water was safe for use.

#### thinkStarter Summary

Access to clean drinking water is important. In 2010, the United Nations recognized the right to clean drinking water as an essential human right.

You might not think about the water you drink every day. You might not worry if the water you drink is safe. But what if you needed to worry?

#### Are You Going to Drink That?

Flint, Michigan, used to use Lake Huron and the Detroit River to supply the city with water. In 2014, the city began to pull water from the Flint River

instead. When they made the switch, lead from the pipes got into the water of over 100,000 residents.

Swallowing lead, even in small amounts, can cause memory problems, headaches, and intellectual disabilities. It can also cause abdominal pain and even lead to seizures or comas. Many people who bathed or washed their hands using the tap water had rashes or hives all over their skin.

*If you were the mayor of Flint, what would you do as soon as you heard that water from the pipes contained lead?*

What Would You Do?	Why?
<p><b>Thinkers may suggest:</b></p> <ul style="list-style-type: none"> <li>• Shut off the contaminated water pipes</li> <li>• Switch back to using water from Lake Huron and the Detroit River</li> <li>• Hold a press conference to talk about the crisis and to tell people what they should do to keep safe</li> <li>• Hold community meetings to warn people about the dangers of lead</li> <li>• Ask for help from the state and federal governments</li> <li>• Collect donations of bottled water for families to use while the pipes are being repaired</li> <li>• Hire additional workers to help repair the pipes and improve water filtration</li> <li>• Ask for help from water experts</li> </ul>	<ul style="list-style-type: none"> <li>• You would shut off the pipes to try to reduce the impact of the contamination.</li> <li>• There weren't major contamination problems with the other water sources so the town could keep using that.</li> <li>• You would want to keep in contact with the public and keep them informed. If the water isn't safe you want to make sure that everyone knows.</li> <li>• It would be important for the public to really understand the risks of using water so they can make informed choices.</li> <li>• Many families won't be able to afford bottled water. Collecting donations would help families in the community and help to reduce their stress.</li> </ul>

### Instructor's Note:

thinkLaw lessons are designed to be flexible and allow for flexible grouping options. Thinkers can brainstorm how they would handle the crisis individually, with a partner, in a small group, or with the whole class. Be sure to leave enough time for thinkers to share their ideas with the class.

### Instructor's Note:

This lesson includes an extension activity. Thinkers can estimate how many gallons of water their family uses in a day and how much it would cost to purchase that much bottled water.

How Much Water Does Your Family Use?	
This exercise estimates the volume of water used during normal everyday activities. Estimate how much water your family uses in a day.	
Action	Total Gallons
Washing Laundry	1 Gallon / Number of Laundry Loads Number of People in Your House
Showering	1 Gallon / Number of Showers You Take Number of People in Your House
Toileting	1 Gallon / Number of Toilets You Use Number of People in Your House
Drinking	2 Gallons / Number of Bottled Water Bottles Number of People in Your House
Cost	\$0.00 / Gallons

### Probing Questions:

- When you look at the pictures of water from Flint taps, would you believe public officials when they told you it was safe? Why or why not?
- How would your day be impacted if you could not use tap water? How would your morning change? How would your afternoon change? How would your evening change?
- How much bottled water would your family need to replace all the tap water you use? Is it fair to ask families to buy that much bottled water? Do you think most families could afford to buy that much bottled water? Why or why not?
- Who do you think is responsible for the water crisis in Flint? Why?

### Braincandy Questions:

- (2.1) What would you think about this announcement from the principal?
- (2.2) What should the school do to solve the problem?
- (2.3) What is the first thing you would do if you were the mayor of Flint?
- (2.4) Poll: What event on the timeline do you think is the most shocking?

### **Instructor's Note:**

An instructional option for the timeline could be to print out the timeline and have thinkers cut the events apart. Have thinkers put the events in order, not by time, but by importance. What are the most important events in this crisis? Why?

### **Probing Questions:**

- If the water was destroying metal, how do you think it was impacting the people who were drinking it and bathing in it?
- What would you do if you lived in Flint and heard about the GM Plant? Who would you contact? What would you say?
- At what point do you think the city should have declared a state of emergency?
- Do you think that the city waited too long to declare a state of emergency?
- As a resident of Flint, would you feel better if you saw the mayor drink a glass of water on television? Why or why not?

