8th grade Civics and Economics IDM

Should the Electoral College really choose the President?



Protest in Washington, DC (photo credit: Ted Eytan/flickr)

https://constitutionnet.org/news/united-states-appeals-court-rules-electoral-college-members-not-bound-state-popular-vote

Supporting Questions

- 1. What is the Electoral College and why did the Framers create it?
- 2. What are the pros and cons of the Electoral College system?
- 3. What are possible alternatives to the Electoral College system?







8th grade Civics and Economics IDM

Does the Electoral College work?		
Standards and	SOL CE.5: The student will apply social science skills to understand the political process at the local, state, and national levels of government by f) describing the role of the Electoral College in the election of the president and vice president. SOL CE.1: The student will demonstrate skills for historical thinking, geographical analysis, assengering desiring and respectible citizenship by	
Content	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 j) defending conclusions orally and in writing to a wide range of audiences, using evidence from sources.	
Staging the Compelling Question	HOOK - See, Think, Wonder/inferencing activity with the Election of 1800 - Students will access the website above and answer the questions directly in the website activity by using the "+ add text" option at the bottom of the image. - As a class, discuss findings from the image and also the "When You're Done" questions, especially focusing on question 3. - Use the teacher guide. - Guide the class discussion that precedent has been set since the Electoral College was modified via the 12th Amendment after this election.	

Supporting Question 1

What is the Electoral College and why did the Framers create it?

Formative Performance Task

Write a paragraph summarizing the purpose of the Electoral College and why the founders chose the method for selecting the president.

Featured Sources

Source A: Teaching Slides

Source B: <u>Jefferson v. Hamilton</u> on the <u>Electoral College</u> (with activity)

Supporting Question 2

What are the pros and cons of the Electoral College system?

Formative Performance Task

Complete a <u>cost-benefit chart</u> about the current Electoral College system.

Featured Sources

Source A: Teaching Slides

Source B: <u>Sort activity</u> of pros and cons

Supporting Question 3

What are possible alternatives to the Electoral College system?

Formative Performance Task

Evaluate possible reforms to the Electoral College system, choose the best option based on your opinion, and make a "Top 5" list of reasons why.

Featured Sources

Source A: Teaching Slides

Source B: Excerpt from the 110th Congress proposals

Source C: Website- Ranked Choice







C3 TEACHERS

Source C: Info	graphic Voting			
Summative Performance Task	ARGUMENT: Should the Electoral College choose the President? Construct an argument, (e.g., Public Service Announcement (PSA), a presentation- Google Slides, or a letter to your Congressmen) that outlines the best method for choosing the president (whether that be the current model or another) including supporting arguments, by using specific claims and relevant evidence from sources while acknowledging competing views.			
	EXTENSION : Have students research proposed constitutional amendments. Then, have them create a presentation supporting or refuting the proposed amendment. Then, have students present in small groups and discuss their opinions on the amendment and why they agree or disagree with the proposal.			
Taking Informed Action	UNDERSTAND Investigate the breakdown of election results of Virginia from the <u>2016 election</u> and from the <u>2020 election</u> .			
	ASSESS Using the investigation above, evaluate why the electoral votes resulted in a democratic win for the state of Virginia.			
	ACT Create an informational brochure for Virginians explaining why every vote does matter. (This is in relation to smaller counties)			







^{*}Featured sources are suggested and links are provided. It may be that these links are broken and we apologize in advance for the inconvenience.

Overview

Inquiry Description

This inquiry leads students through an investigation of The Electoral College

It is important to note that this inquiry requires prerequisite knowledge of political parties and voting requirements.

Note: This inquiry is expected to take two or three 90-minute class periods. The inquiry time frame could expand if teachers think their students need additional instructional experiences (e.g., supporting questions, formative performance tasks, featured sources, and writing). Teachers are encouraged to adapt the inquiry to meet the needs and interests of their students. This inquiry lends itself to the differentiation and modeling of historical thinking skills while assisting students in reading a variety of sources.





Summative Performance Task

At this point in the inquiry, students have examined the current process to elect the president, the costs and benefits of that system, and other possible alternatives to the current system.

