Fifth Grade Social Studies: Integrated Early American History

Unit 1: Our Government

Big Picture Graphic

Overarching Question:

Why is the federal government organized to give and to limit power?

Questions To Focus Assessment and Instruction:

1. Why do we have both state and federal governments?
2. How are core democratic values and constitutional principles reflected in our government?
3. How is our government organized to give and to limit power?
Graphic Organizer

Government in the United States

People Give and Limit Power through Written Constitutions

Federalism
- Federal government
- State government
- Delegated, reserved, shared powers

Organizing Structure
- Separation of Powers
- Checks and Balances
- Found in the Constitution
- Federalism

Individual Rights
- Bill of Rights
- Limits power of government

Powers of the Branches
- Separated
- Delegated
- Legislative/Executive/Judicial

Core Values of Constitutional Democracy
- Rule of Law
- Popular Sovereignty
- Individual Rights
Unit Abstract:
This unit provides students with an opportunity to review essential civics and government concepts learned in previous grades. It also establishes a common foundation that sets the stage for deeper discussions about government throughout the year as students explore the question: Why is the federal government organized to give and to limit power? Students begin by examining what life would be like in the absence of government and hypothesize about the reasons people form governments. Next, students review core democratic values and principles upon which our government is based and investigate how they are rooted in the organization of the federal government. In doing so, concepts such as limited government, popular sovereignty, rule of law, and individual rights are stressed. Students analyze and explain how the Preamble to the Constitution reflects the purposes of government and explore other parts of the Constitution for evidence of federalism, limited government, and individual rights. In learning about federalism, students compare the powers delegated to the federal government and those reserved to the states (or the people). Contemporary examples of government in action are used throughout the unit. Moreover, this unit provides teachers with the opportunity to connect classroom rules with ideas about government, including why people form governments, what happens without rules or laws, and the importance of the rule of law. Finally, this unit allows for a seamless connection to Constitution Day, which is required by federal law.

Focus Questions
1. Why do we have both state and federal governments?
2. How are core democratic values and constitutional principles reflected in our government?
3. How is our government organized to give and to limit power?

Content Expectations
4 - C1.0.2: Explain probable consequences of an absence of government and of rules and laws.
4 - C2.0.1: Explain how the principles of popular sovereignty, rule of law, checks and balances, separation of powers, and individual rights (e.g., freedom of religion, freedom of expression, freedom of press) serve to limit the powers of the federal government as reflected in the Constitution and Bill of Rights.
4 - C3.0.2: Give examples of powers granted to the federal government (e.g., coining of money, declaring war) and those reserved for the states (e.g., driver’s license, marriage license).
4 - C3.0.3: Describe the organizational structure of the federal government in the United States (legislative, executive, and judicial branches).
4 - C3.0.4: Describe how the powers of the federal government are separated among the branches.
4 - C3.0.5: Give examples of how the system of checks and balances limits the power of the federal government (e.g., presidential veto of legislation, courts declaring a law unconstitutional, congressional approval of judicial appointments).
5 – U3.3.6: Describe the principle of federalism and how it is expressed through the sharing and distribution of power as stated in the Constitution (e.g., enumerated and reserved powers).

Common Core State Standards for English Language Arts and Literacy in History/Social Studies
**RI.5.1:** Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

**RI.5.3:** Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical text based on specific information in the text.

**RI.5.4:** Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

**SL.5.1:** Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher led) with diverse partners on grade 5 topics and texts, building on others’ ideas and expressing their own clearly.
   a. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.
   b. Follow agreed-upon rules for discussions and carry out assigned roles.
   c. Pose and respond to specific questions by making comments that contribute to the discussion and elaborate on the remarks of others.
   d. Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.

**W.5.2:** Write informative/explanatory texts to examine a topic and convey ideas and information clearly.
   a. Introduce a topic clearly, provide a general observation and focus, and group related information logically; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.
   b. Develop the topic with facts, definitions, concrete details, quotations, or other information and examples related to the topic.
   c. Link ideas within and across categories of information using words, phrases, and clauses (e.g., *in contrast, especially*).
   d. Use precise language and domain-specific vocabulary to inform about or explain the topic.
   e. Provide a concluding statement or section related to the information or explanation presented.

**W.5.4:** Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.

**Key Concepts**
- checks and balances
- Constitution
- federalism
- government
- individual rights
- limited government
popular sovereignty
purposes of government
rule of law
separation of powers

Duration
2 weeks

Lesson Sequence
Lesson 1: Why Do We Have a Government?
Lesson 2: How is Our Government Organized to Limit Power?
Lesson 3: Federalism: How is Power Distributed?
Lesson 4: How Does the Bill of Rights Serve to Limit the Powers of Government?

Assessment
Selected Response Items

Constructed Response Items

Performance Assessments

| 4 – C2.0.1 | Have students write an answer to the question: “How is our government organized to limit power?” |
| 4 – C3.0.3 |
| 4 – C3.0.4 |
| 4 – C3.0.5 |
| 4 – C3.0.2 | Construct a Venn diagram that gives examples of the powers delegated to the federal government, powers reserved to the states, and the powers that are shared by both state and federal government. Use the examples from the Venn diagram to explain in writing the principle of federalism and why some rights remain with the people. |
| 5 – U3.3.6 |

| 4 – C3.0.3 | Construct a poster display that describes the powers of each branch of government and explains through examples how the system of checks and balances works. |
| 4 – C3.0.4 |
| 4 – C3.0.5 |

Resources
Equipment/ Manipulative
Chart paper
Computer with Projector, Document Camera with Projector or Overhead Projector
Construction paper
Glue or Tape
Highlighters
Markers or crayons
Scissors
Spiral notebooks or a folder with paper, one per student

Student Resource


The Bill of Rights Rap. You Tube. 28 August 2012. Several websites:
- http://vimeo.com/4803822
- http://www.youtube.com/watch?v=KINGYf7pdJE\&noredirect=1
- http://www.youtube.com/watch?v=tt6R1KD4E0


Teacher Resource

* Center for Civic Education. 31 August 2009 <http://www.civiced.org/>.

* Although the resources denoted with an asterisk are not cited in the lessons for this unit, they are included here to provide meaningful options for teachers.
* Civics Lesson Plans. New York Times Learning Center Website. 29 August 2012  

_The Constitution._ U.S. Constitution.net. 6 March 2011. 27 August 2012  
<http://www.usconstitution.net/const.htm>.


*Law Day Lessons for Schools._ American Bar Association 29 August 2012  

_The Preamble._ School House Rock. TeacherTube. 27 August 2012  

**Resources for Further Professional Knowledge**


_CIRCLE: Center for Information and Research on Civic Learning and Engagement._ Tufts University. 29 August 2012 <http://www.civicyouth.org/>.

_Citizenship Education._ 29 August 2012  


_National Center for Learning and Citizenship._ 29 August 2012  


* Although the resources denoted with an asterisk are not cited in the lessons for this unit, they are included here to provide meaningful options for teachers.
Lesson 1: Why Do We Have Government?

Big Ideas of the Lesson

- There would be many serious consequences if schools, communities, and our country tried to function without government and rules or laws.
- People institute governments for many reasons such as safety, promoting the common good, and protecting individual rights.
- The Constitution describes how the government is organized.

Lesson Abstract:
In this lesson students examine the reasons people establish governments by imagining what their school, local community, and country would be like without government or rules/laws. Students then use the Preamble to the Constitution to explore the concept of popular sovereignty and the purposes of government. Using the principle of popular sovereignty, students then create a preamble and a classroom constitution based on the rules they think will be important for establishing a high quality learning environment for the school year. Finally, students ponder how popular sovereignty and the rule of law limit the power of the government.

Content Expectations

4 - C1.0.2: Explain probable consequences of an absence of government and of rules and laws.

4 - C2.0.1: Explain how the principles of popular sovereignty, rule of law, checks and balances, separation of powers, and individual rights (e.g., freedom of religion, freedom of expression, freedom of press) serve to limit the powers of the federal government as reflected in the Constitution and Bill of Rights.

Common Core State Standards for English Language Arts and Literacy in History/Social Studies

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a. Come to discussions prepared, having read or studied required material; explicitly draw on that preparation and other information known about the topic to explore ideas under discussion.
b. Follow agreed-upon rules for discussions and carry out assigned roles.
c. Pose and respond to specific questions by making comments that contribute to the discussion and elaborate on the remarks of others.
d. Review the key ideas expressed and draw conclusions in light of information and knowledge gained from the discussions.