### **Instructor's Note:**

Lead is very dangerous for human consumption. Lead can cause stomach problems, behavioral problems, brain damage, and other health problems. Once consumed, lead can move quickly throughout the body.

### **Instructor's Note:**

A state of emergency is when there is a situation, like a disaster or civil unrest, and the government is allowed to perform actions that it ordinarily cannot. For example, in Flint once a state of emergency was declared, the Federal Government could give the city additional money to get the resources it needed to help its citizens.

Look at a short timeline of events:

- **April 2014-** Flint switched its water supply from Lake Huron and the Detroit River to the Flint River.
- **October 2014-** The General Motors Plant in Flint stopped using Flint tap water because the water was destroying the metal on their car parts.
- **February 2015-** A worker from the Environmental Protection Agency tested water in a home in Flint. The lead levels in the water were 7 times higher than acceptable limits.
- **July 2015-** The Flint Mayor drank a glass of tap water on local television to show that the water was safe.
- **September 2015-** Virginia Tech scientists said that lead levels were too high in 40% of the homes in Flint. They recommended that Michigan declare that water in Flint is not safe to drink or to use when cooking.
- **September 2015-** A local pediatrician releases a report about the increase of lead being found in the blood of local children.
- **October 2015-** Michigan's governor signs a bill to have Flint switch back to Lake Huron/Detroit River.
- **December 2015-** Flint's mayor declared a state of emergency.
- **January 2016-** President Obama declared a state of emergency and promised \$5 million in aid.

What stands out to you the most in this timeline? Why?

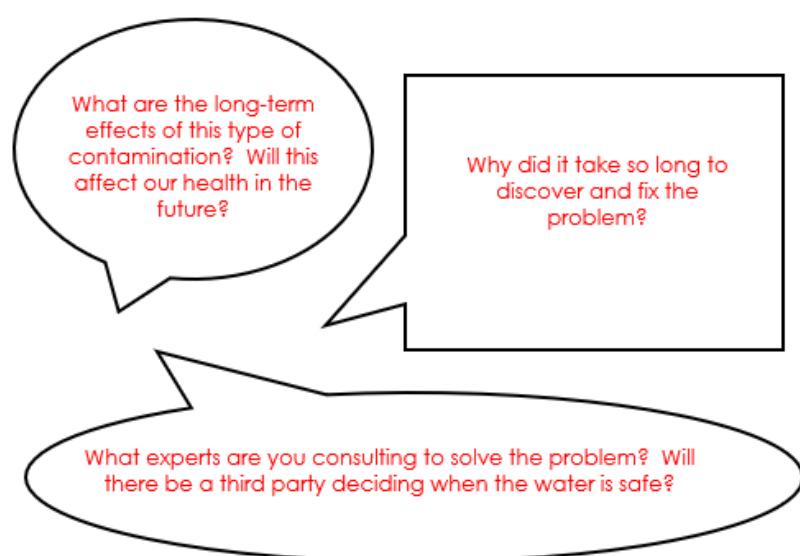
Thinkers might say that they found the amount of time that passed before the water lines were switched is the most shocking.

Why do you think it took so long for Flint to be declared in a state of emergency?

Thinker responses will vary. Some thinkers might say that fixing the problem would be very expensive and difficult, and so leaders were reluctant to acknowledge how bad the problem really was.

#### thinkQuestions

If you were a resident of Flint, what questions would you have for your local leaders?



#### Instructor's Note:

The timeline used in this lesson is a very brief overview of the Flint water crisis. As an extension, thinkers could research and create a more comprehensive timeline.

#### Instructor's Note:

An important characteristic of active citizenship is the ability to ask questions. What questions should Flint citizens ask? Why are the answers to those questions important?

#### Probing Questions:

- Which question do you think is the most important? Why is that question the most important? Who would have the answer to that question?
- Think about your local community and government. Have you ever wanted to ask those leaders questions? What questions did you want to ask? How could you contact those leaders to ask your question?

#### Braincandy Questions:

- (2.5) What questions would you ask if you lived in Flint?
- (2.6) What other problems would be created by the water crisis?
- (2.7) What lawsuits might be filed after the water crisis?

