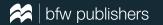


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V Next Week Nov 12 - Nov 18 Dividing Power between the National Government and the States 5pts Chapter 3 LearningCurve Ð 10pts Chapter 3 AP® Exam Practice Multiple-Choice 艮 20pts United States v. Lopez (1995) 5pts United States v. Lopez: Check for Understanding Ð 10pts United States v. Lopez: SCOTUS Practice Question Ð 10pts

Ebook

Adaptive formative assessment

Formative and summative assessment/AP exam practice Documents/Cases



# Ebook:

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#### 1.1 The Fight for Students' Rights

Bridget Mergens walked into the office of her school principal in Omaha, Nebraska, with a request. She wanted to start a student group-a Christian Bible study club. Mergens's high school sponsored many other extracurricular clubs, including a photography club and a scuba diving club. Her principal and her local school board denied her request, claiming that the religious club she proposed was different from the other approved clubs. To Mergens, the school board's arguments were flawed.

Mergens was represented by a Christian advocacy group, the National Legal Foundation. The legal basis of Mergens's claim was a national law, the Equal Access Act of 1984 (EAA).<sup>1</sup> The law's main intent was to restrict the ability of public high schools to exclude religious extracurricular clubs.

In 1981, before the act's passage, the Supreme Court had already affirmed these rights for students at public colleges and universities, but it had not yet done so for those in public high schools. One consideration was whether high school students are many enough to distinguish between their school's efforts to provide an open forum and the possibility that the school endorsed the club members' religious beliefs.



Liz Loverde, a sophomore at Wantagh Senior High School on Long Island, New York, in 2014. Loverde successfully pressured her school to allow a Bible study club, following in the footsteps of others, such as Bridget Mergens, in claiming rights under the Equal Access Act of 1984

In June 1990, five years after Bridget Mergens tried to start the Bible study club, the Supreme Court-ruled in her favor. The Court upheld high school students' rights to have the same access for their faith-based extracurricular clubs as that granted to other student groups. It also upheld the constitutionality of the EAA. In her majority opinion in Board of Education of Westside Community Schools v. Mergens, Supreme Court justice Sandra Day O'Connor wrote, "High school students are mature enough and are likely to understand that a school does not endorse or support student speech that it merely permits on a nondiscriminatory basis."2

Others, including some of the justices of the Supreme Court, worried that the free-speech provisions of the EAA might also guarantee access for student groups with much more controversial agendas. It was this possibility that had especially worried school administrators. Omaha principal James Findley recounted, "I didn't have a concern about the five or six kids having a Bible study club. I was concerned about what and who it opens the doors to. I've had students say they'll start a Satanist club or a skinheads group."2

#### 1.1 The Fight for Students' Rights

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Bridget Mergens walked into the office of her school principal in Omaha, Nebraska, with a request. She wanted to start a student group-a Christian Bible study club. Mergens's high school sponsored many other extracurricular clubs, including a photography club and a scuba diving club. Her principal and her local school board denied her request, claiming that the religious club she proposed was different from the other approved clubs. To Mergens the school board's arguments were flawed. rocacy **Reader Preferences** basis aual Highlighters Sharing Aco Display ent was to Text Size exc ne Aa Aa Aa Aa Co tudents at not yet Font OpenDyslexic are

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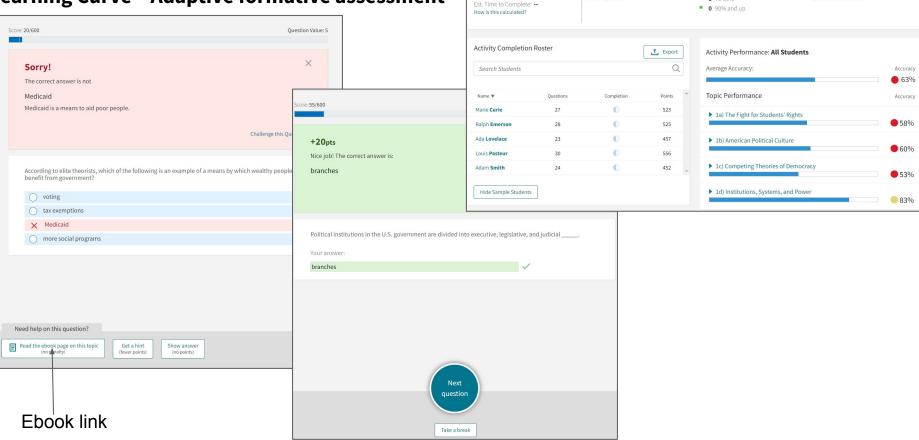
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# Learning Curve - Adaptive formative assessment