Key Concepts
constitution
government
limited government
popular sovereignty
purposes of government
rule of law

Instructional Resources
Equipment/Manipulative
Chart paper
Computer with Projector, Document Camera with Projector, or Overhead Projector
Markers
Materials to create a Social Studies Learning Log for each student (This could be spiral notebook or a folder with pockets and brads for lined paper.)

Teacher Resource
The Constitution. U.S. Constitution.net. 6 March 2011. 27 August 2012
<http://www.usconstitution.net/const.html>.


The Preamble. School House Rock. TeacherTube. 27 August 2012

Lesson Sequence
1. Begin this lesson by having students create a Social Studies Learning Log. The Learning Log will be used throughout the units as a way for students to organize word cards, big idea cards, graphic organizers, and their written responses during lessons. One option is to use folders with pockets and brads for holding lined paper. The pockets can be used for the supplemental resources such as word cards. Paper can be placed in the center section to be used for writing.

2. Display the word “Government” for all the students to see. Have students turn and discuss with a partner everything they can remember about our Federal Government from fourth grade. After a few minutes, display Word Card #1 - “government” and have students share their prior
knowledge about government. Then ask the students, “So what if there was no government, then what would life be like?”

3. Next divide students into groups of three or four students each. Make copies and distribute the Small Group Activity Sheet, “Life Without Government, Rule or Laws,” located in the Supplemental Materials (Unit 1, Lesson 1) to each group. In their groups, have students discuss what life would be like in their school, community, and country without government or rules or laws. Ask them to think about what problems they think would be likely to occur. Have them record their ideas on the Group Activity Sheet. It may be helpful to provide students with an example such as the following: If school had no rules people could talk whenever they wanted. Explain to the class that if there were no restrictions on talking in class, people who want to talk would benefit, but other students who want to learn may be disturbed by such behavior. This would no doubt create problems. Allow students time to complete the group activity and then have them share their ideas with the entire class.

4. Next, guide students to understand that together they have the task of creating rules for their classroom. Display Word Card #2 on “popular sovereignty” and connect the idea of popular sovereignty to the students’ role in creating rules for their own classroom. Help them understand that they will have the power to determine what rules will become part of the Classroom Constitution. Next, display Word Card #3 “Constitution” and explain that their Classroom Constitution will be similar to the U.S. Constitution in that it will describe the rules and organization of the classroom.

5. Explain to students that their constitution, like the U.S. Constitution will have a Preamble. Display Word Card #4 “Preamble” and guide the students to understand that the Preamble is the introduction to the Constitution and describes the purposes of government. Next, if possible, have students view the Preamble video from School House Rock located on YouTube at <http://www.teachertube.com/viewVideo.php?video_id=197680>. Sometimes it is beneficial to show the video twice, first for enjoyment, and then in order to synthesize important ideas from the video. Have students talk to a partner about the Preamble and then share their thoughts with the entire class.

6. Next, display the section of the “The Constitution” located in the Supplemental Materials (Unit 1, Lesson 1) and read the Preamble out loud to students using the copy of the Preamble located in the Supplemental Materials (Unit 1, Lesson 1). Point out the first three words of the Preamble and ask students to read the words out loud. Use the following questions to discuss the first three words:
   - Why do you think these three words are written in such large letters?
   - What do you think these words mean?

Discuss how the words “We the People” mean that the power to govern belongs to the people who have created the government. Next, discuss any challenging vocabulary within the Preamble, such as domestic tranquility, common defense, posterity, and ordain by having students practice dictionary skills and sharing the definitions with the entire class. Note that you may find it helpful to give each student a copy of the Preamble. Remind students that in fourth grade they did an activity in which they interpreted the different sections of the Preamble.
7. Divide students into small groups and distribute copies of “The Preamble to the Constitution” worksheet found in the Supplemental Materials (Unit 1, Lesson 1). Have students work together to write a Preamble by replicating the format of the actual Preamble to the Constitution. Have students share their Preambles and together write a Classroom Preamble by combining their ideas. Encourage them to determine together what principles are important in the classroom; such as common good, kindness, respect, equality, etc. After a draft of the Classroom Preamble has been written, select a student to write a final copy at the top of a piece of new chart paper.

8. Ask students to think about their classroom and school and to ponder what individual rights they feel need to be protected in order to “form a more perfect” classroom. Have students recall rules from previous classrooms and think of how those rules protected their rights at school. For example, every learner has the right to have their voice heard; therefore students should take turns and raise their hands. Distribute the “Classroom Rights and Rules” worksheet located in the Supplemental Materials (Unit 1, Lesson 1). Have students return to their small groups and together explore the connection between learner rights and rules in the classroom by brainstorming together and filling out the worksheet. Guide students in writing rules in positive language; instead of saying “No blurring out” show them how to state the correct behavior as a rule such as, “Raise your hand.” When done, have the students share their ideas about important rights and rules with the entire class. Write all possible rules on chart paper eliminating repeats and adding in any rules the teacher feels are also important.

9. Next, guide the students in a whole class discussion to choose five rules from what they created from the “Learner Rights and Rules” worksheets. Help them understand that the rules they choose are rules that they think will be most important to all students in order to support the principles from their Preamble. Rewrite the five most important rules on a new sheet of chart paper. Explain that there must be a 2/3 majority for the rules to become law. Have students calculate how many students of the total class must approve the five rules in order to have them become part of their Constitution. Have students vote on the rules by each student calling “yeah” or “nay” and record the results. If it is not 2/3 majority, ask the students that voted “nay” what their reasoning was for voting “nay”. Model to the students thoughtful compromise and then re-vote until 2/3 majority is reached.

10. After the rules have been “ratified” by 2/3 majority, select a student to write these five rules onto the chart paper below the Classroom Preamble. Refer to the sample “Classroom Constitution” found in the Supplemental Materials (Unit 1, Lesson 1).

11. Once the Classroom Constitution is written, review the concept of “rule of law” by displaying the Word Card #6 for all students. Explain that rule of law means everybody, including government officials (the teacher), must obey the laws. Have the students acknowledge their agreement to their classroom rules by tracing their handprint and signing their names inside their handprint. Display the Classroom Constitution in the class throughout the year. This constitution can be referred to during later lessons, classroom meetings, or when issues regarding behavior may occur.
12. Finally, have a discussion about how popular sovereignty and rule of law limit the power of the government. Explain that everyone had the power to create the rules (popular sovereignty) and that all must follow the rules (rule of law) so that no one has absolute power or is allowed to act however they choose. Ask them if they preferred the way the classroom rules were chosen or if they would want the teacher to create the rules alone. Have students support their answers with reasoning. Then have them reflect on how they felt about their role in creating the Preamble and Classroom Constitution by writing a short reflection in their Learning Log.

13. Have students add the Word Cards, the Big Idea cards, and the graphic organizer from this lesson to their Learning Log.

Assessment

An Assessment in the form of an Exit Slip has been included in the Supplemental Materials (Unit 1, Lesson 1). This assessment requires students to answer three important questions relating to lesson content. Note that a sheet showing sample answers has also been included.
Purpose of the Preamble to the Constitution

Introduces the Constitution and describes the purposes of government

Why do we need a government?

• To protect individual rights
• Safety and order

Our Government

What if there was no government?

Serious consequences

Why do we need a government?

Purpose of the Constitution

Describes how the government is organized
## Big Ideas Card

### Big Ideas of Lesson 1, Unit 1

1. There would be many serious consequences if schools, communities, and our country tried to function without government and rules or laws.

2. People institute governments for many reasons such as safety, promoting the common good, and protecting individual rights.

3. The Constitution describes how the government is organized.
### Word Cards

<p>| | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>1</strong></td>
<td><strong>2</strong></td>
</tr>
<tr>
<td><strong>government</strong></td>
<td><strong>popular sovereignty</strong></td>
</tr>
<tr>
<td>A system of elected or appointed citizens who make, enforce, and interpret the laws for a community, state or country</td>
<td>the power and authority of the government comes from the people</td>
</tr>
<tr>
<td>Example: Cities, states and countries all have a government.</td>
<td>Example: Popular sovereignty is an important core democratic value.</td>
</tr>
</tbody>
</table>

| **3** | **4** |
| **Constitution** | **Preamble** |
| the document that describes the authority and organization of our government and is seen as the highest law of the land | the introductory section to the United States Constitution that outlines the purposes of the government |
| Example: Our Constitution is one of our country's most important documents. | Example: Our Constitution begins with a Preamble. |

| **5** | **6** |
| **laws** | **rule of law** |
| statements that define how citizens should behave | the principle that everybody, including government officials, must obey the laws |
| Example: Communities, states and countries have laws. | Example: The rule of law helps limit the power of government. |
**Life Without Government, Rules, or Laws**  
Small Group Activity Sheet

<table>
<thead>
<tr>
<th></th>
<th>What Would Life Be like?</th>
<th>What Problems Would Be Likely to Happen?</th>
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</thead>
<tbody>
<tr>
<td><strong>School</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Community</strong></td>
<td></td>
<td></td>
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<tr>
<td><strong>Country</strong></td>
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</tbody>
</table>
The Preamble to the Constitution

We the People of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.

