

FOR TEACHERS ONLY

The University of the State of New York

REGENTS HIGH SCHOOL EXAMINATION

UNITED STATES HISTORY AND GOVERNMENT

Tuesday, January 22, 2002 — 1:15 to 4:15 p.m., only

SCORING KEY AND RATING GUIDE

Mechanics of Rating

The following procedures are to be used in rating papers for this examination. More detailed directions for the organization of the rating process and procedures for rating the examination are included in the *Information Booklet for Administering and Scoring Regents Examinations in Global History and United States History and Government*.

Scoring the Part I Multiple-Choice Questions

On the detachable answer sheet, indicate by means of a checkmark each incorrect or omitted answer to multiple-choice questions; do not place a checkmark beside a correct answer. Use only red ink or red pencil. In the box provided on the answer sheet, record the number of questions the student answered correctly in Part I.

Contents of the Rating Guide

For both **Part II** (thematic) and **Part III B** (DBQ) essays:

- A content-specific rubric
- Prescored answer papers. Score levels 5 and 1 have two papers each, and score levels 4, 3, and 2 have three papers each. They are ordered by score level from high to low.
- Commentary explaining the specific score awarded to each paper
- Five prescored practice papers

For **Part III A** (scaffold or open-ended questions):

- A question-specific rubric

United States History
and Government
January 22, 2002

Part I

1... 2 ...	26... 3 ...
2... 3 ...	27... 1 ...
3... 3 ...	28... 2 ...
4... 4 ...	29... 1 ...
5... 3 ...	30... 4 ...
6... 1 ...	31... 3 ...
7... 1 ...	32... 2 ...
8... 4 ...	33... 1 ...
9... 2 ...	34... 4 ...
10... 3 ...	35... 1 ...
11... 2 ...	36... 2 ...
12... 3 ...	37... 3 ...
13... 3 ...	38... 2 ...
14... 4 ...	39... 2 ...
15... 4 ...	40... 1 ...
16... 3 ...	41... 4 ...
17... 2 ...	42... 3 ...
18... 3 ...	43... 1 ...
19... 2 ...	44... 3 ...
20... 4 ...	45... 4 ...
21... 1 ...	46... 2 ...
22... 1 ...	47... 4 ...
23... 4 ...	48... 2 ...
24... 2 ...	49... 1 ...
25... 3 ...	50... 3 ...

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Rating the Essay Questions

- (1) Follow your school's procedures for training raters. This process should include:

Introduction to the task—

- Raters read the task
- Raters identify the answers to the task
- Raters discuss possible answers and summarize expectations for student responses

Introduction to the rubric and anchor papers—

- Trainer leads review of specific rubric with reference to the task
- Trainer reviews procedures for assigning holistic scores, i.e., by matching evidence from the response to the rubric
- Trainer leads review of each anchor paper and commentary

Practice scoring individually—

- Raters score a set of five papers independently without looking at the scores and commentaries provided
- Trainer records scores and leads discussion until the raters feel confident enough to move on to actual rating

- (2) When actual rating begins, each rater should record his or her individual rating for a student's essay on the rating sheet provided, *not* directly on the student's essay or answer sheet. The rater should *not* correct the student's work by making insertions or changes of any kind.
- (3) Each essay must be rated by at least two raters; a third rater will be necessary to resolve scores that differ by more than one point.

Rating the Scaffold (open-ended) Questions

- (1) Follow a similar procedure for training raters.
- (2) The scaffold questions need only be scored by one rater.
- (3) The scores for each scaffold question may be recorded in the student's examination booklet.

The scoring coordinator will be responsible for organizing the movement of papers, calculating a final score for each student's essay, recording that score on the student's Part I answer sheet, and determining the student's final examination score. The chart located at the end of these scoring materials must be used for determining the final examination score.

United States History and Government

Content-Specific Rubric

Thematic Essay—January 2002

Score of 5:

Shows a thorough understanding of how a specific group of people in American society has been denied equal rights, how that group has struggled to achieve equality since 1900, and the extent to which that group has achieved equality today

- Thoroughly addresses all aspects of the task evenly and in depth by:
 1. Discussing a *major* problem that *one* group has encountered since 1900 in its struggle for equality
 2. Discussing *two* specific actions taken by an individual, an organization, or the government to help the identified group overcome the problem
 3. Evaluating the extent to which the identified group has achieved equality today
- Shows an ability to analyze the actions taken to overcome the denial of equal rights and an ability to evaluate the extent to which the identified group has achieved equality, including comments of an analytical and/or evaluative nature
- Richly supports the theme of equality with relevant facts, examples, and details, e.g., a response could identify African Americans as a group facing inequality; discuss Jim Crow laws and poll taxes as historical examples of denying rights; discuss the use of bus boycotts and sit-ins and the success in getting the Supreme Court to hear *Brown v. Board of Education* as efforts to help them obtain their rights; and then evaluate the problem of continued prejudice (income disparity, racial profiling)
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization
- Introduces the theme of equality by establishing a framework that is beyond a simple restatement of the task and concludes with a summation of the theme and/or an evaluation of the extent of the success of the group in achieving equality

Score of 4:

- Shows a good understanding of how a specific group of people in American society has been denied equal rights, how that group has struggled to achieve equality since 1900, and the extent to which that group has achieved equality today
- Addresses all aspects of the task, but may do so somewhat unevenly, using limited details, e.g., a response identifying women might mention the Equal Rights Amendment and its failure but not provide information as to why it failed
- Shows an ability to analyze and evaluate the actions of a specific group in overcoming their denial of equal rights, including some comments of an analytical and/or evaluative nature
- Incorporates relevant facts, examples, and details but may mention specific actions without fully discussing them, e.g., a response identifying people with disabilities might discuss the Americans with Disabilities Act of 1990 but not provide details to evaluate how the terms of the act helped the group
- Is a well-developed essay, demonstrating a logical and clear plan of organization
- Introduces the theme of equality by establishing a framework that is beyond a simple restatement of the task and concludes with a summation of the theme

Score of 3:

- Shows a satisfactory understanding of how a specific group of people in American society has been denied equal rights, how that group has struggled to achieve equality since 1900, and the extent to which that group has achieved equality today
- Addresses most aspects of the task fully, or addresses all aspects in a limited way
- Shows some ability to analyze and/or evaluate the struggle of a group to achieve equality, but not in any depth
- Incorporates some relevant facts, examples, and details, without fully discussing and/or explaining them
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of equality by repeating the task and concludes by repeating the theme

Some Examples of Limited Treatment of Task at Score Level 3

Discussion of Problem	Two Actions Taken	Evaluation of Equality Today
Discusses problem	Discusses <i>one</i> action, mentions second action	
Identifies problem	Discusses <i>one</i> action	Evaluates extent of success
	Discusses <i>two</i> actions	
Discusses problem		Evaluates extent of success
Mentions problem	Mentions <i>two</i> actions	States degree of success

Score of 2:

- Shows a limited understanding of the theme of equality, making some effort to address how a specific group of people in American society has been denied equal rights, how that group has struggled to achieve equality since 1900, and/or the extent to which that group has achieved equality today
- Attempts to address the theme of equality, but may only discuss the problem *or* one action *or* may only evaluate the extent to which the group has achieved equality today *or* may address most aspects of the task in a limited way
- Includes few facts, examples, and details; may include information that contains inaccuracies
- Is a poorly organized essay, lacking focus; may contain digressions; may not clearly identify which aspect of the task is being discussed
- Fails to introduce or summarize the theme of equality or might not refer to the theme in the introduction and/or conclusion

Score of 1:

- Shows a very limited understanding of the theme of equality, making little effort to address the different aspects of the task
- Lacks an analysis or evaluation of the theme of equality
- Includes few or no accurate or relevant facts, examples, or details; may deal with generalities
- Demonstrates a major weakness in organization
- Fails to introduce or summarize the theme of equality or might not refer to the theme in the introduction and/or conclusion

Score of 0: Fails to address the task, is illegible, or is a blank paper

Notes:

- (1) The problem the group has encountered must include information **since 1900**. Information prior to 1900 may be included as long as the problem is discussed as it continued after 1900, e.g., the 15th amendment might be included in a discussion of the problem of denying voting rights to African Americans after 1900; or *Plessy v. Ferguson* might be included as part of the discussion of racial segregation after 1900 for African Americans.
- (2) The two actions taken by an individual, an organization, or the government to overcome the problem must be from the time period **since 1900**, e.g., the 1848 Seneca Falls Convention can *not* be used as an action taken by women to achieve equality, but it may be mentioned in a discussion of the suffragette movement of the early 20th century.
- (3) The last aspect of the task requires an evaluation of the extent to which the group has **achieved equality today**, *not* an evaluation of the degree of success of the two actions
- (4) If the response provides information on more than one group, it must be scored on the basis of the discussion of the *first* group mentioned.

Since 1900, various groups in the United States have struggled to achieve full equality. One such group has been African Americans. They have struggled throughout American history, to achieve equality as a group people. Blacks have been helped by people and the government to try to achieve full equality but in many ways are still struggling.

The basic problem African Americans faced historically is that they have been treated as inferior to whites. This has been particularly true in the South despite the 13th, 14th, and 15th Amendments. Jim Crow laws have allowed black schools to be inferior to white schools, even though there was the "separate but equal" ruling in Plessy vs. Ferguson. Also practices such as Grandfather clauses and white primaries have kept African Americans from voting. The KKK used lynching in the late 19th and early 20th century. And as many African Americans were moving from the South to the North to escape this discrimination, they were faced with a new type of discrimination + prejudice - de facto segregation.

One person that has helped blacks achieve equality was Martin Luther King Jr. Martin Luther King Jr. did much for African Americans

during the Civil Rights movement. One thing he did was help organize the Montgomery bus boycott. Rosa Parks, a black woman, was riding in the front of the bus in Alabama. When a white man got onto the bus and told her to move to the back of the bus where coloreds "belonged". She refused and was arrested. King helped organize the bus boycott. Blacks refused to use the bus system for months. As a result the bus system lost a great deal of money and eventually blacks gained equality in that bus transportation system. The bus boycott showed that blacks did have some leverage in their lives. It also gave them confidence in one of their first major victories.

The U.S. government has also taken action to help blacks in their fight for equality. Evidence of this was the ruling in the Supreme Court Case *Brown v Topeka Board*. In this case a father wanted to know why his children had to travel farther to go to a black school than just go to the white school closer to home. Also he wanted to point out that white and black schools were separate but definitely not equal (a precedent set by *Plessy v. Ferguson*). The case reached the Supreme Court. The Supreme Court ruled that nothing could ever be

"separate but equal." How could Blacks even feel "equal" if they were lawfully segregated from whites? This action government action made the precedent that separate was no longer to equal. With this ruling school desegregation began.

Blacks have achieved limited equality since 1900. Such things as affirmative action have been implemented into America to help end the discrimination against blacks. Despite their progress there are still many challenges facing blacks today. Still today many do not receive college acceptance or are refused jobs, or are paid less not because of their merit or character, but because of the color of their skin. Also blacks are still discriminated against in society. When you hear the word ghetto you automatically associate it with blacks, or when a cop is always a little more quick to react around a black suspect than a white. (aka Rodney King) Blacks have made some leeway but there is still a lot to go.

Since 1900 blacks have faced many and much discrimination in America. The groups, people, and the government have taken actions to help them gain equality.

Anchor Level 5-A

The response:

- Shows a thorough understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Thoroughly addresses all aspects of the task evenly and in depth by discussing a major problem (discrimination; prejudice) and two specific actions taken to help this group overcome the problem (Montgomery bus boycott; *Brown v. Topeka*) and then evaluating the extent to which that group has achieved equality today (affirmative action has helped, but there is still discrimination and prejudice as evidenced by job discrimination and income disparity)
- Shows an ability to analyze the denial of equal rights and an ability to evaluate the extent to which the group has achieved equality today, including comments of an analytical and/or evaluative nature
- Richly supports the theme of equality with relevant facts, examples, and details (13th, 14th, 15th Amendments; Jim Crow laws; “separate but equal” ruling in *Plessy v. Ferguson*; grandfather clauses and white primaries; KKK; affirmative action; Rodney King)
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization
- Introduces the theme of equality by establishing a framework that is beyond a simple restatement of the task and concludes with a simple summation of the theme

Conclusion: Overall, this response fits the criteria for Level 5. The problem for African Americans is fully explained with specific details. Detailed information is brought into the discussion of the two specific actions. There is strong analysis and evaluation throughout the response.

"And crown thy good with brotherhood/From sea to shining sea." The final line of this famous patriotic song "O' Beautiful for Spacious Skies" sums up the goal of intended goal of the United States. But how closely have we followed this path? Throughout our history many groups have been repressed. ~~The~~ One such group, the African-Americans, suffered more than most.

From slavery to separate but equal, life has been a struggle for equality. After the Civil War, slavery was ended with the 13th amendment. The abolition of slavery, however, did not lead to equal rights. Southern whites used tactics such as grandfather clauses, black codes and Jim Crow laws to keep African Americans inferior. Groups such as the KKK used threats and lynchings to discourage blacks from voting. These actions continued in the 20th century. There was segregation in the armed forces in both WWI and WWII. Schools, bathrooms and lunch counters were segregated. There were some efforts to overcome this basic problem of discrimination prior to 1960 but with limited success.