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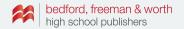
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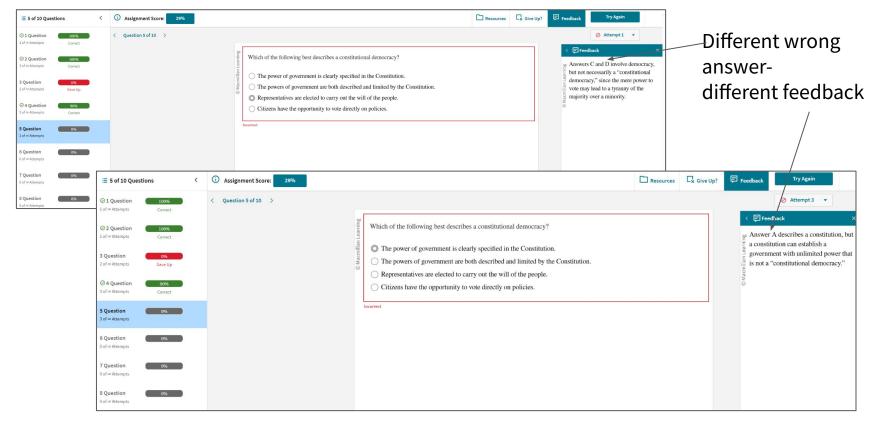
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# **Assessment/AP Exam practice**



## Foundational documents/court case reader 138

United States v. Lopez

E-book

NOTEBOOK

#### Focus on United States v. Lopez (1995)

United States v. Lopez, 514 U.S. 549 (1995), is generally considered to b point in the Supreme Court's interpretation of federalism. This case re rights of the states under the Tenth Amendment and restricts Congres pass legislation under the commerce clause to those laws that have a effect" on interstate commerce. This case reverses a trend in which Co increasingly encroached on state powers by broadly interpreting cons under the commerce clause.

#### Reader Alert!

In United States v. Lopez, the Supreme Court interpreted the commerce narrowly than in the past, reasserting the power of the states under the Amendment. Although this case is about a student who brought a gu case does not have any impact on Second Amendment rights, becaus address the right to own a firearm. Instead, this is a federalism case, w whether the states or the national government has the power to pass banning firearms in school zones.

NOTEBOOK

139

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2

In the Gun Free School Zones Act of 1990, Congress made it a federal offen individual knowingly to possess a firearm at a place that the individual know reasonable cause to believe, is a school zone."

E-book

On March 10, 1992, respondent, who was then a 12th grade student, an Edison High School in San Antonio, Texas, carrying a concealed .38 caliber and five bullets. Acting upon an anonymous tip, school authorities confror respondent, who admitted that he was carrying the weapon. He was arrest charged under Texas law with firearm possession on school premises. The the state charges were dismissed after federal agents charged respondent violating the Gun Free School Zones Act of 1990.

On appeal, respondent challenged his conviction based on his claim th Free School Zones Act] exceeded Congress's power to legislate under the C Clause, [514 U.S. 549.]

#### Issue

Did Congress exceed its authority under the commerce clause in passing th School Zones Act of 1990?

#### Holding/Decision

Facts of the Case

The Supreme Court ruled in favor of Lopez. (515 U.S. 549.)

#### NOTEBOOK 140 E-book **Excerpt from Majority Opinion** [Overview of federalism] Chief Justice Rehnquist delivered the opinion of the Court. We start with first principles. The Constitution creates a Federal Government of enumerated powers. See U. S. Const., Art. I, §8. As James Madison wrote, "[t]he powers delegated by the proposed Constitution to the federal government are few and defined. Those which are to remain in the State governments are numerous and indefinite." The Federalist No. 45, pp. 292-293 (C. Rossiter ed. 1961). This constitutionally mandated division of authority "was adopted by the Framers to ensure protection of our fundamental liberties." Gregory v. Ashcroft, 501 U.S. 452, 458 (1991) (internal quotation marks omitted). "Just as the separation and independence of the coordinate branches of the Federal Government serves to prevent the accumulation of excessive power in any one branch, a healthy balance of power between the States and the Federal Government will reduce the risk of tyranny and abuse from either front." Ibid.

Why does the majority opinion begin with a review of the principle of federalism?

