

Constitution Day Lesson

Time Needed: One Class Period

Learning Objectives

Through this lesson students will be able to:

Materials Needed: Student worksheets

- Illustrate the structure, function and powers of the government in the United States as established in Articles I, II and III of the U.S. Constitution.
- Describe how the Constitution of the United States provides separation of powers and checks and balances.

Copy Instructions: Copy class set of pages 1-4 double sided

STEP BY STEP

- 1) **DISTRIBUTE** reading pages and read through page one as a class. The basic questions in the table can be addressed to the class and be used as a preview of the lesson.
- 2) **READ** page two as a class, pausing to compare and contrast the House of Representatives and the Senate. Continue with the remainder of the page.
- 3) **READ** the first part of page three, focusing on Article II. Have the students identify the powers of the executive that surprised them, or that they do not understand. Explain as needed. Have students review the qualifications to be the president.
- 4) **CONTINUE** with the reading on Article III. Review with the class how many branches of government exist under the Constitution and what their basic jobs are. (Make laws, execute laws or interpret laws)
- 5) **READ** and discuss the concepts of the separation of powers and checks and balances with the students.
- 6) **DISPLAY** the transparency showing all the checks and balances between the three branches and discuss with the class.
- 7) **ASSIGN** the labeling activity 'A Bill Becomes a Law' and check for correct answers.
- 8) **DISTRIBUTE** activity page 2 and the half sheet with cut outs. Students should cut out the six checks and balances and past them to the correct area of the activity. Use the transparency again to check for correct placement.
- 9) **DISPLAY** the Active Review transparency and distribute the active review manipulative. Make sure students fold their tents correctly. As you uncover each power on the overhead, the class should show you the side of their tents that displays the correct branch of government.
- 10) **DISTRIBUTE** the lesson review and assign for completion.

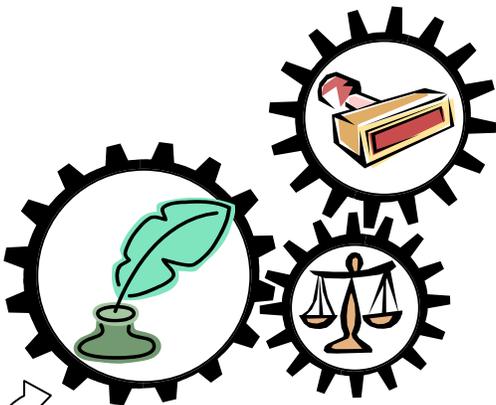
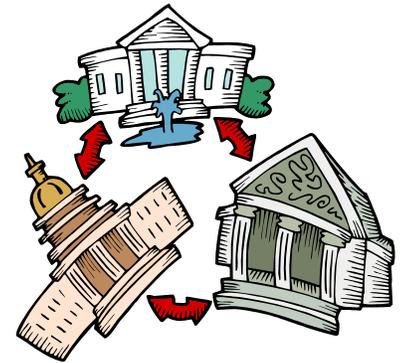
This lesson plan is part of The Road to the Constitution series by iCivics, a nonprofit organization dedicated to advancing civic education. For more teaching resources, please visit www.iCivics.org/teachers, where you can access the state standards aligned to this lesson plan.

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The Law of the Land

A **constitution** is a document that gives the rules for how a government should run. The Framers wrote our Constitution to create a government for the new United States of America. Creating a new government is no easy job! There were many questions to consider:

- What makes us different from other nations?
- How can we prevent someone like a king taking over?
- How do we protect the rights of the people?
- Can we make a document that is useful to future generations?
- How do we keep one branch of government from becoming too powerful?



Our government is like a machine that needs three gears to run properly: the executive, the legislative, and the judicial.

What Does Our Constitution Look Like?

The United States Constitution is one of the shortest constitutions in the world! It has a little over 4,500 words and covers only four sheets of paper. It is also the oldest written constitution that is still in use today.

