



ESL  
SCIENCE  
BUSINESS  
BILINGUAL  
PRESCHOOL  
MATHEMATICS  
LIBRARY MEDIA  
SOCIAL STUDIES  
WORLD LANGUAGES  
GIFTED & TALENTED  
TECHNOLOGY EDUCATION  
ENGLISH LANGUAGE ARTS  
FINE & PERFORMING ARTS  
FAMILY & CONSUMER SCIENCE  
HEALTH & PHYSICAL EDUCATION

RAHWAY PUBLIC SCHOOLS

# CURRICULUM & INSTRUCTION

**Content Area: Social Studies**

**Course: AP United States  
Government & Politics**

**Grade Level: 11-12**

This curriculum is part of the Educational Program of Studies of the Rahway Public Schools.

### **ACKNOWLEDGMENTS**

**Maureen Dalessio, Program Supervisor: English Language Arts/Social Studies 7-12,  
Gifted and Talented K-12**

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**Mr. Michael L. Clark**

**Dr. Tiffany A. Beer, Director of Curriculum and Instruction**

Subject/Course Title:  
**Social Studies  
Grades 11-12**

Date of Board Adoption:  
**August 26, 2025**

# RAHWAY PUBLIC SCHOOLS CURRICULUM

## SOCIAL STUDIES: GRADES 11-12

### *PACING GUIDE*

<b>Unit</b>	<b>Title</b>	<b>Pacing</b>
1	<a href="#">Foundations of American Democracy</a>	3-4 weeks
2	<a href="#">Interactions Among Branches of Government</a>	6-8 weeks
3	<a href="#">Civil Liberties and Civil Rights</a>	5-7 weeks
4	<a href="#">American Political Ideologies &amp; Beliefs</a>	4-5 weeks
5	<a href="#">Political Participation</a>	3-4 weeks

Units and curriculum reproduced from the AP® U.S. Government and Politics **Course and Exam Description** (CED), effective Fall 2023. Pacing is based on suggestions by the College Board included in the CED and the annual May exam date.

## *ACCOMMODATIONS*

<p><b>504 Accommodations:</b></p> <ul style="list-style-type: none"> <li>● Provide scaffolded vocabulary and vocabulary lists.</li> <li>● Provide extra visual and verbal cues and prompts.</li> <li>● Provide adapted/alternate/excerpted versions of the text and/or modified supplementary materials.</li> <li>● Provide links to audio files and utilize video clips.</li> <li>● Provide graphic organizers and/or checklists.</li> <li>● Provide modified rubrics.</li> <li>● Provide a copy of teaching notes, especially any key terms, in advance.</li> <li>● Allow additional time to complete assignments and/or assessments.</li> <li>● Provide shorter writing assignments.</li> <li>● Provide sentence starters.</li> <li>● Utilize small group instruction.</li> <li>● Utilize Think-Pair-Share structure.</li> <li>● Check for understanding frequently.</li> <li>● Have student restate information.</li> <li>● Support auditory presentations with visuals.</li> <li>● Weekly home-school communication tools (notebook, daily log, phone calls or email messages).</li> <li>● Provide study sheets and teacher outlines prior to assessments.</li> <li>● Quiet corner or room to calm down and relax when anxious.</li> <li>● Reduction of distractions.</li> <li>● Permit answers to be dictated.</li> <li>● Hands-on activities.</li> <li>● Use of manipulatives.</li> <li>● Assign preferential seating.</li> <li>● No penalty for spelling errors or sloppy handwriting.</li> <li>● Follow a routine/schedule.</li> <li>● Provide student with rest breaks.</li> <li>● Use verbal and visual cues regarding directions and staying on task.</li> <li>● Assist in maintaining agenda book.</li> </ul>	<p><b>IEP Accommodations:</b></p> <ul style="list-style-type: none"> <li>● Provide scaffolded vocabulary and vocabulary lists.</li> <li>● Differentiate reading levels of texts (e.g., Newsela).</li> <li>● Provide adapted/alternate/excerpted versions of the text and/or modified supplementary materials.</li> <li>● Provide extra visual and verbal cues and prompts.</li> <li>● Provide links to audio files and utilize video clips.</li> <li>● Provide graphic organizers and/or checklists.</li> <li>● Provide modified rubrics.</li> <li>● Provide a copy of teaching notes, especially any key terms, in advance.</li> <li>● Provide students with additional information to supplement notes.</li> <li>● Modify questioning techniques and provide a reduced number of questions or items on tests.</li> <li>● Allow additional time to complete assignments and/or assessments.</li> <li>● Provide shorter writing assignments.</li> <li>● Provide sentence starters.</li> <li>● Utilize small group instruction.</li> <li>● Utilize Think-Pair-Share structure.</li> <li>● Check for understanding frequently.</li> <li>● Have student restate information.</li> <li>● Support auditory presentations with visuals.</li> <li>● Provide study sheets and teacher outlines prior to assessments.</li> <li>● Use of manipulatives.</li> <li>● Have students work with partners or in groups for reading, presentations, assignments, and analyses.</li> <li>● Assign appropriate roles in collaborative work.</li> <li>● Assign preferential seating.</li> <li>● Follow a routine/schedule.</li> </ul>
<p><b>Gifted and Talented Accommodations:</b></p> <ul style="list-style-type: none"> <li>● Differentiate reading levels of texts (e.g., Newsela).</li> <li>● Offer students additional texts with higher lexile levels.</li> <li>● Provide more challenging and/or more supplemental readings and/or activities to deepen understanding.</li> <li>● Allow for independent reading, research, and projects.</li> <li>● Accelerate or compact the curriculum.</li> <li>● Offer higher-level thinking questions for deeper analysis.</li> <li>● Offer more rigorous materials/tasks/prompts.</li> <li>● Increase number and complexity of sources.</li> <li>● Assign group research and presentations to teach the class.</li> <li>● Assign/allow for leadership roles during collaborative work and in other learning activities.</li> </ul>	<p><b>ELL Accommodations:</b></p> <ul style="list-style-type: none"> <li>● Provide extended time.</li> <li>● Assign preferential seating.</li> <li>● Assign peer buddy who the student can work with.</li> <li>● Check for understanding frequently.</li> <li>● Provide language feedback often (such as grammar errors, tenses, subject-verb agreements, etc...).</li> <li>● Have student repeat directions.</li> <li>● Make vocabulary words available during classwork and exams.</li> <li>● Use study guides/checklists to organize information.</li> <li>● Repeat directions.</li> <li>● Increase one-on-one conferencing.</li> <li>● Allow student to listen to an audio version of the text.</li> <li>● Give directions in small, distinct steps.</li> <li>● Allow copying from paper/book.</li> <li>● Give student a copy of the class notes.</li> <li>● Provide written and oral instructions.</li> <li>● Differentiate reading levels of texts (e.g., Newsela).</li> <li>● Shorten assignments.</li> <li>● Read directions aloud to student.</li> </ul>

	<ul style="list-style-type: none"><li>● Give oral clues or prompts.</li><li>● Record or type assignments.</li><li>● Adapt worksheets/packets.</li><li>● Create alternate assignments.</li><li>● Have student enter written assignments in criterion, where they can use the planning maps to help get them started and receive feedback after it is submitted.</li><li>● Allow student to resubmit assignments.</li><li>● Use small group instruction.</li><li>● Simplify language.</li><li>● Provide scaffolded vocabulary and vocabulary lists.</li><li>● Demonstrate concepts possibly through the use of visuals.</li><li>● Use manipulatives.</li><li>● Emphasize critical information by highlighting it for the student.</li><li>● Use graphic organizers.</li><li>● Pre-teach or pre-view vocabulary.</li><li>● Provide student with a list of prompts or sentence starters that they can use when completing a written assignment.</li><li>● Provide audio versions of the textbooks.</li><li>● Highlight textbooks/study guides.</li><li>● Use supplementary materials.</li><li>● Give assistance in note taking</li><li>● Use adapted/modified textbooks.</li><li>● Allow use of computer/word processor.</li><li>● Allow student to answer orally, give extended time (time-and-a-half).</li><li>● Allow tests to be given in a separate location (with the ESL teacher).</li><li>● Allow additional time to complete assignments and/or assessments.</li><li>● Read question to student to clarify.</li><li>● Provide a definition or synonym for words on a test that do not impact the validity of the exam.</li><li>● Modify the format of assessments.</li><li>● Shorten test length or require only selected test items.</li><li>● Create alternative assessments.</li><li>● On an exam other than a spelling test, don't take points off for spelling errors.</li></ul>
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## *UNIT 1 OVERVIEW*

**Content Area:** Social Studies

**Unit Title:** 1 Foundations of American Democracy

**Target Course/Grade Level:** 11-12

**Unit Summary:**

More than 200 years after the U.S. Constitution was ratified, the compromises that were necessary for ratification—which in some instances led to ambiguity—continue to fuel debate and discussion over how best to protect liberty, equality, order, and private property. This first unit sets the foundation for the course by examining how the framers of the Constitution set up a structure of government intended to stand the test of time. Compromises were made during the Constitutional Convention and ratification debates, and these compromises focused on the proper balance between individual freedom, social order, and equality of opportunity. In subsequent units, students will apply their understanding of the Constitution to the institutions of government and people’s daily lives.

