**Subject area/course**: Social Studies/US Government

**Grade level/band**: 11-12

**Task source**: Educational Policy Improvement Center (EPIC)

**Up in Smoke: Federalism Today**

**TEACHER'S GUIDE**

1. **Task overview**:

Students write a 5 to 6 page paper analyzing the challenges of balancing power between the national and state governments inherent in Federalism. Using the current issue of medical marijuana, students are asked to consider the distribution of power in the Constitution and relevant Supreme Court cases to make an argument for which level of government should have responsibility for determining the legality of the sale of medical marijuana. The goal of the assignment is to have students consider the power and authority of each level of government as well as their interdependence.

1. **Aligned standards:**
2. **Primary Common Core State Standards**

CCSS.ELA-Literacy.CCRA.W.1 Write arguments to support claims in an analysis of substantive topics or texts using valid reasoning and relevant and sufficient evidence.

CCSS.ELA‐Literacy.CCRA.W.4 Produce clear and coherent writing in which the development, organization, and style are appropriate to task, purpose, and audience.

CCSS.ELA‐Literacy.CCRA.W.7 Conduct short as well as more sustained research projects based on focused questions, demonstrating understanding of the subject under investigation.

CCSS.ELA‐Literacy.CCRA.W.9 Draw evidence from literary or informational texts to support analysis, reflection, and research.

CCSS.ELA‐Literacy.RI.11‐12.1 Cite strong and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.

CCSS.ELA-Literacy.RH.11‐12.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas.

CCSS.ELA‐Literacy.RI.11‐12.8 Delineate and evaluate the reasoning in seminal U.S. 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).

CCSS.ELA-Literacy.RH.11‐12.9 Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.

CCSS.ELA‐Literacy.RH.11-12.10 By the end of grade 12, read and comprehend history/social studies texts in the grades 11–CCR text complexity band independently and proficiently.

1. **Critical Abilities**

Research:Conduct sustained research projects to answer a question (including a self-generated question) or solve a problem, narrow or broaden the inquiry when appropriate, and demonstrate understanding of the subject under investigation. Gather relevant information from multiple authoritative print and digital sources, use advanced searches effectively, and assess the strengths and limitations of each source in terms of the specific task, purpose, and audience.

Analysis of Information: Integrate and synthesize multiple sources of information (e.g., texts, experiments, simulations) presented in diverse formats and media (e.g., visually, quantitatively, orally) in order to address a question, make informed decisions, understand a process, phenomenon, or concept, and solve problems while evaluating the credibility and accuracy of each source and noting any discrepancies among the data.

Communication in Many Forms: Use oral and written communication skills to learn, evaluate, and express ideas for a range of tasks, purposes, and audiences. Develop and strengthen writing as needed by planning, revising, editing, and rewriting while considering the audience.

1. **Other standards**

*The College, Career, and Civic Life (C3) Framework for Social Studies:*

D2.Civ.1.9-12. Distinguish the powers and responsibilities of local, state, tribal, national,

and international civic and political institutions.

D2.Civ.4.9-12. Explain how the U.S. Constitution estab­lishes a system of government that has powers, responsi­bilities, and limits that have changed over time and that are still contested.

D2.Civ.11.9-12. Evaluate multiple procedures for making governmental decisions at the local, state, national, and international levels in terms of the civic purposes achieved.

D2.Civ.12.9-12. Analyze how people use and challenge local, state, national, and international laws to address a variety of public issues.

D4.1.9-12. Construct arguments using precise and knowledgeable claims, with evidence from multiple sources, while acknowledging counterclaims and evidentiary weaknesses.

1. **Time/schedule requirements:**

After having discussed the concepts of Federalism and distribution of power as outlined in the Constitution, at least one day of class should be spent introducing the task. An in‐class demonstration of how to locate and determine the relevance of various Supreme Court cases should be included in the introduction day.

Students will need at least two weeks of out‐of‐class time to write this paper. Throughout the time students are working on their papers outside of class, some class time should be allotted to answering questions and supporting students in their analysis of court cases.

1. **Materials/resources:**
* Handout A: Supreme Course Case Assessments worksheet. This could be the basis for a class discussion at some mid-point during the task’s timeframe.
* Every basic American government text will include a discussion of the Constitution and Federalism. For a more in-depth coverage of the topic, academic publishers such as Congressional Quarterly offer numerous texts and resources.
* It would be useful to become familiar with the Oyez project web site (http://www.oyez.org) prior to assigning the task. Teachers should note the ease of locating cases and the readability of the case summaries for their students. Additionally, familiarity with the site will facilitate the teacher’s determination of the number of cases, or even which specific cases, they think students should use in their papers.
1. **Prior knowledge:**

Students should be able to:

* Read and interpret primary source documents.
* Understand the organization of argumentative writing.
* Understand the basic concept of Federalism.
* Discuss the distribution of power between the national and state governments in the US Constitution.
1. **Connection to curriculum:**

This assignment fits best into the curriculum immediately following coverage of the topic of Federalism.

1. **Teacher instructions:**
* Introducing the task with the use of media coverage/current events discussion can make the task more engaging for students.
* Be sure to emphasize the task's goal of analyzing Federalism throughout the introduction and mentoring stages of the task, not the topic of the ethics or merits of marijuana legalization.
* You should have students check in regularly so that they can indicate what cases they have found, how they understand the cases to fit into their evolving arguments, and what their conclusions are likely to be. It will be critical to check that students haven’t strayed from the original intent of the assignment.
* Have students use Handout A to take notes on some of the key court cases they are examining. Ask students use their completed handouts when discussing their work with you. Alternatively, you may wish to have them discuss their handouts in small groups.
* This assignment could be concluded by teaming groups of students in the class based on their conclusion of whether the national or state governments should be responsible for this issue and then having them debate using the court cases they found as evidence.
1. **Student support:**

The following suggestions are examples of scaffolding that can be used to meet the diverse student needs within the classroom.

* Provide class time for research on students’ topics.
* Provide definitions of new vocabulary words ahead of time.
* For the final product, all learners will benefit from peer assistance while brainstorming their topics, as well as a peer or teacher review of their papers before final submission.
1. **Extensions or variations:**
* Students could present the results of their research to the class via an oral or multi-media presentation.
* If there is a particularly interesting and/or controversial topic, a debate could be organized where students choose sides on the topic and defend their views.
1. **Scoring:**

Student work can be scored using the College and Career Ready (CCR) Task Bank Scoring Rubric.