

FOR TEACHERS ONLY

The University of the State of New York

REGENTS HIGH SCHOOL EXAMINATION

UNITED STATES HISTORY AND GOVERNMENT

Wednesday, August 12, 2009 — 12:30 to 3:30 p.m., only

SCORING KEY FOR PART I AND RATING GUIDE FOR PART II (THEMATIC ESSAY)

Updated information regarding the rating of this examination may be posted on the New York State Education Department's web site during the rating period. Visit the site <http://www.emsc.nysed.gov/osa/> and select the link "Examination Scoring Information" for any recently posted information regarding this examination. This site should be checked before the rating process for this examination begins and at least one more time before the final scores for the examination are recorded.

Contents of the Rating Guide

For **Part I** (Multiple-Choice Questions):

- Scoring Key

For **Part II** (thematic) essay:

- A content-specific rubric
- Prescored answer papers. Score levels 5 and 1 have two papers each, and score levels 4, 3, and 2 have three papers each. They are ordered by score level from high to low.
- Commentary explaining the specific score awarded to each paper
- Five prescored practice papers

General:

- Test Specifications
- Web addresses for the test-specific conversion chart and teacher evaluation forms

Copyright 2009
The University of the State of New York
THE STATE EDUCATION DEPARTMENT
Albany, New York 12234

VOLUME
1 OF **2**
MC & THEMATIC

United States History
and Government

August 12, 2009

Part I

1... 3 ...	26... 2 ...
2... 1 ...	27... 1 ...
3... 4 ...	28... 2 ...
4... 4 ...	29... 3 ...
5... 1 ...	30... 2 ...
6... 3 ...	31... 4 ...
7... 4 ...	32... 4 ...
8... 4 ...	33... 4 ...
9... 2 ...	34... 3 ...
10... 4 ...	35... 3 ...
11... 3 ...	36... 1 ...
12... 1 ...	37... 4 ...
13... 1 ...	38... 3 ...
14... 2 ...	39... 4 ...
15... 1 ...	40... 1 ...
16... 2 ...	41... 4 ...
17... 1 ...	42... 2 ...
18... 3 ...	43... 2 ...
19... 4 ...	44... 4 ...
20... 4 ...	45... 3 ...
21... 2 ...	46... 2 ...
22... 3 ...	47... 1 ...
23... 1 ...	48... 3 ...
24... 4 ...	49... 2 ...
25... 1 ...	50... 3 ...

Cut Here

Cut Here

Mechanics of Rating

The following procedures are to be used in rating papers for this examination. More detailed directions for the organization of the rating process and procedures for rating the examination are included in the *Information Booklet for Scoring the Regents Examination in Global History and Geography and United States History and Government*.

Scoring the Part I Multiple-Choice Questions

On the detachable answer sheet, indicate by means of a checkmark each incorrect or omitted answer to multiple-choice questions; do not place a checkmark beside a correct answer. Use only red ink or red pencil. In the box provided on the answer sheet, record the number of questions the student answered correctly in Part I.

Rating the Essay Question

- (1) Follow your school's procedures for training raters. This process should include:

Introduction to the task—

- Raters read the task
- Raters identify the answers to the task
- Raters discuss possible answers and summarize expectations for student responses

Introduction to the rubric and anchor papers—

- Trainer leads review of specific rubric with reference to the task
- Trainer reviews procedures for assigning holistic scores, i.e., by matching evidence from the response to the rubric
- Trainer leads review of each anchor paper and commentary

Practice scoring individually—

- Raters score a set of five papers independently without looking at the scores and commentaries provided
- Trainer records scores and leads discussion until the raters feel confident enough to move on to actual rating

- (2) When actual rating begins, each rater should record his or her individual rating for a student's essay on the rating sheet provided, *not* directly on the student's essay or answer sheet. The rater should *not* correct the student's work by making insertions or changes of any kind.
- (3) Each essay must be rated by at least two raters; a third rater will be necessary to resolve scores that differ by more than one point.

United States History and Government
Content-Specific Rubric
Thematic Essay
August 2009

Theme: Government—Supreme Court Decisions

The United States Supreme Court has played a major role in United States history. The Court's decisions have had a significant impact on many aspects of American society.