**Approximate Length of Unit:** 3-4 weeks (~16 class periods)

## *LEARNING TARGETS*

**NJ Student Learning Standards:**

**6.1.12.CivicsPI.2.a:** Evaluate the effectiveness of the Articles of Confederation in addressing the issues facing the new nation.

**6.1.12.CivicsPI.2.b:** Examine the debates and compromises that led to the creation of the United States Constitution.

**6.1.12.CivicsPI.2.c:** Analyze the principles of the Constitution, including separation of powers, checks and balances, and federalism.

**6.1.12.CivicsPI.2.d:** Assess the impact of the Federalist and Anti-Federalist debates on the ratification of the Constitution.

**6.3.12.CivicsPD.1:** Evaluate the effectiveness of public policies in promoting democratic principles and civic engagement.

**6.3.12.CivicsPI.1:** Analyze the role of individuals and groups in shaping public policy and promoting democratic ideals.

**Career Readiness, Life Literacies, and Key Skills:**

**9.1.12.FP.1:** Compare and contrast the role of government in regulating and protecting consumers and the economy.

**9.2.12.CAP.1:** Analyze the impact of personal interests and abilities on career choices and success.

**9.4.12.CI.1:** Demonstrate the ability to reflect on one's own thinking, reasoning, and learning processes.

**9.4.12.IML.1:** Evaluate the credibility and relevance of information sources.

**9.4.12.GCA.1:** Collaborate with individuals of diverse backgrounds to achieve common goals.

**Interdisciplinary Connections and Standards:**

**English Language Arts (NJSL-ELA)**

**RI.11-12.7.** Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

**RI.11-12.8.** Describe and evaluate the reasoning in seminal U.S. and global texts, including the application of constitutional principles and use of legal reasoning (e.g., in U.S. Supreme Court majority opinions and dissents) and the premises, purposes, and arguments in works of public advocacy (e.g., The Federalist, presidential addresses).

**RI.11-12.9.** Analyze and reflect on (e.g. practical knowledge, historical/cultural context, and background knowledge) documents of historical and literary significance for their themes, purposes and rhetorical features, including primary source documents relevant to U.S. and/or global history.

**Science (NJSL-S)**

**HS-ETS1-3:** Evaluate a solution to a complex real-world problem based on prioritized criteria and trade-offs that account for a range of constraints.

**Unit Understandings:**

*Students will understand that...*

- A balance between governmental power and individual rights has been a hallmark of American political development.
- The Constitution emerged from the debate about the weaknesses in the Articles of Confederation as a blueprint for limited government.
- The Constitution created a competitive policy-making process to ensure the people's will is represented and that freedom is preserved.
- Federalism reflects the dynamic distribution of power between national and state governments.

**Unit Essential Questions:**

- Why are there debates about the balance of power between the federal and state governments?
- Is the Bill of Rights necessary? Why or why not?
- How does the Constitution affect you and the choices you make?

**Knowledge and Skills:**

*Students will know...*

**1.1 Ideals of Democracy**

- The U.S. government is based on the following democratic ideals:
  - Natural rights — all people have certain rights that cannot be taken away
  - A social contract — an implicit agreement among the people in a society to give up some freedoms to maintain social order
  - Popular sovereignty — all government power comes from the consent of its people
  - Limited government — a government's power cannot be absolute
- The ideal of limited government is ensured by the interaction of these principles:

- Separation of powers — a design of government that distributes powers across institutions in order to avoid making one branch too powerful on its own.
- Checks and balances — a design of government in which each branch has powers that can prevent the other branches from making policy or to limit their reach to ensure the equal distribution of power.
- Federalism — the sharing of power between the national government and the states.
- Republicanism — a system in which the government’s authority comes from the people.
- The Declaration of Independence, drafted by Thomas Jefferson (with help from Adams and Franklin), restates the philosophy of natural rights, and provides a foundation for popular sovereignty. The U.S. Constitution, drafted by James Madison at the Constitutional Convention in Philadelphia that was led by George Washington (with important contributions from Hamilton and members of the “Grand Committee”), is an example of a social contract and establishes a system of limited government. The Constitution provides the blueprint for a unique form of democratic government in the United States.

## 1.2 Types of Democracy

- Representative democracies can take several forms including the following models:
  - Participatory democracy, which emphasizes broad participation in politics and civil society
  - Pluralist democracy, which recognizes group-based activism by nongovernmental interests striving for impact on political decision making
  - Elite democracy, which emphasizes limited participation in politics and civil society
- Different aspects of the U.S. Constitution as well as the debate between Federalist No. 10 and Brutus No. 1 reflect the tension between the broad participatory model and the more filtered participation of the pluralist and elite models.
- The three models of representative democracy continue to be reflected in contemporary institutions and political behavior.

## 1.3 Government Power & Individual Rights

- Federalists supported ratification of the Constitution and a strong central government. Madison’s arguments in Federalist No. 10 focused on the superiority of a large republic in controlling the “mischiefs of faction,” delegating authority to elected representatives and dispersing power between the states and national government.
- Anti-Federalists opposed the ratification of the Constitution and wanted more power reserved to state governments rather than a strong central government. Anti-Federalist writings, including Brutus No. 1, adhered to popular democratic theory that emphasized the benefits of a small, decentralized republic while warning of the dangers to personal liberty from a large, centralized government.

## 1.4 Challenges of the Articles of Confederation

- Specific incidents and legal challenges that highlighted key weaknesses of the Articles of Confederation are represented by the:
  - Lack of centralized military power to address Shays’ Rebellion
  - Lack of an executive branch to enforce laws, including taxation
  - Lack of a national court system Lack of power to regulate interstate commerce
  - Lack of power to coin money

## 1.5 Ratification of the U.S. Constitution

- Compromises deemed necessary for ratification of the Constitution included the following:

- Great (Connecticut) Compromise, which created a dual (bicameral) system of congressional representation with the House of Representatives based on each state's population and the Senate representing each state equally
- Electoral College, which created a system for electing the president by electors from each state rather than by popular vote or by congressional vote
- Three-Fifths Compromise, which provided a formula for calculating a state's enslaved population for purposes of representation in the House and for taxation (AAH)
- Postponing until 1808 a decision whether to ban the importation of enslaved persons (AAH)
- Agreement to add a Bill of Rights to address concerns of the Anti-Federalists
- Debates about self-government during the drafting of the Constitution necessitated the drafting of an amendment process in Article V that entailed either a two-thirds vote in both houses or a proposal from two-thirds of the state legislatures, with final ratification determined by three-fourths of the states.
- The compromises necessary to secure ratification of the Constitution left some matters unresolved that continue to generate discussion and debate today.
- The debate over the role of the national government, the powers of state governments, and the rights of individuals remains at the heart of present-day constitutional issues about democracy and governmental power, as represented by:
  - Debates about government surveillance resulting from the federal government's response to the 9/11 attacks
  - Debates about the role of government in public school education

## 1.6 Principles of American Government

- The specific and separate powers delegated to Congress, the president, and the courts allow each branch to check and balance the power of the other branches, ensuring no one branch becomes too powerful.
- Federalist No. 51 explains how constitutional provisions of separation of powers and checks and balances control potential abuses by majorities.
- Separation of powers and checks and balances creates multiple access points for stakeholders and institutions to influence public policy.
- Checks and balances and separation of powers allow legal actions to be taken against public officials deemed to have abused their power. Those legal actions include the process of impeachment (the House formally charges an official with abuse of power or misconduct) and removal (if the official is convicted in a Senate impeachment trial).

## 1.7 Relationship Between the States and Federal Government

- Federalism is the system of government in the United States in which power is shared between the national and state governments. The exclusive and concurrent powers of the national and state governments help explain the ongoing debate over the balance of power between the two levels.
- Exclusive power is held by only one level of government and includes enumerated powers that are written in the Constitution, and implied powers that are not specifically written in the Constitution but are inferred from the Necessary and Proper Clause.
- Reserved powers are those not delegated or enumerated to the national government but are reserved to the states, as stated in the Tenth Amendment.
- Concurrent powers are shared between both levels of government such as the power to collect taxes, the power to make and enforce laws and the power to build roads.
- The distribution of power between national and state governments is demonstrated by:
  - Revenue sharing — national funding with almost no restrictions to the states on its use and is the least used form of funding)
  - Block grants — national funding with minimal restrictions to the states on its use and is preferred by the states)

- Categorical grants — national funding that is restricted to specific categories of expenditures, is preferred by the national government, and is the most commonly used form of funding)
- Mandates — requirements by the national government of the states

### 1.8 Constitutional Interpretations of Federalism

- The Due Process and Equal Protection Clauses of the Fourteenth Amendment give the national government the power to enforce protections for any person against the states, but Supreme Court interpretations can influence the extent of those protections. (AAH) (LGBTQ/D)
- The Commerce Clause gives the national government the power to regulate interstate commerce, but Supreme Court interpretations can influence the extent of this power.
- The Necessary and Proper Clause gives Congress the power to make laws related to carrying out its enumerated powers, but Supreme Court interpretations can influence the extent of these powers.
- The Supremacy Clause gives the national government and its laws general precedence over states' laws, but Supreme Court interpretations may affect when specific actions exceed this constitutional power.

### 1.9 Federalism in Action

- The allocation of powers between national and state governments creates multiple access points for stakeholders and institutions to influence public policy.
- National policymaking is constrained by the sharing of concurrent powers with state governments.

