Amending Voting Rights

Lesson Overview

Suggested Grade Level(s)	9–12
Time Required for the Lesson	One two-day lesson, plus one or two summative assessments

Alignments

Center for Civic Education

We the People: The Citizen & the Constitution (L3)

- Lesson 20: How Has the Right to Vote Been Expanded Since the Adoption of the Constitution?

College, Career, and Civic Life (C3) Framework

- **D2.Civ.8.9-12.** Evaluate social and political systems in different contexts, times, and places that promote civic virtues and enact democratic principles.
- **D2.His.1.9-12.** Evaluate how historical events and developments were shaped by unique circumstances of time and place as well as broader historical contexts.

Educating for American Democracy Roadmap

Theme 1: Civic Participation

- HDQ: What forms does civic participation take? Who has access to different forms of participation, and how has that access changed over time?

Theme 4: A New Government & Constitution

- HDQ: How did debates about the new U.S. government play out among those who were not formally incorporated in decision-making?

Common Core Standards for Literacy in Social Studies

- CCSS.ELA-LITERACY.RH.9-10.1: Cite specific textual evidence to support analysis of primary and secondary sources, attending to such features as the date and origin of the information.
- CCSS.ELA-LITERACY.RH.11-12.7: Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem.

Civic Skills & Dispositions

- Active learning
- Active listening
- Attentiveness to political matters
- Civic mindedness
- Collaboration
- Critical thinking
- Equity and fairness
- Incorporating evidence
- Persuasive writing
- Relationship skills

Social-Emotional Learning (SEL) Focus

Students will develop their social awareness including understanding others' needs and concerns by proposing a new amendment to protect voting rights.

Students will develop responsible decision-making by identifying problems, analyzing situations, solving problems, and reflecting.

Note: These SEL focus skills will be further articulated in alignment with the lesson below

Lesson Overview

Lesson Objective

- Examine ways in which the U.S. Constitution has been amended to further voting rights.
- Identify ways in which our current systems may infringe on people's voting rights.
- Defend a position on whether further constitutional amendments are needed to protect voting rights.

Lesson Assessments

- Students demonstrate their understanding of voting rights, how they have been expanded and whether new protections are needed by writing or researching for a presentation.

- Teachers may assess by using the Assessment Rubric.
- Students will participate in self-reflection by completing the Inquiry Reflection Tool.

Pre-Lesson Preparation

Compelling Question

- Do we need a constitutional amendment to protect voting?

Supporting Question(s)

- How and why has the Constitution been expanded to protect voting rights in the past?
- In what ways are people's right to vote being infringed upon or suppressed today?

Texts / Materials

- U.S. Constitution
- Voting in the U.S. Constitution slide deck
- Voting Expansion Organizer
- Voting Rights Resource Bank
- Voting Rights Scenarios slide deck
- Voting Scenarios Organizer
- Research Organizer
- Inquiry Reflection Tool
- Assessment Rubric

Videos

- Political Participation: Active Citizenship, Part 3
- Voting, Elections, and Representation, Part 31: Voting in the States
- Voting Expansion Organizer
- Votes for All Men
- Votes for Women
- Votes for D.C.
- No Tax on Voting
- Votes for Young People

Vocabulary

- **amendment** The process of altering or amending a law or document, such as a constitution, by parliamentary or constitutional procedure.
- **disenfranchise** To deprive of a franchise, of a legal right, or of some privilege or immunity, especially to deprive of the right to vote.
- **franchise** A constitutional or statutory right or privilege, especially the right to vote.
- **gerrymandering** The practice of dividing or arranging a territorial unit into election districts in a way that gives one political party an unfair advantage in elections.
- **infringe** To encroach upon in a way that violates law or the rights of another.
- **ratify** To approve and sanction formally: confirm.
- **voter suppression** A strategy used to influence the outcome of an election by discouraging or preventing specific groups of people from voting.