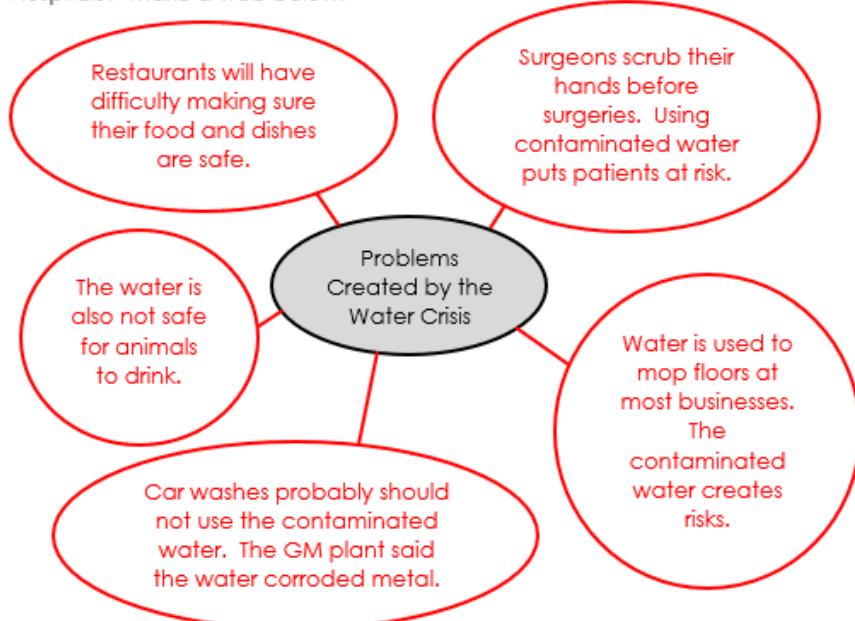
### Instructor's Note:

This exercise is an opportunity to think big. What problems will be created by the water crisis? Encourage thinkers to brainstorm situations that are outside of the most obvious.

- How are animals impacted?
- How are pools and parks impacted? What about other public spaces?
- How are doctors' offices and surgeons impacted?
- If people can't use water to wash their hands, what issues might be created?
- How do custodians need to rethink how they clean?
- How is tourism impacted? Will people want to go to Flint to eat, shop, or stay?

### thinkBIGGER

What problems do you will be created by the Flint Water Crisis? Think creatively. How will businesses be impacted? Animals? Schools? Hospitals? Make a web below.



What lawsuits do you think will be filed as a result of the water crisis?

- Pet owners might sue the city.
- Car washes and car dealers might sue the city because the water corroded the metal on cars.
- Restaurant owners and workers might sue because their businesses were negatively impacted.
- Parents might sue over the negative impacts the contaminated water has had on their children.

### Instructor's Note:

Give thinkers an opportunity to share their ideas. Create a class list of all the types of issues that would be created. Sort them by impact. What problems are the greatest?

### Probing Questions:

- Will all these issues lead to an increase in lawsuits in the city? Why or why not?
- Would you sue if you were a Flint resident? Whom would you sue? What would be your complaint?
- Do you think about the quality of water? At home? At a store? At a park? Why or why not? Do you think you will think about water quality after this lesson? Why or why not?

# Are you Going to Drink That? (Part 2)

## Making and Evaluating Tough Decisions

Objective: Thinkers will analyze the impact of the Flint, Michigan, water crisis on the students and schools in that area. They will determine how they would help the students who may need additional support and evaluate Court's response to the crisis.

### Common Core Content Standards

Grade 5	Grade 6	Grade 7
RI.5.6 Analyze multiple accounts of the same event or topic, noting important similarities and differences in the point of view they represent.	RI.6.6 Determine an author's point of view or purpose in a text and explain how it is conveyed in the text.	RI.7.6 Determine an author's point of view or purpose in a text and analyze how the author distinguishes his or her position from that of others.
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SL.5.1D Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.	SL.6.1D Review the key ideas expressed and demonstrate understanding of multiple perspectives through reflection and paraphrasing.	SL.7.1D Acknowledge new information expressed by others and, when warranted, modify their own views.