The 1960's were a period of radical change in our nation's history. From Rock 'n' Roll to a man on the moon it saw many advances. Quite a few of these advances were in Civil Rights. Due to the efforts of a handful of great people and the support of the masses, African-Americans made great strides towards equality.

Within this struggle many groups were formed. Some, such as the Black Panthers and the Nation of Islam used militaristic tactics to achieve their goals. They held protests, riots, and ^{are} even suspected of certain acts of terrorism.

Some of these radical black leaders were Malcolm X, Eldridge Cleaver, and Louis Farakan. Some of them sought a separate black nation – arguing that blacks could never be equal in a white-dominated society. Malcolm X later rejected militaristic tactics of the Nation of Islam and was murdered by ~~other~~ members of the Nation of Islam.

But for every violent protester, there was at least one peaceful supporter. The perfect example of this kind of person is Martin Luther King Jr. ~~The~~ A minister, he started preaching equality in the South, and soon had quite a following. He led many marches and boycotts, all the while stressing peaceful reconciliation. Among these protests were the March on Washington, where he gave the famous, "I have a dream" speech, and ~~the~~ march in Alabama consisting of thousands of African Americans.

It was Martin Luther King Jr.'s speech in Washington that ~~inspired~~ convinced John F. Kennedy to push for a Civil Rights Act, granting many rights to blacks. It was passed, and a major milestone was passed. The 1964 Civil Rights Act ~~outlawed~~ ~~the 1964~~ outlawed segregation in the use of public facilities like lunch counters and bathrooms and prohibited racial discrimination in employment.

African-Americans had won a major battle, but the fight continues. Although conditions are much improved, due to such cases as *Brown vs The Board of Education* and equality is much closer there are still problems. Legal discrimination is ~~prohibited~~ prohibited but blacks are still not equal to whites. Government programs such as "affirmative action" have helped increase the numbers of African Americans in college and the workplace, but many whites claim they are the victims of "reverse discrimination." ~~Many~~ Affirmative actions have been eliminated by some state and local governments.

So can we look at our society and honestly say that the "crown of brotherhood" is fully placed on their heads? Until we can, we are never equal. So although many strides have been made, we must complete the journey still.

Anchor Level 5-B

The response:

- Shows a thorough understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Thoroughly addresses all aspects of the task evenly and in depth by discussing a major problem (racial discrimination) that this group encountered since the Civil War and two specific actions taken to help this group overcome the problem (violent tactics of the Nation of Islam and the Black Panthers; actions of Martin Luther King, Jr. resulting in the passage of the 1964 Civil Rights Act) and evaluating the extent to which that group has achieved equality today (equality has not been achieved despite the passage of amendments and laws and Supreme Court rulings)
- Shows an ability to analyze the actions taken by African Americans to overcome the denial of equal rights and an ability to evaluate the extent to which the group has achieved equality, including comments of an analytical and evaluative nature
- Richly supports the theme of equality with relevant facts, examples, and details (13th amendment; grandfather clauses; black codes; Jim Crow laws; KKK; segregation in the armed forces in WW1 and WW2; Malcolm X; Eldridge Cleaver; Louis Farrakhan; March on Washington and the “I Have a Dream” speech; march in Alabama; *Brown v. Board of Education*; affirmative action programs)
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization
- Introduces the theme of equality by establishing a framework that is beyond a simple restatement of the task and concludes with more than a simple summation of the theme

Conclusion: Overall, this response fits most of the criteria for Level 5. The response contains a strong and creative introduction and conclusion. There are many facts and details brought into the response. The discussion of the actions of the Black Panthers and Nation of Islam is a little limited, but the evaluation of the extent to which African Americans have achieved equality today is very good.

Since 1900, various groups in the United States have struggled to achieve full equality. One such group includes African Americans. These people have struggled with discrimination and segregation since the early days of slavery.

In the early 1900s, the black Americans had to contend with segregation. The concept of "separate but equal" had been upheld by the Supreme Court whereas the black community had to live with separate public facilities; though these facilities, drinking fountains and washrooms for example, were rarely if ever equal to those of whites. In the South especially, remnants of Jim Crow laws and deep-rooted racism plagued the black society. It wasn't until the mid-1900s when an effort for black equality became a nationwide issue.

Civil Rights for blacks had always been an issue, and earlier reformers such as Booker T. Washington and W.E.B. DuBois dedicated many years to end this injustice. However, in 1954, a court case was drawn to the public's attention. In *Brown versus the Board of Education*, we found that a young black girl wished to attend an ^{all white} public school, which was strictly prohibited. When the case reached the Supreme Court, the NAACP aided Brown (NAACP, founded by DuBois, was an organization founded to advance the civil rights of blacks) and segregation was found to be illegal because "separate but equal" was in itself unconstitutional.

Another event which showed a step toward black equality was when Rosa Parks refused to give up her seat on a bus. In those days, it was common for blacks to sit in the back of the bus when whites were riding. However, in an act of nonviolent resistance, Rosa refused to move. This displayed a need for black equality. This single event spurred a future action, supported by Martin Luther King Jr.,

Anchor Paper – Thematic Essay—Level 4 – A

where blacks boycotted buses until they gained fair and equal access.

Since the 1950s and 60s, I believe black Americans have gained much more equality with whites. Now, segregation is illegal and blacks have been allowed to take a higher social status without threats of violence. Sure, ^{prejudice} still exists, but ^{legal} discrimination has been almost completely eliminated from the workplace and fewer people are continuing to see blacks as unequal in society.

Anchor Level 4-A

The response:

- Shows a good understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Addresses all aspects of the task, but does so somewhat unevenly
- Shows an ability to analyze and evaluate the actions (*Brown v. Board of Education* court ruling; Rosa Parks' act of nonviolent resistance) of African Americans in overcoming the denial of their equal rights, including some comments of an analytical and/or evaluative nature (deep-rooted racism in the South; gains have been made since 1950)
- Incorporates relevant facts, examples, and many details ("separate but equal" doctrine; segregation of public facilities; Jim Crow laws; Booker T. Washington; W.E.B. DuBois; NAACP; Martin Luther King, Jr.) but mentions these specific actions without fully discussing them
- Is a well-developed essay, demonstrating a logical and clear plan of organization
- Introduces the theme of equality by establishing a framework that is a simple restatement of the task and concludes with an evaluation of the extent to which this group has achieved equality today

Conclusion: Overall, this response best fits the criteria for Level 4. Many facts and details are included in the response, but in some cases, they are not fully explained and discussed. The treatment of all required aspects of the task is uneven, i.e., the evaluation of the extent to which the group has achieved equality today is weaker than the discussion of the other aspects of the task.

Minorities have always struggled throughout US history. African Americans seem to have been always discriminated against. But actions by black leaders helped the blacks reach towards equality.

By 1900, African Americans were freed, became citizens, and were given the right to vote. In America, the blacks were still not treated equally. The blacks were segregated from whites in restaurants, schools, transportation, and everything else. One court case was brought about to show the separate was not equal. In the case of Brown versus Topeka, Kansas, Brown was a black man who wanted his daughter to go to the white school by her house rather than farther away to the black school. The Supreme Court ruled that segregation was unconstitutional. Schools that were for whites must now accept blacks. In Little Rock, Arkansas seven black high school students wanted to test that ruling. The black students had to have police escort them to school. President Eisenhower ordered the national guards to protect these students. Although they were put through torture by the other

white students, the black students finished there their year at the school.

The public buses were also segregated. The whites would sit up front and the blacks sat in the back. If a white person needed a seat the black would have to either stand up and give the man his seat or get off the bus. Rosa Parks was a black woman who was taking the bus home after a long and hard day's work. When a white person asked Rosa to give up her seat, she refused. Because she continued to sit, Rosa was arrested. Her actions brought forward the Mississippi bus boycotts. For an entire year plus, no black person rode the bus. Their goal was to end segregation on public buses.

Today, nothing is ~~seper~~ segregated. Blacks and whites have equal opportunities. It was a long hard effort on the African American's part but they have finally achieved equality.

Anchor Level 4-B

The response:

- Shows a good understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Addresses all aspects of the task, but does so unevenly
- Shows an ability to analyze two actions (*Brown v. Topeka* court ruling; Rosa Parks' act of civil disobedience) of African Americans in overcoming their denial of equal rights
- Incorporates relevant facts, examples, and many details (segregation in restaurants, schools, and transportation; segregated schools in Little Rock, Arkansas and Eisenhower ordering the national guard to protect these students; bus boycotts) but does not provide an evaluation of these details
- Is a well-developed essay, demonstrating a logical and clear plan of organization
- Introduces the theme of equality by establishing a framework that is a little beyond a simple restatement of the task and concludes with a limited evaluation of the extent of equality today

Conclusion: Overall, this response best fits the criteria for Level 4. Many good details and facts are used to discuss the problem and the actions taken to overcome the problem, but these details are not evaluated. In addition, the response lacks a good evaluation of the extent to which the group has achieved equality today.

Since 1900, various groups in the US have struggled to achieve full equality. African Americans have suffered a great deal of discrimination in the 20th century.

After the abolishment of slavery through the 13th amendment, African Americans have struggled to achieve equality. During the 1950's segregation laws had deprived blacks of their full constitutional rights. In the South, all public facilities were separated into white and black categories. Before 1900, Jim Crow Laws and black codes denied Africans voting rights (Grandfather clause, poll tax). In the Supreme Court case *Brown v. Board of Education*, Linda Brown wanted to attend an all-white school rather than the all-black school that was further away from her home. In earlier rulings "separate but equal" was okay. This case reversed that, and set a precedent for years to come.

A non-violent by the name of Martin Luther King Jr. strived to achieve equal rights for all men. In his famous speech, *I Have A Dream*, King says "I have a dream that one day, my 2 children will live in a world where they are not judged by the color of their

skin, but by the content of their character." Martin Luther King Jr. followed the ideals of Mohandus Ghandi and Thoreau. His pacifist, and non-violent ^{principles} had a tremendous impact on future civil rights leaders. King's efforts to equalize the rights of men has helped African Americans overcome discrimination.

The NAACP has used many tactics to aid African Americans in receiving the same Constitutional rights of as every other American citizen. Even today the NAACP has ^{local} chapters that work hard to earn equal rights. Their actions have greatly influenced the idea of "all men are created equal". But the struggle continues. The NAACP still faces resistance and Blacks still face discrimination despite the many gains they have achieved.

Through court cases such as Brown v. Board of Education, leaders such as Martin Luther King, Jr., + organizations like the NAACP, African Americans have increased their equality in the U.S. today.

Anchor Level 4-C

The response:

Shows a good understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900

- Addresses all aspects of the task but does so unevenly, using details to describe discrimination and to discuss the specific actions taken, but not providing information on how the actions were intended to overcome this problem
- Shows an ability to analyze the actions (*Brown v. Board of Education*; speeches and nonviolent actions of Martin Luther King, Jr.) of African Americans in overcoming their denial of equal rights
- Incorporates relevant facts, examples, and details (13th amendment; segregation laws; Jim Crow laws; black codes; grandfather clauses; poll tax; reversal of “separate but equal” doctrine; “I Have a Dream” speech; ideals of Gandhi and Thoreau; NAACP) but does not discuss these details fully
- Is a well-developed essay, demonstrating a plan of organization
- Introduces the theme of equality by establishing a framework that is a simple restatement of the task and concludes with a simple summation of the theme

Conclusion: Overall, this response fits most of the criteria for Level 4. The evaluation of the extent to which the group has achieved equality today is limited, lacking the use of any specific detailed information. The discussion of the NAACP is confusing. It is difficult to determine whether this topic is a third action or an evaluation of the extent to which the group has achieved equality today. However, the discussion of discrimination and the two actions taken to overcome this problem is fairly thorough.

Throughout the history of the United States, African Americans have struggled to gain full equality. Their hardships have ranged from slavery to segregation and discrimination.

Segregation has been a problem for African Americans during the twentieth century. In the south, they have been made to use their own, unequal, facilities from the decision of the Supreme Court case of Plessy v. Ferguson until that "separate but equal" decision was overturned years later.

Many actions have been taken to help African Americans overcome their historical inequality. The Supreme Court overturned its decision in the Plessy v. Ferguson case when it became painfully obvious that separate facility facilities, by ~~na~~ their nature, can not be ~~equal~~ equal. And the peaceful demonstrations of Martin Luther King, Jr. and his followers have brought attention to racial inequality. Their bus boycotts and marches conveyed a powerful yet peaceful message.

African Americans have faced inequality throughout the history of the United States. Today, for the most part, they have achieved equality. Segregation is now illegal, blacks hold upper management positions and positions in politics. It is fairly safe to say, African Americans have finally won their battle.

Anchor Level 3-A

The response:

- Shows a satisfactory understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since before 1900
- Addresses all aspects of the task in a limited way, e.g., Rosa Parks, the Montgomery bus boycott, and marches are mentioned without any further discussion
- Shows some ability to analyze and evaluate the struggle of African Americans to achieve equality but not in any depth (Supreme Court overturned its decision in *Plessy v. Ferguson* when it became painfully obvious that separate facilities by their nature cannot be equal; bus boycotts conveyed a powerful yet peaceful message)
- Incorporates some relevant facts, examples, and details by mentioning some specific actions but not fully discussing them
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of equality by repeating the task and concludes with a simple evaluation of the extent to which the group has achieved equality today

Conclusion: Overall, this response fits the criteria for Level 3. Although all aspects of the task are completed, details and examples are not discussed. The analysis and evaluation of information are limited.