We the Students of ____________’s class,
in order to ____________________________,
______________________________, and
______________________________ do hereby ordain and establish this constitution based on the principles of
________________________ (noun), _______________________
(noun) and __________________________ (noun).”
## Learner Rights and Rules

Small Group Activity Sheet

<table>
<thead>
<tr>
<th>What learner rights should we have?</th>
<th>What classroom rules will help protect your learner rights?</th>
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### Learner Rights and Rules

#### Small Group Activity Sheet

(Sample Answers)

<table>
<thead>
<tr>
<th>What learner rights should you have?</th>
<th>What classroom rules will help protect your learner rights?</th>
</tr>
</thead>
<tbody>
<tr>
<td>All learners have the right to not be made fun of if they get an answer wrong.</td>
<td>Treat others as you want to be treated.</td>
</tr>
<tr>
<td>All learners have the right to work in a quiet place.</td>
<td>Work quietly so you do not disturb others.</td>
</tr>
<tr>
<td>All learners have the right to succeed to their maximum potential.</td>
<td>Always be prepared and use your time wisely.</td>
</tr>
</tbody>
</table>
Classroom Constitution - Sample

“We the Students of Mrs. Hart’s class, in order to have a terrific school year, learn as much as we can, and be happy and successful each day, do hereby ordain and establish this constitution based on the principles of kindness, respect, and cooperation.”

We therefore agree to the following rules:

1. Treat others as you want to be treated.
2. Work quietly so you do not disturb others.
3. Make safe choices.
4. Keep all areas clean and organized.
5. Always try your best.
Why Do We Need Government? Exit Slip

Why do we have government?

Why is it important to have rules or laws?

What is the purpose of a constitution?
Exit Slip: Sample Answers

Why Do We Need Government? Exit Slip

Why do we have government?

• To protect individual rights
• To provide safety and order

Why is it important to have rules or laws?

• To promote the common good
• To protect individual rights
• To provide safety and order

What is the purpose of a constitution?

• To describe how the government is organized
Lesson 2: How is Our Government Organized to Limit Power?

Big Ideas of the Lesson

- The Framers of the Constitution were afraid of giving one group or one person in government too much power.
- To keep one group or one person from having too much power, the Framers divided the government into three branches.
- The three branches are given different functions and their own special powers. This principle is known as the separation of powers.
- Each of the three branches has the authority to keep the power of the other branches “in check” or from becoming too powerful. For instance, the president has the power to veto a law passed by Congress.

Abstract
This lesson begins by students reviewing what they remember about the three branches of government from fourth grade. As a whole class activity, students then briefly examine portions of the first three articles of the Constitution and begin to collect evidence of how the functions and powers of the three branches of government demonstrate the principle of separation of power. In small groups, students then examine information sheets and additional excerpts from the Constitution to add to their evidence. Students then review the process of how a bill becomes a law in order to explore the specific powers of each branch and checks and balances within the lawmaking process. Finally, the students consider how separation of power and checks and balances limit the power of the government.

Content Expectations:

4 - C2.0.1: Explain how the principles of popular sovereignty, rule of law, checks and balances, separation of powers, and individual rights (e.g., freedom of religion, freedom of expression, freedom of press) serve to limit the powers of the federal government as reflected in the Constitution and Bill of Rights.

4 - C3.0.3: Describe the organizational structure of the federal government in the United States (legislative, executive, and judicial branches).

4 - C3.0.4: Describe how the powers of the federal government are separated among the branches.

4 - C3.0.5: Give examples of how the system of checks and balances limits the power of the federal government (e.g., presidential veto of legislation, courts declaring a law unconstitutional, congressional approval of judicial appointments).
Common Core State Standards for English Language Arts and Literacy in History/Social Studies

RI.5.1: Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

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W.5.2: Write informative/explanatory texts to examine a topic and convey ideas and information clearly.
   d. Use precise language and domain-specific vocabulary to inform about or explain the topic.

W.5.4: Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.

Key Concepts:
checks and balances
Constitution
limited government
separation of powers

Instructional Resources
Equipment/ Manipulative
Computer with display, document camera with projector or overhead projector
Construction paper
Highlighters
Markers

Student Resource


Teacher Resource

Lesson Sequence
1. Activate the students’ prior knowledge by displaying the “Separation of Powers” graphic organizer located in Supplemental Materials (Unit 1, Lesson 2). Discuss the three branches and how each branch has roles and functions within the government. Discuss the following Word
Cards #7 - #11: “Separation of Powers, Branches of Government, Legislative Branch, Executive Branch, and Judicial Branch.” Guide students in understanding that the Constitution organizes the government into the three branches and throughout this lesson they will be using excerpts, or short sections, from the Constitution to develop a better understanding of our government. **Teacher Note:** One recommendation for using the word cards is to have students spread them out on their desks during class discussion and try to use the discipline-specific language in their talk.

2. Connect back to Lesson 1 by posing the following question: When you wrote the rules for our class constitution, which of the branches were you functioning as? Discuss student responses and make sure that they understand they were functioning as a legislative branch. Ask them what branch you represent as the teacher of the room. Guide them in understanding that you function as the executive branch. Discuss how the class will handle the issue of a judicial branch. In other words, who will decide what the rules mean and who will decide consequences for those who break rules.

3. Explain to students that the U.S. Constitution is far more complicated than your class Constitution. Explain that to make it more understandable it is organized much like a textbook. However, instead of chapters there are “articles”. Distribute the Word Card #12 on “articles” and discuss the definition. Further explain that instead of headings there are “sections.” Note that at this point you may want students to quickly skim over a copy of the full Constitution. It may be available in your textbook. If not, you can access a copy at the website listed in the Teacher Resource section.

4. Display “Excerpts from the Constitution” located in Supplemental Materials (Unit 1, Lesson 2) to show students the organization of the first three articles. Read aloud the excerpt of Article 1, Section 1, highlighting the critical words and asking students the meaning of this section. Guide students to recognize that this text is referring to the legislative branch and guide students to make the connection to the appropriate word card (#9).

5. Explain that students will be facing some challenging vocabulary while reading excerpts of the Constitution in this lesson. They will need to use their prior knowledge, resources, and reading strategies to help them comprehend the text. Have students then preview the excerpts from Article II and Article III from "Excerpts from the Constitution" located in Supplemental Materials (Unit 1, Lesson 2). Discuss any unknown words. Solicit ideas of how to decode the unknown words and then determine their meaning.

6. Divide students into groups of 3 or 4 and distribute copies of “Information Sheet for Article I-The Legislative Branch” located in the Supplemental Materials (Unit 1, Lesson 2). Help students to understand that they may have seen this information in fourth grade and that it summarizes information they should already know about the legislative branch. Have students read through the Information Sheet with their group. **For extension:** Have a third of the class construct a job description based on this information. The job description should be no more than five sentences in length. Allow time for students to work and then have each group share their job descriptions. Discuss the similarities and differences among the group’s description. Be sure to focus students on the skills needed for the job, not just the attributes such as age and residency requirements.
7. Distribute copies of “Excerpts from Article I-Section 8,” located in Supplemental Materials (Unit 1, Lesson 2). Model for students how to connect the actual Constitution with the Information Sheet. Demonstrate this by reading Article 1, Section 8: “The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States.” Ask students, to discuss what this may be saying and then find where this idea is shown on the Information Sheet. Help them to see that this information is located in the “Powers” section of the Information Sheet.

8. Ask students which of the eight powers shown on the Information Sheet corresponds to this part of the Constitution. Guide them in identifying Power #2: “To tax the people.” Have students write “#2” next to the appropriate section of Article I – Section 8. Continue modeling the process of reading from the Article I-Section 8 excerpt and identifying the corresponding power on the Information Sheet until you think your students can attempt it without your modeling. Make sure students understand that some powers described in the excerpt from Article I, Section 8 are not reflected on the Information Sheet. They should leave these sections blank. Circulate through the room and assist any groups that are struggling. Note that a sheet showing correct answers has been included in the Supplemental Materials (Unit 1, Lesson 2) for reference.