**Lesson Outline:**

1. Thinkers will begin by pretending they are the superintendent of Flint schools and determine what they would need to do to address the increase of students with lead poisoning.
  2. Thinkers will examine three complaints brought by the ACLU regarding the Flint school system.
3. Thinkers will read the Court's decision on how to help the children of Flint and determine what else the settlement should include.
  4. Thinkers will brainstorm outside people and companies that could help the Flint community.

**Common Core Content Standards****Grade 8**

RI.8.6 Determine an author's point of view or purpose in a text and analyze how the author acknowledges and responds to conflicting evidence or viewpoints.

RI.8.9 Analyze a case in which two or more texts provide conflicting information on the same topic and identify where the texts disagree on matters of fact or interpretation.

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SL.8.1D Acknowledge new information expressed by others, and, when warranted, qualify or justify their own views in light of the evidence presented.

**Grade 9/10**

RI.9-10.6 Determine an author's point of view or purpose in a text and analyze how an author uses rhetoric to advance that point of view or purpose.

RI.9-10.8 Delineate and evaluate the argument and specific claims in a text, assessing whether the reasoning is valid and the evidence is relevant and sufficient; identify false statements and fallacious reasoning.

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SL.9- 10.1C Propel conversations by posing and responding to questions that relate the current discussion to broader themes or larger ideas; actively incorporate others into the discussion; and clarify, verify, or challenge ideas and conclusions.

SL.9-10.1D Respond thoughtfully to diverse perspectives, summarize points of agreement and disagreement, and, when warranted, qualify or justify their own views and understanding and make new connections in light of the evidence and reasoning presented.

**Grade 11/12**

RI.11-12.6 Determine an author's point of view or purpose in a text in which the rhetoric is particularly effective, analyzing how style and content contribute to the power, persuasiveness or beauty of the text.

RI.11-12.8 Delineate and evaluate the reasoning in seminal U.S. texts, including the application of constitutional principles and use of legal reasoning and the premises, purposes, and arguments in works of public advocacy.

W.11-12.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

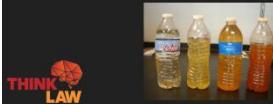
SL.11-12.1C Propel conversations by posing and responding to questions that probe reasoning and evidence; ensure a hearing for a full range of positions on a topic or issue; clarify, verify, or challenge ideas and conclusions; and promote divergent and creative perspectives.

SL.11-12.1D Respond thoughtfully to diverse perspectives; synthesize comments, claims, and evidence made on all sides of an issue; resolve contradictions when possible; and determine what additional information or research is required to deepen the investigation or complete the task.

## PowerPoint:

### Are You Going to Drink That? (Part 2)

Making and Evaluating Tough Decisions



## Instructor's Note:

It might help thinkers to consider different age groups. You could encourage the class to think about different age groups that school districts service.

- What support do you need to provide children affected by lead who are between 0 and 5?
- What supports will elementary aged students need?
- Middle school students?
- High school?
- How will students continue to need support as they go to college and post-secondary options?

## Lesson 3

### Are You Going to Drink That? (Part 2)

Making and Evaluating Tough Decisions

#### thinkStarter

Lead poisoning is very dangerous for children. In Flint, 30,000 children from birth to age 19 were exposed to very high levels of lead in their water for almost two years. Many of those children bathed in the water, washed their hands, drank the water, and had their food cooked using the water.

These children will need extra help in school to recover from the effects of the lead exposure. Many children will have trouble paying attention. The children will have an increase in learning problems and behavior problems.

If you were the superintendent, or boss, of Flint schools, what would you need to do to get ready to help that many children with special needs?

What Would You Do?	Why?
<ul style="list-style-type: none"><li>• The school system should create a team of teachers and health professionals to create a plan.</li><li>• The district should begin by testing all the children exposed to lead to get a realistic idea of how much support these children will need.</li><li>• The schools should use the results from their testing to plan to meet the needs. They should figure out how many more teachers they need and what supplies they need. The district could ask the state for enough money to implement the plan.</li></ul>	<ul style="list-style-type: none"><li>• The school will need to learn from experts about lead poisoning about the special needs of these students.</li><li>• The district will need a realistic idea of how many students will need special services so that they can make sure they have enough staff and resources.</li><li>• It's important that the school collect information, research, and expert advice to create a workable plan.</li></ul>

#### thinkStarter Summary

In the previous lesson, you brainstormed all the possible impacts of the water contamination in Flint and considered all of the lawsuits that might possibly be filed. In today's lesson, you will analyze one of those lawsuits.