Since 1900, various groups in the United States have struggled to achieve full equality. African Americans are one of these many groups that faced unequal treatment. Through many actions they have slowly gained their equality.

Since 1900, African Americans have faced unequal treatment through segregation. Everything was segregated, buses, drinking fountains, schools, restaurants, everything. African Americans made many attempts to destroy segregation. One example is in the Supreme Court case, Brown vs. Board of Education of Topeka. In this court case, Brown was not allowed to go to ^{an all white} school because she was black. The decision in this case made segregation of schools illegal.

Another action taken by the African Americans was in the Little Rock incident. A young girl black girl was trying to enter the school, because it was supposed to be desegregated, but the guards wouldn't let her in. The president at this time then sent troops down to Little Rock to force the desegregation of the school.

From these actions and many others, African Americans slowly gained equality. These actions gained their equality for education and eliminated the segregation of schools. By the actions of the president it made it evident that the whole country would become desegregated.

In conclusion, since 1900, various groups in the United States have struggled to achieve full equality. Of these various groups, African Americans were denied their equal rights. Through segregation African Americans were denied their rights and it made them fight for their equality.

Anchor Level 3-B

The response:

- Shows a satisfactory understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Addresses most aspects of the task by discussing a major problem (segregation) and two actions (*Brown v. Board of Education of Topeka*, the Little Rock incident) taken to overcome the problem but does not evaluate the extent to which African Americans have achieved equality today
- Shows some ability to analyze and evaluate the struggle by African Americans to achieve equality but not in any depth (African Americans slowly gained equality)
- Incorporates some relevant facts, examples, and details without fully discussing them
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of equality by repeating the task and concludes by repeating the theme

Conclusion: Overall, this response best fits the criteria for Level 3. The number of facts and details are limited and the response lacks an evaluation of the extent of equality today.

The struggle for equality in various groups has existed before the United States was a united nation. Even now, centuries later, this struggle continues, mostly now for minorities. There is a struggle for equal pay, work opportunity, and home dwelling opportunity.

For the African American, the struggle was and still is infamous. It began with the slave trade and continued even after emancipation was granted. For instance, the right to vote was withheld from them. As a result, they banded together in an effort to have this changed and now no one is withheld the right to vote if they're of age. This is known as the 19th Amendment.

Another struggle they faced was segregation. Individuals such as Martin Luther King Jr. and Malcolm X spoke out against this discriminating practice. In the effort to unite everyone as equal under the American flag, these men were assassinated. Rosa Parks stood her ground when threatened with arrest for sitting in the right place at the wrong time. This began boycotts and the end result was the ruling of segregation as unconstitutional after the Brown v. Board case.

In conclusion, African Americans have fought hard to achieve their status in life. There's irony here however because aren't we all

humans? Color, ethnicity, style, clothes does not
or rather, should not define the man.
Consequently, their fight won the rights for
many others to be treated fairly and to them
homage should be payed.

Anchor Level 3-C

The response:

- Shows a satisfactory understanding of how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Addresses all aspects of the task in a limited way, identifying the problem, mentioning two actions (Rosa Parks; *Brown v. Board of Education*), and making a weak evaluation of the extent to which the group has achieved equality today in the introduction and conclusion
- Shows some ability to analyze and evaluate the efforts of African Americans to achieve equality but not in any depth (their fight won the rights for many others to be treated fairly)
- Incorporates some relevant facts, examples, and details without fully discussing them (segregation; boycotts; Martin Luther King, Jr.; Malcolm X)
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Contains an introduction and conclusion that provide some evaluation of the extent to which the group has achieved equality today

Conclusion: Overall, this response best fits the criteria for Level 3. The limited facts and examples, which are mentioned, are not explained and are not incorporated into the discussion and analysis. Much of the second paragraph is only marginally relevant and incorrectly implies that African Americans were given the vote as a result of the 19th amendment.

Since 1900's, various groups in the United States have struggled to achieve full equality. Here are some of the groups in American society that have struggled to achieve full equality include is, the African Americans, Asian Americans, Latinos, Native American Indians, persons with disabilities, and women.

One group of people in the American society that has been denied equal rights is women, and a major problem that the women have encountered since 1900 in its struggle for full equality. In the 1900's women were trying to get the right to vote, try to work out of the home and to be equal to men were. They wanted better wages and better jobs, because women had bad jobs and low wages.

Two things that the women did to try to improve the problem is that they protested and even one lady chained herself to the White House fence her name is Dr. Margate Singer. A lot of women did many other things to help solve the problem. They set their bras on fire, and one woman over in England was laid in the middle of the road and a car ran her over, she was killed.

Today women have achieved equality. One way they achieved is that in 1919 the government added the 19th amendment to the constitution. The 19th amendment gave women the right to vote. They are equal with men, they have better jobs and better wages.

Since 1900, various groups in the United States have struggled to achieve full equality. Women have really achieved to try to be equal in the eyes of the government. Other groups have also tried to struggle to achieve full equality.

Anchor Level 2-A

The response:

- Shows a limited understanding of the theme of equality, by making some effort to address how women have been denied equal rights and how they have struggled to achieve equality since 1900
- Attempts to address the theme of equality but only discusses the 19th amendment
- Includes few facts, examples, and details (goals of women in the early 1900s; Dr. Margaret Sanger) and includes some inaccuracies (the 19th amendment was added to the Constitution in 1919)
- Is a satisfactorily organized essay, demonstrates a general plan of organization, but contains a few digressions
- Contains both an introduction and conclusion that are a simple restatement of the task

Conclusion: Overall, this response best fits the criteria for Level 2. Despite the satisfactory organization and satisfactory introduction and conclusion, the content and analysis are weak. In addition, all aspects of the task are not addressed.

Since 1900, various groups in the United States have struggled to achieve full equality. One group of people in American society that have been denied equal rights are women.

Women were not given chances that men were. If a man and a woman worked in the same place, and did the exact same work, the man would always be paid more.

A major problem that women have gone through is fighting for the right to vote. Women lead movements to establish their right. One very popular movement was the convention that took place at Seneca Falls. This convention was lead by Elizabeth Cady Stanton. The women involved wrote a list of grievances. This list help express what women wanted to accomplish.

It wasn't until after WWII that women had gained the right to vote. During WWII women took the place of men. Women went out and kept the factories running while men were overseas fighting.

After the war women went back to working in the home. The country realized how much the women had done and passed the

19th Ammendment. This ammendment
now granted women the right to vote.
They made their point clear. With a
lot of hardwork and fighting they finally
accomplished what they wanted the most.

Anchor Level 2-B

The response:

- Shows a limited understanding of the theme of equality, making some effort to address how women have been denied equal rights and how they have struggled to achieve equality since 1900
- Attempts to address the theme of equality, discussing the 19th amendment and mentioning that women worked in factories during WWII
- Includes few relevant facts, examples, and details and includes some inaccuracies (women didn't get the right to vote until after WWII)
- Is a satisfactorily developed essay, containing a general plan of organization
- Introduces the theme by repeating the task and concludes with a simple evaluation

Conclusion: Overall, this response best fits the criteria for Level 2. The paragraph discussing the Seneca Falls Convention and Elizabeth Cady Stanton is only marginally linked to the problem since 1900. The rest of the discussion and analysis is limited and no attempt is made to address the success of women's equality today.

Since the early 1960's black Americans have fought for equal rights compared to the white Americans. Although the "war" started before this, it heated in the 1960's. They've tried everything, including peaceful marches, having people ~~sing~~ ~~sing~~ sing and speak, and other passive resistant acts.

Martin Luther King Jr. was a famous speaker. He would stand in a town square with hundreds of people surrounding him and talk of the day all of America would be equal. In 1963 he and his followers went to Washington D.C. to preach. They attempted to persuade the government into equal rights.

Another way they persuaded the government was to have peaceful marches down the center of town. Many of the local governments responded by jailing them for an illegal parade. Some even fired water at them from a fire truck to stop the upheaval.

Finally in the ~~late~~ ^{mid.} 1960's Congress passed the 13th, 14th and 15th amendments. This gave black Americans suffrage, equality and liberty. In the 1960's to early 1970's congress passed more acts and laws to enforce these amendments.

Anchor Level 2-C

The response:

- Shows a limited understanding of the theme of equality, making some effort to address how African Americans have been denied equal rights and how they have struggled to achieve equality since the early 1960s
- Attempts to address the theme of equality, referring to a problem (black Americans compared to white Americans), discussing Martin Luther King, Jr., mentioning that Congress passed laws to enforce amendments passed in the 1860s, but making no evaluation of the extent to which the group has achieved equality today
- Includes few relevant facts, examples, and details (1963 march on Washington, D.C.)
- Is a poorly organized essay with a concluding paragraph that digresses to talk about the amendments passed in the 1860s
- Contains an introduction that goes beyond a simple restatement of the theme of equality but provides no conclusion

Conclusion: Overall, this response best fits the criteria for Level 2. Some attempt to show how African Americans have struggled since 1960 is made, but only two of the aspects of the task are addressed in a limited manner.

Since 1900, various groups in the United States have struggled to achieve full equality. One group of people are the African Americans. African Americans ~~had~~ been ~~segregated~~ slaves ~~from whites~~ for hundreds of years. Even when ~~they~~ slavery is outlawed in the Amendment, and they are granted United States citizenship ^{in the amendment, they are} ~~they are~~ still segregated from whites. They are not given the right to vote and are ~~to~~ still basically treated like slaves by the white people. African Americans have tried peaceful protests and boycotting to try and achieve equal rights as whites.

Since 1900, various groups in the United States have struggled to achieve full equality. One group of people are the African Americans.

Anchor Level 1-A

The response:

- Shows a limited understanding of the theme of equality, making little effort to discuss how African Americans have struggled to achieve equality since 1900, except to identify the problem and two actions to try to achieve rights equal to white Americans
- Lacks an analysis or evaluation of the extent to which African Americans have achieved equality today
- Includes few accurate and relevant facts, examples, or details; deals with generalities, referring to amendments that outlawed slavery and granted citizenship
- Demonstrates a major weakness in organization, failing to discuss the problem (segregation) and just mentioning the actions (peaceful protest; boycotting)
- Contains both an introduction and conclusion that refer to the theme of equality

Conclusion: Overall, this response best fits the criteria for Level 1. Much of the information addresses actions that took place prior to 1900. No detailed relevant facts or examples are mentioned.

Since 1900, various groups in the United States have struggled to achieve full equality. A major problem that African Americans have encountered since 1900 in their struggle for full equality was being denied equal rights.

Two specific actions that have been taken by this group of people were protest marches and boycotts. These actions were taken to help African Americans overcome their problems of inequality.

African Americans today have achieved equality with the 15th amendment, and also dealing with the Jim Crow laws helping segregation marches.

Anchor Level 1-B

The response:

- Shows a limited understanding of the theme of equality by mentioning two actions (protest marches; boycotts) without referring to any specific historical examples of these actions
- Lacks an analysis or evaluation of the theme of equality beyond stating vague or inaccurate facts
- Includes few accurate or relevant facts, examples, or details; deals with generalities
- Contains weaknesses in organization
- Introduces the theme of equality but concludes with an inaccurate evaluation of the extent to which the group has achieved equality today (suggesting that the 15th amendment gave African Americans equality)

Conclusion: Overall, this response best fits the criteria for Level 1. “Being denied equal rights” cannot be considered as identifying the problem since that information is given in the task. The other aspects of the task are not addressed with specific and accurate information.

Since 1900, various groups in the United States have struggled to achieve full equality. One group which has historically been denied equal rights is women. As the U.S. Constitution was being drafted, Jane Adams wrote to her husband John, "Remember the Ladies." However, the founding fathers did not comply, and women were denied basic rights, specifically the right to vote.

The movement for women's rights had begun in the nineteenth century with women such as Lucretia Mott. It often shared the same platform as the abolitionist movement and temperance. It was further organized in 1848 at the Seneca Falls Convention where two powerful leaders emerged. Elizabeth Cady Stanton and Susan B. Anthony.

Along with the right to vote they ~~campaigned~~ campaigned heavily for abolition, hoping that when blacks were freed and granted the vote, they would too. However, the 14th Amendment which followed the Emancipation Proclamation and 13th Amendment which liberated all slaves, left out the key idea of not allowing discrimination against gender. When the women turned back to the abolitionist leaders

whom they had helped, they found a dead end. Frederick Douglass told them one idea for a generation. This generation had abolition, next would come equality for blacks, then temperance, then the vote for women. The women did not accept this answer, instead they took action. "Suffragettes" in the early 1900s took to the streets with billboards advertising support for the vote. They wrote petitions en masse and lobbied their councilmen, women demonstrated outside of the White House during the first World War, demanding suffrage.

Eventually their efforts were rewarded. In 1920 the 19th Amendment was ratified which gave women the right to vote.

This gave women political clout to fight and gain more political rights.

Building on the African-American Civil Rights Movement, women sought & won other legal guarantees such as the Equal Pay Act of 1963 and the 1964 Civil Rights Act (outlawing sex discrimination in employment). But women were still unsuccessful in ratifying the Equal Rights Amendment (ERA).

Since then women have gained more

equality as more and more have entered the workforce, the medical professions, and politics. Where it was uncommon for most women to graduate High School in the beginning of this century, it is now common for women to attain their graduate degrees. The first woman Supreme Court Justice, Sandra Day O'Connor was appointed in the 20th century, as was the first woman secretary of State, Madeline Albright. All of this arose from the single event of women earning the right to vote.

