

ELA.10.CR.4.03.071 C4 T3

Sample Item Id:	ELA.10.CR.4.03.071
Grade/Model:	10/3
Claim:	4: Students can engage in research / inquiry to investigate topics, and to analyze, integrate, and present information.
Assessment Target:	3. EVALUATE INFORMATION/SOURCES: Evaluate relevancy, accuracy, and completeness of information from multiple sources
Secondary Target(s)	n/a
Standard(s):	W-8, W-9
DOK:	4
Difficulty:	Medium
Item Type:	Constructed Response
Score Points:	3
Correct Response:	See Rubric
Stimuli/Passage(s):	Objections to the Constitution by George Mason and Branches of Government
Stimuli Text Complexity:	<p><i>Objections to the Constitution</i> The qualitative and quantitative measures both indicate that this is a sophisticated passage; this passage would likely be most appropriate for use at grade 12. Although this passage is above grade level, it is used in a research question. It is appropriate for grade 10 because it represents what HS students might need to read as a source. Based on these sets of measures, this passage is recommended for assessment at grade 9 or 10. Please see text complexity worksheet attached.</p> <p><i>Branches of Government</i> Though the text is somewhat dense, it covers much of what should be familiar territory to students, simply in a more complex way. The Lexile and the qualitative analysis suggest that the appropriate placement for this passage is grade 9 or 10. Based on these sets of measures, this passage is recommended for assessment at grade 9 or 10. Please see text complexity worksheet attached.</p>
Acknowledgement(s):	http://teachingamericanhistory.org/library/index.asp?documentprint=1847 Ben's Guide to US Government for Kids
Item/Task Notes:	
How this item/task contributes to the sufficient evidence for this claim:	To answer this item, students must evaluate if two sources are relevant and provide complete information for a research topic.
Target-Specific Attributes (e.g., Accessibility Issues):	Students must enter text using a keyboard.

Stimulus Text:

Read the two passages below about the United States Constitution and then answer the question.

Excerpts from
Objections to the Constitution

George Mason
October 1787

OBJECTIONS OF THE HON. GEORGE MASON, ONE OF THE DELEGATES FROM VIRGINIA IN THE LATE CONTINENTAL CONVENTION, TO THE PROPOSED FEDERAL CONSTITUTION; ASSIGNED AS HIS REASONS FOR NOT SIGNING THE SAME.

In the House of Representatives there is not the substance, but the shadow only, of representation, which can never produce proper information in the legislature, or inspire confidence in the people. The laws will, therefore, be generally made by men little concerned in, and unacquainted with, their effects and consequences.

The Senate have the power of altering all money bills, and of originating appropriations of money, and the salaries of the officers of their own appointment, in conjunction with the President of the United States, although they are not the representatives of the people, or amenable to them. These, with their other great powers, (viz., their powers in the appointment of ambassadors, and all public officers, in making treaties, and in trying all impeachments;) their influencing upon, and connection with, the supreme executive from these causes; their duration of office; and their being a constant existing body, almost continually sitting, joined with their being one complete branch of the legislature,—will destroy any balance in the government, and enable them to accomplish what usurpations they please upon the rights and liberties of the people.

The judiciary of the United States is so constructed and extended as to absorb and destroy the judiciaries of the several states; thereby rendering laws as tedious, intricate, and expensive, and justice as unattainable, by a great part of the community, as in England; and enabling the rich to oppress and ruin the poor.

The President of the United States has no constitutional council, (a thing unknown in any safe and regular government.) He will therefore be unsupported by proper information and advice, and will generally be directed by minions and favorites; or he will become a tool to the Senate; or a council of state will grow out of the principal officers for the great departments—the worst and most dangerous of all ingredients for such a council, in a free country; for they may be induced to join in any dangerous or oppressive measures, to shelter themselves, and prevent an inquiry into their own misconduct in office. Whereas, had a constitutional council been formed (as was proposed) of six members, viz., two from the Eastern, two from the Middle, and two from the Southern States, to be appointed by vote of the states in the House of Representatives, with the same duration and rotation of office as the Senate, the executive would always have had safe and proper information and advice: the president of such a council might have acted as Vice-President of the United States, *pro tempore*, upon any vacancy or disability of the chief magistrate; and long-continued sessions of the Senate would in a great measure have been prevented. From this fatal defect of a constitutional council has arisen the improper power of the Senate in the appointment of the public officers, and the alarming dependence and connection between that branch of the legislature and the supreme executive. Hence, also, sprang that unnecessary officer, blending the executive and legislative powers, besides always giving to some one of the states and unnecessary and unjust preeminence over the others.

Branches of Government

by Ben's Guide to US Government for Kids

The delegates to the Constitutional Convention faced a difficult challenge. They wanted to ensure a strong, cohesive central government, yet they also wanted to ensure that no individual or small group in the government would become too powerful. Because of the colonies' experience under the British monarchy, the delegates wanted to avoid giving any one person or group absolute control in government. Under the Articles of Confederation, the government had lacked centralization, and the delegates didn't want to have that problem again. To solve these problems, the delegates to the Constitutional Convention created a government with three separate branches, each with its own distinct powers. This system would establish a strong central government, while ensuring a balance of power.