## Probing Questions:

- If you were the parent of a child in Flint, what support would you want the school district to give your child?
- If you were the superintendent of the school district and you didn't know how you should prepare to help the students, what experts could you talk to? How could those people help you?

## Braincandy Questions:

- (3.1) What is the most important thing the superintendent can do to prepare to meet the needs of these students?

**thinkCivilRights** (D.R., et. al. v. Michigan Department of Edu., Michigan, 2016)

A group of 15 Flint parents filed a lawsuit against the Michigan Department of Education. One of the parents is Chandrika Walker. Chandrika has a 4-year-old son who was exposed to the water for two years. Chandrika's son was covered in hives and rashes from bathing in the Flint water. Her son was tested for lead poisoning by the county, but they waited over a year to call her with the results. He had very high levels of lead in his blood. Chandrika knew that her son would need help in school and tried to enroll him in preschool, but all the preschool programs were full.

The lawsuit says that the Department of Education needs to help Flint Schools. The Flint school system does not have enough staff or resources to test and help 30,000 kids who might have special needs.

Pretend you're the judge in this lawsuit.

What would you decide for each complaint?

The Flint School Board has not created a plan to prepare to meet the special needs of so many children with lead poisoning.

How should this problem be addressed?

As a judge, thinkers might rule that the school must create a plan to address the needs of the 30,000 students. They might decide that they would give the school 3 months, or a similar timeline, to submit the plan to the Court.

Why might this problem be difficult to fix?

The school district knows that 30,000 children have been impacted by lead in the water but doesn't really know all the problems each student will have. It's difficult to plan if they don't know how many students will have learning-related issues.

### Instructor's Note:

This case is a class action lawsuit. A class action lawsuit is a lawsuit where a lot of people join together to sue on behalf of a group.

- Why would people want to file a class action lawsuit instead of filing a lawsuit by themselves?
- Why do you think the people in this case chose to file a class action suit?

### Instructor's Note:

This case was filed by the ACLU. Students can access a fact sheet with more information regarding this case at the following link.

<https://bit.ly/2sGrjUP>

### Instructor's Note:

The ACLU released a 3-minute video overview of this lawsuit. The video includes interviews with several plaintiffs.

The video is embedded in the PowerPoint or may be found at the following link:

<https://bit.ly/2RJlm8z>



### Instructor's Note:

For this section, you could split the class into 3 groups. Assign each group one of the 3 complaints. Have each group brainstorm a solution to present to the class. When they present their solution, you could have the rest of the class brainstorm possible problems with this solution.

<p>The Governor of Michigan made a 75-point plan to fix the Flint water crisis, but none of the 75 points related to education.</p>	
How should this problem be addressed?	Why might this problem be difficult to fix?
<p>As a judge, thinkers might say that the governor of Michigan should add points about education to the 75-point plan or create a different plan to help the schools.</p>	<p>The governor might have left education out of the 75-point plan on purpose because they had a different plan in mind for the schools. It might be difficult to get different groups to agree to how the schools should address the problems.</p>
<p>The Flint School District was already \$10 million in debt before the water crisis and was already struggling to meet the needs of their special education students.</p>	
How should this problem be addressed?	Why might this problem be difficult to fix?
<p>The district is going to need more money. The state of Michigan and the federal government could give them money to test students, buy materials students need, and hire additional teachers.</p>	<p>The state might not have enough money to give the Flint school district. If the state has to take money away from other programs to help the Flint situation, other problems might be created because funding for other programs would have to be cut.</p>

### Braincandy Question:

(3.2) Poll: Which of the three complaints in the lawsuit do you think is the most serious?

### Instructor's Note:

The national poverty rate for children in the United States is 14.8%. The childhood poverty rate in Flint is 42%. The city has one of the highest rates of poverty in the nation. Its population is primarily African American.

