SOLUTIONS

FREE-RESPONSE QUESTION 1

4 points total

A. **1 point** for a description of the trend in the chart from August 2016 to March 2018 regarding public opinion on the use of president power.

Student response may include:

• From August 2016 to March 2018 the public believed, by a large percentage (over 70%), that it would be risky to give the president more power to deal directly with the country's problems.

FREE-RESPONSE

• From August 2016 to March 2018 a small percentage of the public (23%, 17% and 21%) believed that problems could be dealt with more effectively if presidents didn't have to worry about Congress and the courts, effectively giving the president more power to deal with problems.

B. 2 points total.

1 point for an explanation of how the trend in the chart reflects the views of the framers of the Constitution. Student response may include:

- The trend in the chart reflects the views of the Constitutional framers as they believed that too much power in any branch of government would be dangerous, including the presidency. The framers built in a constitutional system of checks and balances between the branches to check on the power of each branch to prevent abuses of power.
- The trend in the chart reflects the views of the Constitutional framers as they believed that too much power in any branch of government would be dangerous. They separated powers between the federal branches of government to maintain a balance of power within the system.



1 point for an explanation of how the Constitutional design of the branches reflects the trend in the chart. Student response may include:

- The legislature was given several powers to check on the power of the executive:
 - Power to override the veto with a 2/3 vote in both the House and Senate
 - Senate power to approve all presidential appointments and treaties
 - Power of impeachment to the House and conviction by the Senate to remove the president from office.
 - Power to pass all laws which means they may set their own policy agenda
- The president's powers are Constitutionally limited through a series of checks and balances:
 - The president may make treaties but they must be approved by a 2/3 vote in the Senate.
 - The president has the power to appoint ambassadors, federal judges, and other government officers but only with the approval of the Senate.
 - The president may present his/her policy agenda through the State of the Union Address but Congress may ignore parts or all of it when making laws.
 - The Supreme Court is responsible for interpreting laws and government actions which may conflict with the way the president views his/her powers.

Note: Students may address the power of the president either by how the legislature may limit presidential power or how the executive power is limited.

C. **1 point** for an explanation of a way the public may express their view regarding the use of presidential power.

Student responses may include:

- Demonstrations calling for the president's power to be checked.
- Support (through elections or through expressed speech) for members of Congress calling to control the power of the president
- Support and/or elect members of Congress who promises to check the power of the president
- Support and/or elect presidents who respect the checks and balances built within the Constitution
- Join interest groups calling for stronger control of the presidential power

Note: Students may use these methods to argue the opposite view—that the president should have more power.



FREE-RESPONSE QUESTION 2

4 points total

A. 1 point for correctly identifying the constitutional clause that is common to both *Brown v. Board of Education* and *Regents of University of California v. Bakke*.

Student Responses will include:

• The 14th Amendment Equal Protection Clause

Note: Students must include the Equal Protection Clause as the questions asks for that. Just stating the 14th Amendment does not earn the point.

B. **2 points Total: 1 point** for <u>each</u> description of a relevant fact from the Supreme Court decisions in <u>both</u> the *Brown* and *Bakke* cases based on the clause identified in (A).

Student Responses may include:

- The 14th Amendment Equal Protection Clause was used in both cases with regard to the fact that in
 education institutions or educational programs all people, regardless of race, are guaranteed equal protection under the law.
 - In *Brown*—The decision said that segregating schools (de jure segregation) based on race made the schools inherently unequal and thus unconstitutional under the Equal Protection Clause. (1 point)
 - In Bakke—The decision invalidated using a strict quota system based on race in university admissions programs, whether applied against white or blacks, as a violation of the Equal Protection Clause.
 (1 point)
- C. **1 point** for an explanation that addresses a recourse states have if they disagree with the Supreme Court decision in *Brown*.

Student Responses may include:

- Ignore the decision as the Supreme Court has no enforcement power.
- Redraw school district lines to reflect racial residential/community patterns creating what may appear to be *de facto* segregated districts.
- Continually delay desegregation of schools. Order a study of the school system to see how best to desegregate the schools with no serious plans to complete the study and desegregate them. The Supreme Court has no enforcement power and must rely on the other branches to enforce decisions.