Since 1900, various groups in the United States have struggled to achieve full equality. One group of people in American society that historically has been denied equal rights, are the accused people. A major problem this group have encountered since 1900 in its struggle for full equality was the accused people weren't being treated fairly. They were never told their constitutional rights such as the right to a lawyer if they cannot afford one.

Two actions that have been taken by this action to help overcome the problem is bring this into the Supreme Court. and also making amendments and laws for the accused people.

The extent the accused people has achieved equality today is in the Supreme Court case. *Gideon vs. Wainwright* was a Supreme Court case where it expanded the right of accused persons to be informed of their constitutional rights. Also people accused of a crime have the right to a fair and speedy trial.

Since 1900, various groups in the United States have struggled to achieve full equality. One group of people in American Society that historically has been denied equal rights were the African Americans. After the 13th Amendment freed them from slavery, African Americans have been segregated from the rest of American society. Two examples of racial segregation they faced were in public schools and on public transportation.

Since African American's have been allowed to enter public schools, they have been treated differently. They have been called horrible things and they have had things thrown at them. But that all changed in the Supreme Court case, Brown vs. The Board of Education. This case made racial segregation in public school illegal. Therefore, it gave African Americans equal rights in public schools.

African American's have also faced racial segregation on city buses. After a long day of work, Rosa Parks got on a city bus and sat down. The white bus driver told her to give up her seat for a white person but she refused. This led to the Montgomery bus strike, led by Martin Luther King. All African American's stopped riding buses and started walking to work in protest. Since this caused a great amount of cash shortage, the government had no choice but to end racial segregation in public transportation.

Racial segregation is now abolished in the United States. Everyone is treated equally by the government and by other people. Thanks to Brown vs. The Board of Education and the many protest of Martin Luther King, everyone has equal rights.

Since the ^{start} 20th century African Americans have had been fighting for equal rights. Even though they had been granted their freedom, citizenship, and right to vote African Americans were still discriminated against.

There were several actions taken to help African Americans achieve equal rights. In 1954 in the Supreme Court case Brown vs. Board of Education it was decided that segregation was separate but unequal and therefore could no longer be allowed. In 1964 the Civil Rights Act was passed to further extend equal rights to African Americans.

Today African Americans have achieved equality in society. The Supreme Court case of Brown vs. Board of Education was a big step because not only did it state that segregation could no longer be allowed but it was enforced.

Although the struggle to obtain equal rights was long and often times bloody African Americans have achieved equal rights.

Since the 1900's, various groups of people in the United States have struggled to achieve full equality. One major group of people are African Americans.

A major problem that this group has encountered many problems and one of these is major abuse due to their color.

This group of people held many gatherings and many functions but two of these are the Montgomery bus boycott and the other was the March in Washington.

Two people that were greatly involved w/ these people were Martin Luther King Jr. and Malcolm X who both led groups of people to help them gain equality but in very different ways.

Today the African Americans are treated a lot better but there are still those people that are both ignorant and very crazy who still believe that they are better than most minorities but overall the equality is much better.

Many groups have been discriminated against through out the course of history. One group of African Americans. They were treated extremely badly and were now not fully treated equal but it has greatly improved since earlier in history.

Practice Paper A—Score Level 4

The response:

- Shows a good understanding of how women have been denied equal rights and how that group has struggled to achieve equality since the writing of the United States Constitution
- Addresses all aspects of the task, but does so somewhat unevenly, discussing the historical situation prior to 1900 extensively with little attention to the situation in the 20th century
- Shows an ability to analyze and evaluate the actions of women in overcoming their denial of equal rights, including comments of an analytical and evaluative nature (women’s movement grew out of the abolition and temperance movements; later legislative gains resulted from women gaining the right to vote)
- Incorporates relevant facts, examples, and details (suffragettes; women demonstrating during WWI; 19th amendment; Equal Pay Act of 1963; 1964 Civil Rights Act; ERA; Sandra Day O’Connor; Madeline Albright) without fully discussing them and without using them to support all aspects of the task
- Is a well-developed essay, demonstrating a general plan of organization
- Introduces the theme of equality by establishing a framework that is beyond a simple restatement of the task and concludes with a very good evaluation of the extent to which the group has achieved equality today

Conclusion: Overall, this response fits most of the criteria for Level 4. Although the discussion of the problem for women since 1900 is very limited, the response contains many relevant facts and a strong evaluation of the extent to which women have achieved equality today.

Practice Paper B—Score Level 2

The response:

- Shows a limited understanding of the theme of equality, making some effort to address how accused people have been denied equal rights and how that group has struggled to achieve equality since 1900
- Attempts to address the theme of equality by briefly discussing one problem (accused people not being treated fairly), discussing one action (*Gideon v. Wainwright*) and making a general evaluation of the extent to which the group has achieved equality today
- Includes few facts, examples, and details (the accused were never told their constitutional rights such as to the right to a lawyer; right to a fair and speedy trial)
- Is a poorly organized essay, randomly making statements and not clearly identifying which aspect of the task is being addressed
- Contains a simple one-sentence introduction and concludes with a limited evaluation of the extent to which the group has achieved equality today

Conclusion: Overall, this response best fits the criteria for Level 2. Although the amount of useful specific information is limited, the response does make an attempt to address the task and does so at a higher level than usually seen in a Level 1 paper.

Practice Paper C—Score Level 3

The response:

- Shows a satisfactory understanding of how African Americans have been denied equal rights and how that group has struggled to achieve full equality since 1900
- Addresses all aspects in a limited way, identifying the problem, briefly discussing two actions (*Brown v. Board of Education*; bus boycott), and making some evaluation of the extent to which African Americans have achieved equality today
- Shows some ability to analyze and evaluate the struggle by African Americans to achieve equality, but not in any depth (after the 13th Amendment, they faced racial segregation in public schools and transportation)
- Incorporates some relevant facts, examples, and details without fully discussing them (segregation in public schools and public transportation; Rosa Parks; Martin Luther King)
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of equality by going a little beyond a simple restatement of the task and concludes with a weak evaluation of the extent to which African Americans have achieved equality today

Conclusion: Overall, this response fits the criteria for Level 3. The discussion and explanation of the problem and the evaluation of the extent to which the group has achieved equality today are limited.

Practice Paper D—Score Level 3

The response:

- Shows a satisfactory understanding of how African Americans have been denied equal rights and how that group has struggled to achieve full equality since 1900
- Addresses all aspects in a limited way, making a very general statement of the problem, identifying two actions without explanation (1954 *Brown v. Topeka*; 1964 Civil Rights Act), and using a single sentence to make an evaluation of the extent to which the group has achieved equality
- Shows a limited ability to analyze and evaluate the struggle by a group to achieve equality, but not in any depth (even though they had been granted their freedom, citizenship, and right to vote, African Americans were still discriminated against)
- Incorporates some relevant facts, examples, and details without fully discussing them (discrimination; segregation)
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of equality by repeating the task and identifying the problem of segregation and concludes by repeating the theme

Conclusion: Overall, this response best fits the criteria for Level 3. Information is only mentioned and analysis is limited.

Practice Paper E—Score Level 2

The response:

- Shows a limited understanding of the theme of equality, making some effort to address how African Americans have been denied equal rights and how that group has struggled to achieve equality since 1900
- Attempts to address the theme of equality but does not clearly identify one problem faced by this group
- Mentions a few facts and examples without explaining them or showing specifically how they helped to bring about equality for this group (Montgomery bus boycott; March in Washington; Martin Luther King, Jr.; Malcolm X)
- Is a satisfactorily organized essay, demonstrating a general plan of organization
- Contains both an introduction and conclusion that are a simple restatement of the theme of equality

Conclusion: Overall, this response best fits the criteria for Level 2. The attempt to state a problem faced by African Americans is vague. The facts and examples are not discussed and explained, but the response does provide some analysis of the extent to which the group has achieved equality today.

United States History and Government
Part A Specific Rubric
Document-Based Questions—January 2002

Document 1

The House of Representatives . . . shall have the sole power of impeachment. . . . The Senate shall have the sole power to try all impeachments.

— United States Constitution, Article I

1 Which branch of the United States government is responsible for the impeachment process?

Score of 2:

- Identifies the “*legislative*” branch of the government as responsible for the impeachment process

Score of 1:

- Identifies the two houses which make up the legislative branch
Examples: Congress; House of Representatives and Senate

Score of 0:

- Incorrect response
Examples: executive branch; judicial branch
- No response

Document 2

He shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the senators present concur; and he shall nominate, and by and with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court, and all other officers of the United States. . . .

— United States Constitution, Article 2, Section 2, Clause 2

2a To whom does “He” refer?

Score of 1:

- Identifies “He” as the “*President*”

Score of 0:

- Incorrect response
Example: God
- No response

2b Under Article 2, Section 2, Clause 2, what role does the Senate play in the appointment of ambassadors or the appointment of judges to the Supreme Court?

Score of 2:

- Identifies the role played by the Senate in the appointment of ambassadors or the appointment of judges to the Supreme Court
Example: Senate must approve appointments of ambassadors and Supreme Court judges
- Quotes part of the document that answers the question
Example: “with the advice and consent of the Senate, shall appoint ambassadors, other public ministers and consuls, judges of the Supreme Court”

Score of 1:

- Vague response that does not *completely* answer the question
Example: advise the president
- Quotes part of the document that *partially* answers the question
Example: “advice and consent of the Senate”

Score of 0:

- Incorrect response
Example: make appointments
- Vague response that does not answer the question
Example: they listen
- No response

Document 3

Presidential Vetoes, 1901–1990

President	Regular Vetoes	Pocket Vetoes	Total Vetoes	Vetoes Overridden
T. Roosevelt	42	40	82	1
Taft	30	9	39	1
Wilson	33	11	44	6
Harding	5	1	6	—
Coolidge	20	30	50	4
Hoover	21	16	37	3
F. Roosevelt	372	263	635	9
Truman	180	70	250	12
Eisenhower	73	108	181	2
Kennedy	12	9	21	—
L. Johnson	16	14	30	—
Nixon	24	18	42	6
Ford	53	19	72	12
Carter	13	18	31	2
Reagan	39	39	78	9
G. Bush	14	6	20	0

3a What does this chart indicate about how the president can check the power of Congress?

Score of 1:

- Identifies a presidential check on Congress
Examples: veto; pocket veto

Score of 0:

- Incorrect response
Example: he can do nothing
- Vague response that does not answer the question
Example: regular veto
- No response

3b What does this chart indicate about how Congress can check the power of the president?

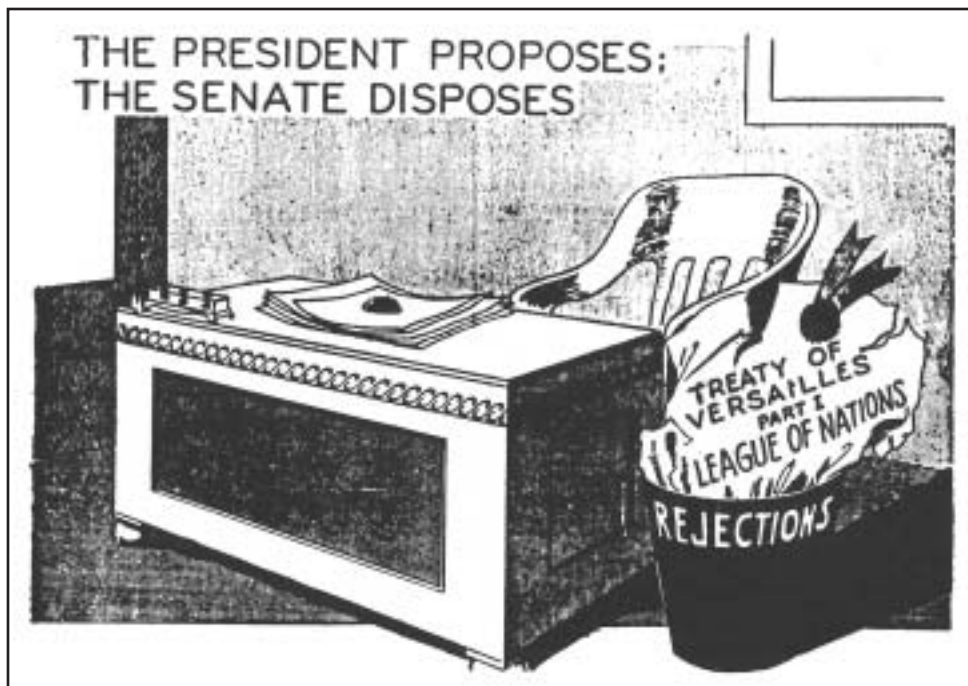
Score of 1:

- Identifies a congressional check on the power of the president
Example: override of a presidential veto

Score of 0:

- Incorrect response
Example: Congress had no power under Bush
- Vague response that does not answer the question
Example: Congress does not override many presidential vetoes
- No response

Document 4



4 In this cartoon, why is the Treaty of Versailles in the wastebasket?

Score of 2:

- Identifies the reason the Treaty of Versailles is in the wastebasket
Examples: Senate rejected the treaty; Senate rejection of the Treaty of Versailles

Score of 1:

- Identifies the rejection of the Treaty of Versailles without mentioning the role of the Senate
Example: Treaty of Versailles was rejected

Score of 0:

- Incorrect response
Examples: treaty rejected by the League of Nations; the president vetoed the Treaty of Versailles
- Vague response that does not answer the question
Example: rejected
- No response

Document 5



(adapted)

5 In this cartoon, which branch of the government is President Franklin D. Roosevelt trying to change?

Score of 1:

- Identifies the “*judicial*” branch of government as the branch that President Franklin D. Roosevelt is trying to change

Score of 0:

- Incorrect response
Examples: Congress; Supreme Court; legislative branch
- Vague response that does not answer the question
Example: all branches
- No response

Document 6

So if a law be in opposition to the Constitution, if both the law and the Constitution apply to a particular case, so that the Court must either decide that case conformably to the law, disregarding the Constitution or conformably to the Constitution, disregarding the law, the Court must determine which of these conflicting rules governs the case. This is of the very essence of judicial duty. . . .

