

# The Fight For Our New Constitution

## Middle School Performance Based Assessment

After students have completed the JIC CH2MS lesson, or have learned about the Articles of Confederation, the creation of the Constitution, and the earlier documents that influenced it, assess their knowledge with this Performance Based assessment (PBA). This PBA corresponds to the same SOLs identified in the JIC CH2MS lesson.

Students will write a document based essay answering a prompt about the creation of the Constitution and the Bill of Rights, including its strengths and weaknesses by analyzing and citing five primary source documents.

## SOL Skills Measured

- USI.1** The student will demonstrate skills for historical thinking, geographical analysis, economic decision making, and responsible citizenship by
- a) analyzing and interpreting artifacts and primary and secondary sources to understand events in United States history;
  - c) interpreting charts, graphs, and pictures to determine characteristics of people, places, or events in United States history;
  - d) using evidence to draw conclusions and make generalizations;
  - e) comparing and contrasting historical, cultural, and political perspectives in United States history.
- CE.1** The student will demonstrate skills for historical thinking, geographical analysis, economic decision making, and responsible citizenship by
- a) analyzing and interpreting evidence from primary and secondary sources, including charts, graphs, and political cartoons;
  - c) analyzing information to create diagrams, tables, charts, graphs, and spreadsheets;
  - e) constructing informed, evidence-based arguments from multiple sources.

# The Fight For Our New Constitution

Name \_\_\_\_\_ Date \_\_\_\_\_

## The Creation of the US Constitution

Today you will demonstrate what you know about the creation of the US Constitution by analyzing primary source documents and then using that information to answer a prompt.

### Directions

- ▶ Analyze the documents using the Document Analysis Sheet. As you do this, think about who created each document and why it was created.
- ▶ Write a well-organized essay including an introductory paragraph that includes an argument or claim (basically a thesis statement), three body paragraphs that include at least two documents each to support your answer, and finally a concluding paragraph.
- ▶ Use evidence from the documents to support your answer.
- ▶ Use any outside information you have learned about to support your answer.

### Historical Background

The Constitution of the United States was created in 1787 after the Articles of Confederation, the first attempt at government, proved to be too weak to govern the states. With the ratification, or approval, of the Constitution in 1789, many of the weaknesses were corrected, making the federal government stronger, but also giving the states and the people living in the states power and protections from the federal government through the Bill of Rights. Although the Constitution was an improvement over the Articles of Confederation, it was still not a perfect document.

### Essay Question

Using at least FIVE documents and your knowledge of social studies and civics, answer the following question:

**How was the US Constitution an improvement over the Articles of Confederation yet, at the same time, not a perfect document?**

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## Document Analysis Sheet

Answer the following questions about each document. Remember, you will be using this information to write your essay.

### Document 1

a. Why did the principal have to suspend the Tinkers (boy and girl)?

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b. What were they protesting?

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c. What did the Supreme Court say about the principal's rule?

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### Document 2

a. What is the title of this document?

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b. What does the chart show about different religions in America?

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## Document 3

James Madison wrote many essays in the *Federalist Papers* to convince Americans to support ratification of the new Constitution.

- a. When Madison talks about separating the powers of government, which branches does he mention should be chosen by the people?**

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## Document 4

Seats in the House of Representatives in Congress are distributed to states based on a state's population.

- a. What do the numbers in each state on the map represent?**

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- b. How many representatives does California, a large population state, get?**

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- c. How many representatives does Montana, a small population state, get?**

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- d. According to Article I, Section 3 of the US Constitution, how many senators does each state get?**

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- e. What compromise from the Constitutional Convention does this document best represent?**

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## Document 5

Suffrage means the right to vote.

a. According to the map, in which states could women vote when the Constitution was ratified in 1789?

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## Document 6

Phillis Wheatley was an enslaved African American who wrote poems and plays supporting American independence and who eventually gained her freedom.

a. Why do you think Phillis Wheatley mentions “Freedom” twice in the first stanza?

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b. In the second stanza, who would “dread the iron chain” the most in America at the time?

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## Document 7

a. How does the pyramid show how the power of government is divided?