FREE-RESPONSE QUESTION 3

6 points total

Thesis/Claim: 1 point for an argument that articulates a defense of the use of demonstrations, litigation or interest group activism as the most effect method used by the public to influence government policy. Your argument must also establish a line of reasoning for your claim or thesis.

Student responses may include:

- Demonstrations are the most effective way for the public to influence government policy as it is very public, can articulate their point of view or reasons and can indicate support for their cause.
- Litigation is the most effective way for the public to influence government policy as it is difficult for Congress and the President to go against courts' decisions.
- Interest group activism is the most effect way for the public to influence government policy as individuals work together to bring about the policy throughout the nation. They can pool their resources to best accomplish their goals.

Note:

- Students must choose which method they prefer <u>and</u> express WHY they chose it in order to provide the proper reasoning for their thesis/claim.
- The thesis/claim must consist of one or more sentences and may be located anywhere in the response.
- The thesis/claim that meets the criteria may be given the point whether or not the rest of the response supports the reasoning used in the response.

EVIDENCE TO BE USED IN YOUR ARGUMENT

One or two pieces of evidence must come from the foundational documents below:

Bill of Rights

• First Amendment freedoms—speech, press, assemble, organize or petition encourages and protects the involvement of the people. (All 5 examples are not necessary; just the one that best fits the thesis/claim.)

Tinker v. Des Moines Independent Community School District (1969)

• The Supreme Court ruled that public school students' right to wear black armbands during school hours in order to protest the Vietnam War was protected by the First Amendment as a form of "pure speech." It upheld the idea of communication through action.

Letter from Birmingham Jail

• Martin Luther King stated that citizen non-violent actions are necessary to improve society—to express injustices and gain direct action.

Martin Luther King explained some of the methods used, such as sit-ins and marches, used by the Civil Rights Movement.



USE OF EVIDENCE

- One piece of evidence must come from the list of foundational documents above.
- A **second piece** of evidence must come from one of the other of the foundational documents above OR from your study of linkage agents.

POINT VALUE OF EVIDENCE

1 point for a description of one piece of evidence that is accurately connected to the topic of the question.

1 point for one piece of specific and relevant evidence to support your argument.

1 point for one piece of specific and relevant evidence to support your argument.

Note:

- To earn 2 or 3 points with evidence the response must have a defensible claim or thesis.
- To earn 3 points the response must use one of the foundational documents.

USE OF REASONING

1 point for the use of reasoning to explain why the evidence supports your claim or thesis.

Student Responses: Must summarize and connect their evidence in order to clarify their argument. Examples may take the following form:

- Amendment 1 secures the right of free speech and the right to assemble to all citizens. These rights can lead to citizen involvement such as demonstrations or organizing groups like that done during the Civil Rights Movement. People expressed themselves collectively, providing a stronger argument for the changes that were eventually made such as the Civil Rights Act of 1964. More recently was the young people who organized and demonstrated for stricter gun control laws and encouraged young people to register to vote after the Marjory Stoneman Douglas High School (Florida) shooting in 2018 named "March For Our Lives."
- The *Tinker* case provides the use of symbolic speech that can be used by people to demonstrate and make a statement for or against government policy. The symbol itself becomes the speech such as the black armbands the students wore. Later flag burning was also upheld by the court as a form of symbolic speech in *Texas v. Johnson* (1989).
- In the *Letter From Birmingham Jail*, Martin Luther King provides examples that can be used by citizens to link them to the political system, such as peaceful demonstrations. Interest groups could demonstrate their opinions through rallies and marches used by the Civil Rights Movement in order to improve the political system so that it reflects all of its citizens.

Note:

- Students may not just restate the thesis or prompt. They must connect their arguments to their claim/thesis which must be present in the essay.
- To earn this point the response must have earned at least 2 points from their evidence.
- The reasoning response between <u>one</u> piece of evidence and the claim/thesis is sufficient to earn the reasoning point.



REBUTTAL

1 point for a response to an opposing or alternate method that most effectively allow meaningful input by citizens to influence government policy.

Student Response must:

- Refute, concede or rebut the argument, not merely express it.
- A response must describe an alternate perspective and refute, concede or rebut that perspective.

Examples: Students may use any of the other arguments made above to earn the point here but must also refute or rebut the argument with their own claim or concede the point.

Note:

- In order to gain this point the response must first have a defensible claim/thesis.
- A response must demonstrate understanding of the alternative perspective in order to gain the point.