— Chief Justice John Marshall

6 According to this quotation by Chief Justice John Marshall, what “power” does the Supreme Court have?

Score of 2:

- Identifies a power of the Supreme Court according to John Marshall
Examples: judicial review to determine if a law follows the Constitution; judicial review
- Quotes part of the document that identifies a power of the Supreme Court
Example: “Court must determine which of these conflicting rules govern the case”

Score of 1:

- Vague response that *partially* answers the question
Example: Supreme Court has the power to decide laws

Score of 0:

- Incorrect response
Example: opposes the Constitution
- Vague response that does not answer the question
Example: review
- No response

Document 7

Yesterday, December 7, 1941 — a date which will live in infamy — the United States of America was suddenly and deliberately attacked by naval and air forces of the empire of Japan. . . . I ask that the Congress declare that since the unprovoked and dastardly attack by Japan on Sunday, December 7, 1941, a state of war has existed between the United States and the Japanese Empire.

— President Franklin D. Roosevelt, to Congress

The Congress shall have the power . . . to declare war.

— United States Constitution, Article 1, Section 8, Clause 11

7 Why was it necessary for President Franklin D. Roosevelt to ask Congress for a declaration of war against Japan in December 1941?

Score of 2:

- States the reason President Franklin D. Roosevelt had to ask Congress for a declaration of war
Example: Congress declares war
- Quotes part of the document that answers the question
Example: “The Congress shall have the power to declare war.”

Score of 1:

- Vague response that *partially* answers the question
Example: Japan attacked the United States

Score of 0:

- Incorrect response
Example: Roosevelt had already declared war
- Vague response that does not answer the question
Example: Roosevelt didn’t like Japan
- No response

United States History and Government
Content-Specific Rubric
Document-Based Question—January 2002

Key Ideas from the Documents and Relevant Outside Information

How the System of Checks and Balances Functions	How It has Been Applied in Specific Circumstances	Outside Information (This list is not all-inclusive.)
Impeachment process (doc 1)		Impeachment of Andrew Johnson Resignation of Richard Nixon Impeachment of Bill Clinton
Senate approval of presidential appointments (doc 2)	Franklin D. Roosevelt's Supreme Court proposal (doc 5)	Approval of Gerald Ford as Vice-President <i>Marbury v. Madison</i>
Presidential vetoes/congressional override (doc 3)	Franklin D. Roosevelt used the veto more than any other President between 1901 and 1990 (doc 3) Congress was unable to override the vetoes of George Bush (doc 3)	Andrew Jackson's vetoes (Recharter of the Bank) Andrew Johnson's vetoes (Military Reconstruction, Tenure of Office Act) Harry Truman vetoed Taft-Hartley Act and Congress overrode Richard Nixon vetoed War Powers Act and Congress overrode
Presidential proposal of treaties with Senate approval (doc 2, doc 4)	Rejection of the Versailles Treaty (doc 4)	Details about Versailles Treaty negotiations Approval of Panama Canal treaties
Presidential appointment of Supreme Court justices Congressional role in appointment of federal judges (doc 2, doc 5)	Franklin D. Roosevelt's problems with the Supreme Court (doc 5)	Supreme Court's rejection of New Deal programs and of court packing Midnight judges
Judicial review (doc 6)	John Marshall's application of judicial review (doc 6)	<i>Marbury v. Madison</i> <i>Dred Scott v. Sanford</i> <i>Schechter v. United States</i> <i>United States v. Butler</i>
Declaration of war (doc 7)	Declaration of war against Japan (doc 7)	Declaration of World War I Vietnam/Korean wars were not declared by Congress

Score of 5:

Thoroughly addresses both aspects of the task by describing how the system of checks and balances functions and how this system has been applied in at least *two* specific circumstances in United States history

- Includes an accurate analysis and interpretation of at least **four** documents (See “Key Ideas from the Documents.”)
- Incorporates accurate information from the documents
- Incorporates relevant outside information related to the function and application of checks and balances (See “Outside Information” column for some specific examples that are likely to be used.)
- Richly supports the theme of checks and balances with the use of many relevant facts, examples, and details, and the discussion is more analytical than descriptive, such as relating judicial review in *Marbury v. Madison* to another court case, e.g., *Dred Scott*
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization by describing how checks and balances functions and explaining at least *two* applications
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Score of 4:

- Addresses both aspects of the task, although the treatment of the tasks may be uneven, i.e., the discussion of the second application might be less complete than the first
- Includes an accurate analysis and interpretation of at least **four** documents
- Incorporates accurate information from the documents
- Incorporates relevant outside information related to checks and balances
- Incorporates relevant facts, examples, and details, but the discussion may be more descriptive than analytical
- Is a well-developed essay, demonstrating a logical and clear plan of organization, but may use the documents in a less integrated manner than in a Level 5 response
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Score of 3:

- Addresses most aspects of the task *or* addresses both aspects of the task in a limited way by mentioning how the system of checks and balances functions and discussing more than *one* application *or* addresses both aspects by describing how the system of checks and balances functions but discussing only *one* application
- Includes some analysis and interpretation of the documents
- Incorporates some information from the documents
- Incorporates limited relevant outside information
- Includes some facts, examples, and details, but the discussion is more descriptive than analytical
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of checks and balances by repeating the historical context and concludes by simply repeating the theme

Score of 2:

- Attempts to address some aspects of the task by only describing how checks and balances function **or** by only discussing the specific circumstances of the application
- Makes limited use of the documents or may only restate the contents of the documents
- Presents little or no relevant outside information
- Includes few facts, examples, and details, and may include information that contains some inaccuracies
- Is a poorly organized essay, lacking focus; may contain digressions or extraneous information
- May lack an introduction and/or a conclusion or the introduction and/or conclusion may not refer to the theme of checks and balances

Score of 1:

- Shows limited understanding of the task with vague, unclear references to the documents
- Presents little or no relevant outside information
- Includes few or no accurate or relevant facts, details, and examples
- Attempts to address the task, but demonstrates a major weakness in organization
- May lack an introduction and/or a conclusion or the introduction and/or conclusion may not refer to the theme of checks and balances

Score of 0: Fails to address the task, is illegible, or is a blank paper

Notes:

1. The response must discuss at least *two* different specific circumstances in which checks and balances has been used in United States history.
2. The specific circumstances that are discussed do **not** need to be related to the functions that are described.

The power to govern is divided into the legislative, executive, and judicial branch. Each of these branches has the power to check both of the other branches to keep any one branch from giving too much power.

The system of checks and balances has been in use for over 200 years. Checks and balances has been used many times throughout American history. The President has the power to veto any bills he doesn't agree with but Congress can override his veto with a two-thirds vote in both houses. (Doc. 3) According to Chief Justice John Marshall, the judicial branch has a power known as judicial review. This power gives the Supreme Court the right to declare a law of Congress unconstitutional. (Doc. 5) The President can negotiate a treaty but the Senate must approve the treaty with a 2/3 vote. The Senate also must give approval to the President's nominations. (Doc. 4) If the President is involved in a lawful or unethical acts it is the duty of the House of Representatives to impeach the President. If the President is impeached he will be tried in the Senate and if convicted could be removed from office. (Doc. 1) There are many checks to keep this country a democracy.

These checks and balances have been used many times in history. Judicial review was

first used in *Marbury v. Madison*. Marbury was a midnight judge appointed by Federalist President John Adams to help the Federalists keep control of the government when the Republicans took office.

Chief Justice John Marshall used the situation to declare parts of the Federal Judiciary Act unconstitutional establishing the precedent of judicial review and checking the power of Congress.

After the Civil War Congress impeached President Johnson because he fired Secretary of War Stanton even though they had passed the Tenure of Office Act to stop him. When the case reached the Senate they were not able to convict him. Several senators finally realized that if the Constitution states that the President can make appointments Congress can't prevent him from firing the people once the appointments are made.

President Wilson negotiated the League of Nations into the Treaty of Versailles after WWI. Unfortunately despite his campaigning the Senate rejected the Treaty (Doc 4). The US did not join the League of Nations and had to negotiate a separate peace treaty.

President Franklin D. Roosevelt implemented his New Deal program to end the depression. The Supreme Court declared some of his laws unconstitutional. He tried to make his own appointments to the Supreme Court but was stopped by Congress because only they can increase the number of judges on the Supreme Court (Doc 5).

The system of checks and balances continues to work keeping all three branches of the federal government fairly equal. The three branches work together to run the country

Anchor Level 5-A

The response:

- Thoroughly addresses both aspects of the task by describing how the system of checks and balances functions and how this system has been applied in more than one specific circumstance in United States history (*Marbury v. Madison*; impeachment of Johnson; Senate rejection of the Treaty of Versailles)
- Includes an accurate analysis and interpretation of documents 1, 2, 3, 4, 5, and 6
- Incorporates accurate information from the documents
- Incorporates relevant outside information related to the function and application of checks and balances (Judiciary Act of 1789; Tenure of Office Act; firing of Edwin Stanton; court-packing)
- Richly supports the theme of checks and balances with the use of many relevant facts, examples, and details, and the discussion is more analytical than descriptive (relates the Judiciary Act of 1789 to *Marbury v. Madison*; relates the firing of Stanton to Johnson's impeachment)
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization by discussing the functions of checks and balances and then giving examples of how it works
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response best fits the criteria for Level 5. All aspects of the task are discussed with specific details. It is strong in the integration of information from the documents, including details and explanations of these details.

The Founding Fathers of the Constitution of the United States established a system of checks and balances for the three branches of government. Within the checks and balance system each branch of government has the power to limit the power of the other two. The legislative branch, or Congress, has the power to impeach a ~~president~~ president who does not obey the law. The head of the executive branch, the President of the United States, has the power to veto any piece of Congressional legislation and the Supreme Court has the power to decide the constitutionality of ~~the~~ the actions of both other branches.

The Congressional power to impeach and possibly remove a president regulates his actions and makes sure that no one is above the law. Congress has only exercised ~~its~~ its power to impeach the President ~~twice~~ ^{three times} in American history. The first time it was used was to impeach President Andrew Johnson for violating the Tenure of Office Act in the late 1860s. Although mostly a politically inspired action, the ^{Northern Republican} Congress ~~was~~ impeached Johnson and the vote for his removal failed ^{by} only a single vote. The Congressional power to impeach assures the American people that no one is held above the law.

The Presidential power to veto any Congressional legislation gives him the power to check the actions of Congress. The use of the ~~power~~ veto has

been taken full advantage of. FDR and Truman used the veto very successfully and saw very few laws override their decision. In 1832 Andrew Jackson used his power of the veto to reject the rechartering of the National Bank of the United States created by Nicholas Biddle. By using the veto Jackson was able to reject the bank which he believed would only help the upper class people of the country.

During Washington's Presidency Chief Justice of the Supreme Court John Marshall established, in the *Marbury v. Madison* case, that it was the duty of the judicial branch to make sure all legislative and executive actions are in compliance with the Constitution. This power of judicial review checks each of the other branches of government and helps preserve the ^{legitimacy of the} Constitution. This power was used by the conservative Supreme Court of the 1930s when they rejected Roosevelt's New Deal program, the NIRA. In *Schechter v. U.S.* the Supreme Court declared the ^{establishment of the} NIRA to be unconstitutional. By doing so the Supreme Court has expanded its strictly defined Constitutional powers.

The system of checks and balances allows Congress to approve Presidential appointments and treaties, gives the President the power to veto, ~~to~~ to be overridden and ~~to~~ to be overridden and gives the Supreme Court the power to declare the constitutionality of the other's actions.

Anchor Level 5-B

The response:

- Thoroughly addresses both aspects of the task by describing how the system of checks and balances functions and how this system has been applied in more than one specific circumstance in United States history (Andrew Johnson's impeachment; Jackson's veto of the National Bank of the United States; and judicial review of the N.I.R.A)
- Includes an accurate analysis and interpretation of documents 1, 3, 5, and 6
- Incorporates accurate information from the documents
- Incorporates relevant outside information related to the function and application of checks and balances (Tenure of Office Act; failure to get Johnson's conviction by a single vote; the role of Nicholas Biddle in the Bank of the United States veto; *Schechter v. United States*)
- Richly supports the theme of checks and balances with the use of many relevant facts, examples, and details, and the discussion is more analytical than descriptive (relates judicial review to *Schechter*; the politically-inspired impeachment of Andrew Johnson)
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization by discussing a check and then discussing an application of that check
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response best fits the criteria for Level 5. The response demonstrates a sophisticated knowledge of Johnson's impeachment and of judicial review with the use of the *Schechter* case. The documents are used as stepping-stones to outside information.