#### [On the dangers of expanding congressional power under the commerce cla

In Jones & Laughlin Steel, the Court warned that the scope of the interstate co power "must be considered in the light of our dual system of government ar not be extended so as to embrace effects upon interstate commerce so indir remote that to embrace them, in view of our complex society, would effectu obliterate the distinction between what is national and what is local and creater completely centralized government." 301 U.S., at 37.

Foundational Documents and Court Cases Reader



Karen Waples E Pamela Lamb Katie Piper | Benwari Singh



# Foundational documents/Court case questions

	Assessment							
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5 Question 0 of ∞ Attempts	0%				1 Question 0 of ∞ Attempts	0%	Question 1 of 1	
•			Thinking Questions questions					<ul> <li>In 1994, Christy Brzonkala, a student at Virginia Polytechnic Institute (Virginia Tech), alleged that she had been raped by Antonio Morrison and James Crawford, both students and varsity football players at Virginia Tech. In 1995, Brzonkala filed a complaint against Morrison and Crawford under Virginia Tech is sexual assault policy. A hearing board found Morrison guilty of sexual assault and suspended him from Virginia Tech is sexual assault policy. A hearing board found Morrison guilty of sexual assault and suspended him from Virginia Tech for two semesters. Brzonkala sued Morrison, Crawford, and Virginia Tech is sexual assault and suspended him from Virginia Tech for two semesters. Brzonkala sued Morrison, Crawford, and Virginia Tech in federal district court, alleging that Morrison's and Crawford's attack violated the Violence Against Women Act of 1994 (42 U.S.C. § 13981), which provides a federal civil remedy to victims of gender-motivated violence. In a 5-4 opinion, the Supreme Court held that Congress lacked the authority to enact the Violence Against Women Act of 1994. (Chief Justice Rehnquist wrote the majority decision which states that "under our federal system that remedy must be provided by the Commonwealth of Virginia, and not by the United States."</li> <li>A. Identify the constitutional clause that is common to both <i>United States v. Morrison</i> (2000) and <i>United States v. Lopez</i> (1995).</li> <li>B. Based on the constitutional clause identified in part A, explain why the facts of <i>United States v. Morrison</i> led to a similar holding as the holding in <i>United States v. Lopez</i>.</li> <li>C. Describe one way in which Congress could influence state policies regarding domestic violence.</li> </ul>



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Image: Mod 7-1 Map Quiz       Due Wed, Nov 15, 11:59 pm   5pts	In Progress					
Mod 7-1 Short-Answer Question Practice         Due Wed, Nov 15, 11:59 pm   10pts	In Progress					
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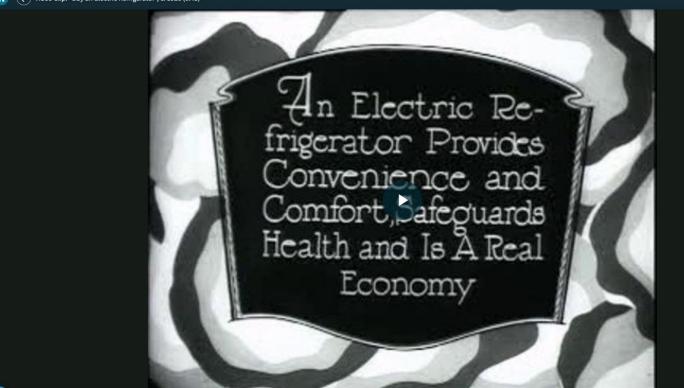


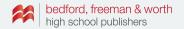
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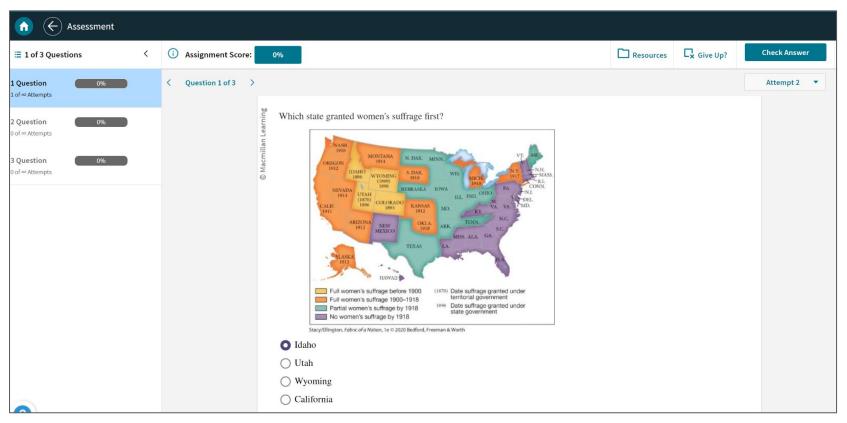
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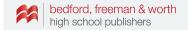
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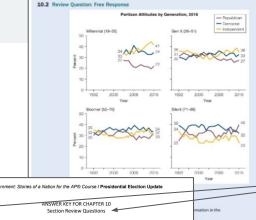
# Map quizzes