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b. What is at the top of the pyramid with the most power?

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c. What is right below the top with the second most power?

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d. What is it called when you divide power between the federal, state, and local governments?

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## Rubric for the Creation of the Constitution Performance Assessment

Course Titles: United States History to 1865 and Civics & Economics

	4	3	2	1	Not Observed
<b>Argument or Claim</b> USI.1d; CE.1e	Responded to the prompt with a conclusive and knowledgeable explanation, argument or claim	Responded to the prompt with a central explanation, argument or claim	Responded to the prompt with a partially developed explanation, argument or claim	Attempted to present a central argument or claim	
<b>Accuracy of Content</b>	Integrated relevant and correct content and vocabulary with thorough explanations that demonstrate in-depth understanding	Included correct content and vocabulary relevant to the task that demonstrate understanding	Included content and vocabulary relevant to the task; shows inconsistent understanding; content may contain minor errors	Included content or vocabulary, but understanding is limited; content is irrelevant or inaccurate	
<b>Comparing &amp; Contrasting</b> USI.1e	Explained at least three meaningful and significant comparisons between the Constitution and the Articles of Confederation	Explained at least two meaningful and significant comparisons between the Constitution and the Articles of Confederation	Explained at least one meaningful and significant comparison between the Constitution and the Articles of Confederation	Attempted to explain a meaningful and significant comparison between the Constitution and the Articles of Confederation	
<b>Explaining Evidence</b> USI.1a,c; CE.1a,c	Used evidence to consistently develop, support and sharpen the claim, explanation, argument.	Explained evidence to develop and support the claim, explanation, argument.	Identified or listed information from multiple sources to support the claim, explanation, argument	Included information or quotes from one source to explain, argue or make a claim	

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## DOCUMENT 1



Held:

| Source: <https://goo.gl/M4SeZH>

1. In wearing armbands, the petitioners were quiet and passive. They were not disruptive, and did not impinge upon the rights of others. In these circumstances, their conduct was within the protection of the Free Speech Clause of the First Amendment and the Due Process Clause of the Fourteenth. Pp. 505-506.
2. First Amendment rights are available to teachers and students, subject to application in light of the special characteristics of the school environment. Pp. 506-507.
3. A prohibition against expression of opinion, without any evidence that the rule is necessary to avoid substantial interference with school discipline or the rights of others, is not permissible under the First and Fourteenth Amendments. Pp. 507-514.