Our Constitution is divided into nine parts. The **Preamble** introduces the Constitution and explains what it is meant to do. The seven **articles** give directions for how the government should work. The **amendments** are changes that were made after the Constitution became law. They are broken down into the **Bill of Rights** (amendments 1-10) and the later amendments (11-27).

The Constitution's Table of Contents

Section	Answers this question...
Preamble	What does the Constitution do?
Article I	How does the <i>legislative</i> branch work?
Article II	How does the <i>executive</i> branch work?
Article III	How does the <i>judicial</i> branch work?
Article IV	How should the states get along with each other?
Article V	How can the Constitution be amended , or changed?
Article VI	Can the U.S. be in debt? Is federal law superior to state law? What do officials say when they are sworn into office?
Article VII	How did they make the Constitution the law of the land?
Amendments	What changes have happened to the Constitution since it became law?

The first three articles show us how the three branches work together to create a government that answers the Framers' questions.



The Constitution

Name: _____

Article I

All legislative powers herein granted shall be vested in a Congress of the United States, which shall consist of a Senate and House of Representatives.



Creating Congress

Article I is the first and longest part of the Constitution. This is because the people who wrote the Constitution recognized that a legislative branch is important in a government that represents the citizens. Members of **Congress** are responsible for turning the wants and needs of the people into laws.

This branch makes our government a **representative democracy**. In a representative democracy, citizens elect people to represent their needs and concerns in Congress. Article I tells us that the legislature is divided into two parts: the Senate and the House of Representatives. It describes how Congress should be organized, states the qualifications necessary for a person to serve, and tells how often Congress should hold elections and meet as a group. There are other details that the two houses get to decide for themselves.

	The Senate	The House of Representatives
Qualifications	You must be at least 30 years old, been a U.S. citizen for at least 9 years, and live in the state you represent	You must be at least 25 years old, been a U.S. citizen for at least 7 years, and live in the state you represent.
Size	2 senators per state = 100 total	Number per state depends on population = 435 total (in 2011)
Length of Term	6 years	2 years
They represent...	the interests of the citizens in the entire state.	the interests of the citizens who live in the district they represent within the state.
Special Duties	The Senate acts as a court during impeachments.	All bills that raise money must start in the House of Representatives.
Role in Lawmaking	A bill must be approved by BOTH houses of Congress before it can go to the President to become a law.	

Congressional Power!

Article I gives Congress a list of specific powers...

- Collect taxes
- Borrow money and pay debts
- Make rules for how to become a citizen
- Regulate commerce (trade) with other nations, between the states, and with Indian tribes
- Coin money and punish counterfeiters
- Establish post offices
- Give patents to new inventions
- Create the lower federal courts
- Punish pirates
- Declare war, support an army and navy
- Make any other laws that are "necessary and proper" to carry out the powers in this list.



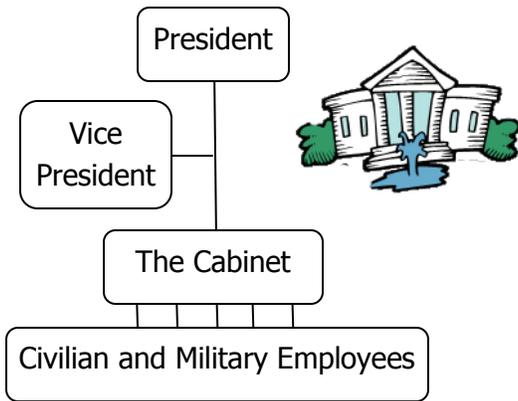
The Constitution

Name: _____



Creating the President

Article II of the Constitution describes the job of the executive branch. The president heads the branch, which includes the vice president, the cabinet, and many civilian and military employees. Article II also says who qualifies to be the president, how he or she is selected (the Electoral College), what powers the office has, and what happens if a president misbehaves!



Article II

The executive Power shall be vested in a President of the United States of America... He shall take care that laws are faithfully executed.