# **Teacher ebook Teacher resources**

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In part A, the response should describe that the bar chart measures the people who would vote for a candidate who promised to reform the economic t B, the response should identify a trend shown in the bar chart. One trend is that ble are more likely to vote for a candidate who promises to reform the economic Ider people. Another trend is that Democrats are more likely to vote for such a lowed by Independents, with Republicans less likely to support a candidate who ng the economic system. In part C, the response should explain how a proidate could use the information from the bar chart in his or her campaign. 19% of Republicans favor candidates who promise to reform the economic business candidate could promise not to make major reforms to the economic rget Republican for campaign donations In part D, a critic of pro-business policies information in the bar chart to target young and middle-aged voters with a the current economic system favors big business over the interests of average response is worth 4 points.

Credit for part A is awarded by describing what the graphs measure, essentially a the political party affiliations of differing generations, ranging from Millennial gh the Silent Generation (71-88). Part B requires the student to describe one partisanship among generations, which could include a greater tendency to iated in the Millennial generation than any other, or a steady decrease in iffiliation from generation to generation, or an increase in Republican Party n generation to generation, or a rather steady alignment with the Democratic neration to generation (ranging from 34% of Millennials to 33% of Gen Xers, to ers, to 32% of the Silent Generation). The student must compare at least two receive credit and should add numerical data in support of the answer. To for part C, the student must explain how life-cycle effects impact the difference art B. For example, the response might explain how people become increasingly and party-affiliation grows stronger with age. Part D requires an explanation of onal effects impact the difference described in part B. For example, the response how the Boomer generation's internal conflict during the Vietnam War led to increasingly divided support for both political parties or how the Millennial generation has turned away from the Republican Party's focus on divisive social issues such as same-sex marriage and abortion. The response is worth 4 points.

Section 10.3: A correct answer to part A would require the response to identify Facebook as the social-media platform used in the largest geographical area, covering much of North, Central, and South America, as well as Western Europe, Africa, Southeast Asia, and Australia. In part B. the response should explain that Facebook is not available in many authoritarian countries, such as Russia, China, and Iran, that want to censor news from outside sources and monitor citizens' social-media posts. In part C, the response should define globalization as the increased

#### **Differentiation**

There are many ways that teachers can use these practice free-response questions, and not every student will interact with them in the same way. Some students can tackle the whole guestion, while others can be assigned only a part depending on their skill level. You can also have some students score a student response and discuss ways to make a sample response stronger. Students can also tackle a prompt in pairs, doing a think-pair-share before drafting a response.

#### TRM Section Review Answers

You can find this resource in the Teacher's Edition e-book (TE-book), searching by category or chapter on the Teacher's Resource Flash Drive (TRFD), or logging into the book's digital platform.

#### 10.3 Bell Ringer: Think-Pair-Share

and policy positions of the 2020 presidential candidates, Joe Biden and Donald Trump. How did the forces of globalization impact their messaging and

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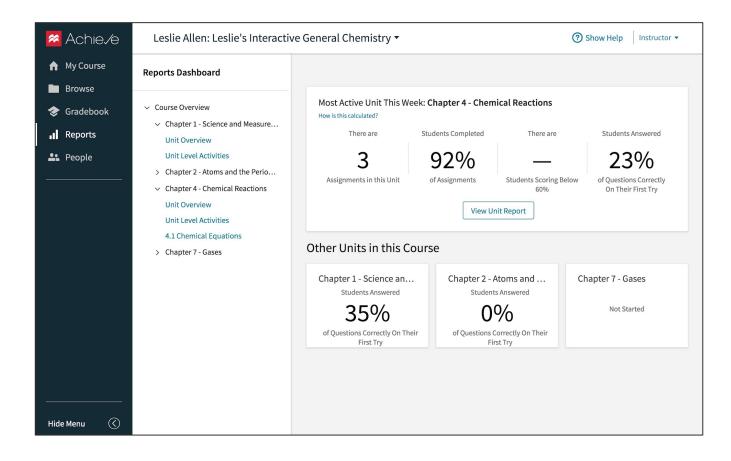
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Ask students to consider the campaigns their policy prescriptions?



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