*Students will be able to...*

- Explain how democratic ideals are reflected in the Declaration of Independence and the U.S. Constitution.
- Explain how models of representative democracy are visible in major institutions, policies, events, or debates in the U.S.
- Explain Federalist and Anti-Federalist views on central government and democracy.
- Explain the relationship between key provisions of the Articles of Confederation, and the debate over granting the federal government greater power formerly reserved to the states.
- Explain the impact of political negotiation and compromise at the Constitutional Convention on the development of the constitutional system.
- Explain the constitutional principles of separation of powers and checks and balances.
- Explain the effects of separation of powers and checks and balances for the U.S. political system.
- Explain how the constitutional allocation of power between the national and state governments affects society.
- Explain how the balance of power between national and state governments has changed over time based on interpretations of the Supreme Court of the United States.
- Explain how the distribution of powers between national and state governments impacts policymaking.

## *EVIDENCE OF LEARNING*

**Assessment:**

*What evidence will be collected and deemed acceptable to show that students truly “understand”?*

- Unit 1 Progress Check: MCQ (AP Classroom)
- Unit 1 Progress Check: FRQ Part A (AP Classroom)
- Unit 1 Progress Check: FRQ Part B (AP Classroom)
- Unit Topic Questions (AP Classroom)

### **Learning Activities:**

*What differentiated learning experiences and instruction will enable all students to achieve the desired results?*

- Unit Analytical Readings (AP Classroom)
- Practice Exams (AP Classroom)
- 1.2 and 1.3 Close Reading (Course and Exam Description, pg. 37)
- 1.3 and 1.6 Think-Pair-Share (Course and Exam Description, pg. 37)
- 1.8 Case Notes (Course and Exam Description, pg. 37)
- 1.9 Making Connections (Course and Exam Description, pg. 37)

## ***RESOURCES***

### **Teacher Resources:**

AP United States Government & Politics Pacing Guide

#### *Optional Readings*

- The Mayflower Compact (1620)
- Jon Locke's *Second Treatise of Civil Government* (1690)
- Baron de Montesquieu's ideas about separating powers in government found in *The Spirit of the Laws* (1748)
- “Letters from the Federal Farmer #1” (Anti-Federalist publication)
- Daniel Elazar, “Opening the Third Century of American Federalism: Issues and Prospects” (1990)

#### *Illustrative Examples*

- Thomas Hobbes's definition of an anarchic “state of nature” in the absence of government
- State constitutions during the postcolonial period
- Religious Freedom Restoration Act of 1993
- Impeachment proceedings against Presidents Andrew Johnson, Richard Nixon, Bill Clinton, and Donald Trump
- Congressional response to the Obama administration's executive actions on immigration
- National Recovery Act of 1933
- Devolution revolution of the 1980s
- Federal response to natural disasters such as Hurricanes Katrina and Sandy
- National Minimum Drinking Age Act of 1984
- State-level legalization of marijuana for personal use as in Colorado and Washington (2012)
- New Deal legislation
- Defense of Marriage Act of 1996 and state marriage laws (LGBTQ/D)
- No Child Left Behind Act of 2001
- Violence Against Women Act of 1994 and United States

### **Equipment Needed:**

- Computer and Internet Access
- Projector
- Screen/Smartboard

## *UNIT 2 OVERVIEW*

**Content Area:** Social Studies

**Unit Title:** 2 Interactions Among Branches of Government

**Target Course/Grade Level:** 11-12

**Unit Summary:**

In this unit, students continue to explore policy making, focusing on its complexity and the idea that it is a process involving multiple governmental institutions and actors. Students will look at issues or policies from several different perspectives and then apply their knowledge to better understand the complexity of the policy-making process. The Constitution grants specific powers to Congress, the presidency, and the courts, each of which exercises informal powers (developed through political practice, tradition, and legislation). Because power is widely distributed, and checks prevent one branch from overreaching or usurping powers from the others, institutional actors are in the position where they must both compete and cooperate in order to govern.

**Approximate Length of Unit:** 6-8 weeks (~28 class periods)

## *LEARNING TARGETS*

**NJ Student Learning Standards:**

**6.1.12.CivicsPI.3.a:** Evaluate the effectiveness of the federal government under the Constitution.

**6.1.12.CivicsPI.3.b:** Analyze how the Supreme Court has interpreted the Constitution to define the powers of the federal government.

**6.1.12.CivicsPI.3.c:** Assess the impact of the system of checks and balances on the functioning of the federal government.

**Career Readiness, Life Literacies, and Key Skills:**

**9.4.12.CT.2:** Develop logical solutions to complex problems.

**9.4.12.GCA.1:** Collaborate with individuals of diverse backgrounds to achieve common goals.

**Interdisciplinary Connections and Standards:**

**English Language Arts (NJSLS-ELA)**

**RI.11-12.7.** Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

**RI.11-12.8.** Describe and evaluate the reasoning in seminal U.S. and global texts, including the application of constitutional principles and use of legal reasoning (e.g., in U.S. Supreme Court majority opinions and dissents) and the premises, purposes, and arguments in works of public advocacy (e.g., The Federalist, presidential addresses).

**RI.11-12.9.** Analyze and reflect on (e.g. practical knowledge, historical/cultural context, and background knowledge) documents of historical and literary significance for their themes, purposes and rhetorical features, including primary source documents relevant to U.S. and/or global history.

**Science (NJSL-S)**

**HS-ETS1-3:** Evaluate a solution to a complex real-world problem based on prioritized criteria and trade-offs.

**Unit Understandings:**

*Students will understand that...*

- The republican ideal in the U.S. is manifested in the structure and operation of the legislative branch.
- The presidency has been enhanced beyond its expressed constitutional powers.
- Federalism reflects the dynamic distribution of power between national and state governments.
- The design of the judicial branch protects the Supreme Court's independence as a branch of government, and the emergence and use of judicial review remains a powerful judicial practice.
- The federal bureaucracy implements federal policies.

**Unit Essential Questions:**

- Which branch of government is the most powerful? Why?
- Are there really checks and balances when one political party controls all three branches of government? Why or why not?
- In what ways has the evolution of government powers affected Americans and their daily lives?

**Knowledge and Skills:**

*Students will know...*

**2.1 Congress: The Senate and the House of Representatives**

- Republicanism, the democratic principle that the will of the people is reflected in government debates and decisions by their representatives, is shown in the bicameral structure of Congress. The Senate is designed to represent states equally, while the House is designed to represent the people.
- Different membership sizes influence the formality of debate in each chamber. Debate in the House, which has 435 members, is more formal than in the Senate, with 100 members.
- Interactions in Congress are affected by the two-party system and term-length differences. One-third of the Senate is elected every two years, creating a continuous legislative body. All House members are elected every two years.
- The enumerated and implied powers in the Constitution allow Congress to participate in the public policy process by:
  - Passing a federal budget, raising revenue by laying and collecting taxes, borrowing money, and coining money
  - Declaring war and providing the funds necessary to maintain the armed forces
  - Determining the process for naturalization by which people can become citizens of the U.S.
  - Regulating interstate commerce
  - Creating federal courts and their jurisdictions
  - Enacting legislation under the authority of the necessary and proper clause
  - Conducting oversight of the executive branch, including federal agencies in the bureaucracy

## 2.2 Structures, Powers, and Functions of Congress

- The structures and powers of the Senate and House are different by design. This difference directly affects the legislative process.
- Both chambers refer bills to committees, which conduct hearings and debate and mark up bills with revisions and additions. Leadership in committees is determined by the majority political party.
- Chamber-specific rules and procedures affect the legislative process:
  - In the House, the Speaker is elected by a majority of members and presides over the legislative work in the House. All revenue bills must originate in the House. Rules for debate in the House on a bill are established by the Rules Committee. The House can form a Committee of the Whole in order to expedite debate on bills. An individual representative in the House can file a discharge petition to have a bill brought to the floor for debate, but it is rarely done.
  - In the Senate, bills are typically brought to the floor by unanimous consent, but a Senator may request a hold on a bill to prevent it from getting to the floor for a vote. During debate, a Senator can use the filibuster (a tactic to prolong debate and delay or prevent a vote on a bill) or make a motion for cloture (a procedure to end a debate).
  - When a bill passed by both chambers on the same topic has variation in its wording, a conference committee meets to reconcile those differences.
- Congress must generate a budget that addresses both mandatory and discretionary spending.
  - Mandatory spending is required by law for entitlement programs such as Social Security, Medicare, and Medicaid.
  - Discretionary spending is approved on an annual basis for defense spending, education, and infrastructure. As entitlement costs grow, discretionary spending opportunities will decrease unless tax revenues increase, or the budget deficit increases.
- Pork-barrel legislation (funding for a local project in a larger appropriation bill) and logrolling (combining several pieces of legislation into one bill to secure enough votes for passage) affect the legislative process in both chambers.