9. Once students finish with Article I, distribute “Information Sheet for Article II-The Executive Branch” located in Supplemental Materials (Unit 1, Lesson 2). Have students review the important ideas about the Executive Branch. For extension: Have a third of the students construct a job description based on this information. The job description should be no more than five sentences in length. Allow time for students to work and then have each group share their job descriptions. Discuss the similarities and differences among the group’s description. Be sure to focus students on the skills needed for the job, not just the attributes such as age and citizenship requirements. Compare these skills to those desired for members of the legislative branch.

10. Then distribute copies of “Excerpt from Article 2-Section 2” located in Supplemental Materials (Unit 1, Lesson 2). In small groups, have students repeat the process they used with Article I.

11. Distribute the “Information Sheet for Article III-The Judicial Branch” located in the Supplemental Materials (Unit 1, Lesson 2). Instruct the students to review the Information Sheet with a partner and highlight five important ideas about the Judicial Branch. Match two pairs together to form a group of four and have them share the five ideas each pair highlighted. Then, discuss highlighted ideas in the large group. For extension: Have a third of the students construct a job description based on this information. The job description should be no more than five sentences in length. Allow time for students to work and then have each group share their job descriptions. Discuss the similarities and differences among the group’s description. Be sure to focus students on the skills needed for the job, not just the attributes such as age and citizenship requirements. Compare these skills to those desired for members of the legislative and executive branches.
12. Next, lead a discussion about the three branches and the Constitution. Discuss the following ideas with students:
   - When the Framers separated the legislative, executive, and judicial powers among three different branches, they were still concerned that each branch might abuse its power.
   - The Framers of the Constitution did not think separating the powers would be enough. They were afraid that problems would arise. They decided that they also needed to make sure that the legislative, executive, and judicial powers were given to other branches as a check on power.
   - Under the system of checks and balances, the branches are given authority to challenge each others use of power. For instance, the president has the power to veto a law passed by Congress. In this way, no branch can carry out its functions/powers without some cooperation from the other branches. Thus, the “checking power” is a way one branch of government can limit the power of the other branches of government.
   - The system of checks and balances makes sure that one branch does not become too powerful and prevents abuse of power that might result if a single branch were in complete control.

Using the Word Card for “Checks and Balances” explain to students that this term describes how the Framers hoped to further limit the power of government with this system. Explain that checks and balances are reflected in the law making process which students learned about in fourth grade.

13. Distribute the graphic organizer “How a Bill Becomes a Law” located in the Supplemental Materials (Unit 1, Lesson 2) and review the process. You may also wish to have students visit one of the following websites which describe the process in greater detail.

14. Display a copy of “Article 1, Section 7-President’s Power of Veto” located in Supplemental Materials (Unit 1, Lesson 2). Using the Word Cards #14 and #15 for “veto” and “override” lead a discussion about how the Constitution delegates power to the Executive Branch to check and balance the Legislative Branch. Discuss what might happen if the members of the Legislative Branch could make any law they wanted and no other branch could veto the new laws.

15. Help students to realize that the system of checks and balances prevents one branch from doing whatever it may choose and limits the power of the government. Distribute the Word Card # 16 on “limited government.” Discuss how the principles of separation of power and checks and balances limit the power of government by using the following questions:
   - What would happen if the government could do whatever it wanted to do?
   - What if there was no system of checks and balances?
   - What are some of the ways the power of government is limited?
   - Why do you think the original writers of the Constitution were so determined to include lots of limits on the power of government?
Assessment
As an assessment students could create a poster or graphic organizer of one of the following:

- Legislative Branch
- Executive Branch
- Judicial Branch
- Separation of Powers
- Checks and Balances
- How a Bill Becomes a Law
Graphic Organizer

Organization of the Federal Government

Described in the Constitution

Three Branches
- Legislative
- Executive
- Judicial

Related Concepts
- Separation of Powers
- Limited Government
- Checks and Balances

Each branch...
- Has its own powers
- Has the power to “check” the others
## Big Ideas Card

### Big Ideas of Lesson 1, Unit 1

1. The Framers of the Constitution were afraid of giving one group or one person in government too much power.

2. To keep one group or one person from having too much power the Framers divided the government into three branches.

3. The three branches are given different functions and their own special powers. This principle is known as the separation of powers.

4. Each of the three branches has the authority to keep the power of the other branches “in check” or from becoming too powerful. For instance, the president has the power to veto a law passed by Congress.
### Word Cards

**Word Cards from previous lessons needed for this lesson:**
Constitution – Word Card #3 from Lesson 1

<table>
<thead>
<tr>
<th><strong>7</strong></th>
<th><strong>separation of powers</strong></th>
<th><strong>8</strong></th>
<th><strong>branches of government</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>power is separated, or divided, among three branches of government</td>
<td></td>
<td>three parts of government, each with separate powers</td>
</tr>
<tr>
<td><strong>Example:</strong> Separation of power helps to prevent any one branch from becoming too powerful.</td>
<td><strong>Example:</strong> The United States Constitution separates power among the three branches of government. One branch of government makes laws, another branch enforces the laws, and the third branch interprets what the laws mean.</td>
<td>(SS050102)</td>
<td>(SS050102)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>9</strong></th>
<th><strong>legislative branch</strong></th>
<th><strong>10</strong></th>
<th><strong>executive branch</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>the branch of government that makes laws</td>
<td></td>
<td>the branch of government that enforces laws</td>
</tr>
<tr>
<td><strong>Example:</strong> The legislative branch made several laws relating to water pollution.</td>
<td><strong>Example:</strong> It is up to the executive branch to enforce new laws.</td>
<td>(SS050102)</td>
<td>(SS050102)</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>11</strong></th>
<th><strong>judicial branch</strong></th>
<th><strong>12</strong></th>
<th><strong>articles</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>the branch of government that decides what laws mean</td>
<td></td>
<td>parts of the Constitution</td>
</tr>
<tr>
<td><strong>Example:</strong> The judicial branch is made up of the Supreme Court and other courts as created by Congress.</td>
<td><strong>Example:</strong> The first three articles of the Constitution establish the three branches of government</td>
<td>(SS050102)</td>
<td>(SS050102)</td>
</tr>
</tbody>
</table>
13 checks and balances
the way in which the different branches of government keep each other from having too much power

Example: A veto is an example of checks and balances.

(SS050102)

14 veto
when the President turns down a bill or refuses to sign it into law

Example: The President vetoed the bill because he did not agree with it.

(SS050102)

15 override
when the Congress votes to cancel a President’s veto

Example: The U.S. Congress passed the law by overriding the President’s veto of the bill.

(SS050102)

16 limited government
the government can only do what the people have given it the power to do

Example: Limited government means the government can’t just do whatever it wants.

(SS050102)
Separation of Powers

Federal Government

**Legislative Branch**
- **Main Duty:** To make laws
- **House of Representatives**
- **Senate**

**Executive Branch**
- **Main Duty:** To enforce laws
- **President**

**Judicial Branch**
- **Main Duty:** To interpret laws
- **Supreme Court and other Federal Courts**
Excerpts from the United States Constitution

Article. I.
Section. 1.
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

Article. II.
Section. 1.
The executive Power shall be vested in a President of the United States of America. He shall hold his Office during the Term of four Years, and, together with the Vice President, chosen for the same Term, be elected, as follows:

Article III.
Section. 1.
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 ordain and establish. The Judges, both of the supreme and inferior Courts, shall hold their Offices during good Behavior, and shall, at stated Times, receive for their Services a Compensation, which shall not be diminished during their Continuance in Office
# Information Sheet for Article I-The Legislative Branch

<table>
<thead>
<tr>
<th>Who?</th>
<th>The Congress made up of the House of Representatives (435 members) and the Senate (100 members).</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Who?</strong></td>
<td><strong>House of Representatives</strong></td>
</tr>
<tr>
<td><strong>Require-</strong></td>
<td><strong>Senate</strong></td>
</tr>
</tbody>
</table>
| **ments** | • At least 25 years old  
| | • A U.S. citizen for the past 7 years  
| | • Must live in the state they represent  
| | **Term** |
| | House of Representatives  
| | 2 years  
| | Senate  
| | 6 years  
| | **Special** |
| **Powers** | House of Representatives  
| | • Must introduce laws that make people pay taxes  
| | • Can decide if a government official should be put on trial before the Senate  
| | **Senates** |
| | • Must approve any treaties of the President  
| | • Must approve any people the President recommends for jobs including ambassadors and Supreme Court Justices  
| | • Can hold a trial for a government official who does something very wrong  
| | **Powers** |
| | 1. To make laws  
| | 2. To tax the people  
| | 3. To raise an army and navy to defend the country  
| | 4. To declare war  
| | 5. To create a court system  
| | 6. To coin money  
| | 7. To regulate trade between states  
| | 8. To regulate trade between the U.S. and other countries  
| | **Limits on Power** |
| | • Cannot make unfair laws such as those that would limit a person’s right to freedom of speech or religion  
| | • The Supreme Court can declare a law unconstitutional  
| | • The President can veto a law  