Governmental power and functions in the United States rest in three branches of government: the legislative, judicial, and executive. Article I of the Constitution defines the legislative branch and vests power to legislate in the Congress of the United States. The executive powers of the President are defined in Article 2. Article 3 places judicial power in the hands of one Supreme Court and inferior courts as Congress sees necessary to establish.

Though in this system of a "separation of powers" each branch operates independently of the others. However, there are built in "checks and balances" to prevent tyrannous concentration of power in any one branch and to protect the rights and liberties of citizens. For example, the President can veto bills approved by Congress and the President nominates individuals to serve in the Federal judiciary; the Supreme Court can declare a law enacted by Congress or an action by the President unconstitutional; and Congress can impeach the President and Federal court justices and judges.

Executive Branch

When the delegates to the Constitutional Convention created the executive branch of government, they gave the president a limited term of office to lead the government. This was very different from any form of government in Europe and caused much debate. The delegates were afraid of what too much power in the hands of one person might lead to. In the end, with a system of checks and balances included in the Constitution, a single president to manage the executive branch of government was adopted.

The executive branch of the Government is responsible for enforcing the laws of the land. When George Washington was president, people recognized that one person could not carry out the duties of the President without advice and assistance. The Vice President, department heads (Cabinet members), and heads of independent agencies assist in this capacity. Unlike the powers of the President, their responsibilities are not defined in the Constitution but each has special powers and functions.

- **President:** Leader of the country and Commander in Chief of the military.
- **Vice President:** President of the Senate and becomes President if the President is unable to serve.
- **Departments:** Department heads advise the President on policy issues and help execute those policies.
- **Independent Agencies:** Help execute policy or provide special services.

Judicial Branch

Article III of the Constitution established the judicial branch of government with the creation of the Supreme Court. This court is the highest court in the country and vested with the judicial powers of the government. There are lower Federal courts but they were not created by the Constitution. Rather, Congress deemed them necessary and established them using power

granted from the Constitution.

Courts decide arguments about the meaning of laws, how they are applied, and whether they violate the Constitution. The latter power is known as judicial review and it is this process that the judiciary uses to provide checks and balances on the legislative and executive branches. Judicial review is not an explicit power given to the courts but it is an implied power. In a landmark Supreme Court decision, *Marbury v. Madison* (1803), the courts' power of judicial review was clearly articulated.

Legislative Branch

Article I of the Constitution establishes the legislative or law-making branch of government with the formation of a bicameral Congress. This system provides checks and balances within the legislative branch.

Only after much debate did the Founding Fathers agree on the creation of the House of Representatives and the Senate. A major issue was how representation in the legislative body would be determined. Delegates to the Constitutional Convention from larger and more populated states argued for the Virginia Plan that called for congressional representation should be based on a state's population. Fearing domination, delegates from smaller states were just as adamant for equal representation and supported the New Jersey Plan. Roger Sherman, a delegate from Connecticut, proposed the bicameral legislature. The Great Compromise, among other provisions, resulted in the creation of two houses, with representation based on population in one and with equal representation in the other.

Item Prompt:

A student is writing a report about the debates that took place during the Constitutional Convention, the meeting where the Constitution was written, and has found these two sources. Explain how each source may contribute to the body of research

needed to address the question on the Constitutional Convention debates **and** which of the texts is most relevant. Support your answer with details from the texts.

Scoring Rubric	
3	<p>A response:</p> <ul style="list-style-type: none"> • Gives sufficient evidence of the ability to evaluate the relevancy and completeness of information from multiple sources • Includes specific explanations that make clear reference to the text • Fully supports the explanations with clearly relevant information from the text
2	<p>A response:</p> <ul style="list-style-type: none"> • Gives some evidence of the ability to evaluate the relevancy and completeness of information from multiple sources • Includes some specific explanations that make reference to the text • Adequately supports the explanations with relevant information from the text
1	<p>A response:</p> <ul style="list-style-type: none"> • Gives limited evidence of the ability to evaluate the relevancy and completeness of information from multiple sources • Includes explanations, but they are not explicit or make only vague references to the text • Supports the explanations with at least one detail, but the relevance of that detail to the text must be inferred
0 No credit	<p>A response gets no credit if it provides no evidence of the ability to evaluate the relevancy and completeness of information from multiple sources, includes no relevant information from the text, or is vague.</p>

Scoring Notes:

Responses may include, but are not limited to:

The first document shows those opposed to the Constitution believed 1) The Senate had too much power, not representative of the people; 2) The president was not sufficiently supported by staff; 3) The federal judiciary had too much power.

The second document shows that one debate was ensuring equal representation through the House and Senate.

The first document, Objections to the Constitution, is more relevant because it is a primary source, it gives the opinion of someone at the convention, and it presents one side of the debate.