The United States Constitution was written after a period when the people of America were ruled by a king who had no opposition or concern for the people. They feared a strong government gaining too much power and divided the power and set up a system of checks + balances to ensure a government in which power was equally distributed.

The system of checks and balances is very efficiently designed so each branch cannot obtain excessive amounts of power. Each branch can regulate the way another acts. For example as stated in document 1 Congress has the power to impeach the president, should he be remiss in his duties or commit a crime. For example, Andrew Johnson was impeached by the House of Representatives for violating the Tenure of Office Act. The Senate did not find him guilty.

Also, the Congress must approve treaties proposed by the president as shown in document 2. The Senate approved the NAFTA treaty despite significant debate and controversy.

The Supreme Court has the power to check the legislative branch by declaring laws

unconstitutional (document 6). But, ~~that~~ their power is checked by the president in his ability to appoint new judges.

The process of vetos is another way the system of checks and balances works. The Congress checks the president by having the power to override his vetos with a $\frac{2}{3}$ vote on laws they make. The president's power lies in vetos, direct disapproval of a law, and pocket vetos, not approving a law before the Congress goes out of session. This power is illustrated in document 3.

There are many instances in history when this system has been put into use. For example, after World War I the senate refused to ratify the treaty of Versailles because they felt the League of Nations would draw us into further wars. Document 4 shows how this power allows the Congress to check the president's power.

Also, in World War II, after the bombing of Pearl Harbor the president wanted to declare war on Japan. As shown in document 7 the president was required to request that Congress declare war on Japan.

In conclusion, the system of

Checks and balances keeps any one branch from gaining too much power. This system is used every day, and also in many important historical decisions.

Anchor Level 4-A

The response:

- Addresses both aspects of the task, although the treatment of the tasks is uneven
- Includes an accurate analysis and interpretation of all the documents
- Incorporates information from the documents
- Incorporates relevant outside information related to checks and balances (explanation of the pocket veto; reason for the Senate rejection of the Treaty of Versailles; impeachment of Andrew Johnson for violation of the Tenure of Office Act; NAFTA)
- Incorporates relevant facts, examples, and details, but the discussion is more descriptive than analytical (approval of appointments and ratification of treaties by the Senate)
- Is a well-developed essay, demonstrating a logical and clear plan of organization by discussing the function of checks and balances and then discussing the application of checks and balances
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response fits most of the criteria for Level 4. The introduction is very good because it explains why checks and balances are included in the Constitution. Most of the response explains how checks and balances function. The lack of sufficient details to explain the application detracts from the overall quality of the response.

The United States Constitution divides the power to govern among the executive, legislative and judicial branches of the National Government. The constitution provides for a system of checks and balances to prevent any one branch from dominating the other two. This system has been used throughout U.S. history to ensure that one group does not step over their governing power.

The system of checks and balances gives each branch of government power over another branch to make sure that power is distributed evenly. Every branch of government has their own specific tasks to complete, which helps to divide up the power. Many branches of government work together to accomplish one main goal. The legislative and judicial branches work together at times in U.S. history when an impeachment is in process. The House of Representatives is the only house that has the power to impeach, but the Senate is the only house that can try impeachments. (Doc 1) Neither branch can switch roles and the power is split among the two groups. The Senate has an important power, which is to consent to the appointment of ambassadors, public consuls, judges of the Supreme Court and other U.S. officers. The President of the United States can nominate who he would like to be selected but needs the Senates

approval to make sure that the President doesn't go too far. (Doc 2) Unless a system of checks and balances is used, a President could appoint whomever he wanted. When Franklin D. Roosevelt was president, he wanted to change the members of the Supreme Court to make them more Democratic so they would support the New Deal. (Doc 5) This way, Roosevelt felt that they would not declare his bills unconstitutional. Congress had to approve Roosevelt's decision, which they didn't. Checks and Balances helped keep the President from appointing a court who would approve all his decisions.

The President of the United States also has the power to check Congress' decisions. When Congress passes a bill, it's sent to the President. The President can decide that he doesn't want that bill and will veto it (Doc 3), or not place the bill into action. Although, the system of checks and balances allows Congress to override the President's veto (Doc 3) Congress needs a two-thirds vote to gain this and doesn't often happen that much. One way in which the President also can propose treaties. The Senate does have the power to declare the bill put the treaty into action or out of action. One such case is after World War I, when Wilson proposed the Treaty of Versailles. Wilson wanted the United States to join the League of Nations, which would

include the U.S. in any and all foreign affairs of the countries listed in the Treaty. The Senate did not pass the treaty because they did not want the U.S. to be included in every quarrel that went on with other nations. (Doc 4). Franklin D. Roosevelt also had to ask Congress for permission to declare war on Japan on December 7, 1941. Only Congress can declare war, no other branch is allowed to do so. (Doc 7) At certain times in U.S. history, the Supreme Court is involved in many cases when they need to check how a law is constitutional or unconstitutional. One case was *Marbury v. Madison* when the Supreme Court decided that the parts of the Judiciary Act of 1789 were unconstitutional. Checks and balances

The system of checks and balances helps limit the powers of each of the three branches. Throughout history there have been many examples of checks and balances.

Anchor Level 4-B

The response:

- Addresses both aspects of the task, although the treatment of the tasks is uneven
- Includes an accurate analysis and interpretation of documents 1, 2, 3, 4, 5, and 6
- Incorporates information from the documents
- Incorporates relevant outside information related to checks and balances (*Marbury v. Madison*; two-thirds vote necessary for congressional override)
- Incorporates relevant facts, examples, and details, but the discussion is more descriptive than analytical (FDR's reasons for changing Supreme Court numbers; reasons for Senate rejection of the Treaty of Versailles)
- Is a well-developed essay, demonstrating a logical and clear plan of organization by describing the function and the application of checks and balances in the same paragraph
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response best fits the criteria for Level 4. Much of the outside information is mentioned rather than fully explained and discussed. Although the description of the function of checks and balances is very good, the examples of the applications of checks and balances are uneven. The discussion of the rejection of the Treaty of Versailles is more complete than the discussion of *Marbury v. Madison*.

The United States government is divided into three branches in order to preserve a balance of power. The legislative branch creates laws; it also controls impeachment, approves treaties, and declares war. The executive branch enforces laws; it also appoints court justices and vetoes bills passed by the legislature. The judicial branch interprets laws; through judicial review it may nullify a bill of the legislature.

The highest legislative branch in the U.S. is Congress. If Congress feels that the President has violated a law, it may "check" his power by bringing him to trial. ^{President Clinton was impeached but not convicted.} The first article of the U.S. Constitution dictates control of impeachment to Congress; the House of Representatives must vote charges and the Senate will conduct the trial.

Congress must also oversee foreign policy. Under the second article of the U.S. Constitution, approval of the Senate is required if the President wishes to create a treaty. In 1920, President Woodrow Wilson attempted to create the League of Nations as an

attachment to the Treaty of Versailles.

As seen in the cartoon (Document 4), the ~~Senate~~^{treaty} did not ~~approve~~ receive the approval of two-thirds of the Senate and the treaty was not ratified. The president may not declare war by himself. In 1941, President Roosevelt wished to enter World War II against Japan; he was required to request a war declaration from Congress as outlined by article two of the U.S. Constitution.

The highest executive body in the U.S. is the president. The President has the ability to disallow the passage of Congressional bills; he possesses veto power. Document 3 lists the amounts of vetoes used by Presidents between 1901 and 1990. It also lists the number of times the President's power has been overturned. Congress may override a presidential veto if a significant percentage of Congressional representatives are willing to accept a bill. The President may also appoint Supreme Court justices. According to Article 2 of the U.S.

Constitution, these ~~approval~~ appointments require a $\frac{2}{3}$ approval of the Senate.

President Roosevelt attempted to add to substitute new justices in order to gain favor for his federal (New Deal) programs; initially, his efforts failed due to ^{Congress} ~~Senate~~ disapproval.

The highest judicial body in the U.S. is the Supreme Court. This court holds the power of judicial review, as stated by Chief Justice John Marshall. If the court feels that a Congressional bill is unconstitutional, it may disallow its enforcement and nullify it.

The division of power among the three branches of U.S. government creates a system of "checks and balances." This system was designed for the prevention of an excess of authority within government and for the preservation of democracy.

Anchor Level 4-C

The response:

- Addresses both aspects of the task, although the treatment of the tasks is uneven
- Includes an accurate analysis and interpretation of documents 1, 2, 3, and 4
- Incorporates information from the documents
- Incorporates relevant outside information related to checks and balances (New Deal programs; explanation of judicial review; Wilson's role in the Treaty of Versailles; impeachment of Clinton)
- Incorporates relevant facts, examples, and details, but the discussion is more descriptive than analytical (role of House and Senate in impeachment)
- Is a well-developed essay, demonstrating a logical and clear plan of organization by explaining the function of checks and balances and, at the end of each paragraph, briefly discussing the application
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response fits most of the criteria for Level 4. The introduction is used to state the responsibilities of each of the three branches. Specific parts of the Constitution are correctly cited to explain the functions of checks and balances, but much of the information used to discuss the application of checks and balances is not explained with details. The discussions of the Treaty of Versailles and World War II are less complete than the discussion on impeachment.

The United States Constitution ~~at~~ sets up a government in which there are three branches. The executive, legislative, and judicial branches have checks and balances to ensure that not one branch ~~is~~ gains power over the other two. There have been many times in United States history in which this system of checks and balances has been successful in regulating and restricting the power of one group.

The President's power is checked in many ways. The president needs the consent of the Senate to appoint members of the Supreme Court, ~~and~~ ambassadors, and other officers of the government. This is demonstrated by an excerpt from the Constitution in Document 2. During his presidency, ~~FDR~~ Franklin D. Roosevelt once tried to appoint new Supreme Court judges who agreed with him on many ideas to get his laws passed. The Senate did not approve of these appointments, however, so it did not work. This is an example of his restriction of power. The President's power is also restricted by his need for the Senate's approval in declaring war. As shown in Document 7, FDR ~~was~~ had to ask Congress in order to declare war on Japan in 1941. This is an example of checking the President's power. The

presidents power is also restricted by the fact that his veto can be overridden by a $\frac{2}{3}$ majority in the Senate and House of Representatives. As shown in Document 4, although Wilson strongly wanted the United States to join the League of Nations by ratifying the Treaty of Versailles, the senate ~~overrode his~~ did not want to, and Wilson's proposal was overridden. Similarly, the President can check Congress' power by vetoing laws that they proposed. These are both ways to even out power and ensure equality.

The Supreme Court has power to ensure the other two branches do not become too powerful. The Supreme Court has the ability to see if laws that are passed are Constitutional. They decide on the constitutionality to make sure that rights are equal and fair. Chief Justice Marshall illustrates this power in Document 6. In 1954 an important example of this occurred. In the case *Brown vs. Board of Education* the Supreme Court overturned the law that separate but equal facilities were alright. This was an example of the Supreme Court judging the Constitutionality of laws.

In many instances in U.S. history the system of checks and balances has been effective.

Anchor Level 3-A

The response:

- Addresses both aspects of the task in a limited way, i.e., the applications of checks and balances lack supporting details
- Includes some analysis and interpretation of documents 2, 3, 4, 5, 6, and 7
- Incorporates some information from the documents
- Incorporates limited relevant outside information (FDR's desire to appoint judges who agreed with his policies; two-thirds vote needed to override; Wilson's role in the League of Nations; *Brown v. Board of Education*)
- Includes some facts, examples, and details, but the discussion is more descriptive than analytical (Senate approval needed for appointments; declaration of war by Congress)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by explaining the function of checks and balances and then mentioning the application in the same paragraph
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with an evaluation of the system of checks and balances

Conclusion: Overall, the response best fits the criteria for Level 3. The lack of specific details about the Treaty of Versailles and *Brown v. Board of Education* prevent this from being a Level 4 response. The conclusion is weak but does not detract from the overall quality of the response.

The United States constitution divides the power to govern among the executive, legislative, and judicial branches of the national government. The constitution provides for a system of checks and balances to prevent any one branch from dominating the other two. This system works by setting up limits on the power of a branch and giving another branch the power to stop what one branch is doing. Throughout history there have been many circumstances where those checks and balances were applied including the non ratification of the Versailles treaty, the declaration of John Marshall of the power of the supreme court, and FDR's court packing scheme.

After WWI president Wilson spent a lot of time helping write the Versailles treaty but when he brought it home to be signed Congress refused to ratify it because of the League of Nations which it included. This power was given to them by the constitution when it said that all treaties made by the president had to be ratified by congress to limit his power.

During the 1800's a law was made by congress that contradicted the constitution. In the court case that followed, Marbury vs. Madison, Supreme court justice John Marshall declared that the law was unconstitutional and therefore had to be taken away. This defined the power of the Supreme court to limit the power of congress.

after president FDR was elected he had problems with the supreme court being against his bills. In order to rectify the situation he came up with a plan to pack the supreme court with justices who supported him by adding six more justices. Congress shot this attempt down seeing it for what it was using their power not to pass a bill suggested by the president. On the part the system of checks and balances has been central in such events as the non ratification of the versaille treaty, Marshall deduction of the power of the supreme court and FDR's court packing scheme. Hopefully it will continue to be as successful in the future.