Students should be expected to demonstrate the breadth of their understanding and their abilities to use evidence from multiple sources to support their claims. In this task, students will construct an argument, (e.g., Public Service Announcement (PSA), a presentation- Google Slides, or a letter to your Congressmen) that outlines the best method for choosing the president (whether that be the current model or another) including supporting arguments, by using specific claims and relevant evidence from sources while acknowledging competing views.

Students' arguments will likely vary but could include any of the following:

- Knowledge of the current method for electing the president.
- Acknowledgement of continuing to use the Electoral College or a different option.
- Demonstration of an understanding of the proposed process and supporting evidence of their choice.





C3 TEACHERS

	4	3	2	1	Not Observed
Core Expectation	Core Expectations (.1a and .1c) [choose one overall holistic score]				
Accuracy of Content	• Identified, analyzed and interpreted information sources to demonstrate an in- depth understanding of content	Analyzed and interpreted information sources to understand specific content	Used information sources to understand of concepts, people, places, or events	Used information sources to understand content	
Synthesizing information sources	• Integrated evidence from multiple information sources to determine characteristics of people, places, events or concepts	• Gathered and classified information to sequence events and separate fact from opinion	Classified information, sequenced events, and separated fact from opinion	• Separated fact from opinion	
Explaining Evidence	Used information to consistently develop, support, or refine the explanation or statement	 Used information to develop and support an explanation or statement 	Used information to support an explanation	• Identified information to support an explanation	
Task Specific Con	Task Specific Concepts and Skills				
Evaluating Sources (.1e)	Compared and contrasted ideas about historical, cultural and political perspectives in history	Compared and contrasted concepts, people, places, or events	Explained concepts, people, places, or events	Identified concepts, people, places, or events	
Score	Pass Advanced (range: 7-8)	Pass Proficient (range: 5-6)	Progressing (range: 3-4)	Needs Improvement (range: 1-3)	Not Evident (range: 0)







C3 TEACHERS

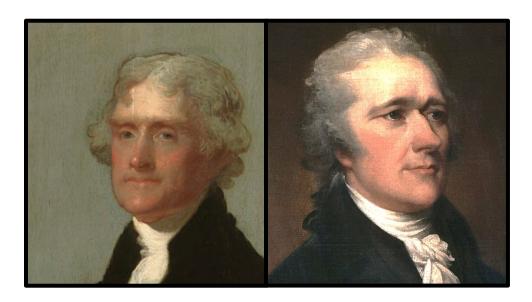
 $*Rubric\ taken\ from\ VDOE:\ \underline{https://www.doe.virginia.gov/teaching-learning-assessment/k-12-standards-instruction/history-and-social-science/assessment-learning-assessment/k-12-standards-instruction/history-and-social-science/assessment-learning-assessment-learn$ resources







Jefferson vs. Hamilton



PART A: POLITICAL BELIEFS

SORT THESE

This activity involves a series of political beliefs and values that were held by either Thomas Jefferson or Alexander Hamilton. You must organize the political beliefs listed in the **word bank** below into the Jefferson or Hamilton columns in the table

Favored the Constitution -Republican South Industry Strong National Government

Favored the Articles of Confederation Federalist North Agriculture Decentralized Government

Alexander Hamilton

PART B: QUOTES

This activity involves a series of quotes taken from Jefferson and Hamilton. You must read the quotes, analyze their content, and determine if Hamilton or Jefferson made the statement based on what you know about each person and their beliefs.

- 1) "All communities divide themselves into the few and the many. The first are the rich and well born; the other, the mass of the people. The voice of the people has been said to be the voice of God; and however generally this maxim has been quoted and believed, it is not true in fact. The people are turbulent and changing; they seldom judge or determine right. [Therefore], give the first class a distinct and permanent share of the government. They (the rich) will check the unsteadiness of the second class (the mass of people); and [because] they cannot receive any advantage by a change [of government], they will ever maintain good government."
- 2) "I am not a friend to a very energetic government. It is always oppressive. It places the governors indeed more at their ease, at the expense of the people."
- 3) "Those who labor in the earth are the chosen people of God, if ever he had a chosen people, whose breasts he has made his peculiar deposit for substantial and genuine virtue."
- 4) "Your 'people,' sir, is a great beast. One great error is that we suppose mankind [to be] more honest than they are. Our prevailing passions are ambition and [self-interest]; and it will be the duty of a wise government to avail itself of those passions, in order to make them subservient to the public good."
- 5) "The mass of mankind has not been born with saddles on their backs, nor a favored few booted and spurred, ready to ride them legitimately, by the grace of God....Every government degenerates when trusted to the rulers...alone. The people themselves are its only safe depositories."
- 6) "I am not among those who fear the people. They, and not the rich, are our dependence for continued freedom."
- 7) "...A little rebellion now and then is a good thing, and as necessary in the political world as storms in the physical...It is a medicine necessary for the sound health of government."
- 8) "The government that governs best, governs least."