Pre-Lesson Preparation

Teacher Background

Nowhere in the original text of the U.S. Constitution is the right to vote guaranteed. Instead, it is implied through the various sections that mention voting. Those sections are included below. This has left most of the practice of elections to states. States determine most of the qualifications and requirements to vote. This has changed dramatically over the years and in many instances Constitutional Amendments have been added to ensure voting protections. Those amendments have been included below the original sections of the Constitution. This lesson will explore if additional amendments protecting voting rights may be needed.

The U.S. Constitution implied the right to vote. The first instance is Article I, Section 2, which explains how the House of Representatives will be chosen.

> Article I, Section 2: The House of Representatives shall be composed of Members chosen every second Year by the People of the several States, and the Electors in each State shall have the Qualifications requisite for Electors of the most numerous Branch of the State Legislature.

The next instance is Article I, Section 3, which explains how Senators will be selected by state legislatures.

> Article I, Section 3: 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 4 continues to outline voting by explaining that the state legislatures have the power to determine the time, place, and manner of elections, but that they are subject to regulation by Congress.

> Article I, Section 4: The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except as to the Places of chusing Senators.

Pre-Lesson Preparation

The last instance that mentions voting outlined in the U.S. Constitution is Article II, Section 1, which sets up the Electoral College.

> Article II, Section 1, Clause 3: Each State shall appoint, in such Manner as the Legislature thereof may direct, a Number of Electors, equal to the whole Number of Senators and Representatives to which the State may be entitled in the Congress: but no Senator or Representative, or Person holding an Office of Trust or Profit under the United States, shall be appointed an Elector.
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> Article II, Section 1, Clause 4: The Electors shall meet in their respective States, and vote by Ballot for two Persons, of whom one at least shall not be an Inhabitant of the same State with themselves. And they shall make a List of all the Persons voted for, and of the Number of Votes for each; which List they shall sign and certify, and transmit sealed to the Seat of the Government of the United States, directed to the President of the Senate. The President of the Senate shall, in the Presence of the Senate and House of Representatives, open all the Certificates, and the Votes shall then be counted. The Person having the greatest Number of Votes shall be the President, if such Number be a Majority of the whole Number of Electors appointed; and if there be more than one who have such Majority, and have an equal Number of Votes, then the House of Representatives shall immediately chuse by Ballot one of them for President; and if no Person have a Majority, then from the five highest on the List the said House shall in like Manner chuse the President. But in chusing the President, the Votes shall be taken by States, the Representation from each State having one Vote; A quorum for this Purpose shall consist of a Member or Members from two thirds of the States, and a Majority of all the States shall be necessary to a Choice. In every Case, after the Choice of the President, the Person having the greatest Number of Votes of the Electors shall be the Vice President. But if there should remain two or more who have equal Votes, the Senate shall chuse from them by Ballot the Vice President.
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> Article II, Section 1, Clause 5: The Congress may determine the Time of chusing the Electors, and the Day on which they shall give their Votes; which Day shall be the same throughout the United States.

Pre-Lesson Preparation

Constitutional Amendments that have expanded the right to vote:

- 12th: Changes to Electoral College (1804)
- 14th: Equal Protection of the Laws (used for Voting Rights legislation) (1868)
- 15th: Bans racial discrimination in voting. (1870)
- 17th: Direct election of US Senators (1913)
- 19th: Bans sex discrimination in Voting (1920)
- 23rd: Gives DC votes in Electoral College (1961)
- 24th: Bans poll taxes in national elections (1964)
- 26th: Guarantees the right to vote to 18 years old and older. (1971)

Additional resources for teacher background include the following:

- Constitution EXPLAINED - civiced.org
- Constitution 101 Course (Voting Rights in America)

Teachers should preview all student materials and resources prior to the lesson. Teachers should preview all student materials and resources prior to the lesson. Additionally, teachers should be familiar with the voting provisions specified in the Constitution to assist with the Voting in the U.S. Constitution slide deck presentation.