Powers of the Executive Branch:

- Act as the commander-in-chief of the armed forces and the National Guard
- Maintain a cabinet of advisors who run the 14 executive departments like the State Department and the Treasury
- Grant pardons in all federal criminal offenses, and reprieves (postpone punishments like executions)
- Negotiate treaties with other countries
- Appoint ambassadors, Supreme Court Justices and federal court judges, and Cabinet members
- Make a State of the Union Address to Congress
- Represent the United States when dealing with foreign countries
- Make sure that laws are carried out (executed)

Could *You* be the President?

- Were you born in the U.S.?
- Are you at least 35 years old?
- Have you lived in the U.S. for at least 14 years?

Article III

The judicial power of the United States shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time



Creating the Courts: Here Come the Judges!

Article III creates the last of the three branches, the judicial branch. This is the shortest of the first three articles and includes the fewest details. The judicial branch has the job of interpreting laws to decide what they mean.

The Supreme Court is the only court that is established in Article III. All of the other federal courts are created by Congress. Federal judges are appointed and given terms that last until they retire, die, or are removed for bad behavior.

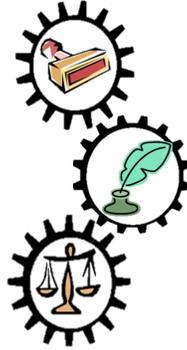
Article III gives directions about what kinds of cases the Supreme Court and federal courts can hear. It also guarantees trial by jury in criminal court and explains what the crime of treason is.

The Constitution

Name: _____

Checks and Balances

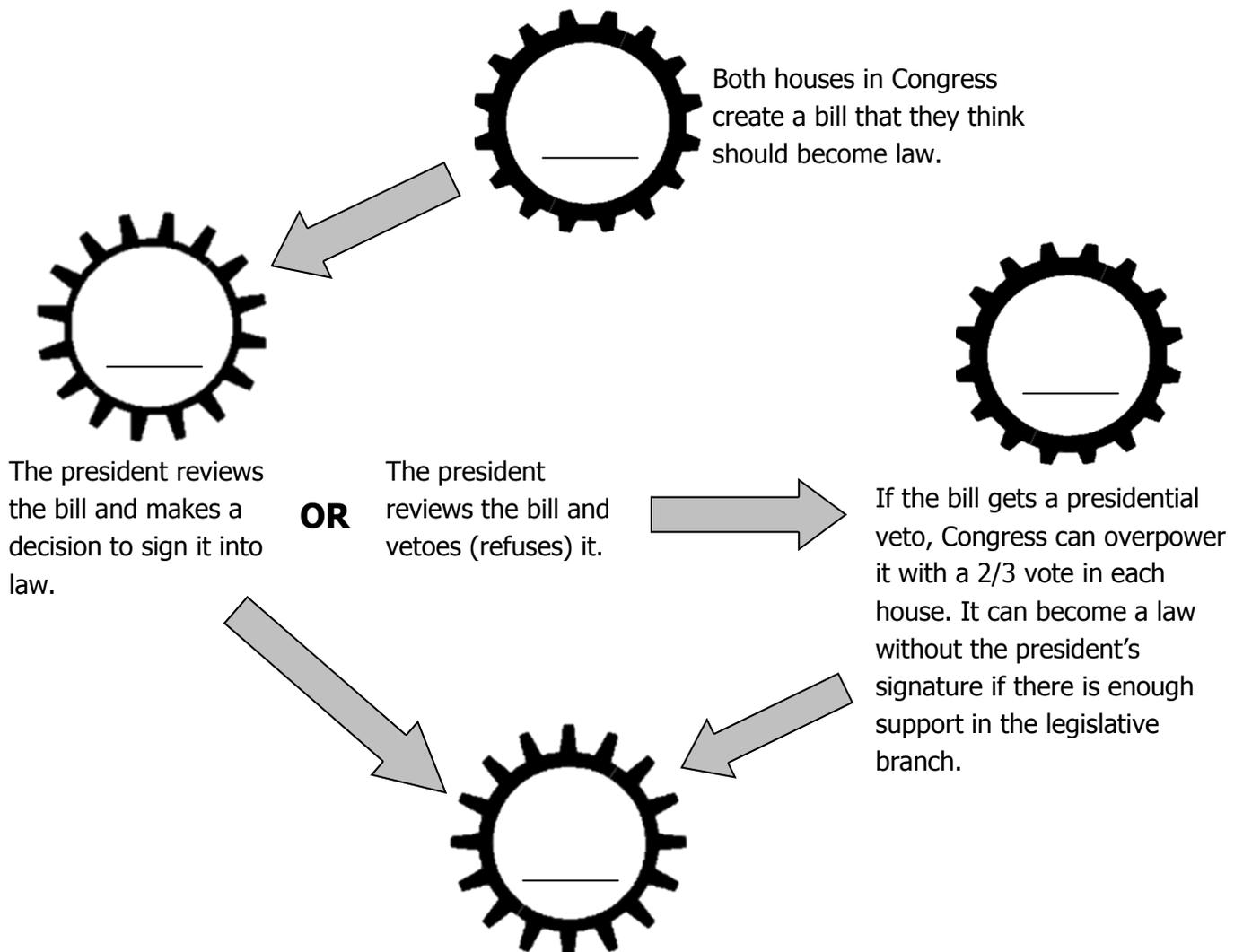
We have three branches in our government because the Framers of the Constitution believed that there needed to be a **separation of powers**. They had just broken up with a king who had too much power. By dividing power into three different areas, they made sure that one branch wouldn't overpower the others.



