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Amicus Curious



Chris Bernacchi

Jenner & Block LLP associate Thomas M. Winegar breaks a fictional school's rule against wearing hats as he helps teach students at the Mozart Elementary School on Chicago's Northwest Side about the U.S. legal system as part of the Constitutional Rights Foundation Chicago's Edward J. Lewis Lawyers in the Classroom program. Nearly 600 lawyers are participating in the project and will make up to three visits.

Lawyers capping schools' lessons on rights

By John Flynn Rooney
Law Bulletin staff writer

It's not an every-day occurrence for a lawyer to come into a Chicago public school classroom and urge students to violate a rule.

But there newly licensed Illinois attorney Thomas M. Winegar was in the Mozart Elementary School last week, encouraging 18 5th- and 6th-graders to put on hats, a "forbidden" act.

And he wasn't alone is calling for the disobedience.

"I'm encouraging disrespect for the rule," said Christine L. Childers, who like Winegar is a Jenner & Block associate.

About half of the students put on hats. One boy who hadn't brought a hat got into the spirit of the protest and shaped one out of a piece of notebook paper.

But the teacher in the room didn't threaten disciplinary measures.

"The rule is no *Cubs* hats," said Debra Faletti,
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a Chicago White Sox fan.

From her students that day, the lesson was that they had rights under the U.S. Constitution.

Childers and Winegar were in the classroom as part of the Constitutional Rights Foundation Chicago's Edward J. Lewis II Lawyers in the Classroom program. The Mozart School is located at 2200 N. Hamlin Ave.

As part of the program, nearly 600 lawyers are set to visit 95 schools and 250 classrooms in October and November. There will be two more rounds of visits later in the school year.

The lawyers will lead interactive lessons with 2d-through 8th-grade social studies students to help them understand the Constitution and the nation's legal system.

The Constitutional Rights Foundation trains the lawyers, provides teaching materials and assigns them to schools. The Lawyers in the Classroom program is using a new classroom "civic tool kit," giving teachers lesson plans, curriculum ideas and materials about the Constitution that can be used after the lawyers have visited. General Electric Co. provided a grant used to create the tool kits.

On Thursday, Childers and Winegar conducted a lesson called "No Hats Allowed," which looked at the letter of the law versus its intent by discussing a

fictional school's rule prohibiting all hats.

The Mozart School students ran through a series of hypothetical situations involving the rule imposed by the school board. The rule is meant to apply to students, teachers, parents and guests in the schools.

Under one scenario, a new student who is Muslim came to school wearing a hijab, or head scarf, which her religion requires.

"I think she should [get to wear the hijab]," one female student said. "She's showing her religion."

Childers explained to the students that the girl would have the right to wear the hijab under the U.S. Constitution's First Amendment, which allows for freedom of religion.

Another of the scenarios involved a student who lost all of his hair because of illness and who wants to wear a hat to cover his bald head.

A female student asked whether the student was a male.

"I think it's just like getting a [bad] haircut," the student said, adding that losing hair is not a big deal for boys but would be embarrassing for girls.

There seemed to be unanimity among the students under a scenario involving school lunchroom employees wearing hair nets or hats as required by state law when handling food.

"I don't want hair in my food," one said.

Childers explained that the school board's rule can't trump a state or federal rule.

The students then broke into four groups to hone the rule. The revisions that resulted ranged from rules with multiple exceptions to a narrowly tailored, specific rule.

"You have to be very specific how you say things and very clear about the meaning," said 6th-grader Angelica, 12, after the lawyers presented the lesson.

Classmate Alex, also 12, agreed. "When the rules are ... official, they have to be really specific," he said.

Childers said that, when she was younger, she thought about becoming a teacher, and participating in the program fits with that early inclination.

"I get to come into the classroom a couple of times a year and feel like I'm a teacher," she said.

Winegar said he identified with the student named Angelica, noting that she kept raising her hand during the session and wanted to participate.

"I was that kid," Winegar said, referring to his own grade school days.

Childers had her own observation about the girl.

"I see a lawyer in the making," Childers said.