Lesson Plan: Day 1

Engage: Activate Prior Knowledge

1. Welcome students to social studies.
2. Introduce the inquiry question: "Do we need a constitutional amendment to protect voting?"
3. Tell students they will participate in a democratic process now in class by voting on this issue. Conduct an informal class poll as to whether or not we need a constitutional amendment to protect voting. Record results and revisit at the end of the lesson.
4. Share the Voting in the U.S. Constitution slide deck to introduce how the U.S. Constitution addresses voting pausing to breakdown vocabulary as needed.
5. Read each amendment to students and explain how that particular portion of the Constitution implies a right to vote. *Note: See the Teacher Background section for more support on this instruction.*
6. Play Political Participation: Active Citizenship, Part 3. As students watch, they should listen for reasons why voting is important to our U.S. democracy.
7. Play the video second time as needed to ensure comprehension.Play Voting, Elections & Representation. As students watch, they should listen for who makes most of the requirements for voting.
8. Play video second time as needed to ensure comprehension.
9. After students have watched the videos, facilitate a brief class discussion on voting by asking the following questions:
    - Why is voting important to our U.S. democracy?
    - What happens if potential voters do not turn out to vote?
    - Who makes most requirements for voting?
    - What has happened to voter turnout in recent years?
    - Why do you think voter turnout has declined in recent years?
    - What are possible solutions that could increase voter turnout?
    - Do you think potential voters are intentionally excluded from the election process? Why or why not?

Culturally Responsive Supports

Universal Design for Learning (UDL)

- Breakdown vocabulary during Voting in the U.S. Constitution slide deck as needed.
- Voting for informal class poll may be done via show of hands, secret ballot or an electronic voting option.
- While playing videos, encourage students to jot their observations in their notebook to support their participation in the full class discussion.
- Utilize closed captioning when viewing videos if needed.
- Allow sufficient wait time for students to formulate answers.
- Consider allowing students trio time to formulate answers. Working in teams of three helps to encourage small group collaboration and conversations.

Multilingual Learners (ML)

- Explore subtitle options to change language when viewing videos through YouTube.
- Provide vocabulary translated into the native language of students, as needed.
- Discussion questions could be translated or provided as an audio file and given to ML student(s) prior to class discussion, as needed.
- Consider allowing students to work in trio to encourage small group discussion.

Social-Emotional Learning (SEL)

- Social awareness
- Reflection

Civic Dispositions & Skills

- Active learning
- Active listening

Lesson Plan: Day 1

Extending Learning

- Students could investigate data on voter turnout over the past 3 presidential and past 3 midterm elections and make predictions about cause and effect events in the data.
- Students could compare and contrast U.S. voter protections with provisions in other countries and in other forms of government.

Explore: Guided/Open Inquiry

1. Remind students of the inquiry question: "Do we need a constitutional amendment to protect voting?"
2. Explain to students that there have been eight amendments to the U.S. Constitution that have changed or expanded on the right to vote initially implied in the U.S. Constitution. They will now explore 5 of those amendments to understand why they were added.
3. Using your routine for designating groups, arrange students into five teams. Assign each group one of the five amendments that have expanded people's right to vote which include the 15th, 19th, 23rd, 24th, and 26th Amendments.
4. Distribute the Voting Expansion Organizer and review to ensure students understand expectations.
5. Instruct each group to begin by reading the text of the amendment and identifying how it expands voting. Explain to students that they should consider groups of people or obstacles that are being removed from voting requirements and complete column 3 in the Voting Expansion Organizer.
6. Students will make a prediction in column 4 about why their assigned amendment was needed.
7. Once students have read their assigned amendment they should watch the Constitution Explained video that matches their amendment. Tell them that while they are watching their video, they should listen for why the amendment was added to the constitution. Videos include:
    a. 15th Amendment Votes for All Men
    b. 19th Amendment Votes for Women
    c. 23rd Amendment Votes for D.C.
    d. 24th Amendment No Tax on Voting
    e. 26th Amendment Votes for Young People

Culturally Responsive Supports

Universal Design for Learning (UDL)

- Utilize closed captioning when viewing videos if needed.
- Encourage students to annotate p.2 of Voting Expansion Organizer as they review their assigned amendment.
- Teacher may need to model how to complete the Voting Expansion Organizer for one amendment.
- Allow wait time for students to formulate questions and answers.