### Excerpt from Article I-Section 8

<table>
<thead>
<tr>
<th>What Power?</th>
<th>Article I – Section 8</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States;</td>
</tr>
<tr>
<td></td>
<td>To borrow money on the credit of the United States;</td>
</tr>
<tr>
<td></td>
<td>To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;</td>
</tr>
<tr>
<td></td>
<td>To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;</td>
</tr>
<tr>
<td></td>
<td>To provide for the punishment of counterfeiting the securities and current coin of the United States;</td>
</tr>
<tr>
<td></td>
<td>To establish post offices and post roads;</td>
</tr>
<tr>
<td></td>
<td>To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;</td>
</tr>
<tr>
<td></td>
<td>To constitute tribunals inferior to the Supreme Court;</td>
</tr>
<tr>
<td></td>
<td>To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;</td>
</tr>
<tr>
<td></td>
<td>To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;</td>
</tr>
<tr>
<td></td>
<td>To provide and maintain a navy;</td>
</tr>
<tr>
<td></td>
<td>To make rules for the government and regulation of the land and naval forces;</td>
</tr>
<tr>
<td>What Power?</td>
<td>Article I – Section 8</td>
</tr>
<tr>
<td>------------</td>
<td>----------------------</td>
</tr>
<tr>
<td>#2</td>
<td>The Congress shall have power to lay and collect taxes, duties, impost and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, impost and excises shall be uniform throughout the United States;</td>
</tr>
<tr>
<td>#7, #8</td>
<td>To borrow money on the credit of the United States;</td>
</tr>
<tr>
<td>#6</td>
<td>To regulate commerce with foreign nations, and among the several states, and with the Indian tribes;</td>
</tr>
<tr>
<td></td>
<td>To coin money, regulate the value thereof, and of foreign coin, and fix the standard of weights and measures;</td>
</tr>
<tr>
<td></td>
<td>To provide for the punishment of counterfeiting the securities and current coin of the United States;</td>
</tr>
<tr>
<td></td>
<td>To establish post offices and post roads;</td>
</tr>
<tr>
<td></td>
<td>To promote the progress of science and useful arts, by securing for limited times to authors and inventors the exclusive right to their respective writings and discoveries;</td>
</tr>
<tr>
<td>#5</td>
<td>To constitute tribunals inferior to the Supreme Court;</td>
</tr>
<tr>
<td>#4</td>
<td>To declare war, grant letters of marque and reprisal, and make rules concerning captures on land and water;</td>
</tr>
<tr>
<td>#3</td>
<td>To raise and support armies, but no appropriation of money to that use shall be for a longer term than two years;</td>
</tr>
<tr>
<td>#3</td>
<td>To provide and maintain a navy;</td>
</tr>
<tr>
<td>#1</td>
<td>To make rules for the government and regulation of the land and naval forces;</td>
</tr>
</tbody>
</table>
## Information Sheet for Article II-The Executive Branch

<table>
<thead>
<tr>
<th>Who?</th>
<th>The President</th>
</tr>
</thead>
</table>
| **Requirements**      | At least 35 years old  
|                       | A natural-born citizen of the United States  
|                       | Must have lived in the United States for at least 14 years  |
| **Term**              | A term of four years for President  
|                       | A President may serve two terms  |
| **Other Members of the Executive Branch** | The Vice-President  
|                       | Members of the President’s Cabinet such as the Secretary of the Treasury and the Secretary of Defense  
|                       | Officials of independent agencies that help carry out policy or provide special services such as the U.S. Postal Service, the National Science Foundation, and the Central Intelligence Agency  |
| **Powers**            | 1. To serve as Head of State in meeting with leaders of other countries  
|                       | 2. To act as Commander in Chief of the armed forces  
|                       | 3. To make treaties with other countries with the approval of the Senate  
|                       | 4. To appoint ambassadors and judges to the Supreme Court with the approval of the Senate  
|                       | 5. To conduct a war  
|                       | 6. To recommend legislation to Congress  
|                       | 7. To convene Congress in special circumstances  
|                       | 8. To serve as the “boss” of federal government workers  
|                       | 9. To sign or veto a bill from Congress  |
| **Limits on Power**   | The President can conduct a war, but only the Congress can declare war.  
|                       | The President controls the armed forces, but the Congress controls the money needed to support the armed forces.  
|                       | The Senate must approve of presidential appointments.  
|                       | The House of Representatives has the power to impeach the President for wrong-doing.  
|                       | The Senate has the power to try the President after he or she has been impeached.  |
Excerpt from Article II- Section 2

<table>
<thead>
<tr>
<th>What Power?</th>
<th>Article II – Section 2</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.</td>
</tr>
<tr>
<td></td>
<td>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, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.</td>
</tr>
<tr>
<td></td>
<td>The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.</td>
</tr>
</tbody>
</table>
### Excerpt from Article II- Section 2 – Answer Sheet

<table>
<thead>
<tr>
<th>What Power?</th>
<th>Article II – Section 2</th>
</tr>
</thead>
<tbody>
<tr>
<td>#2</td>
<td>The President shall be commander in chief of the Army and Navy of the United States, and of the militia of the several states, when called into the actual service of the United States; he may require the opinion, in writing, of the principal officer in each of the executive departments, upon any subject relating to the duties of their respective offices, and he shall have power to grant reprieves and pardons for offenses against the United States, except in cases of impeachment.</td>
</tr>
<tr>
<td>#3 #4</td>
<td>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, whose appointments are not herein otherwise provided for, and which shall be established by law: but the Congress may by law vest the appointment of such inferior officers, as they think proper, in the President alone, in the courts of law, or in the heads of departments.</td>
</tr>
<tr>
<td></td>
<td>The President shall have power to fill up all vacancies that may happen during the recess of the Senate, by granting commissions which shall expire at the end of their next session.</td>
</tr>
</tbody>
</table>
Information Sheet for Article III-The Judicial Branch

<table>
<thead>
<tr>
<th>Who?</th>
<th>The Supreme Court is made up of 9 Justices.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Require-ments</td>
<td>There are no requirements but to this date all Supreme Court Justices have been trained in the law. Many have served as members of Congress, governors, or members of a President’s Cabinet.</td>
</tr>
<tr>
<td>Term</td>
<td>Supreme Court Justices serve for life unless they resign, retire or are impeached by the House of Representatives and convicted by the Senate.</td>
</tr>
</tbody>
</table>
| Other Members of the Judicial Branch | • Judges of lower federal courts.  
• These federal judges are appointed by the President and approved by the Senate.  
• Like Supreme Court Justices, federal judges serve for life or until they resign, retire or are found guilty of serious crimes. |
| Powers | • To declare a law made by Congress unconstitutional  
• To declare an action of the President unconstitutional  
• To declare a state law unconstitutional if it conflicts with the laws made by Congress or with the Constitution |
| Limits on Power | • Congress has the power to impeach, try and remove Supreme Court Justices and federal judges from office.  
• Courts do not have the power to enforce their decisions. The President is responsible for this. |
How a Bill Becomes a Law

Writing a Bill

Someone has an idea.

A member of Congress agrees with the idea and writes a proposal for the law which is called a “bill.”

Going to Committee

The bill is sent to a committee that analyzes and discusses the bill.

The committee may re-write the bill, accept it as it is, or do nothing (table the bill).

Getting a Majority of Votes

When the committee sends the bill back, Congress votes on it.

If the bill started in the House, the House votes first. If it passes it moves on to the Senate.

If the bill started in the Senate, the Senate votes first. If the bill passes the Senate it goes to the House of Representatives.

Getting the President’s Signature

If the bill passes in both houses of Congress, it is sent to the President.

If the President signs the bill it becomes law.

If the President vetoes the bill, it can only become a law if Congress overrides the veto with a 2/3 vote.
Article I-Section 7- How a Bill Becomes a Law

Section 7. All bills for raising revenue shall originate in the House of Representatives; but the Senate may propose or concur with amendments as on other Bills.