## 2.3 Congressional Behavior

- Congressional behavior and governing effectiveness are influenced by ideological divisions between political parties. Partisan voting (when members of Congress vote based on their political party affiliation) and polarization (when political attitudes move toward ideological extremes) can lead to gridlock (a situation in which no congressional action on legislation can be taken due to a lack of consensus).
- Gerrymandering, redistricting, and unequal representation of constituencies have been partially addressed by Supreme Court cases that opened the door for equal protection challenges to redistricting. (AAH)
- Elections that have led to a divided government (when one party controls the presidency and the other party controls at least one of the chambers of Congress) can lead to more intense partisanship. This partisanship can result in members of Congress voting against presidential initiatives and appointments, especially those of a lame duck president.
- Accountability to constituents in each chamber is affected by how representatives perceive their roles.
  - A representative who conceives of their role as a trustee will vote on issues based on their own knowledge and judgment.
  - A representative acting as a delegate sees themselves as an agent of those who elected them and will vote on issues based on the interests of their constituents.
  - A politico uses a combination of these role conceptions.

## 2.4 Roles and Powers of the President

- Presidents use powers and perform functions of the office, with support from the Vice-President, Cabinet, and Executive Office of the President, to accomplish a policy agenda.
- The powers of the president include both formal and informal powers:
  - Vetoes and pocket vetoes are formal powers that enable the president to check Congress, but vetoes can be overridden with a 2/3 vote while pocket vetoes cannot be overridden with a 2/3 vote.
  - Foreign policy powers that influence relations with foreign nations are both formal (commander-in-chief and treaties) and informal (executive agreements).
  - Bargaining and persuasion are informal powers that enable the president to secure congressional action.
  - Executive orders allow the president to manage the federal government and are implied by the president's vested executive power or by power delegated by Congress.
  - Signing statements are informal powers that inform Congress and the public of the president's interpretation of laws passed by Congress and signed by the president.

## 2.5 Checks on the Presidency

- Senate confirmation ("advise and consent") is an important check on appointment powers but there can be a potential for conflict based on who is chosen by the president for appointments, including:
  - Cabinet members
  - Ambassadors
  - Some positions within the Executive Office of the President
  - Supreme Court Justices, Court of Appeals judges, and District Court judges
- Senate confirmation is an important check on appointment powers, but the president's longest-lasting influence lies in life-tenured judicial appointments.
- Policy conflicts with the congressional agenda (the formal list of policies Congress is considering at any given time) can lead the president to use executive orders and directives to the bureaucracy to address the president's own agenda items.

## 2.6 Expansion of Presidential Power

- Federalist No. 70 offers justification for a single executive by arguing a strong executive is "essential to the protection of the country against foreign attacks, to the steady administration of the laws, to the protection of property, and to the security of liberty."
- Passage of the Twenty-Second Amendment, which established presidential term limits, demonstrates concern about the expansion of presidential power.
- Different perspectives on the presidential role, ranging from a limited to a more expansive interpretation and use of power, continue to be debated in the context of contemporary events.

## 2.7 Presidential Communication

- The impact of presidential communication has increased with advances in communication technology.
- Modern technology, such as social media, allows for rapid responses to political issues.
- Nationally broadcast State of the Union messages and the president's bully pulpit are tools for agenda setting that use the media to influence public views about which policies are the most important.

## 2.8 The Judicial Branch

- The foundation for powers of the judicial branch and the argument for how its independence checks the power of other branches is set forth in the following documents, respectively:

- Article III of the Constitution
- Federalist No. 78

## 2.9 The Role of the Judicial Branch

- Stare decisis (the legal doctrine under which courts follow legal precedents when deciding cases with similar facts) plays an important role in judicial decision-making.
- Ideological changes in the composition of the Supreme Court due to presidential appointments have led to the Court's establishing new or rejecting existing precedents.

## 2.10 The Court in Action

- Life tenure for justices allows the court to function independent of the current political climate. As a result of this independence, the Court can deliver controversial or unpopular court decisions, which in turn can lead to debate about the court's power.

## 2.11 Checks on the Judicial Branch

- Political discussion about the Supreme Court's power is illustrated by the ongoing debate over differing interpretations of judicial review.
  - Judicial activism asserts that judicial review allows the courts to overturn current Constitutional and case precedent or invalidate legislative or executive acts.
  - Judicial restraint asserts that judicial review should be constrained to decisions that adhere to current Constitutional and case precedent.
- Restrictions on the Supreme Court are represented by:
  - Congressional legislation to modify the impact of prior Supreme Court decisions
  - Ratification of a Constitutional amendment Judicial appointments and confirmations which may shift the ideological balance of the court
  - The president and states delaying implementation of a Supreme Court decision
  - Enacting legislation to limit the cases the Supreme Court can hear on appeal by removing the court's jurisdiction over a case

## 2.12 The Bureaucracy

- The federal bureaucracy is composed of departments, agencies, commissions, and government corporations that implement policy by:
  - Writing and enforcing regulations Issuing fines Testifying before Congress
  - Forming iron triangles (alliances of congressional committees, bureaucratic agencies, and interest groups that are prominent in specific policy areas)
  - Creating issue networks (temporary coalitions that form to promote a common issue or agenda)
- The civil service primarily uses a merit system that prioritizes hiring and promotion based on professionalism, specialization, and neutrality, as opposed to political patronage, whereby bureaucratic jobs are politically appointed.

## 2.13 Discretion and Rulemaking Authority

- The federal bureaucracy uses discretionary power as delegated by Congress to interpret and implement policies. Through their rulemaking authority, federal bureaucratic agencies utilize their discretion to create and enforce regulations. Bureaucratic agencies include:
  - Department of Homeland Security
  - Department of Transportation
  - Department of Veterans Affairs

- Department of Education
- Environmental Protection Agency (EPA)
- Federal Elections Commission (FEC)
- Securities and Exchange Commission (SEC)

## 2.14 Holding the Bureaucracy Accountable

- Congressional oversight of the bureaucracy to ensure that legislation is implemented as intended includes:
  - Review, monitoring, and supervision of bureaucratic agencies
  - Investigation and committee hearings of bureaucratic activity
  - Power of the purse (the ability of Congress to check the bureaucracy by appropriating or withholding funds)
- As a means to curtail the use of presidential power, congressional oversight serves as a check of executive authorization.
- Presidential ideology, authority, and influence affect how executive branch agencies carry out the goals of the administration.
- Compliance monitoring ensures that funds are being used properly and regulations are being followed. Compliance monitoring can pose a challenge to policy implementation.

## 2.15 Policy and the Branches of Government

- Formal and informal powers of Congress, the president, and the courts over the bureaucracy are used to maintain its accountability.
- The allocation of powers among the three branches of government creates multiple access points for stakeholders and institutions to influence public policy.
- National policymaking is constrained by the sharing of powers between the three branches.

*Students will be able to...*

- Describe the different structures, powers, and functions of each house of Congress.
- Explain how the structure, powers, and functions of both houses of Congress affect the policymaking process.
- Explain how congressional behavior is influenced by election processes, partisanship, and divided government.
- Explain how the president can implement a policy agenda.
- Explain how the president's agenda can create tension and frequent confrontations with Congress.
- Explain how presidents have interpreted and justified their use of formal and informal powers.
- Explain how communication technology has changed the president's relationship with the national constituency and the other branches.
- Explain the principle of judicial review and how it checks the power of other branches.
- Explain the role of legal precedent in judicial decision making.
- Explain how life tenure can lead to debate about the Supreme Court's power.
- Explain how the exercise of judicial review can lead to debate about the Supreme Court's power.
- Explain how other branches in the government can limit the Supreme Court's power.
- Explain how the bureaucracy carries out the responsibilities of the federal government.
- Explain how the federal bureaucracy uses delegated discretionary authority for rulemaking and implementation.
- Explain how Congress uses its oversight power in its relationship with the executive branch.
- Explain how the president ensures that executive branch agencies and departments carry out their responsibilities in concert with the goals of the administration.
- Explain the extent to which governmental branches can hold the bureaucracy accountable given the competing interests of Congress, the president, and the federal courts.

- Explain how the distribution of powers among the three branches of government impacts policymaking.

## ***EVIDENCE OF LEARNING***

### **Assessment:**

*What evidence will be collected and deemed acceptable to show that students truly “understand”?*

- Unit 2 Progress Check: MCQ Part A (AP Classroom)
- Unit 2 Progress Check: MCQ Part B (AP Classroom)
- Unit 2 Progress Check: FRQ (AP Classroom)
- Unit Topic Questions (AP Classroom)

### **Learning Activities:**

*What differentiated learning experiences and instruction will enable all students to achieve the desired results?*

- Unit Analytical Readings (AP Classroom)
- Practice Exams (AP Classroom)
- 2.2 Graphic Organizer (Course and Exam Description, pg. 52)
- 2.5 Quickwrite (Course and Exam Description, pg. 52)
- 2.11 Socratic Seminar (Course and Exam Description, pg. 52)
- 2.15 Match Claims and Evidence (Course and Exam Description, pg. 52)

## ***RESOURCES***

### **Teacher Resources:**

AP United States Government & Politics Pacing Guide

#### *Optional Readings*

- David Mayhew’s “Is Congress ‘the Broken Branch’?” Boston University Law Review (2009)
- Barbara Sinclair’s “From Sam Rayburn to Newt Gingrich: The Development of the Partisan Congress”
- Chapter 1 of *Party Wars: Polarization and the Politics of National Policy Making* (2011)
- Franklin Delano Roosevelt’s State of the Union Address (1941)
- William Howard Taft’s *Our Chief Magistrate and His Powers* (1916)
- *Theodore Roosevelt: An Autobiography* (1913)

#### *Illustrative Examples*

- Omnibus Budget Reconciliation Act of 1985
- whips, calendar assignment, rider amendments
- Supreme Court nomination of Merrick Garland