The three branches of our government interact with each other all the time. Sometimes they work together to pass a law. Other times, one or more branches get in the way of what another branch is trying to do. This is called **checks and balances**. Each branch makes sure the other branches don't get too powerful.

A Bill Becomes a Law

Check out the ways the branches interact! Based on what you have learned about the jobs of each of the branches, label the gears *Executive* (E), *Judicial* (J), or *Legislative* (L).

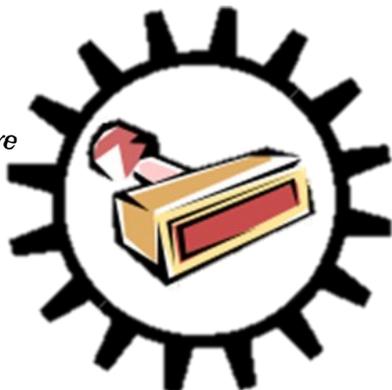


The Constitution

Name: _____

Separating Powers & the Checks and Balance System Cut and paste the actions to the correct place on the graphic organizer.

*The Executive
Branch*



*The Judicial
Branch*



The Legislative Branch

The Constitution

Name: _____



Separating Power & the Checks and Balance System Cut the six boxes and paste them to the correct section on the graphic organizer.

Judges are appointed for life, free from presidential influence. The Courts can declare executive actions unconstitutional.

The Courts can declare laws made in Congress unconstitutional.

Congress can override a presidential veto with 2/3 vote. It can also remove a president through the impeachment process. It also approves executive appointments.

The president can veto bills, call special sessions of Congress, recommend laws, and ask citizens to pressure Congress to act.

Congress creates the lower courts. It can remove judges through impeachments and must approve appointments to the federal courts.

The President appoints Supreme Court justices and other federal judges.



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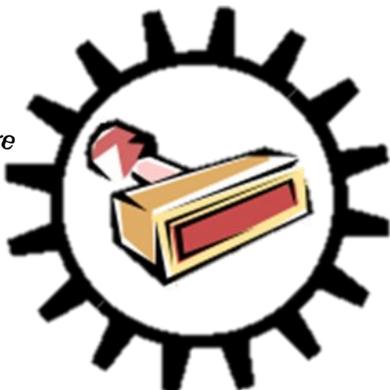
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The Constitution

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The Executive Branch



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The Judicial Branch



The Courts can declare laws made in Congress unconstitutional.