- How do you think Flint's poverty levels contributed to the water problem?
- How do you think Flint's poverty levels contributed to the slow response once people realized the water had been contaminated?

### Probing Questions:

- Which of the three complaints do you think is the most serious? Why?
- If you were a parent in Flint, what would be your biggest concern? Why?
- If you were a student in Flint, what would be your biggest concern? Why?
- Is it important for the Flint School Board to plan ahead for the students with lead poisoning? Why or why not?
- Is it important for the governor to talk about the schools in his plan? Why or why not?

**Instructor's Note:**

A slide in the PowerPoint contains the result of the settlement.

- The state of Michigan will provide more than \$4 million to test children affected by the tainted water to see how they have been affected. The tests will look at effects of lead on brain cognitive development, memory and learning.
- The state, city and school district will provide staff to make sure the testing program and the schools are working together.
- Training and professional development will be provided for administrators, teachers and staff about how to recognize children potentially harmed by lead who may need to be referred for testing.
- The results of the assessments will be sent to the schools to be used in the process of evaluating students for special education services.

A settlement, or agreement, was reached in this case. Read the details on the slide.

Do you think this plan will help the students in Flint, Michigan?

- Yes  
 No

Why or why not?

Thinker responses will vary. Some thinkers might say that testing all of the students to assess the extent of the problems is a good first step. If they understand the needs, they will be able to create a better plan.

What else should they add to this plan? Why?

This plan will help create first steps and help the district make a plan to help, but these students will probably have life-long needs that have been caused by the lead poisoning. A long-term plan is needed.

**thinkBigger**

Federal regulations say that if water has levels of lead above 15 ppb (parts per billion) the water is unsafe to drink and must be treated. Samples of water were taken from Flint's 11 public schools. The water from the schools had lead levels ranging from 61 ppb to 2,856 ppb.

Billionaire Elon Musk is famous for Tesla Cars and his Space X company that wants to create a colony on Mars. Elon privately donated new water

**Settlement:**

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- The state, city and school district will provide staff to make sure the testing program and the schools are working together.
- Training and professional development will be provided for administrators, teachers and staff about how to recognize children potentially harmed by lead who may need to be referred for testing.
- The results of the assessments will be sent to the schools to be used in the process of evaluating students for special education services.

**Probing Questions:**

- What are the strengths of this settlement? What are the weaknesses?
- If you were a parent in Flint, would you be satisfied with this settlement? Why or why not?
- If you were a student in Flint, would you be satisfied with this settlement? Why or why not?
- If you were a teacher in Flint, would you be satisfied with this settlement? Why or why not?

filtration systems for all 11 public schools in Flint. The filtration systems cost about \$500,000.

If you were a community activist in Flint, who else could you ask for help? Brainstorm a list of people and companies that might be able to help solve some of the problems created by the water crisis.

Thinkers might list other millionaires who could donate money or resources.

Encourage thinkers to consider companies that specialize in water, water filtration, or educational resources.

Anheuser-Busch had their beer factories can water instead of beer to donate to Flint residents, and Nestle donated over 1.6 million bottles of water.

Thinkers might also brainstorm ways everyday people could help. They might say local schools and businesses could collect water or school supplies for Flint.

### Probing Questions:

- What needs will the school district have? What are companies that have products that would meet those needs?
- Who are experts that might be able to help with the problems in Flint? How could they donate their time or resources to help?
- What can everyday people do to help the residents of Flint? What could you do to help the residents of Flint?
- Why should we care about what happened in Flint?
- If you were a student in Flint, whom would you like to help you? How would you want people to help?
- Why do you think people just don't move away from Flint?

- Would you want to move away from here if we had a water crisis? Why or why not? Why might it be difficult to move?
- If you were a millionaire, what would you do for the residents of Flint? Why?

### Braincandy Questions:

(3.3) Poll: Do you think this plan will help students in Flint, Michigan?

(3.4) What else do you think needs to be added to the settlement?

(3.5) Who are private citizens or private companies that you think could help the residents of Flint?

### Project 1:

After completing Lesson 2 and 3, thinkers may complete the first project. In Project 1, thinkers will test the ph levels of the water in various locations throughout their neighborhood or town. Thinkers will write a letter to their local water department with their findings.