- Conflicts in Vietnam, Iraq, Kosovo, Libya, Syria
- No Child Left Behind Act (2001)
- Appointments of Sandra Day O'Connor and Thurgood Marshall
- Failed appointments: Robert Bork, John Tower, and Abe Fortas
- President Reagan's televised "Address to the Nation on Federal Tax Reduction" (1981)
- *Martin v. Hunter's Lessee* (1816)
- New Deal conflict (Congress)
- *United States v. Nixon* (1974)
- *Swann v. Charlotte-Mecklenburg Board of Education* (1970)
- *Milliken v. Bradley* (1974)
- President Franklin D. Roosevelt's court-packing plan
- The Sixteenth Amendment and federal income tax
- Federal Communications Commission (FCC)
- Pendleton Civil Service Act (1883)
- Transportation Safety Administration (TSA)
- Oversight of intelligence agencies following the 9/11 terrorist attacks
- Joint committees
- Budget and Impoundment Control Act (1974)
- Lyndon B. Johnson's Executive Order 11246 (Affirmative Action and Government Contracts),
- EPA Superfund management under the Reagan administration
- legislative veto

**Equipment Needed:**

- Computer and Internet Access
- Projector
- Screen/Smartboard

## *UNIT 3 OVERVIEW*

**Content Area:** Social Studies

**Unit Title:** 3 Civil Liberties and Civil Rights

**Target Course/Grade Level:** 11-12

**Unit Summary:**

Students will connect the founding principles of our government to the debates over the appropriate balance of liberty and order, noting how citizens and other groups have pursued policy solutions to protect the civil liberties and civil rights of all Americans, laying the foundation for later discussions about other ways citizens can participate in the government.

The U.S. Constitution, primarily through the Bill of Rights and the Fourteenth Amendment, protects the civil liberties and civil rights of citizens, though the extent of those protections and the need to protect the safety and general welfare of individuals has long been debated. Through social movements, legal challenges, and acts of Congress, citizens have attempted to restrict the government from unduly infringing on individual rights and from denying equal protection under the law.

**Approximate Length of Unit:** 5-7 weeks (~26 class periods)

## *LEARNING TARGETS*

**NJ Student Learning Standards:**

**6.1.12.CivicsDP.5.a:** Analyze the effectiveness of the Bill of Rights in protecting individual liberties.

**6.1.12.CivicsDP.13.a:** Evaluate the impact of landmark Supreme Court decisions on civil rights and liberties.

**6.3.12.CivicsDP.1:** Analyze the role of individuals and groups in promoting civil rights and liberties.

**Career Readiness, Life Literacies, and Key Skills:**

**9.4.12.IML.7:** Evaluate the impact of media on public opinion and policy.

**9.4.12.CI.1:** Demonstrate the ability to reflect on one's own thinking, reasoning, and learning processes.

**Interdisciplinary Connections and Standards:**

**RI.11-12.8:** Delineate and evaluate the reasoning in seminal U.S. texts.

**RI.11-12.9:** Analyze seminal U.S. documents of historical and literary significance.

**Unit Understandings:**

*Students will understand that...*

- Provisions of the U.S. Constitution's Bill of Rights are continually being interpreted to balance the power of government and the civil liberties of individuals.
- Protections of the Bill of Rights have been selectively incorporated by way of the Fourteenth Amendment's due process clause to prevent state infringement of basic liberties.
- The Fourteenth Amendment's equal protection clause as well as other constitutional provisions have often been used to support the advancement of equality. (AAH) (LGBTQ/D) (AAPI)
- Public policy promoting civil rights is influenced by citizen-state interactions and constitutional interpretation over time.
- The Court's interpretation of the U.S. Constitution is influenced by the composition of the Court and citizen-state interactions. At times, it has restricted minority rights and, at others, protected them. (AAH) (LGBTQ/D) (AAPI)

### Unit Essential Questions:

- In what ways does the Constitution attempt to limit abuse of government powers?
- How can individuals and groups help protect civil liberties and civil rights?
- Why have Supreme Court decisions about civil liberties and civil rights changed over time?

### Knowledge and Skills:

*Students will know...*

#### 3.1 The Bill of Rights

- The U.S. Constitution includes a Bill of Rights specifically designed to protect individual liberties and rights.
- Civil liberties are constitutionally established guarantees and freedoms that protect citizens, opinions, and property against arbitrary government interference.
- The application of the Bill of Rights is continuously interpreted by the courts.
- The Bill of Rights consists of the first ten Amendments to the Constitution, which enumerate (list) the liberties and rights of individuals.

#### 3.2 First Amendment: Freedom of Religion

- The interpretation and application of the First Amendment's establishment and free exercise clauses reflect an ongoing tension between government power to make law and an individual's right to religious freedom.

#### 3.3 First Amendment: Freedom of Speech

- The Supreme Court has held that speech, including symbolic speech (nonverbal action that communicates an idea or belief), is protected by the First Amendment.
- Efforts to balance social order and individual freedom are reflected in interpretations of the First Amendment that limit speech, including:
  - Time, place, and manner regulations that impose restrictions such as limits on the time of day an event can be held, limits on where an event can be held, and limits on the noise levels at an event.
  - Limitations on some obscene and offensive communication.
  - Protections against defamation (language that harms the reputation of another) including libel (written communication) and slander (oral communication).
  - Restrictions on speech that create a clear and present danger and subsequent interpretations which have refined those restrictions (*Schenck*).

### **3.4 First Amendment: Freedom of the Press**

- The Supreme Court bolstered the freedom of the press, affirming support for a heavy presumption against prior restraint even in cases involving national security (*NYT v. United States*).

### **3.5 Second Amendment: Right to Bear Arms**

- The Supreme Court's decisions on the Second Amendment rest upon its constitutional interpretation of the right to bear arms.

### **3.6 Amendments: Balancing Individual Freedom with Public Order and Safety**

- Court decisions defining cruel and unusual punishment involve interpretation of the Eighth Amendment and its application to death penalty statutes.
- The debate about the Second and Fourth Amendments involves concerns about public safety and whether or not the government regulation of firearms or collection of digital metadata promotes or interferes with public safety and individual rights.

### **3.7 Selective Incorporation**

- The doctrine of selective incorporation has imposed limitations on state regulation of civil liberties by extending select protections of the Bill of Rights to the states through the due process clause of the Fourteenth Amendment.

### **3.8 Amendments: Due Process and the Rights of the Accused**

- The Fifth and Fourteenth Amendments include clauses which state that the government may not infringe on a person's right to life, liberty, or property without due process of law. The due process clause in the Fifth Amendment applies to the national government and the due process clause in the Fourteenth Amendment applies to states. Some government interests may justify the restriction of individual rights; for example, speech can be limited when it is shown to present a danger to public safety.
- Procedural due process requires that government officials use methods that are not arbitrary when making and carrying out decisions affecting constitutionally protected rights. These procedural due process protections are reinforced by key protections enshrined in other provisions of the Bill of Rights and key legal doctrines established by the Supreme Court. For example, the Miranda rule requires accused persons to be informed of some procedural protections found in the Fifth and Sixth Amendments prior to interrogation. However, these procedural protections are not absolute. A public safety exception has been sanctioned by the Court that allows unwarned interrogation to stand as direct evidence in court.
- Procedural rights of the accused and the prohibition of unreasonable searches and seizures are intended to ensure that individual liberties are not eclipsed by the need for social order and security, including:
  - The right to legal counsel, speedy and public trial, and an impartial jury
  - Protection against warrantless searches of cell phone data under the Fourth Amendment
  - Limitations placed on bulk collection of telecommunication metadata (Patriot and USA Freedom Acts)
- Procedural due process also protects the rights of the accused during a trial. The Bill of Rights guarantees the right to an attorney and protection from unreasonable searches and seizures. The exclusionary rule, as decided by the Supreme Court, stipulates that evidence illegally seized by law enforcement officers in violation of the suspect's Fourth Amendment rights (including the right to be free from unreasonable searches and seizures) cannot be used against that suspect in criminal prosecution.

### 3.9 Amendments: Due Process and the Right to Privacy

- Over time, the Supreme Court has recognized constitutionally protected rights that are not explicitly listed in the Bill of Rights. These unenumerated rights include the right to privacy. Justices and scholars have drawn on several arguments to defend the existence of unenumerated rights. Some argue that an unenumerated right is implied by certain amendments that assume the existence of such rights. Others argue that the Ninth Amendment, which states that individuals have protected rights beyond those listed in the first eight amendments, provides support for the existence of unenumerated rights. In a range of cases, the Supreme Court has used substantive due process to examine whether government laws and actions are arbitrary infringements of individual rights.
- While a right to privacy is not explicitly named in the Constitution, the Supreme Court, in *Griswold v. Connecticut* (1965), interpreted the due process clause to protect the right of privacy from government infringement. In *Roe v. Wade* (1973), the Supreme Court held that the application of substantive due process further extended the privacy right to abortion. The Supreme Court's decision in *Dobbs v. Jackson Women's Health Organization* (2022) overturned *Roe v. Wade*, holding that the Constitution does not confer a right to abortion, leaving decisions about the regulation of abortion to legislatures. The actions that are protected by the right to privacy and substantive due process continue to be debated.