Anchor Level 3-B

The response:

- Addresses both aspects of the task in a limited way, but does not provide many details to support the discussion
- Includes some analysis and interpretation of documents 2, 4, 5, and 6
- Incorporates some information from the documents
- Incorporates limited relevant outside information (Wilson's role in the Treaty of Versailles; *Marbury v. Madison*)
- Includes some facts, examples, and details, but the discussion is more descriptive than analytical (ratification of treaties; power of Supreme Court to declare laws unconstitutional)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by making specific reference to an application of checks and balances and concluding the section with a limited discussion of how that check functions
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the essay best fits the criteria for Level 3. The introduction is strong because it uses two applications to explain how checks and balances are used. However, the supporting details to explain these applications of the system of checks and balances are somewhat weak.

The U.S. constitution provides for a system of checks and balances. This is done for the purpose of preventing anyone branch from dominating another. The constitution divides the government into three branches. The executive, legislative, and judicial branches are all incorporated into the system of checks and balances.

many different processes used today and in the past by the national government are all checked under the checks and balances system established by the constitution. Treaties, declarations of war, impeachment processes, ~~are~~ passing of bills, ~~are~~ appointment of Supreme Court judges, and interpretation of the constitution are all weaved into the system of checks and balances.

War is addressed in Document 7. For war to be declared, Congress must declare it while a president can only suggest it. This is done so the president

is not given such complete power over war w/ other nations. When LBT was given ^{complete} power over the Vietnam war by the Gulf of Tonkin Resolution, it became apparent why presidents are not given complete power.

Another example of checks and balances is stated in Document 3. This document proves how Congress can propose a bill, the president can veto it in an attempt to get rid of it, and by a majority vote Congress can still pass it. This shows checks and balances so Congress cannot dominate the government because of the president, but the president cannot dominate the government because of Congress.

Other documents also present a system of checks and balances. In document 1 the Congress can impeach a

president but the senate has to try it. This was shown in Clinton's trial.

These are examples in these documents of the checks & balances established in the national government by the U.S. constitution.

Anchor Level 3-C

The response:

- Addresses both aspects of the task in a limited way, mentioning rather than describing the functions and applications of checks and balances
- Includes some analysis and interpretation of documents 1, 3, and 7
- Incorporates some information from the documents
- Incorporates limited relevant outside information (Lyndon Johnson and the Gulf of Tonkin Resolution; Clinton's trial)
- Includes some facts, examples, and details, but the discussion is more descriptive than analytical (congressional declaration of war; presidential veto)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by mentioning the functions of checks and balances and then referring to the applications with few details
- Introduces the theme of checks and balances by repeating the historical context and concludes by simply repeating the theme

Conclusion: Overall, the response fits most of the criteria for Level 3. While both aspects of the task are addressed, few details are used to support the discussion. In addition, the information presented tends to be repetitive.

The United States Constitution divides the powers to govern among the executive, legislative, and judicial branches of the National Government.

The Constitution provides for a system of checks and balances to prevent any one branch from dominating the other two. These branches are the ones who have the power to make laws.

In Document 1 the executive branch has the power to impeach laws that they don't like or will not work. The executive branch has sole power to get rid of these laws.

In Document 2 the president has power to advise and consent of the Senate to make treaties, providing two thirds of the Senators present concur. The Congress has to approve the president's decisions.

In Document 4 The Treaty of Versailles is thrown in the wastebasket because it did not do so well. It did not work, because the League of Nations hardly did their job to keep peace between nations.

In Document 6 Chief Justice John Marshall gave a quotation on how the Supreme Court has the highest power to make decision with in the United States Constitution.

In Document 7 The Congress has the power to say if we should go to war on Japan, for attacking us first. The president can't

Just go to war, he has to ask the congress first.

All these Documents have to do with how the government works everyday to enforce laws or to make decisions with the laws boundaries.

Anchor Level 2-A

The response:

- Attempts to address both aspects of the task by summarizing each document that is used
- Makes limited use of documents 1, 2, 4, 6, and 7 by restating the contents
- Presents limited relevant outside information (failure of the League of Nations and Treaty of Versailles)
- Includes few facts, examples, and details, and includes some inaccuracies (laws are impeached; reason for Senate rejection of the Treaty of Versailles)
- Is a satisfactorily organized response, demonstrating a general plan of organization
- Introduces the theme of checks and balances by repeating the historical context; the conclusion is not directly related to the theme

Conclusion: Overall, the response best fits the criteria for Level 2. Most of the response uses the basic information provided in the documents. Most of the limited outside information is inaccurate.

The United States Constitution divides the power to govern among the executive, legislative and judicial branches of the national government. The Constitution provides for a system of checks and balances to prevent any one branch from dominating the other two.

in document one. The article is about impeachment. The Senate has the power to impeach the President if he is being disloyal, or attempted crimes or misdemeanors.

The House of Representatives have the power to impeach. They will try all impeachments. So

this is one example of checks & balances. The ~~power~~ Senate has the power to impeach but it could always be ~~or~~ overridden and the President can stay president.

in document two it refers to the Senate and President. with advice from the Senate he can make treaties, and also with the advice of the Senator he can appoint ambassadors, Judges of the

Supreme Court and other officers of the U.S. This is another example of checks and balances. The president does not have all the power. He has other branches to help.

in document three. The president has the power to veto a bill. If a bill is passed down from the house of Representatives ~~the~~ ~~the~~ if the president doesn't like it he can veto it. Or he can pocket veto it, ~~the~~ if he pocket vetoes it, ~~the~~ Congress can get $\frac{2}{3}$ of the house to pass it. And then it becomes a law. The president does not have all the power.

in document four. The League of Nations is being tossed into a waste basket. The president proposes the Versailles treaty and the senate disposes of it. The senate doesn't approve of it. They don't like the League of Nations. They think it's not going to work so

They disapprove of it, this document is another example of checks & balances.

~~in document five.~~
Another example of checks and balances is in document five. The President is upset with the Supreme Court. The Congress acts as a referee to settle any dispute between the President and the Supreme Court. He doesn't want any substitutes but he doesn't want to get rid of his men.

in document six, the Supreme Court has the power to try a trial and see if it's constitutional or unconstitutional. They have to tell the convicted victim their rights and to prosecute them in court.

They can be found guilty or not guilty.

The last example of checks and balances is in document seven, in this

document. The president wants to declare war on Japan. So ~~instead~~ instead of taking it upon himself to declare war he wants to make sure it's OK to do so, by going to the ^{congress} ~~Senate~~ and ~~ask~~. He didn't want to go ahead and declare war when it wasn't OK. This is another example of checks & balances between the president and Congress.

in conclusion, There are many branches. There are different situations where they need to be checked or helped out. If one branch doesn't approve the other can do something about it to bring change.

Anchor Level 2-B

The response:

- Attempts to describe the system of checks and balances but does not address the applications with any specific detail
- Makes limited use of all the documents, generally restates the contents, and misinterprets most of them
- Presents little relevant outside information (reasons for impeachment)
- Includes few facts, examples, and details, and includes several inaccuracies (the Senate's role in impeachment, role of Congress in pocket veto; role of Congress as a referee between the President and the Supreme Court)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by summarizing the information in each document
- Introduces the theme of checks and balances by repeating the historical context and concludes by attempting to summarize the theme

Conclusion: Overall, the response best fits the criteria for Level 2. The response uses very limited specific information, relying on the basic information provided in the documents. Incorrect conclusions are drawn from the interpretation of the documents.

The United States Constitution divides the power to govern ~~among~~ among the executive, legislative, and Judicial ~~B.~~ branches of national government. The Constitution provides a system of checks and balances that ^{controls} limits the power of any one branch.

The system of checks and balances is quite simple. The President can check congress by vetoing bills and congress senate can check the President by not approving decisions that he makes like appointing Justices for the supreme court. The Supreme Court can check both of them by declaring proposed items or events unconstitutional or against the law. In any case all three branches are involved in any one thing. For example lets say that the President makes up a law. He then gives it to congress for their approval. If the Senate like it then they can pass it or reject it. Then the Supreme Court can declare it ~~the~~ unconstitutional or against the law. If all three approve then the law is passed.

This system has been applied many times through the U.S History course of U.S. History. When Japan Bombed Pearl Harbor, President Franklin D. Roosevelt wanted to declare war on Japan immediately, but he had to ask congress for approval first. Dec. 7

Anchor Level 2-C

The response:

- Attempts to address both aspects of the task, explaining the function of checks and balances but mentioning only one application
- Makes limited use of documents 2, 3, 6, and 7
- Presents no relevant outside information
- Includes few facts, examples, and details, and includes information that contains some inaccuracies (President makes up laws which he then gives to Congress and Senate has the power to pass or reject; only the Supreme Court decides what bills become laws)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by explaining a function and then mentioning an application
- Introduces the theme of checks and balances by repeating the historical context but lacks a conclusion

Conclusion: Overall, the response best fits the criteria for Level 2. The inaccuracies detract from the overall quality of the response. The correct application regarding President Franklin D. Roosevelt asking Congress for a declaration of war is not developed.

The system of checks and balances has a simple purpose: To make sure no branch of the government can take power over another. ~~the~~

This system works because ^{each} ~~the~~ branch has a power over the other two branches.

The judicial Branch can declare any bill or law unconstitutional.

The executive branch can appoint ~~the~~ Justices to the supreme court, and veto laws.

The legislative branch can ~~veto~~ stop a president's bill from becoming a law, and they can stop appointments made by the president.

This is how the checks and balances system works.

Anchor Level 1-A

The response:

- Shows a limited understanding of the task by only briefly explaining how checks and balances functions and by providing no examples of application
- Makes references to documents 2, 3, 5, and 6
- Presents no relevant outside information
- Includes some accurate facts, details, and examples, but only in a very limited way
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of checks and balances by restating the historical context and concludes with a simple statement

Conclusion: Overall, the response best fits the criteria for Level 1. Some attempt is made to address the task by summarizing the checks that every branch of the government exercises. However, no outside information is provided, and several facts are mentioned but not described.

The system of checks and balances works to keep each of the three branches of the National Government equal in power.

Checks and Balances has been applied numerous times in American history. Like in Document 7, when President Franklin D. Roosevelt asked congress to declare war on Japan after Japan bombed Pearl Harbor. Roosevelt had to ask Congress because of checks and balances. This is so the President doesn't dominate any other branch of Government. The president also has to go through Congress to remove someone from the supreme court. As shown in Document 5. -

If checks and Balances did not exist, then the President would have full power. Not ensuring satisfactory of the people.

Anchor Level 1-B

The response:

- Shows a limited understanding of the task, attempting to explain how checks and balances function and providing two examples of application
- Makes vague, unclear references to documents 5 and 7
- Presents some relevant outside information (President must have Congressional approval to remove Supreme Court Justices)
- Includes few relevant facts, details, and examples (Franklin D. Roosevelt's role in World War II and controversy with the Supreme Court)
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of checks and balances by repeating the historical context, but the conclusion is confused

Conclusion: Overall, the response best fits the criteria for Level 1. Some attempt is made to address the task, but only two documents are used and little outside information is provided. The information presented is limited in scope and lacks details.

The United States Constitution is made up of three branches; the judicial, which is made up of the Supreme Court, the legislative, which is made up of Congress and the House of Representatives, and the executive, which is ~~made~~ made of less the president. Each branch is separate, each with their own powers. Through an ingenious system of checks and balances it is assured that no one branch will ever dominate government.

The judicial branch first has the power of judicial review. Through this process they can rule a law, passed by Congress, unconstitutional. This was used in the case of Brown vs. the Board of Education. The Supreme Court abolished separate but equal facilities for blacks that had previously been legal.

The legislative branch has the power to approve presidential appointments. Congress exercised this power in the 1940s when FDR attempted to stack the Supreme Court with judges that would support his New Deal Programs. The Congress

refused to acknowledge FDR's appointments, however.

The Executive branch has the power to declare war. FDR used this power in 1941 after the ~~the~~ ^{Japanese} bombed Pearl Harbor. He declared war and Congress approved.

Thanks to the elaborate system of checks and balances the United States is what it is today. Without these ~~the~~ checks the ^{people of} ~~the~~ United States would not enjoy many of the freedoms they take for granted to this day.

The principles of checks and balances is a very important aspect of the Constitution. Its purpose is to set the three branches of government against each other and balance the system. The executive, judicial and legislative branches each has certain powers and each can check the other.

The system functions in many ways. First impeachment is the accusation of wrongdoing of the President as shown in Doc. 1. Impeachment is solely carried out by the legislative branch with the House of Representatives deciding if there is enough evidence to bring the case to trial in the Senate. Second, as shown in Doc. 2, the president makes treaties and appointments, but these appointments must be confirmed by the Senate before coming into effect.

Another type of check is the veto system as shown in Doc. 3. A President can check Congress with a veto or a pocket veto but Congress can override that veto with a $\frac{2}{3}$ vote. Lastly, as shown in Document 6 the judicial branch checks the legislative branch by declaring laws unconstitutional. Chief Justice John Marshall was an early proponent of judicial review as could be seen in the *Marbury v. Madison* case.