Multilingual Learners (ML)

- Explore subtitle options to change language when viewing via YouTube.
- Amendments and graphic organizer questions could be translated or provided as an audio file and given to ML student(s) before class discussion.
- Provide the graphic organizer translated into the native language of students as needed.
- Provide vocabulary translated into the native language of students, as needed.

Social-Emotional Learning (SEL)

- Social awareness
- Collaboration
- Self-management
- Relationship skills

Lesson Plan: Day 1

8. After students watched the accompanying video, groups should discuss why the respective amendment was needed and complete column 5 in the Voting Expansion Organizer.
9. Circulate around the room, encouraging each group, observing progress, and redirecting as needed.
10. After students have completed their assigned amendment in the Voting Expansion Organizer, create new groups by counting students off in each of your five teams.
11. Students move to new groupings to serve as an expert on their assigned amendment to share learning and support team members in completing the Voting Expansion Organizer.
12. Once students have completed their graphic organizers students will conduct team conversations focused on the discussion question, "In what other ways might Americans face obstacles when trying to exercise their right to vote?"
13. Briefly review the graphic organizer and answer any remaining questions about voting amendments.
14. If time permits allow groups to share voting obstacles they brainstormed together.

Civic Dispositions & Skills

- Collaboration
- Close reading
- Incorporation evidence
- Active learning
- Attentiveness to political matters
- Relationship skills

Extended Learning

- Students can further investigate obstacles that potential voters face along with their solutions to eliminate each barrier.

Explain: Discuss and Share

1. Remind students of the inquiry question: "Do we need a constitutional amendment to protect voting?"
2. Tell students that in order to answer our inquiry question we will discuss current events that may impact voting.
3. Select a topic from the Voting Rights Resource Bank to display for the class.
4. Model a close reading and observation of the infographic by pointing out accompanying text and other identifiers that help explain the data.
5. Allow wait time for students to observe the infographic.

Culturally Responsive Supports

Universal Design for Learning (UDL)

- Students can view infographics displayed by projector or could receive it in the handout.
- Activity focuses on close reading and observation of infographic images which allows multiple entry points for all learners.

Multilingual Learners (ML)

- Discussion questions could be translated or provided as an audio file and given to ML student(s) prior to class discussion, as needed.
- Consider allowing students trio time to formulate answers. Working in teams of three helps to encourage small group collaboration and conversations.

Social-Emotional Learning (SEL)

- Self Awareness
- Social Awareness

Lesson Plan: Day 1

6. Facilitate a brief discussion by asking the following questions:
    a. What does the data tell you about voting?
    b. Whose vote is being impacted?
    c. What obstacles do some people face when attempting to vote?
    d. Why do you think some people decide not to vote?
    e. Why do you think this voting restriction is in place?
    f. Do you agree or disagree with the restriction in place? Why or why not?
    g. What do you notice about the 18–25 year old voting group?
    h. After observing this graphic, what do you still wonder?
7. Using your routine for designating groups, arrange students in groups of three or four and assign a topic from the Voting Rights Resource Bank to each group. Pose questions used previously in step 5 above.

Civic Dispositions & Skills

- Active Learning
- Critical thinking
- Attentiveness to political matters

Extending Learning

- Students could compare infographics and data to identify patterns related to age, income, education, geography, ethnicity, or other social factors.
- Students could create a cause and effect chart to illustrate the reasons they believe are the barriers and obstacles faced by potential voters.

Elaborate: Apply New Learning

1. Tell students we will now consider various scenarios and identify if and how someone's voter rights may be denied using the information learned from the amendment examination and infographics close reading and observation activities.
2. Return to small groups of 3–4 students.
3. Distribute the Voting Scenarios Organizer and review to ensure students understand expectations.
4. Display Voting Rights Scenarios slide deck asking a volunteer to read Scenario A on slide 2.
5. Allow time for groups to discuss Scenario A and complete corresponding columns in the Voting Scenarios Organizer.
6. To model expected strategy, discuss Scenario A as a class explaining that Asako's ability to vote is impacted by income and her need to work; refer students to the Lower Voter Turnout by Income Level infographics.
7. Remind students that they should be able to explain their answers using some of the data and vocabulary from the previous activity.
8. Students will continue to review scenarios and complete the organizer in small groups.