Every bill which shall have passed the House of Representatives and the Senate, shall, before it become a law, be presented to the President of the United States; if he approve he shall sign it, but if not he shall return it, with his objections to that House in which it shall have originated, who shall enter the objections at large on their journal, and proceed to reconsider it. If after such reconsideration two thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and if approved by two thirds of that House, it shall become a law. But in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the journal of each House respectively. If any bill shall not be returned by the President within ten days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the Congress by their adjournment prevent its return, in which case it shall not be a law.

Every order, resolution, or vote to which the concurrence of the Senate and House of Representatives may be necessary (except on a question of adjournment) shall be presented to the President of the United States; and before the same shall take effect, shall be approved by him, or being disapproved by him, shall be repassed by two thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.
Lesson 3: Federalism: How is Power Distributed?

**Big Ideas of the Lesson**

- Federalism is a constitutional principle in which power is divided between the federal government and state and local governments.
- The federal government holds certain powers described in the Constitution. For example, the federal government has the power to declare and conduct war, control trade between the states and other nations, create post offices, and coin money.
- Powers not given to the federal government are reserved for state governments or the people. For example, the state governments have the power to create schools, control trade within the state, make traffic laws, and regulate laws about marriage and divorce.
- Some powers like taxing and spending are shared by both state and federal governments.
- Federalism serves to limit the power of government.

**Lesson Abstract:**
In this lesson students explore how the people delegate power in our federal system. Through classroom discussion and informational reading, students learn that some powers are given to our federal government and other powers are reserved for state governments or to the people. Students also learn about shared powers. Finally, in a “Power Sort” game students decide which level of government would have the power in different situations. As a debriefing activity following the game, students discuss why it is important to divide power between the federal and state governments and how federalism limits the power of the government.

**Content Expectations**

4 - C3.0.2: Give examples of powers granted to the federal government (e.g., coining of money, declaring war) and those reserved for the states (e.g., driver’s license, marriage license).

5 – U3.3.6: Describe the principle of federalism and how it is expressed through the sharing and distribution of power as stated in the Constitution (e.g., enumerated and reserved powers).

**Common Core State Standards for English Language Arts and Literacy in History/Social Studies**

*RI.5.1:* Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.
Rl.5.3: Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical text based on specific information in the text.

Rl.5.4: Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

Key Concepts:
constitution
federalism
limited government

Instructional Resources
Equipment/Manipulative
Computer with display, document camera and projector, or overhead projector
Construction paper
Glue or tape
Scissors

Student Resource

Teacher Resource

Lesson Sequence
Teacher Note: In this lesson do not show the Lesson Graphic Organizer to students until Step 5.

1. Begin this lesson by reminding students that they have already learned that the power of government is limited by the Constitution through the principles of popular sovereignty, separation of powers, and checks and balances. If necessary, display these Word Cards from the previous two lessons.

2. Display the excerpt from “Article 1, Section 10” located in the Supplemental Materials (Unit 1, Lesson 3). Read the excerpt to students and have them contemplate its meaning. Highlight the phrases “no state shall enter into any treaty” and “coin money.” Help them to understand that the people through the Constitution only delegate (gives) powers to the federal government. In some cases, the Constitution says explicitly that the state governments cannot do something. In this case only the federal government can coin money and enter into treaties with other countries.

3. Explain that this division of power is called ‘federalism.’ Using Word Card #17 for “federalism,” discuss how federalism helps to limit the power of government. Display Word Card #18 on
“federal government” and help students understand that the phrase “national” government is sometimes used interchangeably with federal government since it is the government for the entire nation. Display Word Card #19 on “state government” and discuss any information they recall from third grade when they studied Michigan and its government.

4. Divide students into partner groups of 2-3 students each and distribute the “Federalism Information Sheet” located in Supplemental Materials (Unit 1, Lesson 3). Have partners read and discuss the information sheet. As an optional activity students can visit the following webpage to read online about federalism: <http://bensguide.gpo.gov/3-5/index.html>.

5. When all students have read the “Federalism Information Sheet”, distribute the blank graphic organizer “Federalism: Power Divided” blank graphic organizer located in the Supplemental Materials (Unit 1, Lesson 3). Have students work together to complete this graphic organizer by summarizing information from the information sheet. Once the students have completed this task display the lesson graphic organizer located in the Supplemental Materials (Unit 1, Lesson 3). Have students compare their organizer to this one. Use the following questions to discuss the concept of federalism:
  - Why shouldn’t states be allowed to make their own money?
  - Why should the federal government have the power to control trade between states?
  - How do you think the Framers, or writers, of the Constitution decided which level of government would get which powers?

6. Instruct students to put away their “Federalism Information Sheet” and their completed graphic organizer. Distribute the “Power Sort” Game located in the Supplemental Materials (Unit 1, Lesson 3), a piece of construction paper, and scissors to the student partner groups. Have students follow the directions at the top of the sheet. As students work, circulate through the room and guide students that may be struggling. Once a group finishes, check the placement of their pieces for accuracy and remove any that may be placed incorrectly. Have the students sort incorrect pieces again. If the students are completely correct, instruct them to glue or tape their headings and pieces onto the construction paper. Students that finish can assist the teacher in checking the accuracy of other groups.

7. After all student groups have finished, lead a class discussion by continuing the line of questioning you began in Step 5. The following questions can be used:
  - Why don’t they decide everything for us in Washington D.C.?
  - What if the federal government did make ALL the laws for each state?
  - Do you think state governments and the federal government ever argue over issues of power? Why or why not?

8. Finally, discuss how federalism limits the power of government. In doing so, remind students that the people, through the principle of popular sovereignty, delegated some power to the federal government in the Constitution. The people also put some specific limits on the powers of state governments in the Constitution. Ask students to identify some examples of this limit on state government. Then, display the “Tenth Amendment” located in the Supplemental Materials (Unit 1, Lesson 3). Have students turn and talk with a partner about what this text in the Constitution is saying. Then discuss with the whole class by first eliciting several student
responses. Explain to students that this part of the Constitution makes the principle of popular sovereignty come alive. Ask students to explain why this is so. Guide students to see that the people (and states) retain powers any power not specifically limited by the Constitution.

**Assessment**
The “Power Sort” game described in Step 5 can serve as an assessment.
Graphic Organizer

Federalism
Power is divided and shared between federal and state governments

Federal Government Powers
- to tax
- to declare and conduct war
- to control trade between the states and other nations
- to create post offices
- to coin money

State Government Powers
- to tax
- to create schools
- to control trade within the state
- to make traffic laws
- to regulate laws about marriage and divorce

Shared Powers
- To tax people
- To borrow money
- To make laws
- To create a court system
### Big Ideas Card

<table>
<thead>
<tr>
<th><strong>Big Ideas of Lesson 3, Unit 1</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Federalism is a constitutional principle in which power is divided between the federal government and state and local governments.</td>
</tr>
<tr>
<td>2. The federal government holds certain powers described in the Constitution. For example the federal government has the power to declare and conduct war, control trade between the states and other nations, create post offices, and coin money.</td>
</tr>
<tr>
<td>3. Powers not given to the federal government are reserved for state governments or the people. For example the state governments have the power to create schools, control trade within the state, make traffic laws, and regulate laws about marriage and divorce.</td>
</tr>
<tr>
<td>4. Some powers like taxing and spending are shared by both state and federal governments.</td>
</tr>
<tr>
<td>5. Federalism serves to limit the power of government.</td>
</tr>
</tbody>
</table>
**Word Cards**

**Word Cards from previous lessons needed for this lesson:**
- Constitution – Word Card #3 from Lesson 1
- Popular Sovereignty – Word Card #2 from Lesson 1
- Separation of Powers – Word Card #7 from Lesson 2
- Branches of Government – Word Card #8 from Lesson 2
- Checks and Balances – Word Card #13 from Lesson 2

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**17 federalism**

A system of government in which power is divided and shared between a central authority and regional and/or local authorities.

*Example:* Federalism can be seen in the 10th Amendment, which states that powers not given to the federal government are reserved for the states and the people.

(SS050103)

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**18 federal government**

The central authority for our country (the US Government) that has its own defined powers and shares some other powers with state and local governments.

*Example:* Our federal government regulates trade with other nations.

(SS050103)

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**19 state government**

The government of our state.

*Example:* Our state government is centered in Lansing, MI.

(SS050103)
Article I - Section 10

Section 10.
No state shall enter into any treaty, alliance, or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make anything but gold and silver coin a tender in payment of debts; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility.
Federalism Information Sheet

Federal versus State Government

Since the signing of the Constitution, the division of power in the United States has been based on sharing power between the federal government and individual state governments. This is known as federalism.