### Excerpt from the Tinker v. Des Moines Supreme Court decision

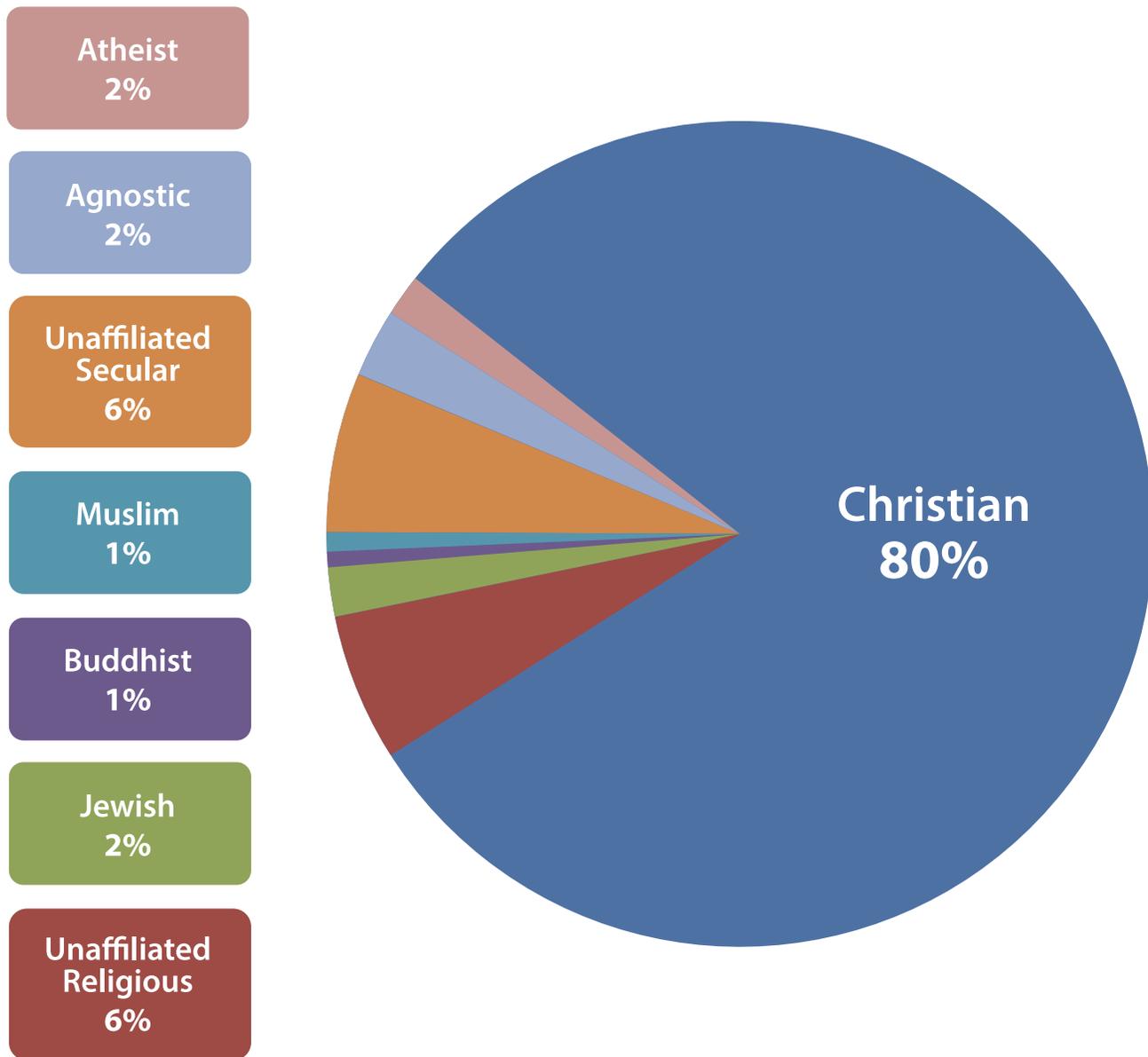
| Source: <https://goo.gl/na2LEq>

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## DOCUMENT 2

### Religion in America (2008)

Source: Pew Research Center



| Source: <https://goo.gl/SrGKpz>

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## DOCUMENT 3

### Federalist 51 EXCERPT James Madison

“In order to lay a due foundation for that separate and distinct exercise of the different powers of government, which to a certain extent is admitted on all hands to be essential to the preservation of liberty, it is evident that each department should have a will of its own; and consequently should be so constituted that the members of each should have as little agency as possible in the appointment of the members of the others. Were this principle rigorously adhered to, it would require that all the appointments for the supreme executive, legislative, and judiciary magistracies should be drawn from the same fountain of authority, the people, through channels having no communication whatever with one another.”