### 3.10 Social Movements and Equal Protection

- Civil rights protect individuals from discrimination based on characteristics such as race, national origin, religion, and sex; these rights are guaranteed to all persons under the due process and equal protection clauses of the U.S. Constitution, as well as acts of Congress.
- The civil rights movement, the women's rights movement, and advocacy for LGBTQ rights are evidence of how the equal protection clause can support and motivate social movements, as represented by: (AAH) (LGBTQ/D) (AAPI)
  - Dr. Martin Luther King's "Letter from a Birmingham Jail" and the civil rights movement of the 1960s (AAH)
  - The National Organization for Women and the women's rights movement
  - The pro-life and pro-choice movements

### 3.11 Government Response to Social Movements

- The government can respond to social movements through court rulings and/or policies.
  - Supreme Court decisions which declared that race-based school segregation violates the Fourteenth Amendment's equal protection clause (*Brown*).
  - The Civil Rights Act of 1964 prohibits discrimination in public places, provides for the integration of schools and other public facilities, and makes employment discrimination illegal. (AAH)
  - Title IX of the Education Amendments Act of 1972 prohibits sex discrimination in any education program or activity receiving federal financial assistance.
  - The Voting Rights Act of 1965 prohibits racial discrimination in voting. (AAH) (AAPI)

### 3.12 Balancing Minority and Majority Rights

- Decisions demonstrating that minority rights have been restricted at times and protected at other times include:
  - State laws and Supreme Court holdings based on the "separate but equal" doctrine restricting African American access to the same restaurants, hotels, schools, etc., as the majority white population (*Plessy v. Ferguson*). (AAH)
  - Court decisions declaring that race-based school segregation violates the Fourteenth Amendment's equal protection clause (*Brown*). (AAH)

- The Supreme Court upholding the rights of the majority in cases that limit and prohibit majority-minority districting (*Shaw*). (AAH)

### 3.13 Affirmative Action

- Affirmative action refers to policies intended to address workplace and educational disparities related to race, ethnic origin, gender, disability, and age. Supreme Court debate has focused on whether affirmative action is protected by the equal protection clause of the Fourteenth Amendment to the Constitution. (AAH) (LGBTQ/D) (AAPI)

*Students will be able to...*

- Explain how the U.S. Constitution protects individual liberties and rights.
- Describe the rights protected in the Bill of Rights.
- Explain the extent to which the Supreme Court’s interpretation of the First Amendment reflects a commitment to religious liberty.
- Explain the extent to which the Supreme Court’s interpretation of the First Amendment reflects a commitment to free speech.
- Explain the extent to which the Supreme Court’s interpretation of the First Amendment reflects a commitment to individual liberty.
- Explain how the Supreme Court has attempted to balance claims of individual freedom with laws and enforcement procedures that promote public order and safety.
- Explain the implications of the doctrine of selective incorporation.
- Explain the extent to which the government is limited by procedural due process from infringing upon individual rights
- Explain the extent to which the government is limited by substantive due process from infringing upon individual rights.
- Explain how constitutional provisions have supported and motivated social movements.
- Explain how the government has responded to social movements.
- Explain how the Court has at times allowed the restriction of the civil rights of minority groups and at other times has protected those rights. (AAH) (LGBTQ/D) (AAPI)
- Describe Supreme Court debates about affirmative action policies. (AAH) (LGBTQ/D) (AAPI)

## EVIDENCE OF LEARNING

### Assessment:

*What evidence will be collected and deemed acceptable to show that students truly “understand”?*

- Unit 3 Progress Check: MCQ (AP Classroom)
- Unit 3 Progress Check: FRQ Part A (AP Classroom)
- Unit 3 Progress Check: FRQ Part B (AP Classroom)
- Unit 3 Progress Check: FRQ Part C (AP Classroom)
- Unit Topic Questions (AP Classroom)

### Learning Activities:

*What differentiated learning experiences and instruction will enable all students to achieve the desired results?*

- Unit Analytical Readings (AP Classroom)

- Practice Exams (AP Classroom)
- 3.2 Graphic Organizer (Course and Exam Description, pg. 77)
- 3.3 Think-Pair-Share (Course and Exam Description, pg. 77)
- 3.10 Fishbowl (Course and Exam Description, pg. 77)
- 3.11 Matching Claims and Evidence (Course and Exam Description, pg. 77)

## *RESOURCES*

### Teacher Resources:

AP United States Government & Politics Pacing Guide

#### *Optional Readings*

- None

#### *Illustrative Examples*

- *West Virginia Board of Education v. Barnette* (1943)
- *Morse v. Frederick* (2007)
- *District of Columbia v. Heller* (2008)
- Bans on polygamy (*Reynolds v. United States*) and use of peyote in religious ceremonies (*Employment Division v. Smith*)
- *Riley v. California* (2014)
- *Pierce v. Society of Sisters* (1925)
- Hyde Amendment of 1976 barred the use of certain federal funds to pay for abortions outside of incest, rape, or endangerment to the life of the pregnant woman
- *Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls* (2008)
- Equal treatment in public accommodations (Title II) equal employment opportunities (Title VII), and opportunities for women to participate in athletics (Title IX) (AAH) (LGBTQ/D) (AAPI)
- *Reed v. Reed* (1971)
- Hatch Amendment (proposed 1981)
- *Milliken v. Bradley* (1974) (AAH)
- *Parents Involved in Community Schools v. Seattle School District No. 1* (2007) (AAH)
- *Regents of the University of California v. Bakke* (1978) (AAH) (AAPI)
- *Gratz v. Bollinger and Grutter v. Bollinger* (2003) (AAH) (AAPI)

### Equipment Needed:

- Computer and Internet Access
- Projector
- Screen/Smartboard

## ***UNIT 4 OVERVIEW***

**Content Area:** Social Studies

**Unit Title:** 4 American Political Ideologies and Beliefs

**Target Course/Grade Level:** 11-12

**Unit Summary:**

Connecting the application of political science methods to the development of social and economic policies that Americans support, advocate for, and adopt is foundational to understanding the ideologies of political parties and patterns of political participation. American political beliefs are shaped by founding ideals, core values, linkage institutions (i.e., elections, political parties, interest groups, and the media in all its forms), and the changing demographics of citizens. These beliefs about government, politics, and the individual's role in the political system influence the creation of public policies.

**Approximate Length of Unit:** 4-5 weeks (~22 class periods)

## ***LEARNING TARGETS***

**NJ Student Learning Standards:**

**6.1.12.CivicsPI.14.a:** Evaluate the influence of political ideologies on policy decisions.

**6.1.12.CivicsPI.14.b:** Analyze the impact of public opinion on government actions.

**Career Readiness, Life Literacies, and Key Skills:**

**9.4.12.IML.2:** Evaluate the credibility and relevance of information sources.

**9.4.12.CI.3:** Develop, implement, and communicate new ideas to others effectively.

**Interdisciplinary Connections and Standards:**

**English Language Arts (NJSLA-ELA)**

**RI.11-12.7.** Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

**RI.11-12.8.** Describe and evaluate the reasoning in seminal U.S. and global texts, including the application of constitutional principles and use of legal reasoning (e.g., in U.S. Supreme Court majority opinions and dissents) and the premises, purposes, and arguments in works of public advocacy (e.g., The Federalist, presidential addresses).

**RI.11-12.9.** Analyze and reflect on (e.g. practical knowledge, historical/cultural context, and background knowledge) documents of historical and literary significance for their themes, purposes and rhetorical features, including primary source documents relevant to U.S. and/or global history.

## **Unit Understandings:**

*Students will understand that...*

- Citizen beliefs about government are shaped by the intersection of demographics, political culture, and dynamic social change.
- Public opinion is measured through scientific polling, and the results of public opinion polls influence public policies and institutions.
- Widely held political ideologies shape policy debates and choices in American policies.

## **Unit Essential Questions:**

- How do our core beliefs about the role of government affect our behavior?
- How does our view of what freedom is shape our opinions?
- Why are some opinion polls better than others?
- How can policy-makers use information from political science to make decisions?

## **Knowledge and Skills:**

*Students will know...*

### **4.1 American Attitudes About Government and Politics**

- Different interpretations of core values, including individualism (each person has the ability to shape their life and destiny through the choices they make), equality of opportunity (all people are given an equal chance to compete), free enterprise (the market determines prices, products, and services), and rule of law (every person, even those in power, must follow and is accountable to the same laws that govern all), affect the relationship between citizens and the federal government and that citizens have with each other.

### **4.2 Political Socialization**

- Political socialization refers to the process by which individuals develop political beliefs, values, opinions, and behaviors. Family, schools, peers, media, and social environments (including civic and religious organizations) contribute to the development of an individual's political attitudes and values through the process of political socialization.
- U.S. political culture is defined by its democratic ideals, principles, and core values. As a result of globalization, U.S. political culture has both influenced and been influenced by the values of other countries.

### **4.3 Changes in Ideology**

- Generational effects (experiences shared by people of a common age) and life cycle effects (experiences a person encounters during different life stages) contribute to the development of a person's political ideology.

### **4.4 Influence of Political Events on Ideology**

- Major political events can influence the development of individual political attitudes, which is an example of political socialization. Political socialization, in turn, influences political ideology.