PART C: COMPARE AND CONTRAST

As one of the Framers of the Constitution, Alexander Hamilton supported the concept of the Electoral College for electing the president rather than allowing for direct election by the people. Based on what you have learned about his views, briefly explain why Hamilton preferred this type of system.	

HOW TO BECOME *PRESIDENT OF THE UNITED STATES * STEP 1 PRIMARIES AND CAUCUSES U.S. CONSTITUTION'S THERE ARE MANY PEOPLE WHO WANT TO BE PEOPLE WITH SIMILAR IDEAS BELONG TO NATURAL BORN CITIZEN REQUIREMENTS FOR MINIMUM AGE U.S. RESIDENT PRESIDENT, EACH WITH THEIR OWN IDEAS THE SAME POLITICAL PARTY, THIS IS WHERE 35 YEARS 14 YEARS A PRESIDENTIAL ABOUT HOW GOVERNMENT SHOULD WORK PRIMARIES AND CAUCUSES COME IN CANDIDATES FROM EACH POLITICAL PARTY CAMPAIGN THROUGHOUT THE COUNTRY CANDIDATE TO WIN THE FAVOR OF THEIR PARTY MEMBERS NATIONAL CONVENTIONS STEP 2 IN A PRIMARY IN A CAUCUS AT EACH CONVENTION, THE PRESIDENTIAL EACH PARTY HOLDS A NATIONAL PARTY MEMBERS VOTE FOR THE PARTY MEMBERS SELECT THE BEST CANDIDATE CHOOSES A RUNNING MATE CONVENTION TO SELECT A FINAL BEST CANDIDATE THAT WILL REPRESENT CANDIDATE THROUGH A SERIES OF THE PRESIDENTIAL CANDIDATES CAMPAIGN (VICE PRESIDENTIAL CANDIDATE) PRESIDENTIAL NOMINEE THEM IN THE GENERAL ELECTION DISCUSSIONS AND VOTES THROUGHOUT THE COUNTRY TO WIN THE SUPPORT OF THE GENERAL POPULATION STEP 4 ELECTORAL COLLEGE STEP 3 GENERAL ELECTION PEOPLE IN EVERY STATE ACROSS THE WHEN PEOPLE CAST THEIR VOTE, THEY IN THE ELECTORAL COLLEGE SYSTEM, EACH ELECTOR CASTS ONE VOTE FOLLOWING THE NEWLY ELECTED PRESIDENT AND VICE COUNTRY VOTE FOR ONE PRESIDENT ARE ACTUALLY VOTING FOR A GROUP EACH STATE GETS A CERTAIN NUMBER OF ELECTORS THE GENERAL ELECTION, AND THE CANDIDATE PRESIDENT ARE INAUGURATED IN JANUARY AND VICE PRESIDENT OF PEOPLE KNOWN AS ELECTORS BASED ON ITS REPRESENTATION IN CONGRESS WHO GETS MORE THAN HALF (270) WINS Based on 2010 Censu 270



DEFINITIONS

Caucus: A meeting of the local members of a political party to select delegates to the national party convention. A caucus is a substitute for a primary election.

Delegate: A person authorized to represent others as an elected representative to a political party conference.

Elector: A member of the electoral college.

Electoral College: The voters of each state, and the District of Columbia, vote for electors to be the authorized constitutional members in a presidential election.

Natural Born Citizen: Someone born with U.S. citizenship includes any child born "in" the United States, the children of United States citizens born abroad, and those born abroad of one citizen parent.