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The Legislative Branch

The Constitution

Name: _____

Vocabulary. Match the definitions with the correct vocabulary term from the lesson.

- | | |
|--|-----------------------------|
| ___1. The two houses that make up the legislative branch | A) Bill of Rights |
| ___2. Citizens elect officials to represent them in the government | B) Checks and Balances |
| ___3. Dividing the government in to parts | C) Representative Democracy |
| ___4. When the three branches interact with one another | D) Separation of Powers |
| ___5. The introduction to the U.S. Constitution | E) Preamble |
| ___6. The first ten amendments to the U.S. Constitution | F) Congress |

What's my Job? Draw lines connecting the quote about working in government to the correct branch.

7. Floor debate [on a bill] is an exhilarating experience and important duty.
Carolyn Cheeks Kilpatrick, D-MI

8. Being the president is like riding a tiger.
Harry S. Truman, D-MO

9. We apply laws to facts. We do not apply feelings to facts.
Justice Sonia Sotomayor



The Executive Branch



The Judicial Branch



The Legislative Branch

Separate those Powers! Read each power and select the correct branch of government by circling the correct gear.

10. We write the bills that become laws.



11. We make sure the laws are carried out and enforced.



12. We hear cases about the laws and decide what the laws mean.



Checking and Balancing Label each branch in the steps that are involved with appointing a Justice to the Supreme Court. (This process is repeated for all presidential appointments!)



The president selects someone that he or she thinks should become the next member of the Supreme Court.



The appointment must be approved by a majority vote in the Senate before they can take their seat on the court.



Once approved, the new justice takes his or her place on the Supreme Court and begins work!

Which Branch Does This?

E=Executive

L= Legislative

J= Judicial

(For each description, show the correct side of your tent.)



- ___ 1. Prints money
- ___ 2. Enforce the laws
- ___ 3. Decide what a law means
- ___ 4. Declares war
- ___ 5. Includes the president, vice president, and the cabinet
- ___ 6. Divided into the House and Senate
- ___ 7. Punishes pirates!
- ___ 8. Makes treaties with other countries
- ___ 9. Can declare laws unconstitutional
- ___ 10. Selected by the Electoral College
- ___ 11. Selected by popular vote
- ___ 12. Appoints Supreme Court Justices, federal judges, ambassadors and cabinet members
- ___ 13. Approves presidential appointments
- ___ 14. Makes a State of the Union address each year
- ___ 15. Collect taxes

Directions: Fold on the dotted lines to make a 3-sided tent with the text facing out:
Tuck the extra flap to the inside.



(Fold here)

Executive Branch



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(Fold here)

Legislative Branch



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(Fold here)