### **4.5 Measuring Public Opinion**

- Public opinion data that can affect elections and policy debates is influenced by different types of scientific polls such as:
  - Opinion polls (measuring public opinion on various issues)
  - Benchmark polls (creating baseline views of a candidate)
  - Tracking polls (following how views of a candidate change during a campaign)
  - Exit polls (collecting data on why people voted the way they did)
- Public opinion data that can affect elections and policy debates is influenced by polling methodology. Polling methodology is more precise when it includes:
  - Accurate sampling methods, including calculating a margin of error
  - Neutral framing of questions (specific and unbiased wording of questions)
  - Accurate reporting (clear reporting and conclusions that can be supported by the data)

#### **4.6 Evaluating Public Opinion Data**

- The relationship between scientific polling and elections and policy debates is affected by the:
  - Importance of public opinion as a source of political influence in a given election or policy debate
  - Reliability and veracity of public opinion data

#### **4.7 Ideologies of Political Parties**

- The Democratic Party (D or DEM) platforms generally align more closely to liberal ideological positions, and the Republican Party (R or GOP) platforms generally align more closely to conservative ideological positions.

#### **4.8 Ideology and Policy Making**

- Because the U.S. is a democracy with a diverse society, public policies generated at any given time reflect the attitudes and beliefs of citizens who choose to participate in politics at that time.
- The balancing dynamic of individual liberty and government efforts to promote stability and order has been reflected in policy debates and their outcomes over time.

#### **4.9 Ideology and Economic Policy**

- Liberal ideologies favor more governmental regulation of the marketplace, conservative ideologies favor fewer regulations, and libertarian ideologies favor little or no regulation of the marketplace beyond the protection of property rights and voluntary trade.
- Fiscal policy consists of actions taken by Congress and the president to influence economic conditions and includes Keynesian and supply-side positions.
- Monetary policy consists of actions taken by the Federal Reserve (the Fed) to influence interest rates which affect broader economic conditions. The Fed is an independent agency which seeks to achieve maximum employment and price stability

#### **4.10 Ideology and Social Policy**

- Liberal ideologies generally favor more national government involvement to address some social issues such as education and public health, with less responsibility for these issues left to state governments.
- Conservative ideologies generally favor less national government involvement to address some social issues such as education and public health, with more responsibility for these issues left to state governments.
- Libertarian ideologies generally favor little national or state government involvement except when national or state government is protecting private property or individual liberty

- Policy trends concerning the level of government involvement in social issues reflect the success of conservative or liberal perspectives in political parties.

*Students will be able to...*

- Explain the relationship between core beliefs of U.S. citizens and attitudes about the role of government.
- Explain how cultural factors influence political socialization.
- Explain how social factors impact political ideology.
- Explain how major political events influence political ideology.
- Describe the elements of a scientific poll.
- Explain the quality and credibility of claims based on public opinion data.
- Explain how ideologies of the two major parties shape policy debates.
- Explain how U.S. political culture (e.g., democratic ideals, principles, and core values) influences the formation, goals, and implementation of public policy over time.
- Explain how different political ideologies affect the role of government in regulating the marketplace.
- Explain how fiscal and monetary policy actions influence economic conditions.
- Explain how political ideologies vary on the role of the government in addressing social issues.
- Explain how different ideologies affect policy on social issues.

## ***EVIDENCE OF LEARNING***

### **Assessment:**

*What evidence will be collected and deemed acceptable to show that students truly “understand”?*

- Unit 4 Progress Check: MCQ (AP Classroom)
- Unit 4 Progress Check: FRQ (AP Classroom)
- Unit Topic Questions (AP Classroom)

### **Learning Activities:**

*What differentiated learning experiences and instruction will enable all students to achieve the desired results?*

- Unit Analytical Readings (AP Classroom)
- Practice Exams (AP Classroom)
- 4.1 Close Read (Course and Exam Description, pg. 97)
- 4.2 Discussion Group (Course and Exam Description, pg. 97)
- 4.5 Create Representation (Course and Exam Description, pg. 97)
- 4.6 and 4.8 Guided Discussion (Course and Exam Description, pg. 97)

## ***RESOURCES***

### **Teacher Resources:**

AP United States Government & Politics Pacing Guide

### Optional Readings

- Alexis de Tocqueville’s “The Origin of the Anglo-Americans” and “Social Condition of the Anglo-Americans”
- Chapters 2 and 3 of *Democracy in America* (1835)
- Suzanne Mettler’s *Confronting the Submerged State* (2011), George Will’s *Statecraft as Soulcraft: What Government Does* (1983)
- Robert Putnam’s “Bowling Alone: America’s Declining Social Capital,” *Journal of Democracy* (1995)
- Thomas Friedman’s *The World Is Flat 3.0* (2007) or Joseph Stiglitz’s *Making Globalization Work* (2006)
- Matt Barreto and Gary Segura’s *Latino America: How America’s Most Dynamic Population Is Poised to Transform the Politics of the Nation* (2014)
- Cathy J. Cohen’s *Democracy Remixed: Black Youth and the Future of American Politics* (2010)
- Washington’s warnings of political factionalism in his Farewell Address (1796)
- Seymour Martin Lipset’s “Ideology, Politics, and Deviance,” Chapter 1 of *American Exceptionalism: A Double-Edged Sword* (1996)

### Illustrative Examples

- Participating in Scouts or serving on a school board
- Carter–Reagan election of 1980
- Obama–Romney election of 2012
- Clinton–Trump election of 2016
- Personal Responsibility and Work Opportunity Act of 1996
- DREAM Act and debate over making English the official national language
- multiculturalism versus assimilation
- Ideological positions on the inheritance tax and the minimum wage
- *Planned Parenthood v. Casey* (1992)
- Ideological positions on school vouchers litigated in *Zelman v. Simmons-Harris* (2002)
- Differing state requirements for marriage and *Obergefell v. Hodges* (2015) ruling on same-sex marriage (LGBTQ/D)

### Equipment Needed:

- Computer and Internet Access
- Projector
- Screen/Smartboard

## *UNIT 5 OVERVIEW*

**Content Area:** Social Studies

**Unit Title:** 5 Political Participation

**Target Course/Grade Level:** 11-12

**Unit Summary:**

Students should understand the many ways that they can influence policy-makers and impact the decisions that will affect their daily lives.

The principle of rule by the people is the bedrock of the American political system and requires that citizens engage and participate in the development of policy. Under our Constitution, governing is achieved directly through citizen participation, although there are institutions (e.g., political parties, interest groups, and mass media) that inform, organize, and mobilize support to influence government and politics, resulting in many venues for citizen influence on policy making.

**Approximate Length of Unit:** 3-4 weeks (~18 lessons)

## *LEARNING TARGETS*

**NJ Student Learning Standards:**

**6.1.12.CivicsPD.16.a:** Analyze the role of political parties and interest groups in shaping public policy.

**6.1.12.CivicsPD.16.b:** Evaluate the impact of media on political participation and public opinion.

**6.3.12.CivicsPD.1:** Analyze the effectiveness of various forms of political participation.

**Career Readiness, Life Literacies, and Key Skills:**

**9.4.12.GCA.2:** Demonstrate openness to diverse perspectives and cultures.

**9.4.12.CT.3:** Evaluate the effectiveness of various solutions to a problem.

**Interdisciplinary Connections and Standards:**

**English Language Arts (NJSLS-ELA)**

**RI.11-12.7.** Integrate and evaluate multiple sources of information presented in different media or formats (e.g., visually, quantitatively) as well as in words in order to address a question or solve a problem.

**RI.11-12.8.** Describe and evaluate the reasoning in seminal U.S. and global texts, including the application of constitutional principles and use of legal reasoning (e.g., in U.S. Supreme Court majority opinions and dissents) and the premises, purposes, and arguments in works of public advocacy (e.g., *The Federalist*, presidential addresses).

**RI.11-12.9.** Analyze and reflect on (e.g. practical knowledge, historical/cultural context, and background knowledge) documents of historical and literary significance for their themes, purposes and rhetorical features, including primary source documents relevant to U.S. and/or global history.

## Unit Understandings:

*Students will understand that...*

- Factors associated with political ideology, efficacy, structural barriers, and demographics influence the nature and degree of political participation.
- Political parties, interest groups, and social movements provide opportunities for participation and influence how people relate to government and policy-makers.
- The impact of federal policies on campaigning and electoral rules continues to be contested by both sides of the political spectrum.

## Unit Essential Questions:

- Why do some people choose to participate in government while others do not?
- How does your social network affect your political beliefs?
- Why might you join a political party? Why might you choose not to?
- How does who you are affect whether you participate or not?
- The various forms of media provide citizens with political information and influence the ways in which they participate politically.

## Knowledge and Skills:

*Students will know...*

### 5.1 Voting Rights and Models of Voting Behavior

- Expansion of opportunities for political participation are found in the legal protections of the Amendments to the Constitution.
- Various political models explain differences in voting behavior.
  - Rational choice voting refers to individuals who base their decisions on what is perceived to be in their best interest.
  - Retrospective voting refers to individuals who decide whether the party or candidate in power should be reelected based on the recent past.
  - Prospective voting refers to individuals who vote based on predictions of how a party or candidate will perform in the future.
  - Straight ticket voting refers to individuals who vote for all of the candidates from one political party on a ballot.