Primary: An election where voters select candidates for an upcoming general election. Winning candidates will have delegates sent to the national party convention as their party's U.S. presidential nominee.



http://kids.usa.gow/president

http://bensquide.gpo.gov/3-5/election/president.html





The Electoral College

Directions: In at least one paragraph, explain the purpose of the Electoral College (i	including he	ow it
operates) and why the founders choose this method for selecting the president.		

Pros and Cons of the Electoral College

Directions: Complete the activities below.

Activity A: Using the information in <u>Source A: Teaching Slides</u>, sort the outcomes of the Electoral College process into pros and cons. Be prepared to discuss why you consider them to be either a pro or a con.

Pros	Cons	Why?

	5

Activity B: Using the information that you sorted above, what values do you think should be represented in the election process? List them below.

Decision: Should the Electoral College system be used to elect the president and the vice president of the United States?			
Costs	Level of Importance 1-5	Benefits	Level of Importance 1-5
A candidate who has not earned a majority of the popular vote can become president		Guarantees that states with small populations have some representation in the election process	
Discourages voter turnout with a winner- take-all scenario		Large-population states benefit because candidates make a special effort to win their electoral votes	
Keeps third parties from having a greater influence in an election		Winner-take-all nature gives the impression of a greater majority than the popular vote	
Total		Total	

Using your analysis of the costs and the benefits to the Electoral College system, answer the question, "Should the Electoral College system be used to elect the president and the vice president of the United States? Why or why not?"

Excerpts From: Electoral College Reform: 110th Congress Proposals, the National Popular Vote Campaign, and Other Alternative Developments

Below are excerpts from research published from the 110th Congress about alternative plans for electing the President. The full document can be found here:

https://crsreports.congress.gov/product/pdf/RL/RL34604/7#:~:text=The%20three%20most%20 popular%20reform,the%20winning%20ticket%20in%20each

Summary

American voters elect the President and Vice President indirectly, through presidential electors. Established by Article II, Section 1, clause 2 of the U.S. Constitution, this electoral college system has evolved continuously since the first presidential elections. Despite a number of close contests, the electoral college system has selected the candidate with the most popular votes in 47 of 51 presidential elections since the current voting system was established by the 12th Amendment in 1804. In three cases, however, candidates were elected who won fewer popular votes than their opponents, and in a fourth, four candidates split the popular and electoral vote, leading to selection of the President by the House of Representatives. These controversial elections occur because the system requires a majority of electoral, not popular, votes to win the presidency. This feature, which is original to the U.S. Constitution, has been the object of persistent criticism and numerous reform plans. In the contemporary context, proposed constitutional amendments generally fall into two basic categories: those that would eliminate the electoral college and substitute direct popular election of the President and Vice President, and those that would retain the existing system in some form, while correcting its perceived defects. Reform or abolition of the electoral college as an institution would require a constitutional amendment, so these proposals take the form of House or Senate joint resolutions. Three relevant amendments were introduced in the 110th Congress. H.J.Res. 36, (Representative Jesse Jackson, Jr.) sought to provide for direct popular election, requiring a majority of votes for election. H.J.Res. 4, the Every Vote Counts Amendment, (Representative Gene Green et al.) also sought to establish direct popular election, but with a popular vote plurality, rather than a majority, for election. It would propose additional powers to regulate presidential elections for the states and the federal government. The third, S.J.Res. 39 (Senator Bill Nelson of Florida), proposed establishment of direct popular election, as well as authorizing congressional, and thus federal, authority over certain aspects of election administration. Supporters of direct election advanced another option in 2006, the National Popular Vote (NPV) plan. This would bypass the electoral college system through a multi-state compact enacted by the states. Relying on the states' constitutional authority to appoint electors, NPV would commit participating states to choose electors committed to the candidates who received the most popular votes nationwide, notwithstanding results within the state. NPV would become effective when adopted by states that together possess a majority of electoral votes (270). At the present time, four states with a combined total of 50 electoral votes (Hawaii, 4; Illinois, 21; Maryland, 10; and New Jersey, 15) have approved the compact. For additional information on contemporary operation of the system, please consult CRS Report RL32611, The Electoral College: How It Works in Contemporary Presidential Elections, by Thomas H. Neale. This report will not be updated.

