

**Lesson 2**  
**Articulating and Applying the Law**

**Lesson Objectives**

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Students will be able to:

- Articulate the requirements of the Religious Freedom Restoration Act.
- Identify the ways courts have applied the RFRA test in previous cases.
- Apply the RFRA test to the facts of *Singh v. Booth*.

**Materials**

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- Handout 4: Analyzing the RFRA test
- Handout 5: Applying the RFRA test
- Handout 6: The Eagle Feather Case (McAllen Grace Brethren Church v. Salazar)
- Handout 7: The Prison Diet Case (Terrell v. Montalbano)
- Handout 8: Reading responses and accompanying answer key

**Lesson Assessments**

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- Check for understanding (Do Now responses)
- Discussion responses
- Case law analysis
- Closing/homework: Apply the RFRA test to the facts of *Singh v. Booth*

**Instructional Activities**

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*Anticipatory Set*

- To review the previous lesson, ask students to summarize the main issues in *Singh v. Booth* in 1-2 paragraphs. Students may share the articles that they wrote for homework. Include an explanation of the plaintiff's claim (What is he alleging? What does he want?) and a brief summary of the reasons the defendant gives in opposition.
- Facilitate a discussion of students' responses, checking for understanding and correcting any misunderstandings from Lesson 1.

*Direct Instruction*

- As a class, read through **Handout 4: Analyzing the RFRA Test** to gain an understanding of the legal standards that will be used to adjudicate the case. Students should pay close attention to the three prongs of the Religious Freedom Restoration Act

Unit 6: Lesson 2  
Religious Freedom

(RFRA) test as articulated in *Holt v. Hobbs*. As a class, break down each prong of the test as articulated in Section II of the handout and check for understanding by asking students to explain each prong in their own words. Ask students to brainstorm the following questions based on their first impressions:

1. What does “compelling government interest” mean? What is an example?
2. What does “least restrictive means” mean? How do you think a court would decide what is least restrictive?

*Guided Practice*

- Distribute **Handout 5: Applying the RFRA Test**. Using the flow chart, students should annotate the excerpts of *Holt v. Hobbs*, noting what reasoning the court uses in addressing each of the three prongs of the RFRA test. The purpose of this assignment is to provide exposure to the ways courts apply the test and what reasoning helps them determine the outcomes of a case. Students will use this skill in analyzing case excerpts in the next section of the lesson.
- Divide the class into small groups and distribute **Handout 6: The Eagle Feather Case** and **Handout 8: Reading Responses**. Students will work in groups to apply the RFRA test as articulated in *Holt v. Hobbs* to the case excerpt provided, completing the appropriate section of Handout 8 with their responses. The goal of this activity is to help students apply the law to the facts and identify the ways courts apply the test. Ask student groups to report their analyses; check for understanding, using model answers as a guide.

*Independent Practice*

- Distribute **Handout 7: The Prison Diet Case**. Individually, students will read the case excerpt and identify the ways the court applies the RFRA test, completing the appropriate section of Handout 8 with their responses. Students should submit their completed Handout 8; check for understanding using the model answers provided as a guide. If time allows, facilitate a group discussion on what reasoning, if any, would have persuaded the courts to reach the opposite results in each case.

*Closing/Homework*

- Direct students to the complaint and response that they read in their case packet during Lesson 1. Students should apply the RFRA test to the facts of *Singh v. Booth*. For each of the following questions, students should provide one answer in favor of the plaintiff and one in favor of the defendant. This may be assigned as homework if time does not allow for a closing exercise.
  1. Is Singh’s religious liberty being substantially burdened?
  2. Is the government’s interest compelling?
  3. Is the government’s policy regarding facial hair the least restrictive method of achieving the compelling interest?