

The Intersections of Law and Health

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Overview

Legislation has affected personal health since the very early days of American history. From the creation of the first public drinking water system in Philadelphia, to the battle for embryonic stem cell research, health and legislation have intersected. This curriculum unit will focus on three areas of health legislation. The unit will examine large sweeping pieces of legislation like the Clean Water and Clean Air acts; it will seek to address social controversy by looking at the social and health implications of abortion; and it will look at school lunch programs and their effect on student health.

This unit is designed for 7th and 8th grade students. It will use and develop persuasive writing skills, computer research skills, and information accessing skills. Using this multi-disciplinary approach, students will gain an understanding of health legislation and its intersection with personal health.

Rationale

In a curriculum unit designed for a health class at the upper middle years level, students will seek to find connections between American health legislation and personal health. Specifically, students will use important pieces of health legislation to draw parallels between lawmaking and peoples own lives.

Without governmental acts, access to safe public utilities would be difficult. Acts of Congress such as the Clean Air Act of 1970, and the Safe Drinking Water Act of 1974 have been in place for decades to increase public safety and mitigate the potential for disease.

Many students are unaware that the process of law making affects their personal health. On a daily basis, students are exposed to mandated school lunches, safety standards on school buses, screenings at the school nurse's office, mandatory physical education

classes. Everything from the air students breathe to the water they drink is affected by legislation.

As middle years students begin high school and enter college, they will be faced with the reality of managing personal health decisions. By exposing students to personal health issues at a macro scale, students will begin to gain an understanding of the American legislative process, differences amongst political parties, and how legislation can shape the lives of Americans as it pertains to health. Studying this content will arm students with knowledge and skills that will aid them in accessing quality healthcare information.

It should be noted that access to quality healthcare information can be difficult to find for many middle years students. They may be unable to ask a parent and unwilling to ask a teacher. Therefore, this curriculum unit will also provide students with information about how and where to find quality health information. These sources will include but will not be limited to The Centers for Disease Control, United States Department of Agriculture, The National Institute of Health and The Food and Drug Administration.

The cross-curricular potential for this unit is vast. Components of social studies, reading, writing, and research skills will be included. Ideally, this unit would take place at a time when social studies classes are studying American governmental issues, and writing teachers are working open ended PSSA type writing. Having this type of interdisciplinary cooperation would serve to anchor the importance of this content for students, and expand its importance.

Having taught health content at many different levels, it has become apparent to me that students are simply not aware that any link exists between health and law.

Background Information

In Philadelphia in 1793 a tremendous epidemic of Yellow fever took place. According to the Atwater Kent Museum of Philadelphia, "In 1793 Philadelphia had a wet spring, leaving behind swamps and stagnant pools that became breeding grounds for mosquitoes." (Atwater Kent Archive, 2007). This epidemic prompted Benjamin Franklin to take action on behalf of his city. In fact, he left 1000 pounds to the cities of Boston and Philadelphia for the specific purpose of creating city water systems that would end the Yellow fever epidemics. (The Diseased City, U. Virginia). This was one of the earliest examples of public health legislation.

Since this very early example The United States has seen a tremendous amount of health legislation. Everything from air, lunch, automobiles, water, pencils, paint, microwaves, and light bulbs have had safety standards imposed to make for greater public health.

Public Health Legislation

According to the Environment Protection Agency, “By reducing air pollution, the Clean Air Act has led to significant improvements in human health and the environment in the United States.” Few would argue with this statement. Clean air is essential for the health of all living things in the United States. Without large and sweeping laws like the Clean Air Act industrialized nations would be living with very unhealthy levels of smog and pollution. It is hard to imagine a country where pollution and polluters are unregulated.

Similarly, The Safe Drinking Water Act of 1974 was originally passed by congress to protect public health by regulating the nations drinking water supply (EPA, 2004). Like the Clean Air Act, the Safe Drinking Water Act is in place to protect the public from disease and undesirable living conditions. At this point in American history, large institutional laws like the aforementioned are also important for economic stability and national security. These pieces of legislation are essential to American public health. Therefore, they will scrutinize as part of this curriculum unit.