Judicial Branch

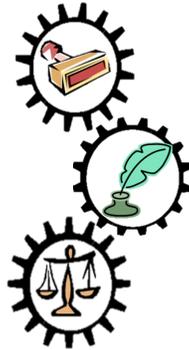


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Active Review Manipulative

Checks and Balances

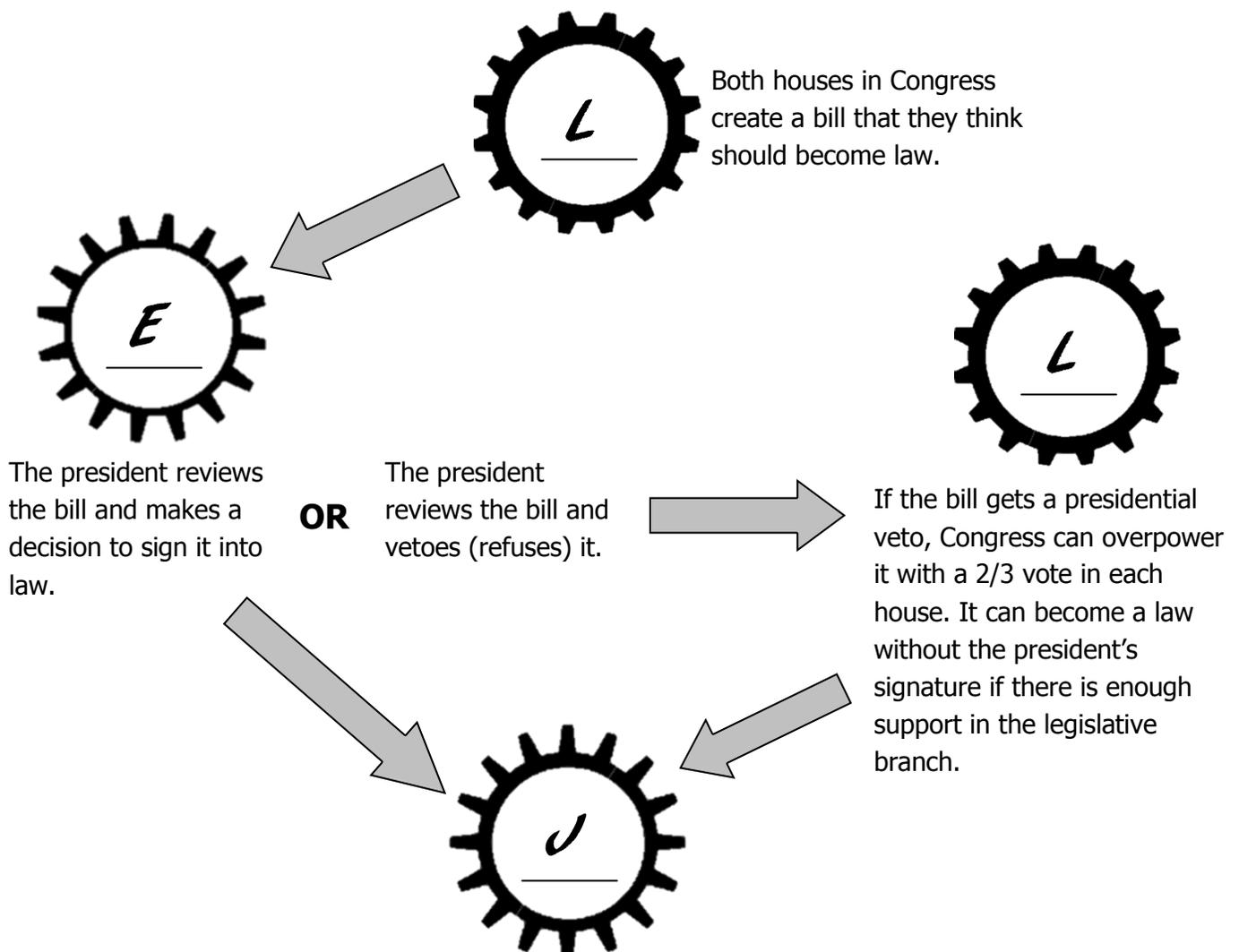
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A Bill Becomes a Law

Check out the ways the branches interact! Based on what you have learned about the jobs of each of the branches, label the gears *Executive (E)*, *Judicial (J)*, or *Legislative (L)*.



Laws can be challenged in the court system. The judicial branch looks at laws and decided if they conflict with the Constitution. If a law is found unconstitutional, it is removed.

The Constitution

Name: ****TEACHER KEY****

Vocabulary. Match the definitions with the correct vocabulary term from the lesson.

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|--|-----------------------------|
| <u>F</u> 1. The two houses that make up the legislative branch | A) Bill of Rights |
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| <u>D</u> 3. Dividing the government in to parts | C) Representative Democracy |
| <u>B</u> 4. When the three branches interact with one another | D) Separation of Powers |
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| <u>A</u> 6. The first ten amendments to the U.S. Constitution | F) Congress |

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The Judicial Branch



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