## Lesson 2

### Are You Going to Drink That? (Part 1)

#### Making and Evaluating Tough Decisions

##### thinkStarter

Imagine your school principal made an announcement to the school:

Good morning students! We are having some issues today with water in the building. You may use water to flush the toilet, but do not use the water to wash your hands. You must not drink any of the school water or get it into your mouth. Do not use the drinking fountains or use school water to fill up your water bottles. If you drink the school water, you may get sick. The water is not safe, at this time.

What would you think about this announcement? Why?

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What would you expect the school to do? Why?

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##### thinkStarter Summary

Access to clean drinking water is important. In 2010, the United Nations recognized the right to clean drinking water as an essential human right.

You might not think about the water you drink every day. You might not worry if the water you drink is safe. But what if you needed to worry?

### Are You Going to Drink That?

Flint, Michigan, used to use Lake Huron and the Detroit River to supply the city with water. In 2014, the city began to pull water from the Flint River

instead. When they made the switch, lead from the pipes got into the water of over 100,000 residents.

Swallowing lead, even in small amounts, can cause memory problems, headaches, and intellectual disabilities. It can also cause abdominal pain and even lead to seizures or comas. Many people who bathed or washed their hands using the tap water had rashes or hives all over their skin.

*If you were the mayor of Flint, what would you do as soon as you heard that water from the pipes contained lead?*

What Would You Do?	Why?

Look at a short timeline of events:

- **April 2014**- Flint switched its water supply from Lake Huron and the Detroit River to the Flint River.
- **October 2014**- The General Motors Plant in Flint stopped using Flint tap water because the water was destroying the metal on their car parts.
- **February 2015**- A worker from the Environmental Protection Agency tested water in a home in Flint. The lead levels in the water were 7 times higher than acceptable limits.
- **July 2015**- The Flint Mayor drank a glass of tap water on local television to show that the water was safe.
- **September 2015**- Virginia Tech scientists said that lead levels were too high in 40% of the homes in Flint. They recommended that Michigan declare that water in Flint is not safe to drink or to use when cooking.
- **September 2015**- A local pediatrician releases a report about the increase of lead being found in the blood of local children.
- **October 2015**- Michigan's governor signs a bill to have Flint switch back to Lake Huron/Detroit River.
- **December 2015**- Flint's mayor declared a state of emergency.
- **January 2016**- President Obama declared a state of emergency and promised \$5 million in aid.

What stands out to you the most in this timeline? Why?

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Why do you think it took so long for Flint to be declared in a state of emergency?