The federal government of the U.S. is sometimes called the national government. This is because the federal government has certain powers that are for the entire nation. Some of the federal government powers include the power to tax people and businesses, to coin money, to declare and conduct war, to conduct foreign relations, to control trade between states and other nations, and to create post offices. Our federal government is centered in our nation’s capital, Washington D.C.

State governments have certain powers, too. For example each state has the power to tax people, to create schools, to control trade in their own state, to make traffic laws, to regulate laws about marriage and divorce and to manage public health and safety. Our state government is centered in our state capital, Lansing.

There are also some powers given to both the federal and the state governments. Both have the power to make and enforce laws. Also, both federal and state governments can tax people, borrow money, and create a court system.

Federalism: Power Divided Blank Graphic Organizer

Federalism

Power is divided between federal, state, and local government

Federal Government Powers

State Government Powers

Shared Powers
“Power Sort” Game

Directions:
1. Cut apart the “Action” and “Power” cards below.
2. Match each “Action” card to a “Power” card. Some “Power” cards will be connected to more than one action.
4. When you think you are done raise your hand and someone will check your work.

<table>
<thead>
<tr>
<th>Federal Government Only</th>
<th>Shared by both Federal and State Government</th>
<th>State Government Only</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Power</strong>: Tax the people to support the federal government</td>
<td><strong>Power</strong>: Create public schools</td>
<td><strong>Power</strong>: Control trade between the states and with other nations</td>
</tr>
<tr>
<td><strong>Power</strong>: Tax the people to support the state government</td>
<td><strong>Power</strong>: Coin money</td>
<td><strong>Power</strong>: Make motor vehicle and traffic laws</td>
</tr>
<tr>
<td><strong>Power</strong>: Make laws</td>
<td><strong>Power</strong>: Control trade within the state</td>
<td><strong>Power</strong>: To make treaties with other nations</td>
</tr>
<tr>
<td><strong>Power</strong>: Make laws regulating marriage and divorce</td>
<td><strong>Power</strong>: :Declare and conduct war</td>
<td></td>
</tr>
<tr>
<td>Action: You need to renew your driver’s license every four years.</td>
<td>Action: Children must ride in a booster seat until they are 8 years old or 4 foot 9 inches tall.</td>
<td>Action: The U.S. Senate was considering a bill that would create a new national holiday.</td>
</tr>
<tr>
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</tr>
<tr>
<td><strong>Action:</strong> Adults must apply for a marriage license at three days before they get married.</td>
<td><strong>Action:</strong> A growing town needs a post office for its new residents.</td>
<td><strong>Action:</strong> If you are 16 or 17 years old, you can get married with parental consent.</td>
</tr>
<tr>
<td><strong>Action:</strong> The governor of Michigan earns a salary each year for helping run the state government.</td>
<td><strong>Action:</strong> A cereal manufacturer in Battle Creek, MI exports its products in the United States, Canada, and Mexico.</td>
<td><strong>Action:</strong> New designs for 20 and 50 dollar bills were created and printed to stop people from making easily counterfeited bills.</td>
</tr>
<tr>
<td><strong>Action:</strong> Tax money was used to repair the Supreme Court building in Washington D.C.</td>
<td><strong>Action:</strong> New schools in the state are needed to support the rising number of students.</td>
<td><strong>Action:</strong> A fruit grower in Traverse City, MI transported cherries to Battle Creek, MI for a new cereal they began making.</td>
</tr>
</tbody>
</table>
“Power Sort” Game Answers

FEDERAL GOVERNMENT ONLY

Power: Control trade between the states and with other nations.
Action: A grocery store in Maine imports oranges from California.
Action: A cereal manufacturer in Battle Creek, MI exports its products in the United States, Canada, and Mexico.

Power: Create post offices
Action: A growing town needs a post office for its new residents

Power: Coin money
Action: New designs for 20 and 50 dollar bills were created and printed to stop people from making easily counterfeited bills.

Power: To make treaties with other nations
Action: The United States signed a new treaty with Canada and Mexico.

Power: Declare and conduct war
Action: We have military troops stationed in Afghanistan

STATE GOVERNMENT ONLY

Power: Create public schools
Action: New schools in the state are needed to support the rising number of students.

Power: Control trade within the state
Action: A fruit grower in Traverse City, MI transported cherries to Battle Creek, MI for a new cereal they began making.

Power: Make motor vehicle and traffic laws
Action: You need to renew your driver’s license every four years.
Action: Children must ride in a booster seat until they are 8 years old or 4 foot 9 inches tall.

Power: Make laws regulating marriage and divorce
Action: Adults must apply for a marriage license at three days before they get married.
Action: If you are 16 or 17 years old, you can get married with parental consent

BOTH THE FEDERAL AND STATE GOVERNMENTS

Power: Tax the people to support the federal government
Action: Tax money was used to repair the Supreme Court building in Washington D.C.

Power: Tax the people to support the state government
Action: The governor of Michigan earns a salary each year for helping run the state government

Power: Make laws
Action: A new law was passed in Lansing that raised the toll on the Mackinac Bridge.
Action: The U.S. Senate was considering a bill that would create a new national holiday.
Tenth Amendment

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.
Lesson 4: How Does the Bill of Rights Serve to Limit the Powers of Government?

Big Ideas of the Lesson

- The power of the government is limited by ten amendments to the Constitution called the Bill of Rights.
- The Bill of Rights serves to protect people’s individual rights such as freedom of speech, freedom of religion, and the right to a trial by jury.

Lesson Abstract:
In this lesson, students review the Bill of Rights and then work collaboratively to create a classroom “Student Bill of Rights” to be used in conjunction with the Preamble and the Constitution that students had created in Lesson 1. Students also begin to develop questioning techniques about the origins of the Bill of Rights and why the principle of limited government is so evident within the Preamble, Constitution, and Bill of Rights. Finally, students engage in a writing activity where they reflect on what life would be like without the principles that limit the power of government.

Content Expectations
4 - C2.0.1: Explain how the principles of popular sovereignty, rule of law, checks and balances, separation of powers, and individual rights (e.g., freedom of religion, freedom of expression, freedom of press) serve to limit the powers of the federal government as reflected in the Constitution and Bill of Rights.

Common Core State Standards for English Language Arts and Literacy in History/Social Studies

RI.5.1: Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

RI.5.4: Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

W.5.2: Write informative/explanatory texts to examine a topic and convey ideas and information clearly.
   a. Introduce a topic clearly, provide a general observation and focus, and group related information logically; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.
   b. Develop the topic with facts, definitions, concrete details, quotations, or other information and examples related to the topic.
c. Link ideas within and across categories of information using words, phrases, and clauses (e.g., in contrast, especially).
d. Use precise language and domain-specific vocabulary to inform about or explain the topic.
e. Provide a concluding statement or section related to the information or explanation presented.

W.5.4: Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience.

Key Concepts:
constitution
individual rights
limited government

Instructional Resources
Equipment/Manipulative
Chart paper
Markers or crayons
Overhead or projector

Student Resource
*The Bill of Rights Rap.* You Tube. 28 August 2012. Several websites:
- [http://vimeo.com/4803822](http://vimeo.com/4803822)
- [http://www.youtube.com/watch?v=KINGYf7pdJE&noredirect=1](http://www.youtube.com/watch?v=KINGYf7pdJE&noredirect=1)
- [http://www.youtube.com/watch?v=tlt6R1KD4E0](http://www.youtube.com/watch?v=tlt6R1KD4E0)

Teacher Resource

Lesson Sequence
1. Begin this lesson by displaying Word Card #20 “Individual Rights” and activating the students’ prior knowledge of the Bill of Rights which students explored in fourth grade. As an optional activity, show a clip “Bill of Rights Rap” located on You Tube from one of the following websites:
   - [http://vimeo.com/4803822](http://vimeo.com/4803822)
   - [http://www.youtube.com/watch?v=KINGYf7pdJE&noredirect=1](http://www.youtube.com/watch?v=KINGYf7pdJE&noredirect=1)
   - [http://www.youtube.com/watch?v=tlt6R1KD4E0](http://www.youtube.com/watch?v=tlt6R1KD4E0)

2. Display Word Card #21 “Amendment” and discuss its meaning. Pose the following question: Why do you think the writers of the Constitution provided a way to add to or change the Constitution? Discuss student ideas. Display Word Card #22 “Bill of Rights” and explain that the Bill of Rights was added to the Constitution as the first ten amendments.

3. Next, divide students into groups of three to four and distribute a copy of “The Bill of Rights-Simplified Version” located in the *Supplemental Materials (Unit 1, Lesson 4)* to each group.
Have groups discuss the importance of each amendment. Have student groups decide which three amendments they think are most important. Instruct them to put a star next to these three amendments on their paper and to be prepared to tell why they chose those amendments.