Score Point 3 Sample:

The article by George Mason shows that the delegates opposed to ratifying the Constitution believed that it gave federal judiciary too much power over the state courts, the Senate had too much power and it was not representative of the people, and the President did not have enough support staff. The second article shows that one debate during the convention was about how to structure the House of Representatives and the Senate so that there would be equal representation.

The first source is the most relevant because it was written by a delegate to the convention and presents his view on the debate. The second source is mostly about the end result of the debates and not about the debates themselves.

Score Point 2 Sample:

In the first article, George Mason explains why he didn't vote to ratify the Constitution. He believed it took too much power away from the people and the states and wasn't creating a representative government. The second article shows how the delegates debated about how to create the House of Representatives and the Senate.

The first source is the most relevant for this topic because it is a primary source. It was written by someone who was at the convention and did not agree with the Constitution. The second source is helpful for understanding why some of the decisions were made about the Constitution.

Score Point 1 Sample:

Both of these sources are helpful for understanding the debates at the Constitutional Convention, but the first one might be a little better because it was written in 1787 when the Constitution was still new. It shows that some people didn't vote to ratify the Constitution because they thought it took too much power from the states.

Score Point 0 Sample:

Both of these passages are about the Constitution and can be used to write a report.

Worksheet: Text Complexity Analysis		
Title	Author	Text Description
Objections to the Constitution	George Mason	Author's reasons for not signing the newly formed Constitution



Recommended Placement for Assessment: Grade 10

The qualitative and quantitative measures both indicate that this is a sophisticated passage; this passage would likely be most appropriate for use at grade 12. Although this passage is above grade level, it is used in a research question. It is appropriate for grade 10 because it represents what HS students might need to read as a source. **Based on these sets of measures, this passage is recommended for assessment at grade 9 or 10.**

Qualitative Measures	Quantitative Measures
<p>Meaning/Purpose: <u>Exceedingly complex:</u> The piece has many intricate, theoretical elements. It is a sophisticated piece that requires very close reading.</p> <p>Text Structure: <u>Exceedingly complex:</u> The argument made is abstract and theoretical; as such, the logic may be challenging.</p> <p>Language Features: <u>Exceedingly complex:</u> The language and style are archaic, and the sentences are mainly complex. The topic will be abstract to students.</p> <p>Knowledge Demands: <u>Exceedingly complex:</u> The unfamiliarity of the topic will make this a challenging read for many students. It is highly abstract.</p>	<p>Common Core State Standards Appendix A Complexity Band Level (if applicable):</p> <p>Lexile or Other Quantitative Measure of the Text:</p> <p>Lexile: 1470L; above grade Flesch-Kincaid: 14.9 Word Count: 1089</p> <hr/> <p style="background-color: #0056b3; color: white; padding: 2px;">Considerations for Passage Selection</p> <p>Passage selection should be based on the ELA Content Specifications targets and the cognitive demands of the assessment tasks.</p> <p>Potential Challenges a Text May Pose:</p> <ul style="list-style-type: none"> • Accessibility • Sentence and text structures • Archaic language, slang, idioms, or other language challenges • Background knowledge • Bias and sensitivity issues • Word count

Adapted from the 2012 ELA SCASS work

Worksheet: Text Complexity Analysis		
Title	Author	Text Description
Branches of Government	Unknown	Overview of three branches of government



Recommended Placement for Assessment: Grade 9 or 10

Though the text is somewhat dense, it covers much of what should be familiar territory to students, simply in a more complex way. The Lexile and the qualitative analysis suggest that the appropriate placement for this passage is grade 9 or 10. **Based on these sets of measures, this passage is recommended for assessment at grade 9 or 10.**

Qualitative Measures	Quantitative Measures
<p>Meaning/Purpose: <u>Moderately complex:</u> The purpose is easy to identify early in the reading.</p> <p>Text Structure: <u>Moderately complex:</u> Information is logically grouped by each branch.</p> <p>Language Features: <u>Very complex:</u> The language is largely explicit, but the vocabulary is complex and much of it may be unfamiliar. There are many complex sentences; the tone is academic</p> <p>Knowledge Demands: <u>Very complex:</u> Requires some familiarity with the Continental Congress. Students will likely already have a more high-level understanding of the branches of government; this is a more complex summary and places its formation within a specific historical context.</p>	<p>Common Core State Standards Appendix A Complexity Band Level (if applicable):</p> <p>Lexile or Other Quantitative Measure of the Text:</p> <p>Lexile: 1150L; upper grades 6-8 or grades 9-10 Flesch-Kincaid: 12.4 Word Count: 906</p> <p style="background-color: #4682B4; color: white; text-align: center;">Considerations for Passage Selection</p> <p>Passage selection should be based on the ELA Content Specifications targets and the cognitive demands of the assessment tasks.</p> <p>Potential Challenges a Text May Pose:</p> <ul style="list-style-type: none"> • Accessibility • Sentence and text structures • Archaic language, slang, idioms, or other language challenges • Background knowledge • Bias and sensitivity issues • Word count

Adapted from the 2012 ELA SCASS work