Health Legislation and Social Controversy: Abortion

While the safety standards mentioned above seem obvious to most people, other areas of health legislation are far more controversial. For example, the abortion case Roe. v. Wade of 1973 (410 U.S. 113) allows women the constitutional right to an abortion. Since then, the case has been disputed and argued in the courts and in the media. Activists groups have argued for both sides of this case since the day the Supreme Court made the decision.

For pro life groups like The National Right to Life Committee, abortion is a matter of life and death. According to the NRTL mission statement,

“The ultimate goal of the National Right to Life Committee is to restore legal protection to innocent human life. The primary interest of the National Right to Life Committee and its members has been the abortion controversy; however, it is also concerned with related matters of medical ethics which relate to the right to life issues of euthanasia and infanticide.”

On the other side of the issue are groups that advocate for a continuation of pro-choice policies. The outspoken group NARAL: Pro-Choice America is one group that is fighting to keep the Roe v. Wade Decision. They affirm that

“NARAL Pro-Choice America is fighting to protect the pro-choice values of freedom and privacy. With the Supreme Court one vote away from overturning Roe v. Wade and many state legislatures under anti-choice control, our work has never been more important”

Reading the above statements shows the great opposition of these two representative groups. It shows the potential for religion, personal spiritual views, politics, and class to enter into the sphere of health legislation. The issue of abortion has been a major issue in political campaigns. For example, the New York Times printed an article in a special Election section, on Monday, December 1st 2008, outlining the abortions views of John McCain and Barak Obama. A major American newspaper choosing to outline abortion views prior to an election is certainly evidence of the polarizing nature of the issue.

Health Legislation and Schools

Schools have been an ever changing area for health legislation. The amount of time students spend performing physical activity, types of Health education, and topics of sexuality to be discussed are just a few of the examples. School lunches however, are a hot topic in 2009. Students, teachers, administrators, non-profits, (such as the Food Trust in Philadelphia) and newspapers are talking about the best course of action for school lunches and school lunch programs.

At the federal level school lunches have been legislated. Part 210 of the USDA code is called Child Nutrition Programs. Within that section one can find the “National School Lunch Act” This act states that:

“It is declared to be the policy of Congress, as a measure of national security, to safeguard the health and well-being of the Nation’s children and to encourage the domestic consumption of nutritious agricultural commodities and other food, by assisting the States, through grants-in-aid and other means, in providing an adequate supply of food and other facilities for the establishment, maintenance, operation, and expansion of nonprofit school lunch programs.”

This act may seem wholesome, and in the best interest of American children, But In my experience working with members of The Food Trust, The Alliance For a Healthier Generation, and The Clinton Initiative, most experts in the field think that the school lunch program is inadequate and provides students with meals too high in sodium, fat, sugar, and empty calories. Moreover it appears that Philadelphia’s school lunch program is about to take a turn downward.

According to a [Philadelphia Inquirer](#) article on October 22, 2008, the school lunch program in Philadelphia going to start requiring children and families to fill out income forms in order to qualify for free and reduced lunch. This is a departure from what the USDA refers to as a “Universal Feeding Program” (Lubrano, 2008). The Pennsylvania Department of Education released a statement to the USDA claiming that “The implications of eliminating the Universal Feeding Program within the school district will have devastating . . . impacts,” (Lubrano, 2008).

The original concept of “Universal Feeding” was created in 1991 by Temple University out of privacy concerns for the city’s poorer students. With the Universal Feeding System

parents did not have to reveal income, which would increase participation in daily lunch eating (Lubrano, 2008).

With the proposed change to a system requiring paperwork, and income verification, the School District of Philadelphia may have to spend millions of additional dollars to supplement the lunch program. (Lubrano, 2008). With already huge budget problems, decisions like this could prove to widen the achievement gap, and under serve those who are already underserved.

Objectives

This unit will address standards from the School District of Philadelphia Core Curriculum. It will also address standards from the Pennsylvania State Standards for Physical Education, Safety, and Health. Students will seek to gain an understanding of the intersection of health and legislation. More specifically, students will examine and take positions in three different areas. Students will assess and write persuasively about large sweeping pieces of public policy. Also, students will examine social issues and controversy as they apply to law, health, and abortion. Students will write persuasively from both sides of the issue. Finally, students will access information using technology to create media dealing with school lunch programs. Students will present a culminating project at the end of the curriculum unit.