4. Display the “Bill of Rights-Data Collection Sheet” located in the Supplemental Materials (Unit 1, Lesson 4) to the class. Have groups share their top three amendments with the entire class and support why they chose each amendment. As students share their votes, put tally marks next to the amendments for which students voted. When finished, lead a discussion of the data by having students interpret the data and draw conclusions from it.

5. Guide students to question the origins of the amendments in the Bill of Rights by doing a ‘think aloud’ using the “I wonder…” format. Draw students’ attention to amendment three and say: I wonder why people thought the government might want to make people open up their houses to soldiers. Why would they think they’d have to feed soldiers in their home? Were the times that different then?” Have students write their own ‘wonderings’ in their Social Studies Learning Log and then share their writing with a partner.

6. Display Word Card #16 from Lesson 2 on “Limited Government” and discuss its meaning. Remind students that they have been exploring this concept through the entire unit. Distribute the document “Limits on the Power of Government” located in the Supplemental Materials (Unit 1, Lesson 4) to student groups that were formed in Step 3. Have groups work together to discuss each principle and record their thoughts on how it limits the power of government on their worksheet. Students should use the following word cards while they are working.
   - Constitution – Word Card #1 from Lesson 1
   - Popular Sovereignty – Word Card #2 from Lesson 1
   - Separation of Powers – Word Card #8 from Lesson 2
   - Branches of Government – Word Card #9 from Lesson 2
   - Checks and Balances – Word Card #13 from Lesson 2
   - Limited Government – Word Card #16 from Lesson 2
   - Federalism – Word Card #1 from Lesson 3
   - Bill of Rights – Word Card #22 from Lesson 4

7. When students have finished, have them share their thinking and discuss possible answers. Guide students in coming to consensus on an answer for each principle listed on the chart. Make sure they clearly state why the principle limits the power of government not just a description of the principle. Note that you may find it useful to display the “Limits on the Power of Government” chart and write the final consensus answers on it. Note that a chart showing sample answers has been included in the Supplemental Materials (Unit 1, Lesson 4) as a reference.

8. Have students write a response to the following question: How is our government organized to give and limit power? in their Social Studies Learning Log. Students should address one or more of the questions below as they write their response. Encourage students to refer to the Word Cards as necessary.
   - What would life be like if there was no Constitution?
   - What if there was no Bill of Rights?
• What if federalism didn’t exist in our country and the federal government had all the power?
• What if one branch of the government had all the power?
• What if there were no checks and balances?
• What if there was no separation of power?
• What if there was no such thing as popular sovereignty and people didn’t have any power?
• What if there was no rule of law and government leaders could do anything they wanted?
• What would life be like if a government had complete power?
• How would life be in your school, your community, your country if government had complete power?
• Students can share their writing when finished.

9. Explain that as a final activity in this unit, students will work together to create a Bill of Rights for the classroom to go along with the Preamble and Constitution they helped to create in Lessons 1 and 2. Have students work together in their small groups to create a list of 10 rights they want included in with the classroom constitution. Distribute the document, “A Student Bill of Rights” located in the Supplemental Materials (Unit 1, Lesson 4) and have each group write their ten recommendations on it.

10. When student groups have completed the task, have groups share their ideas and vote to adopt ten amendments. Rewrite these ten amendments on chart paper and display along with the Preamble and Constitution from previous lessons.

Assessment
The student writing sample from Step 7 can be used as an assessment.
The Bill of Rights Protects Individual Rights.

Examples
- Freedom of Religion
- Freedom of Expression
- Freedom of the Press

The Bill of Rights helps to limit the power of government.
### Big Ideas Card

#### Big Ideas of Lesson 4, Unit 1

1. The power of the government is limited by ten amendments to the Constitution called the Bill of Rights.

2. The Bill of Rights serves to protect people’s individual rights such as freedom of speech, freedom of religion, and the right to a trial by jury.
Word Cards

Word Cards from previous lessons needed for this lesson:
- Constitution – Word Card #3 from Lesson 1
- Popular Sovereignty – Word Card #2 from Lesson 1
- Separation of Powers – Word Card #7 from Lesson 2
- Branches of Government – Word Card #8 from Lesson 2
- Checks and Balances – Word Card #13 from Lesson 2
- Limited Government – Word Card #16 from Lesson 2
- Federalism – Word Card #17 from Lesson 3

20 individual rights

things an individual person is entitled to have or be able to do

Example: Individual rights in the United States include the right to own property and speak freely.

(SS050104)

21 amendment

a change, or addition, to the Constitution

Example: Twenty-seven amendments have been added to the Constitution.

(SS050104)

22 Bill of Rights

the first ten amendments to the Constitution, written to protect people's rights

Example: The Bill of Rights is an important part of the Constitution.

(SS050104)
The Bill of Rights – Simplified Version

**Amendment One** guarantees freedom of religion, freedom of speech, freedom of the press, freedom for people to get together peacefully, and freedom for people to send petitions to their government.

**Amendment Two** states that in order to have a prepared military, people are guaranteed the right to keep and bear arms.

**Amendment Three** states that the government cannot force people to house and feed soldiers in their homes during times of peace.

**Amendment Four** states that people, their homes or their belongings are protected from unreasonable searches or seizures.

**Amendment Five** guarantees a person accused of a serious crime the right to be charged by a grand jury. It also states that people cannot be forced to give evidence against themselves. If a person is found not guilty of a crime, he/she cannot be put on trial for the same crime again. Finally, the federal government cannot unfairly take peoples’ lives, freedom, or property.

**Amendment Six** guarantees a speedy and public trial by an impartial jury if a person is accused of a crime. The accused person also has the right to be told what they are accused of and they have the right to a lawyer. They also have the right to see and to question those people who have accused them of the crime.

**Amendment Seven** guarantees a trial by jury in civil cases which are cases that involve a dispute between private parties or between the government and a private party.

**Amendment Eight** says that courts cannot use cruel or unusual punishment or set bail and fines that are too high.

**Amendment Nine** states that the people have other rights that are not stated here.

**Amendment Ten** states that the people have all the rights not given to the United States government or forbidden to state governments by the U.S. Constitution.
## Bill of Rights - Data Collection Sheet

<table>
<thead>
<tr>
<th>Amendment</th>
<th>Number of Group Votes</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>9</td>
<td></td>
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</tr>
</tbody>
</table>
Limits on the Power of Government

Use this chart to describe how each of the principles listed below limit the power of government.

<table>
<thead>
<tr>
<th>Principle</th>
<th>How does this limit the power of government?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution</td>
<td></td>
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<tr>
<td>Popular Sovereignty</td>
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<tr>
<td>Separation of Powers</td>
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<td>Branches of Government</td>
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<td>Checks and Balances</td>
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<tr>
<td>Federalism</td>
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<td>Bill of Rights</td>
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# Limits on the Power of Government - Sample Answers

<table>
<thead>
<tr>
<th>Principle</th>
<th>How does this limit the power of government?</th>
</tr>
</thead>
<tbody>
<tr>
<td>Constitution</td>
<td>The Constitution limits power by setting up a government with three branches and by delegating specific power to the federal government. The Constitution also contains specific limits on the powers of state governments.</td>
</tr>
<tr>
<td>Popular Sovereignty</td>
<td>People have the power in our system of government. They grant (delegate or give) the federal government some powers in the Constitution. The rest of the power is retained by the people or the states. The power to rule is also reflected in the voting process. Through the power to vote for members of the legislature and the President, people have the power to choose their leaders.</td>
</tr>
<tr>
<td>Separation of Powers</td>
<td>The separation of powers limits government because each branch has different powers. This prevents any one branch from becoming too powerful.</td>
</tr>
<tr>
<td>Branches of Government</td>
<td>Each branch of the government has specific roles and responsibilities.</td>
</tr>
<tr>
<td>Checks and Balances</td>
<td>Each branch has a power to check and balance the other branches to make sure that no one branch can become too powerful.</td>
</tr>
<tr>
<td>Federalism</td>
<td>Power is divided between the federal government and state governments. The people, through the Constitution, give the federal government power to do certain things. The people also have limited the power of state governments to do certain things in the Constitution. Some powers such as taxing is permitted by both state and federal governments.</td>
</tr>
<tr>
<td>Bill of Rights</td>
<td>The Bill of Rights limits power by guaranteeing individual rights such as such as freedom of religion, freedom of speech, the right to a fair trial, etc.</td>
</tr>
</tbody>
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### A Student Bill of Rights

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