| Source: <https://goo.gl/2D8DRz>

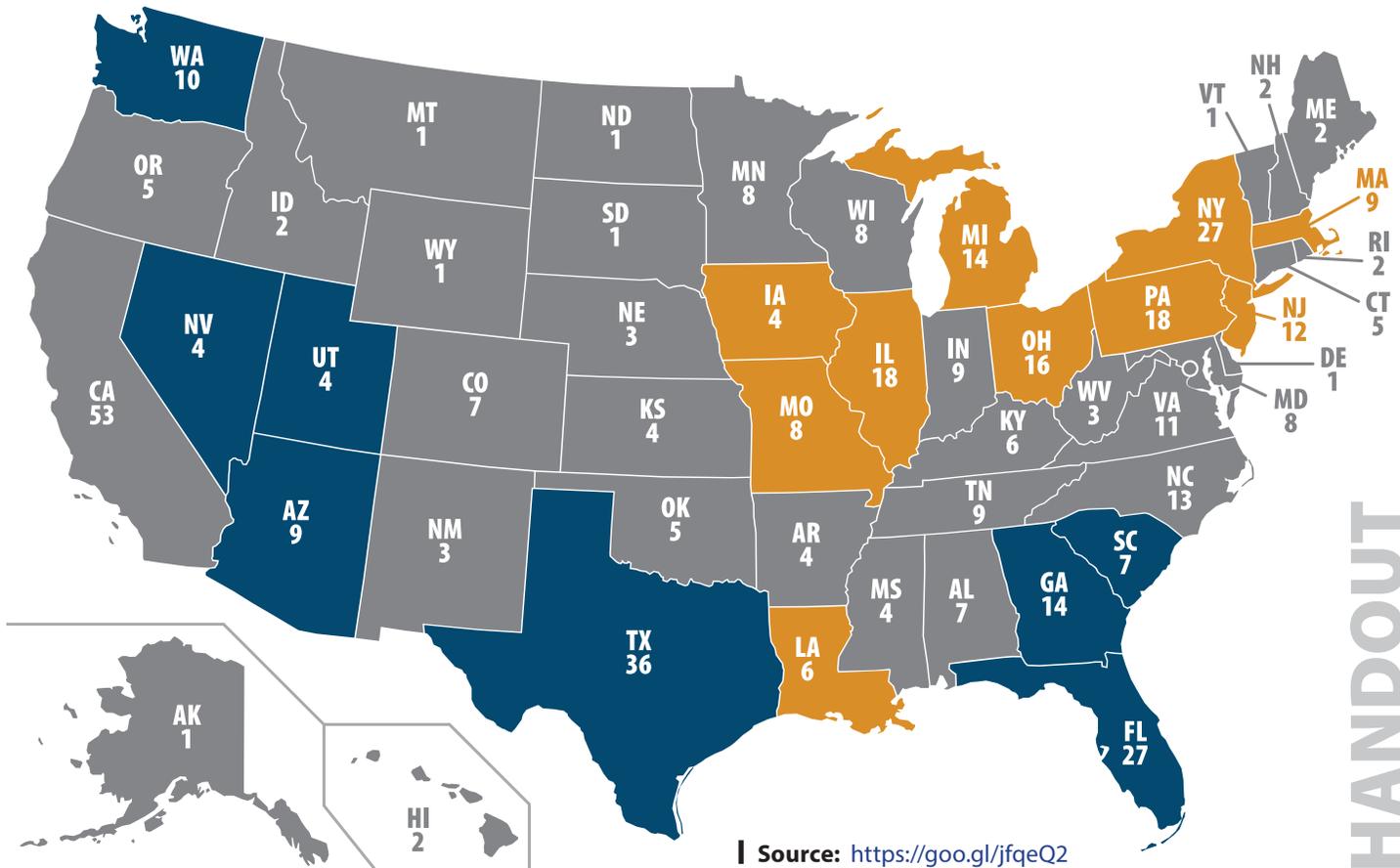
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## DOCUMENT 4