Strategies

Students will use primary source documents to gain an understanding of three main issues. Students will interpret national legislation for consumer and environmental protection, abortion legislation, and school lunch laws.

The main teacher will work in conjunction with the 7th and 8th grade reading and writing teacher for the creation of persuasive pieces of writing using the prompts included in the lesson plans.

Students will engage in classroom discussion using discussion questions included within the lesson plans. The discussions should be the driving force behind the creation of the student's individual viewpoints of the issues. Teachers should serve as mediator and should not provide her own view point.

Based on state standards, students will access quality health information using available technology. This should include use of the computer for research. Also, students will access information located in the schools kitchen to find health and nutrition facts.

For the culminating activity students will work in groups of three or four. Students will use quality health information to create an ideal school lunch menu. The menu must be based on health information and not on one's individual desires or tastes for food. The

menu will be accompanied by a two-paragraph rationale, which will explain the reason and nutritional basis for the menu. The menus will be presented to the class.

Classroom Activities/Lesson Plans

Lesson 1:

Objectives: Students will use The Clean Air Act and The Safe Drinking Water Act to begin to make connections between health and legislation. Students will use this information to determine if these acts of congress have protected personal health.

Duration: Three class sessions: 45 minutes each

Procedure:

Day 1: Students will read EPA generated summary versions of the Clean Air Act and the Safe Drinking Water Act. Students will read independently. Using highlighters, students will highlight areas within the documents that are important. The last 10-15 minutes of class will be used for discussion. Students will provide initial reactions to the readings.

Homework: If students are not done reading, they will complete assigned readings for homework.

Potential Discussion Questions:

How do these laws protect personal health and public health? What is the difference?

How has the government acted to protect personal health?

Do you think these laws have served to protect personal health? How?

Were these laws written well? Was anything left out?

Do you think they should be changed in anyway?

Are they outdated?

Day 2: The teacher will remind students of discussion points from the previous class session. Discussion will continue around the previous day's topic. The teacher should stress the relationship between law and personal health as a discussion guide.

Lesson one learning assignment:

Students will create a persuasive writing piece using one of the following prompts:

1. How has the United States Congress protected Public Health through these pieces of legislation?
2. How should these pieces of legislation be changed?
3. Should these pieces of legislation be law?

The writing piece will be started as a rough draft during class time. Following this, students will work on the writing with his/her writing teacher.

Day 3: Students will return to class with a rough draft of the persuasive writing piece. The class will be divided into two halves: Those in favor of the act in its current form, and those who would like it changed or abolished. The teacher should assign half of the class as pro, and half of the class in opposition. If time is left in class, students should be given time to work on the writing pieces.

Follow up Activity: Students will use the internet to access an opinion article about the legislation mentioned that's supports his/her view point.

Lesson 2: Abortion and the Law

Objective: Students will examine the Abortion controversy in American Politics. Students will use discussion and writing to understand how personal health can be socially controversial.

Duration: Three 45-minute class periods

Procedure:

Day 1: The Teacher will introduce the students to the scientific reality of abortion. Through verbal explanation students will gain an understanding of the medical procedure. Following this, the idea of social controversy surrounding abortion will be introduced.

Before beginning instruction, the teacher must explain that abortion is a sensitive issue. Students within the class may already have strong feelings about the issue. Due to this, we must be respectful of others views and seek to understand. We are looking at this as a learning experience, and not as a way to interpret differences among the class.

Using the Following Documents students will examine the controversy (documents will be read aloud in class)

1. Definition of Roe V Wade Decision 1973
2. NARAL opinion and mission statement
3. National right to life opinion and mission statement

After reading these short documents discussion will take place

Discussion Questions:

1. Why is this controversial?
2. What factors have contributed to the controversy?
3. How does religion play into this?
4. How does politics play into this?
5. Should the government be legislating abortion?

6. What do you think would happen if abortion was outlawed?
7. What do you think would happen if abortion was totally unregulated and anyone could have one for any reason at anytime?
8. What is pro life? What is Pro choice? What do they mean?

Day 2: The teacher should remind students of the discussion which took place in the previous class. The teacher should stress the idea that abortion is polarizing and has implications in religion, politics, and personal health and liberties. Students will argue both sides in order to understand the political and social realities from both sides.