The District Plan

This reform proposal would continue the current allocation of electoral votes by state, and, in common with most reform plans, would eliminate the office of presidential elector. It would award one electoral vote to the winning candidates in each congressional district (or other, ad hoc, presidential election district) of each state. Two electoral votes, reflecting the two additional "constant" or "senatorial" electoral votes assigned to each state by the Constitution, would be awarded to the statewide vote winners. This alternative would constitutionally mandate the system currently used to award electoral votes in Maine and Nebraska.85 Proponents of the district plan argue that it would more accurately reflect the popular vote results for presidential and vice presidential candidates than the winner- takeall method, or the automatic plan, because, by allocating electoral votes according to popular vote results in congressional districts, it would take into account political differences within states.86 They also suggest that in states dominated by one party, the district plan might provide an incentive for greater voter involvement and party vitality, because it would be possible for the less dominant party to win electoral votes in districts where it enjoys a higher level of support, e.g. "Upstate" New York versus the New York City metropolitan area, or northern California vs. the Los Angeles and San Francisco metropolitan areas. Opponents would note that the district plan retains indirect election of the nation's chief executive, that the potential for "minority" Presidents would continue, and that it might actually weaken the two-party system by encouraging parties that promote narrow geographical or ideological interests and that may be concentrated in certain areas. In fact, they might suggest that adoption of the district plan would encourage gerrymandering, as the parties maneuvered for advantage in presidential elections. Nebraska split its district votes presidential election for the first time in the 2008, awarding four electors to Republican candidate Senator John McCain, who won two congressional districts and the statewide vote, and one to the Democratic nominee, Senator Barack Obama, who received the most popular votes in state's second congressional district.⁸⁷ Maine has yet to split its electoral votes under the district plan.

The Proportional Plan

This reform proposal would award electoral votes in each state in proportion to the percentage of the popular vote gained by each ticket. Some versions, known as "strict" proportional plans, would award electoral votes in proportions as small as thousandths of one vote, that is, to the third decimal point, while others, known as "rounded" proportional plans, would use various methods of rounding to award only whole numbers of electoral votes to competing candidates. As noted in the main body of this report, voters in Colorado rejected a proposed state constitutional

⁸⁵ The district plan is a permissible state option under the Constitution, which does not specify any particular method for awarding electoral votes. In fact, the district plan was widely used in the 19th century. 86 The question of what districts would be used under a district plan has been considered over time. The use of either ad hoc presidential election districts, or existing congressional districts could be mandated, or states could be offered the option of using either method. The ad hoc district variant of the district plan would empower the states to create special presidential election districts, one for every seat the state holds in the House of Representatives, while rewarding the two "senatorial" electors to the statewide vote winner. A further variation might be to eliminate the "senatorial" electors, and establish a number of presidential election districts equal to the total Senate and House delegations in each state. Any such districts would undoubtedly need to conform to existing Supreme Court mandates that they be as equal in population as possible, in order to assure that the doctrine of "one person, one vote" is observed. The minimal population differences between congressional districts and the fact they are already in existence might argue for their use. On the other hand, in contemporary practice, congressional districts do not always follow the boundaries of existing political subdivisions, recognized regions, or less formal "communities," thus vitiating one of the arguments in favor of the district system, that it takes into effect the different political leanings of different parts of a state. These options might open an opportunity for experiment on the "states as laboratories for the nation" model. 87 Robin Tyvser, "Obama Wins Electoral Vote in Nebraska," Omaha World-Herald, November 8, 2008. Available at https://www.omaha.com/index.php?u page=2835&u sid=10481441.

amendment (Amendment 36) at the November 2, 2004, general election that would have established a rounded proportional system in that state.⁸⁸ For further information on this proposal, please consult CRS Report RL32611, The Electoral College: How It Works in Contemporary Presidential Elections, by Thomas H. Neale. Proponents of the proportional plan argue that it comes closer than other reform plans to electing the President and Vice President by popular vote, while still preserving the state role in presidential elections. They also assert that the proportional plan reduces the likelihood of "minority" presidents—those who win with a majority of electoral votes, but fewer popular votes than their chief opponent. They also suggest that this option would more fairly account for public preferences, by allocating electoral votes within the states to reflect the actual support attained by various candidates, particularly in the strict, as opposed to rounded, version of the proportional plan, while still retaining the role of the states. Opponents again suggest that it retains indirect election of the President, which they assert is inherently less democratic than direct popular election. They also note that the proportional plan could still result in "minority" Presidents and Vice Presidents, and by eliminating the magnifier effect of the automatic and district plans, might actually result in more frequent electoral college deadlocks, situations in which no candidate receives the requisite majority of electoral votes.