### Congressional Seats

2010 official results

■ GAINED ■ LOST ■ NO CHANGE



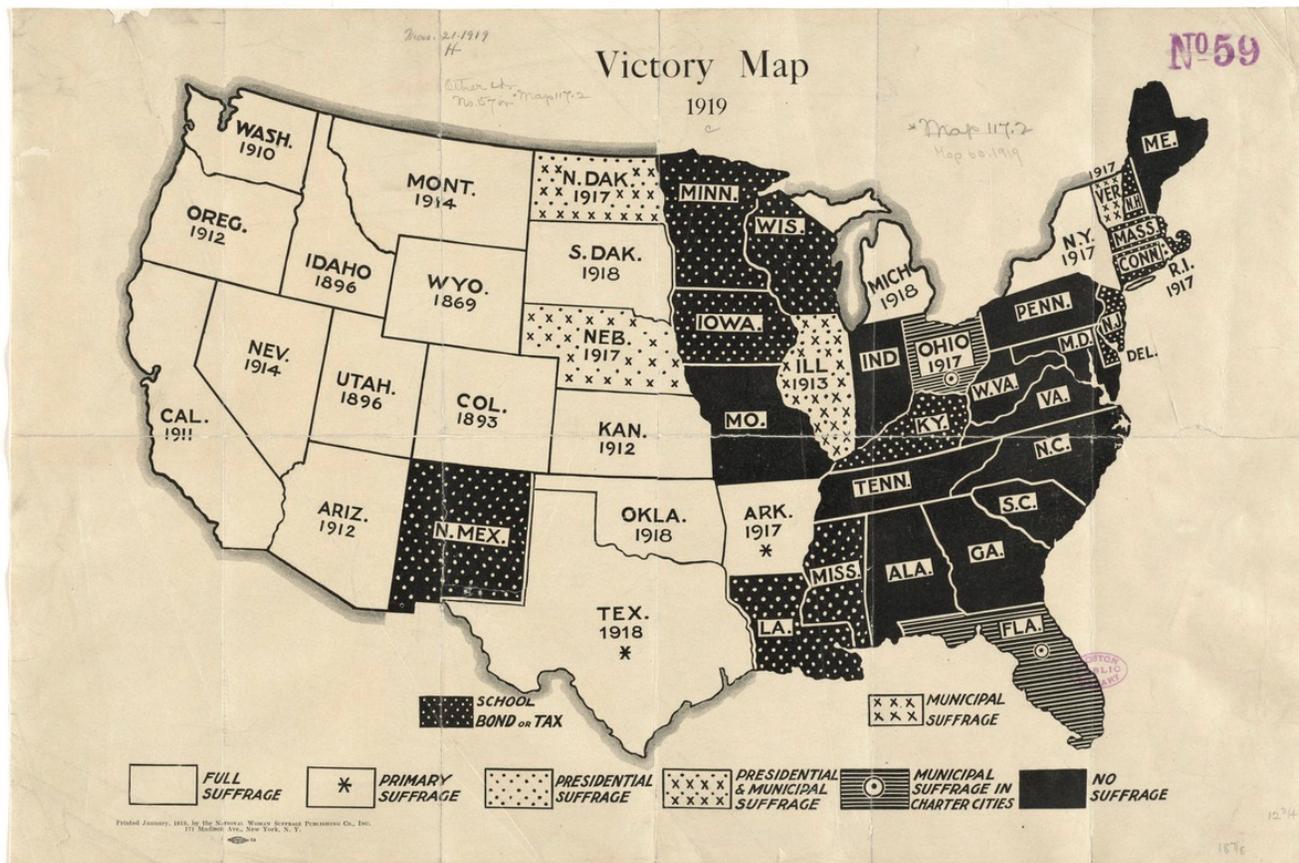
*"The Senate of the United States shall be composed of two Senators from each State, chosen by the Legislature thereof, for six Years; and each Senator shall have one Vote."*

Article I, Section 3, U.S. Constitution

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## DOCUMENT 5

STUDENT HANDOUT



| Source: <https://goo.gl/TULu31>

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## DOCUMENT 6

### "To the Right Honourable William, Earl of Dartmouth" EXCERPTS

Hail, happy day, when, smiling like the morn,  
 Fair Freedom rose New-England to adorn:  
 The northern clime beneath her genial ray,  
 Dartmouth, congratulates thy blissful sway:  
 Elate with hope her race no longer mourns,  
 Each soul expands, each grateful bosom burns,  
 While in thine hand with pleasure we behold  
 The silken reins, and Freedom's charms unfold.

No more, America, in mournful strain  
 Of wrongs, and grievance unredress'd complain,  
 No longer shalt thou dread the iron chain,  
 Which wanton Tyranny with lawless hand  
 Had made, and with it meant t' enslave the land.