Assignment: Using persuasive writing, students will write two brief position papers about abortion. These assignments will be written in class to mirror the open ended constructed response portion of the PSSA test.

1. Students will write a short (2 paragraphs) using supporting details from the NRTL position document to write a pro- life paper.
2. Students will write a similar document using the NARAL information creating a pro-choice document.
3. Students will hand the papers in to the 7th and 8th grade reading teacher. The teacher will edit them and hand them back. Students will then finish the papers for homework.

Day 3: Students will arrive to class with 2 short position papers in finished form; one pro-life document, and one pro choice. Discussion for the day will take the following form:

1. Discussion will be based around an all pro-life agenda. All students will argue for pro-life.
2. Discussion will be based around an all pro-choice agenda. All students will argue for pro-choice.

Wrap-Up: Students will hand in finished writing product. Teacher will grade them and return them to the 7th and 8th grade writing teacher for further use.

Lesson 3: School lunches: From Washington to Philadelphia: Creating the ideal menu.

Duration: Two 45 minute class periods

Objective: Students will examine the school lunch law at the federal level, and seek to find how that affects them at the local level. Students will Access quality health information to create an opinion writing piece. Students will use school based resources to make informed health decisions.

Procedure:

Day 1: Students will use the first portion of the federal USDA school lunch act to gain knowledge about how school lunches are created and regulated. Following this, students will read the Philadelphia Inquirer article about school lunch changes in Philadelphia.

Following this readings, discussion will take place

Discussion Questions:

1. Is this a good law?
2. Why does it effect national security?
3. Why do you think this law was created?

Introduction of research assignment and culminating project: The students will engage with local resources in order to access quality health information.

Activity: Students will find two quality sources to develop an opinion and a sample lunch menu.

1. Students will engage with the food services manager at the site to find out about nutrition information for school lunches (USDA requirement that this information be available on site)
2. Students will find one quality internet based source to use for the development of a short paragraph explaining a sample menu. Possible sources could be Food Guide Pyramid, or RDA recommendations. Students will be taken into the computer lab to perform research activities.
3. Students will create a sample lunch menu. Students will create the ideal school lunch menu. The menu should be a full meal plan for one week of school (5 days)

Follow up activity: Exemplary menus and paragraphs will be displayed in the cafeteria. If possible, a food tasting will take place so students can sample some of the suggested healthy foods during lunch.

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- "The Diseased City." American Studies @ The University of Virginia. 29 Mar. 2009 <<http://xroads.virginia.edu/~MA96/forrest/WW/fever.html>>. Philadelphia yellow fever outbreak and its major players
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Cornell university directory of Supreme Court decisions.
- Feldstein, Paul J. The Politics of Health Legislation. 2nd ed. Chicago, IL: Health Administration P, 1996. A look at Health Legislation and the individuals, groups, legislators who create it. The book seeks to gain an understanding through the lens of economics and self interest.
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Clean Air Act of 2004 (2004) (enacted). Current Clean Air Act

Safe Drinking Water Act (1974) (enacted). Complete Safe Drinking Water Act

United States Department of Agriculture (USDA). Food Safety and Inspection Services.
Food Standards and Labeling Policy Book. By USDA. Washington, DC, 2002.
The USDA's comprehensive policy statement on food safety and inspection.

Appendix/Standards

State Standards used:

PA academic standards for health, safety, and physical education

10.2.9

E. Explain the interrelationship between the environment and personal health

10.1.12

E. Identify and analyze that influence the prevention and control of health problems

10.3.12

Assess the personal and legal consequences of unsafe practices in the home, school, or community

PA academic standards for reading, writing, speaking, and listening

1.4.8

B. Write multi paragraph informational pieces

C. Write persuasive pieces.

Links to needed documents:

Clean air act –

<http://www.epa.gov/air/caa/peg/http>

Clean drinking water act –

<http://www.epa.gov/watertrain/cwa/>

NARAL Pro choice -

<file://localhost/choice> <<http://www.nrlc.org/abortion:index.html>>.

Roe v. Wade decision -

http://www.law.cornell.edu/supct/html/historics/USSC_CR_0410_0113_ZS.html

National School lunch program –

<file://localhost/<http://www.fns.usda.gov/cnd/governance/regulations:7CFR210.pdf>>.