### 5.2 Voter Turnout

- Structural barriers (such as polling hours, availability of absentee ballots, etc.), political efficacy (the belief that an individual's participation in the political process will make a difference), and demographics can influence differences in voter turnout in the U.S.
- The following can influence voter turnout:
  - Differences in state-controlled elections (the hours polls are open, Voter ID laws, variations in funding for polling places and workers, variations in types of voting allowed, such as voting by mail, absentee voting, and early voting)
  - Variations in voter registration laws and procedures (registering in-person, online, or automatically)
  - Election type (more turnout for presidential elections than midterm elections)
- Demographic characteristics and political efficacy or engagement are used to predict the likelihood of whether an individual will vote.
- Factors influencing voter choice include:

- Party identification and ideological orientation
- Candidate characteristic
- Contemporary political issues
- Religious beliefs or affiliation, age, gender, race and ethnicity, and other demographic characteristics

### **5.3 Political Parties**

- Linkage institutions are channels that allow individuals to communicate their preferences to policy-makers:
  - Political parties
  - Interest groups
  - Elections
  - Media
- The functions and impact of political parties on the electorate and government are represented by:
  - Mobilization and education of voters
  - Party platforms
  - Candidate recruitment
  - Campaign management, including fundraising and media strategy
  - The committee and party leadership systems in legislatures

### **5.4 How and Why Political Parties Change and Adapt**

- Parties have adapted to candidate-centered campaigns where the public focus is on the characteristics of the candidate and not on the party. The role of parties in nominating candidates has also been weakened.
- Parties may adapt their policies and messaging to appeal to various demographic coalitions.
- The structure of parties has been influenced by:
  - Critical elections (elections in which there is a realignment of political party support among voters)
  - Campaign finance law
  - Changes in communication and data management technology
- Parties use communication technology and voter data management to disseminate, control, and clarify political messages and enhance outreach and mobilization efforts.

### **5.5 Third-Party Politics**

- In comparison to proportional systems, winner-take-all voting districts serve as a structural barrier to third-party and independent candidate success. Winner-take-all voting advantages the two-party system in the U.S.
- The incorporation of third-party agendas into platforms of major political parties serves as a barrier to third-party and independent candidate success..

### **5.6 Interest Groups Influencing Policy Making**

- Interest groups may represent very specific or more general interests, and can educate voters and office holders, conduct lobbying, draft legislation, and mobilize membership to apply pressure on and work with legislators and government agencies. Interest groups may also file an amicus curiae brief (a written document submitted as a “friend of the court” to provide additional information for justices to consider when reviewing a case).
- In addition to working within party coalitions, interest groups exert influence through iron triangles and issue networks that help interest groups exert influence across political party coalitions.

- The inequality of interest group resources affects the amount of influence they may have on the policymaking process:
  - Some interest groups, such as AARP, have large memberships, are able to mobilize those members, and possess access to large financial reserves.
  - Some interest groups have more direct and more frequent access to important people in the policy process.
  - Free riders are individuals who benefit from the work of an interest group without providing financial support. Interest groups may deal with this issue by providing selective benefits, goods and services that are only available to members, to encourage more people to join.

### **5.7 Groups Influencing Policy Outcomes**

- Single-issue groups, ideological/social movements, and protest movements form with the goal of affecting society and policymaking.
- Competing actors such as interest groups, professional organizations, social movements, the military, and bureaucratic agencies influence policymaking, such as the federal budget process, at key stages and to varying degrees.
- Elections and political parties are related to major policy shifts or initiatives, occasionally leading to political realignments of voting constituencies.

### **5.8 Electing a President**

- The process and outcomes in U.S. presidential elections are affected by:
  - Incumbency advantage phenomenon (benefits current officeholders possess over challengers)
  - Open and closed primaries (voting processes to elect candidates)
  - Caucuses (closed meetings of party members to select candidates or decide policy)
  - Party conventions
  - General (presidential) elections
  - The Electoral College
- States can choose how they allocate their electors; most states use a winner-take-all system. Because the results of the Electoral College vote may not be the same as the popular vote nationwide, there is an ongoing debate over the Electoral College.

### **5.9 Congressional Elections**

- The process and outcomes in U.S. congressional elections are affected by:
  - Incumbency advantage phenomenon
  - Open and closed primaries
  - Caucuses
  - General (presidential and midterm) elections

### **5.10 Modern Campaigns**

- The benefits and drawbacks of modern campaigns are represented by:
  - Dependence on professional consultants
  - Rising campaign costs and intensive fundraising efforts
  - Duration of election cycles
  - Impact of and reliance on social media for campaign communication and fundraising

### **5.11 Campaign Finance**

- Federal legislation and case law pertaining to campaign finance demonstrate the ongoing debate over the role of money in political and free speech, as set forth in:
  - Bipartisan Campaign Reform Act of 2002, which was an effort to ban soft money and reduce attack ads with “Stand by Your Ad” provision: “I’m [candidate’s name] and I approve this message”
  - Supreme Court decisions that ruled political spending by corporations, associations, and labor unions is a form of protected speech under the First Amendment (Citizens United).
- Debates have increased over free speech and competitive and fair elections related to money and campaign funding (including contributions from individuals, political action committees [PACs], and political parties).
- Different types of PACs influence elections and policy making through fundraising and spending.

## 5.12 The Media

- Agenda setting takes place when traditional news media, new communication technologies, and advances in social media influence how citizens routinely acquire political information, including news events, investigative journalism, election coverage, and political commentary.
- The media’s use of polling results to convey popular levels of trust and confidence in government can affect elections by turning such events into “horse races” based more on popularity and factors other than qualifications and platforms of candidates (horse race journalism).

## 5.13 Changing Media

- Political participation is influenced by a variety of media coverage, analysis, and commentary on political events.
- The rapidly increasing demand for media and political communications outlets from an ideologically diverse audience have led to debates over media bias and the impact of media ownership and partisan news sites.
- The nature of democratic debate and the level of political knowledge among citizens is affected by:
  - Increased media choices
  - Ideologically oriented programming
  - Consumer-driven media outlets and emerging technologies that reinforce existing beliefs
  - Uncertainty over the credibility of news sources and information

*Students will be able to...*

- Describe the voting rights protections in the Constitution and in legislation.
- Describe different models of voting behavior.
- Explain the roles that individual choice and state laws play in voter turnout in elections.
- Describe linkage institutions.
- Explain the function and impact of political parties on the electorate and government.
- Explain why and how political parties change and adapt.
- Explain how structural barriers affect third-party and independent candidate success.
- Explain the benefits and potential problems of interest group influence on elections and policymaking.
- Explain how variation in types of interest groups and the resources interest groups possess affects their ability to influence elections and policymaking.
- Explain how various political actors influence public policy outcomes.
- Explain how the different processes work in a U.S. presidential election.
- Explain how the Electoral College affects U.S. presidential elections.
- Explain how the different processes work in U.S. congressional elections.
- Explain how campaign organizations and strategies affect the election process.

- Explain how the organization, finance, and strategies of national political campaigns affect the election process.
- Explain the media’s role as a linkage institution.
- Explain how increasingly diverse choices of media and communication outlets influence political institutions and behavior.

## *EVIDENCE OF LEARNING*

### **Assessment:**

*What evidence will be collected and deemed acceptable to show that students truly “understand”?*

- Unit 5 Progress Check: MCQ (AP Classroom)
- Unit 5 Progress Check: FRQ Part A (AP Classroom)
- Unit 5 Progress Check: FRQ Part B (AP Classroom)
- Unit Topic Questions (AP Classroom)

### **Learning Activities:**

*What differentiated learning experiences and instruction will enable all students to achieve the desired results?*

- Unit Analytical Readings (AP Classroom)
- Practice Exams (AP Classroom)
- 5.2 Look for a Pattern (Course and Exam Description, pg. 113)
- 5.7 Debate (Course and Exam Description, pg. 113)
- 5.13 Self/Peer Revision (Course and Exam Description, pg. 113)

## *RESOURCES*

### **Teacher Resources:**

AP United States Government & Politics Pacing Guide

#### *Optional Readings*

- Rob Paral’s “Stepping Up: The Impact of the Newest Immigrant, Asian, and Latino Voters,” Immigration Policy Center (2013)
- “The Diversifying Electorate—Voting Rates by Race and Hispanic Origin in 2012 (and Other Recent Elections)”
- U.S. Census Bureau (May 2013)
- David RePass’s “Issue Salience and Party Choice,” *American Political Science Review* (1971)
- Mancur Olson’s *The Logic of Collective Action: Public Goods and the Theory of Groups* (1965), E. E. Schattschneider’s *The Semisovereign People: A Realist’s View of Democracy in America* (1960)
- Sasha Issenberg’s *Victory Lab: The Secret Science of Winning Campaigns* (2012)
- FiveThirtyEight.com blog by Nate Silver

- “Understanding the Participatory News Consumer,” A Pew Trust Report (March 1, 2010)

*Illustrative Examples*

- 2012 Democratic and Republican party platforms
- Mitt Romney’s ORCA and Barack Obama’s Project Narwhal in the 2012 campaign
- Candidates' use of social media (e.g. 2012 Presidential Election)
- Examples of proportional systems that allow third-party and independent candidate success
- Tobacco subsidies, Tax cuts under George W. Bush
- Club for Growth supporting limits on taxation
- 2000 presidential election
- New Jersey congressional re-redistricting and elections
- Canvassing and phone banking

**Equipment Needed:**

- Computer and Internet Access
- Projector
- Screen/Smartboard