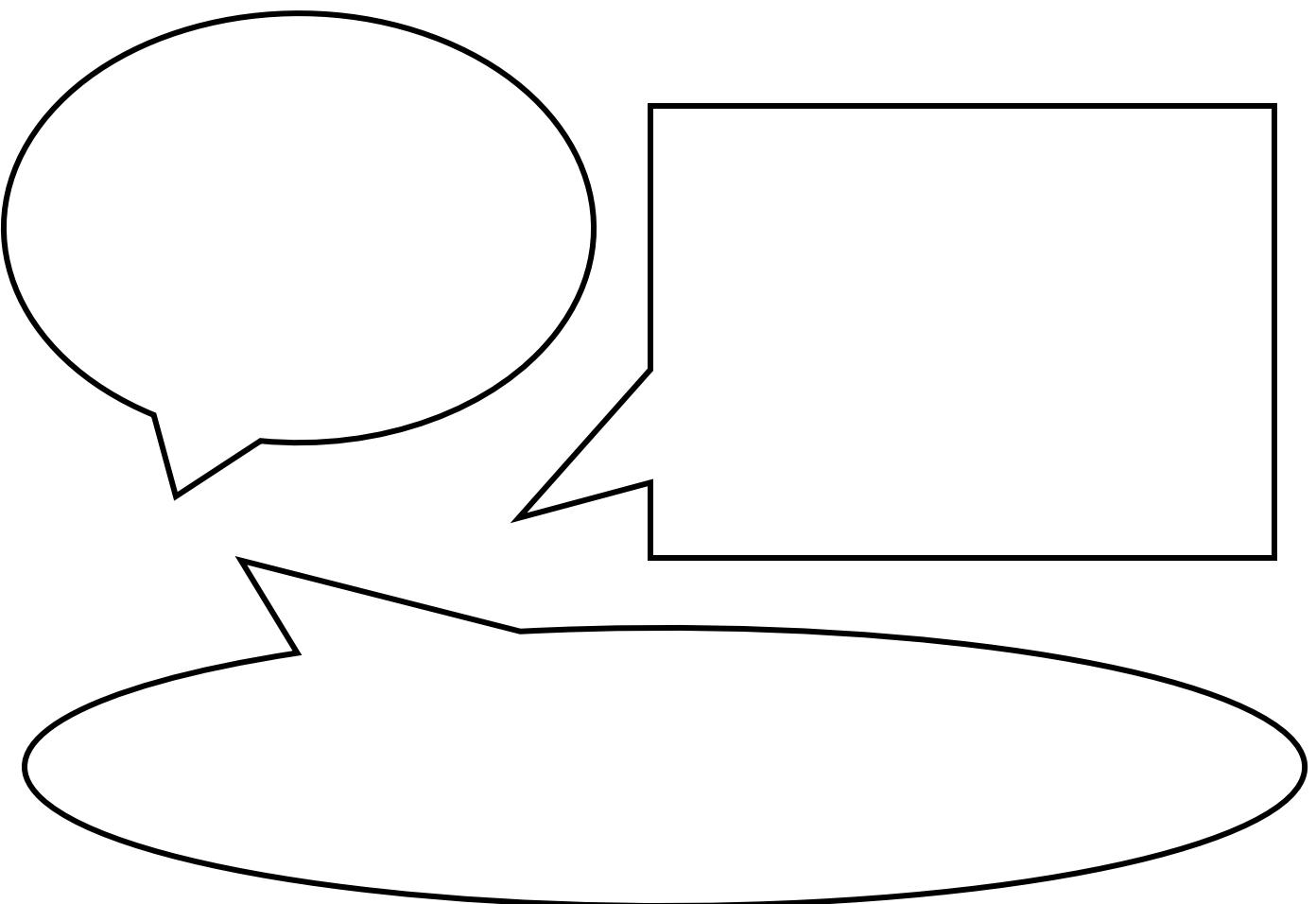
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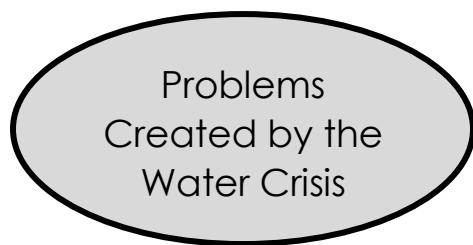
### **thinkQuestions**

If you were a resident of Flint, what questions would you have for your local leaders?



## **thinkBigger**

What problems do you will be created by the Flint Water Crisis? Think creatively. How will businesses be impacted? Animals? Schools? Hospitals? Make a web below.



What lawsuits do you think will be filed as a result of the water crisis?

## Lesson 3

### Are You Going to Drink That? (Part 2)

#### Making and Evaluating Tough Decisions

##### thinkStarter

Lead poisoning is very dangerous for children. In Flint, 30,000 children from birth to age 19 were exposed to very high levels of lead in their water for almost two years. Many of those children bathed in the water, washed their hands, drank the water, and had their food cooked using the water.

These children will need extra help in school to recover from the effects of the lead exposure. Many children will have trouble paying attention. The children will have an increase in learning problems and behavior problems.

*If you were the superintendent, or boss, of Flint schools, what would you need to do to get ready to help that many children with special needs?*

What Would You Do?	Why?

##### thinkStarter Summary

In the previous lesson, you brainstormed all the possible impacts of the water contamination in Flint and considered all of the lawsuits that might possibly be filed. In today's lesson, you will analyze one of those lawsuits.

## **thinkCivilRights** (D.R., et. al. v. Michigan Department of Edu., Michigan, 2016)

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Why might this problem be difficult to fix?

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Why might this problem be difficult to fix?

The Flint School District was already \$10 million in debt before the water crisis and was already struggling to meet the needs of their special education students.

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Why or why not?

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