Culturally Responsive Supports

Universal Design for Learning (UDL)

- Teacher could facilitate discussion and completion of organizer for one scenario at a time or allow students to collaborate in small groups.
- Teacher could return to the Voting Rights Resource Bank to display infographic visuals that accompany each scenario during the discussion.

Multilingual Learners (ML)

- Scenarios could be translated or provided as an audio file and given to ML student(s) prior to class discussion, as needed.
- Provide the graphic organizer translated into the native language of students as needed.
- Provide vocabulary translated into the native language of students, as needed.

Social-Emotional Learning (SEL)

- Collaboration
- Responsible decision-making

Lesson Plan: Day 1

9. Bring the class back together to discuss each scenario. Be sure the student groups identified the infringement on each voter's rights. Connect to the infographic examples as follows:
    a. Asako: Lower Voter Turnout by Income Level
    b. Avery: Voter ID Laws
    c. Brandon: Felons Voting
    d. Kai: Gerrymandering
    e. Nena: Purging Voter Registration
    f. Aubrey: Early Voting/Mail In Voting
    g. Jabari: Purging Voter Registration
10. Facilitate a brief conversation on the discussion question: "Which of the scenarios is most concerning to you? Explain why."
11. Review the lesson vocabulary to ensure comprehension of the term voter suppression which is a strategy used to influence the outcome of an election by discouraging or preventing specific groups of people from voting.
12. Ask students to predict if or how voter suppression could be a factor in the scenarios.
13. Facilitate a class discussion inquiring if a constitutional amendment would correct any of the scenarios.

Civic Dispositions & Skills

- Critical thinking
- Informed citizen
- Attentiveness to political matters
- Relationship skills

Extending Learning

- Students could create additional scenarios which showcase voter suppression. Students then trade scenarios with other classmates to match with the corresponding infographic and amendment.
- Students could identify other examples of voter suppression in their communities and discuss which groups of potential voters will be most impacted by voter suppression tactics.

Evaluate: Assess and Authentically Engage

1. Congratulate the young scholars on conducting this inquiry investigation.
2. Remind students of the inquiry question: "Do we need a constitutional amendment to protect voting?"
3. Facilitate another democratic experience asking students to again vote on the "Do we need a constitutional amendment to protect voting?" Revisit the results from the initial vote at the beginning of the lesson and discuss any changes in the results.

Culturally Responsive Supports

Universal Design for Learning (UDL)

- Consider allowing students trio time to complete the Extension Research option. Working in teams of three helps to encourage small group collaboration and conversations.
- Consider allowing students to utilize a talk-to-text app to support written work.

Multilingual Learners (ML)

- Allow ML students to complete written work in their native language and then utilize Google translate (or other apps) for submission.
- Consider allowing students trio time to complete the Extension Research option. Working in teams of three helps to encourage small group collaboration and conversations.

Lesson Plan: Day 1

4. Select one or both of the activities below to assess and authentically engage participants as you conclude this inquiry.
    - Option 1: Writing Task: Students will answer the inquiry question with a persuasive writing response. In their response they should include relevant amendments, current issues to voting and a proposition to fix at least one issue with voting today.
    - Option 2: Extension Task: Students will select one of the issues discussed in the scenarios, infographics or identify an issue of their own that may impact voting today and research it further. Using the Research Organizer, have students research more data that helps them answer the inquiry question: "Do we need a constitutional amendment to protect voting?" Their research should also conclude with a solution. Have students share their information with the class in their small groups.

Social-Emotional Learning (SEL)

- Social awareness
- Positive communication
- Creative thinking

Civic Dispositions & Skills

- Critical thinking
- Persuasive writing
- Equity and fairness
- Civic mindedness

Extending Learning

Students could create a SharkTank proposal as a campaign to promote their suggested new amendment.