2006-Present: National Popular Vote—Direct Popular Election Through An Interstate Compact

The National Popular Vote (NPV) campaign has been advanced by an interest group that draws support from members of both national parties. The NPV plan would eliminate existing electoral college arrangements and substitute de facto direct popular election by means of an interstate agreement or compact. Under the compact's provisions, legislatures of the 50 states and the District of Columbia would exercise their constitutional authority to appoint presidential electors themselves. The key provision of NPV is, however, that the states would then use their power to chose electors committed to the presidential/vice presidential ticket that gained the most votes nationwide. This would deliver a unanimous electoral college decision for the candidates winning a plurality of the popular vote.

Origins

The idea for NPV is generally credited to a 2001 article by constitutional scholars Akhil and Vikram Amar. The authors suggested that a compact by a group of states would be able to achieve the goal of direct popular election without the need to meet the constitutional requirements necessary for a constitutional amendment.⁴⁰ This proposal, which became the National Popular Vote plan, relies on the Constitution's broad grant of power to each state to "appoint, in such Manner as the Legislature thereof may direct [emphasis added], a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress.... "⁴¹

⁸⁸ The Constitution does not currently provide for fractions or parts of electoral votes, so a strict proportional system would require a constitutional amendment. Since a rounded proportional plan or system would award whole electoral votes, it is currently a permissible state option under the Constitution.

⁴⁰ Akhil Reed Amar and Vikram David Amar, "How to Achieve direct National Election of the President Without Amending the Constitution," Findlaw's Writ, December 28, 2001, http://writ.news.findlaw.com/amar/20011228.html. 41 U.S. Constitution, Article II, Section 1, clause 2.

The Plan

Specifically, the plan calls for an agreement or compact in which the legislatures in each of the participating states would agree to appoint electors (and hence, electoral votes) pledged to the candidates who won the nationwide popular vote. The appropriate authority in each state would tally and certify the "national popular vote total" within the state; the state figures would be aggregated and certified nationwide, and in each state the slate of electors pledged to the "national popular vote winner" would be appointed. Barring unforeseen circumstances, the NPV would result in a unanimous electoral college vote: 538 electors for the winning candidates for President and Vice President.

In order to address state concerns about premature commitment to the NPV plan, the process would come into effect only after approval of the compact by a number of states whose total electoral votes equal or exceed 270, the current majority required to elect under the Constitution.

In the event the national popular vote were tied, the states would be released from their commitment under the compact, and would choose electors who represented the presidential ticket that gained the most votes in each particular state.

States would retain the right to withdraw from the compact, but if a state chose to withdraw within six months of the end of a presidential term, the withdrawal would not be effective until after the succeeding President and Vice President had been elected.

One novel provision would enable the presidential candidate who won the national popular vote to fill any vacancies in the electoral college with electors of his or her own choice, presumably provided the electors meet constitutional qualifications for that office.

Selecting the President

<u>Directions</u>: In the chart below, list the best method (in your opinion) for selecting the President, using <u>Source A: Teaching Slides</u>. Then, provide at least five reasons why this would be the best option.

Method Option:
Supporting Reason 1:
Supporting Reason 2:
Supporting Reason 3:
Supporting Reason 4:
Supporting Reason 5:
Other Reasons:

Should the Electoral College choose the President?

<u>Directions</u>: Construct an argument that outlines the best method for choosing the President (whether that be the current model or another you have just learned) including supporting arguments, by using specific claims and relevant evidence from sources while acknowledging competing views.

This could take the form of -

- Public Service Announcement (PSA)
 - Create a public service announcement to gain support for changing or preserving the current method.
- A presentation (Google Slides)
 - Design a presentation for Congressmen to support the chosen method of selecting the President.
- Letter to your Congressmen
 - Write a letter to your Congressmen to encourage advocating for changes (or no changes) to the process for selecting the President.
- Choose a different presentation option and have it approved by the teacher.