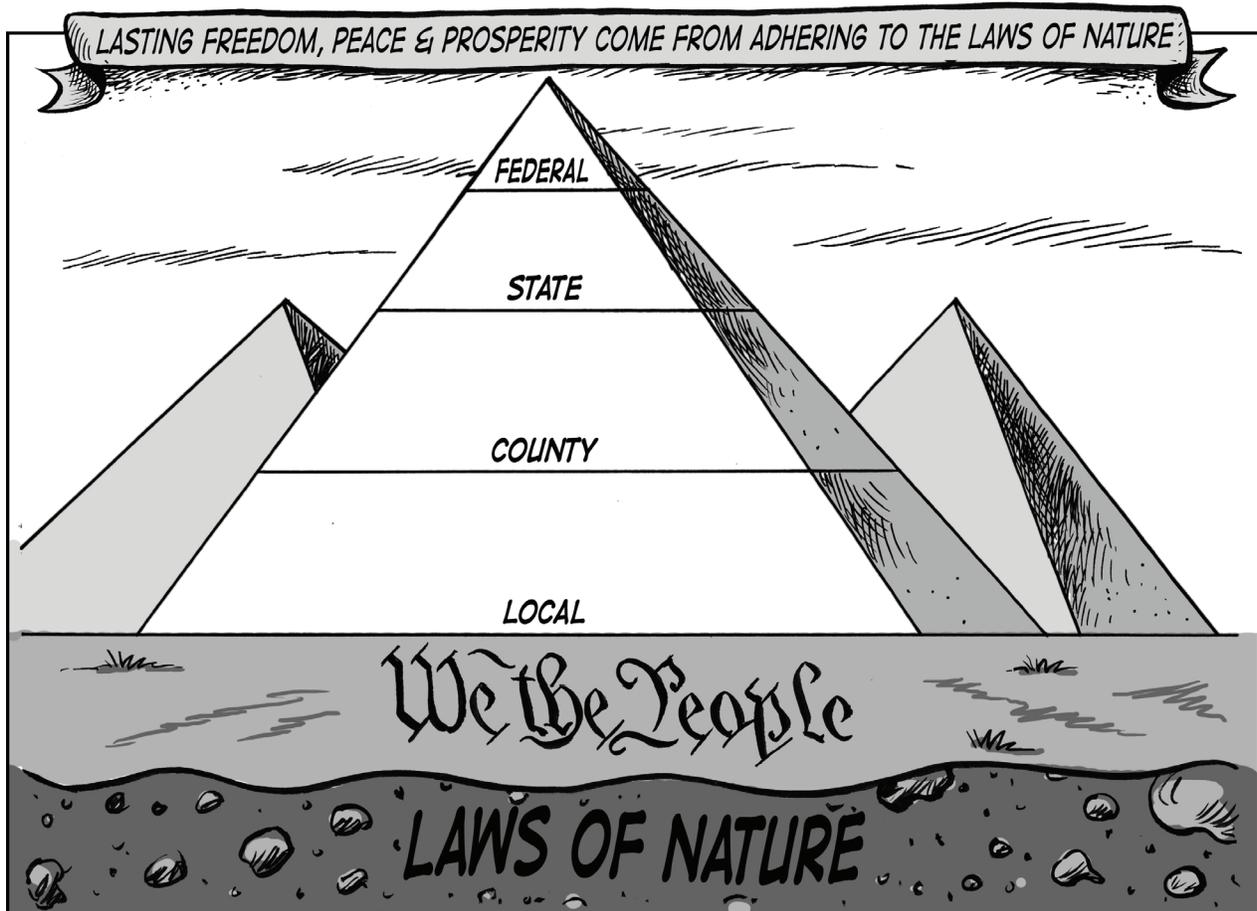
Should you, my lord, while you peruse my song,  
 Wonder from whence my love of Freedom sprung,  
 Whence flow these wishes for the common good,  
 By feeling hearts alone best understood,  
 I, young in life, by seeming cruel fate  
 Was snatch'd from Afric's fancy'd happy seat:  
 What pangs excruciating must molest,  
 What sorrows labour in my parent's breast?  
 Steel'd was that son] and by no misery mov'd  
 That from a father seiz'd his babe below'd:  
 Such, such my case. And can I then but pray  
 Others may never feel tyrannic sway?

The Collected Works of Phillis Wheatley, by John Shields, ed. New York: Oxford University Press, 1988.

| Source: <https://goo.gl/isd1xM>

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## DOCUMENT 7



| Source: <https://goo.gl/KBW5oY>