The system of checks and balances has often effected history. When Woodrow Wilson asked the U.S. Senate to approve the Treaty of Versailles they refused because they wanted the U.S. to be isolationist, and they worried the League of Nations would mean the U.S. would have to get involved in Europe's problems. So Congress checked the power of the executive to make treaties. Also, after Japan's attack on Pearl Harbor, FDR was forced to ask Congress for authorization to declare war. ^{as seen in Doc 1.} Congress approved this war as Congress had approved Woodrow Wilson's request for World War I. However, when FDR came up with an idea to add new justices to the Supreme Court when old judges didn't retire ~~the~~ (Doc 5) Congress said no because this court packing would have given him power over the judicial branch because he would have been able to appoint ~~any~~ new judges all of whom would have supported him and his New Deal. The judicial branch would no longer be an effective check on the executive branch and would jeopardize checks and balances.

Without the American system of checks and balances one branch could become too powerful. However, sometimes it leads to

stakeholders that are not good for the
in Country such as when the Radical Republican
the Senate tried to convict Andrew Johnson on impeachment
charges and when the Senate said no to
the League of Nations. For better or for worse,
the system of checks and balances is
an essential element of American democracy.

The United States Constitution divides the power to govern among the executive, legislative, and judicial branches of the National Government. The Constitution provides a system of checks and balances to prevent any one branch from dominating the other two.

The function of checks and balances is one large circle. Each branch of the government has its place on the circle. Also each branch has the power to check the other branch. These checks balance out the power between the branches, hence checks and balances.

When Franklin Delano Roosevelt was having a hard time with the judicial branch he wanted to put 6 new justices in the court. The said no and went about using their power to stop him. When Japan attacked pearl harbor we wanted war, FDR, couldn't declare war right away because he had to get approval of the senate first.

Checks and balances are what keep the country moving smoothly. The power is evened out but when its not there's always 2 branches to fix it. FDR had gone through checks and balances more then once. Division of power keeps the government in check.

When the U.S. decided to implement a strong central national government, they needed something to ensure the federal government ~~was~~ wouldn't have too much power. That is where the ~~system of checks and~~ three branches came from. The Executive, the Legislative, and the Judicial branches were made. To ensure that ~~the~~ one branch did not have more than the other, the system of checks and balances was developed.

Checks and balances is a system where ~~the~~ one part of the government has the power to check the others powers and override them when they commence becoming too strong. An example of one is how if Congress (legislative) makes a bill, the president has the power to veto it. But, if the president's decision is felt to be detrimental, Congress can override that veto. The Supreme Court (judicial) has the power to declare an act of Congress unconstitutional. All of the branches have the power to check and balance each other. The president can try to appoint a Supreme Court justice, but the Senate has to approve. The president can ask Congress to ratify a treaty, or declare war, but he can't do it himself.

When ~~the~~ the Treaty of Versailles was brought to Congress by the president, they rejected it because they did not want to be involved in the League of Nations. During the Marshall Court years, judicial review was first implemented (declare a law by Congress unconstitutional). When Andrew Johnson wanted to fire one of his ~~cabinet~~ officers, congress said no. Johnson fired him anyway, and he was impeached for it. Andrew Johnson also ~~passed~~ ^{vetoes} many laws, but almost every time he did, congress overrid his veto.

Checks and Balances are probably one of the only things that has kept this country stable for so long. Americans were afraid of another British type of government. But, when it came down to it, checks and balances kept everything steady.

The federal government is divided into three branches. The branches are the judicial, legislative, and executive branch. Each branch checks the other through a system of checks and balances. Checks and balances can be used in the impeachment process, ratifying treaties and appointments of the President's cabinet or ^{the} Supreme Court.

Impeachment is something that no federal judge or politician wants to go through. The House of Representatives and the Senate take part in the impeachment process. The House of Representatives vote if the process should take place and the Senate acts like a jury with the ~~Sen~~ Chief Justice of the Supreme Court presiding as the judge. One senator acts as the prosecution and the politician or the judge being impeached has a lawyer. After all the evidence ^{is} shown ^{to} the jury, senators must vote on ~~the~~ the decision to impeach. There must be a two-thirds vote in order to impeach. If the senators' final decision was impeachment, the judge or politician would lose their pension and

possibly send time in jail depending on the crime.

One of the many Presidential powers is to appoint. He can appoint members of his ^{or her} cabinet and the Supreme Court, but the Senate must decide ~~whether~~ whether his ^{or her} choice is acceptable. The Senate conducts a hearing and asks the nominee for the position why he or she is right ~~for~~ for this position. To approve the nominee, the Senate must have a majority vote on whether or not to let this person on the Supreme Court or in the President's cabinet. The Senate's decision is final and hopefully the appointment is approved.

The President also acts as a chief diplomat. As a chief diplomat, he or she can negotiate treaties. Treaties are important in any peace process. Like a bill before becoming a law, a treaty must be ratified. The Senate is in charge of ratifying treaties. The only treaty the Senate vetoed was the Treaty

of Versailles. The Senate must have a two-thirds or majority vote to ratify the treaty. After the treaty is ratified, it is signed by the parties involved.

Checks and balances is used to correct a branch's mistake with another branch. This makes sure each branch knows what their ~~power~~ powers are.

Practice Paper A—Score Level 3

The response:

- Addresses both aspects of the task in a limited way (the discussion of the function of checks and balances and the application are not supported with many details)
- Includes some analysis and interpretation of documents 2, 5, and 6
- Incorporates some information from the documents
- Incorporates limited relevant outside information (*Brown v. Board of Education*; New Deal)
- Includes some facts, examples, and details, but the discussion is more descriptive than analytical (judicial review; declaration of war by President with congressional approval)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by describing the function of checks and balances and then giving an example of its application
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response best fits the criteria for Level 3. The introduction is good because it uses the organization of the three branches to introduce the functions of checks and balances. The use of *Brown v. Board of Education* as an example of judicial review is analytical, especially with the reference to separate but equal.

Practice Paper B—Score Level 5

The response:

- Thoroughly addresses both aspects of the task by describing how the system of checks and balances functions and how this system has been applied in two specific circumstances in United States history (rejection of the Treaty of Versailles; court-packing)
- Includes an accurate analysis and interpretation of all the documents
- Incorporates accurate information from the documents
- Incorporates relevant outside information related to the function and application of checks and balances (*Marbury v. Madison*; reasons for the rejection of the Treaty of Versailles; congressional approval of World War I; Andrew Johnson's impeachment)
- Richly supports the theme of checks and balances with the use of many relevant facts, examples, and details, and the discussion is more analytical than descriptive (implies why Congress said no to court-packing)
- Is a well-developed essay, consistently demonstrating a logical and clear plan of organization by describing the system of checks and balances and then discussing the application
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response best fits the criteria for Level 5. It is strong in the integration of information from the documents, including details and explanations of these details. The conclusion is especially strong as it uses examples to explain why checks and balances are necessary.

Practice Paper C—Score Level 2

The response:

- Shows a limited understanding of the task, attempting to explain how checks and balances function and providing two examples of application
- Makes vague, unclear references to documents 5 and 7
- Presents some relevant outside information (Franklin D. Roosevelt’s difficult time with judicial branch; FDR went through checks and balances more than once)
- Includes few facts, examples, and details, and includes some inaccuracies (Senate declares war rather than Congress)
- Is a satisfactorily developed essay, demonstrating a general plan of organization
- Introduces the theme of checks and balances by repeating the historical context and concludes by summing up the theme

Conclusion: Overall, the response best fits the criteria for Level 2. There is an attempt to address the task, although there are few specific details. The comparison of checks and balances to a circle is a good comparison.

Practice Paper D—Score Level 4

The response:

- Addresses both aspects of the task, although the treatment of the tasks is uneven
- Includes an accurate analysis and interpretation of documents 1, 2, 3, 4, 6, and 7
- Incorporates information from the documents
- Incorporates relevant outside information related to checks and balances (Andrew Johnson’s firing of a cabinet member; congressional overrides of Andrew Johnson’s vetoes; Marshall Court)
- Incorporates relevant facts, examples, and details, but the discussion is more descriptive than analytical (congressional approval needed for declaration of war)
- Is a well-developed essay, demonstrating a logical and clear plan of organization by describing the function of checks and balances and then discussing specific applications
- Introduces the theme of checks and balances by establishing a framework that is beyond a simple restatement of the historical context and concludes with a summation of the theme

Conclusion: Overall, the response fits most of the criteria for Level 4. The introduction is especially strong because it explains why balance was necessary in the national government. The conclusion is good because it connects checks and balances with long-term stability and explains why checks and balances are included in our government. The discussion on the application of checks and balances (the rejection of the Treaty of Versailles, judicial review, and Johnson’s impeachment) tends to mention details rather than explain them.

Practice Paper E—Score Level 3

The response:

- Attempts to address both aspects of the task by describing the functions of checks and balances and using the Treaty of Versailles as an application
- Makes limited use of documents 1, 2, and 4
- Presents some relevant outside information (federal judges can be impeached; Chief Justice presides at impeachment trials; President’s role as chief diplomat)
- Includes few facts, examples, and details, and includes some inaccuracies (one senator acting as the prosecutor in impeachment trials; two-thirds vote to impeach)
- Is a satisfactorily developed essay, demonstrating a general plan of organization by explaining a function and then giving an application
- Introduces the theme of checks and balances by repeating the historical context and concludes by attempting to summarize the theme

Conclusion: Overall, the response best fits the criteria for Level 3. The explanation of the function of checks and balances is generally good. The use of effective topic sentences strengthens the response, even though there is only a mention of a specific application.

Regents Examination in United States History and Government — January 2002 Chart for Determining the Final Examination score (Use for January 2002 examination only.)

To determine the student's final score, locate the student's total essay score across the top of the chart and the total Part I and Part III A score down the side of the chart. The point where those two scores intersect is the student's final examination score. For example, a student receiving a total essay score of 6 and a total Part I and Part III A score of 39 would receive a final examination score of 80.

**Total
Essay
Score →**

0	1	2	3	4	5	6	7	8	9	10
0	7	13	19	25	30	35	40	45	49	53
1	9	15	21	27	32	37	42	46	50	54
2	11	17	23	28	34	39	43	48	52	56
3	13	19	25	30	35	40	45	49	53	57
4	15	21	27	32	37	42	46	50	54	58
5	17	23	28	34	39	43	48	52	56	59
6	19	25	30	35	40	45	49	53	57	61
7	21	27	32	37	42	46	50	54	58	62
8	23	28	34	39	43	48	52	56	59	63
9	25	30	35	40	45	49	53	57	61	64
10	27	32	37	42	46	50	54	58	62	65
11	28	34	39	43	48	52	56	59	63	66
12	30	35	40	45	49	53	57	61	64	67
13	32	37	42	46	50	54	58	62	65	68
14	34	39	43	48	52	56	59	63	66	69
15	35	40	45	49	53	57	61	64	67	70
16	37	42	46	50	54	58	62	65	68	71
17	39	43	48	52	56	59	63	66	69	72
18	40	45	49	53	57	61	64	67	70	73
19	42	46	50	54	58	62	65	68	71	74
20	43	48	52	56	59	63	66	69	72	75
21	45	49	53	57	61	64	67	70	73	75
22	46	50	54	58	62	65	68	71	74	76
23	48	52	56	59	63	66	69	72	75	77
24	49	53	57	61	64	67	70	73	75	78
25	50	54	58	62	65	68	71	74	76	79
26	52	56	59	63	66	69	72	75	77	79
27	53	57	61	64	67	70	73	75	78	80
28	54	58	62	65	68	71	74	76	79	81
29	56	59	63	66	69	72	75	77	79	82
30	57	61	64	67	70	73	75	78	80	82
31	58	62	65	68	71	74	76	79	81	83
32	59	63	66	69	72	75	77	79	82	84

Total Part I and Part III A Score

Total Part I and Part III A Score (continued)

	0	1	2	3	4	5	6	7	8	9	10
33	57	61	64	67	70	73	75	78	80	82	84
34	58	62	65	68	71	74	76	79	81	83	85
35	59	63	66	69	72	75	77	79	82	84	86
36	61	64	67	70	73	75	78	80	82	84	86
37	62	65	68	71	74	76	79	81	83	85	87
38	63	66	69	72	75	77	79	82	84	86	87
39	64	67	70	73	75	78	80	82	84	86	88
40	65	68	71	74	76	79	81	83	85	87	89
41	66	69	72	75	77	79	82	84	86	87	89
42	67	70	73	75	78	80	82	84	86	88	90
43	68	71	74	76	79	81	83	85	87	89	90
44	69	72	75	77	79	82	84	86	87	89	91
45	70	73	75	78	80	82	84	86	88	90	91
46	71	74	76	79	81	83	85	87	89	90	92
47	72	75	77	79	82	84	86	87	89	91	92
48	73	75	78	80	82	84	86	88	90	91	93
49	74	76	79	81	83	85	87	89	90	92	93
50	75	77	79	82	84	86	87	89	91	92	94
51	75	78	80	82	84	86	88	90	91	93	94
52	76	79	81	83	85	87	89	90	92	93	95
53	77	79	82	84	86	87	89	91	92	94	95
54	78	80	82	84	86	88	90	91	93	94	96
55	79	81	83	85	87	89	90	92	93	95	96
56	79	82	84	86	87	89	91	92	94	95	97
57	80	82	84	86	88	90	91	93	94	96	97
58	81	83	85	87	89	90	92	93	95	96	97
59	82	84	86	87	89	91	92	94	95	97	98
60	82	84	86	88	90	91	93	94	96	97	98
61	83	85	87	89	90	92	93	95	96	97	99
62	84	86	87	89	91	92	94	95	97	98	99
63	84	86	88	90	91	93	94	96	97	98	99
64	85	87	89	90	92	93	95	96	97	99	100