Task: Select *two* Supreme Court cases that have had an impact on American society and for *each*

- Describe the historical circumstances surrounding the case
- Explain the Supreme Court's decision in the case
- Discuss an impact this decision has had on American society

You may use any appropriate Supreme Court case from your study of United States history. Some suggestions you might wish to consider include *Worcester v. Georgia* (1832), *Dred Scott v. Sanford* (1857), *Northern Securities Co. v. United States* (1904), *Korematsu v. United States* (1944), *Brown v. Board of Education of Topeka* (1954), *Heart of Atlanta Motel v. United States* (1964), *Miranda v. Arizona* (1966), *Roe v. Wade* (1973), and *United States v. Nixon* (1974).

Scoring Notes:

1. This thematic essay has a minimum of *six* components (describing the historical circumstances for *each* of *two* Supreme Court cases, explaining the Supreme Court's decision in *each* case, and discussing an impact of *each* decision on American society).
2. The description of the historical circumstances surrounding the case may focus on the particulars of the case such as Linda Brown being forced to attend a segregated school farther away from her home than a local white school *or* it may take a more historical approach by discussing discrimination during the years of Jim Crow laws that preceded the *Brown* case.
3. Cases with similar elements such as *Plessy v. Ferguson/Brown v. Board of Education of Topeka* or *Schenck v. United States/Korematsu v. United States* may be used as long as all aspects of the task are developed for both.
4. Responses that either inaccurately identify the name of the case or do not name the case may receive credit for developing some aspects of the task.
5. The impact of the Supreme Court's decision on American society may be immediate or long term.
6. As is the case with many historical topics, the impact of the Supreme Court's decision on American society may be discussed from a variety of perspectives as long as the position taken is supported by accurate historical facts and examples.

Score of 5:

- Thoroughly develops **all** aspects of the task evenly and in depth by describing the historical circumstances surrounding **each** of **two** Supreme Court cases, explaining the Supreme Court's decision in **each** case, and discussing an impact that **each** decision has had on American society
- Is more analytical than descriptive (analyzes, evaluates, and/or creates* information), e.g., *Korematsu v. United States*: describes anti-Asian sentiment prior to World War II and its connection to the perceived threat posed by Japanese Americans after Pearl Harbor and their subsequent relocation from the West Coast, explaining the Supreme Court decision upholding the exclusion order, and then discussing how civil liberties and due process may be limited during times of war and linking it to events in the 21st century; *Brown v. Board of Education of Topeka*: describes the long-term practice of "separate but equal" in segregated public facilities including schools, explains the court's application of the equal protection clause to the order to integrate schools "with all deliberate speed," and then discusses how the decision accelerated integration and the civil rights movement
- Richly supports the theme with relevant facts, examples, and details, e.g., *Korematsu v. United States*: yellow peril; Gentlemen's Agreement; Pearl Harbor; Franklin D. Roosevelt; Executive Order 9066; West Coast; 2/3 were citizens; Nisei; property loss; Manzanar; *Schenck v. United States*; 1988 congressional apology and reparations; Guantanamo Bay Prison; *Brown v. Board of Education of Topeka*: Reconstruction; Jim Crow laws; *Plessy v. Ferguson*; Linda Brown; Thurgood Marshall; NAACP; 14th amendment; Earl Warren; unanimous decision; desegregation; Little Rock Nine in 1957; 1964 Civil Rights Act; busing; de jure vs. de facto segregation
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

Score of 4:

- Develops **all** aspects of the task but may do so somewhat unevenly by discussing all aspects of the task for one Supreme Court case more thoroughly than for the second Supreme Court case *or* by discussing one aspect of the task less thoroughly than the other aspects of the task for both Supreme Court cases
- Is both descriptive and analytical (applies, analyzes, evaluates, and/or creates* information), e.g., *Korematsu v. United States*: describes widespread distrust of West Coast Japanese Americans after Pearl Harbor and their relocation to internment camps, explaining the decision of the Court upholding the exclusion order as a wartime necessity, and discussing how the decision set a precedent for restricting civil liberties during future national crises; *Brown v. Board of Education of Topeka*: describes the conditions faced by African Americans in segregated public facilities, explains the decision outlawing "separate but equal" schools, and discusses how the decision increased the pressure to integrate other public facilities
- Supports the theme with relevant facts, examples, and details
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are beyond a restatement of the theme

Score of 3:

- Develops **all** aspects of the task with little depth *or* develops **at least four** aspects of the task in some depth
- Is more descriptive than analytical (applies, may analyze and/or evaluate information)
- Includes some relevant facts, examples, and details; may include some minor inaccuracies
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that may be a restatement of the theme

Examples of addressing *at least four* aspects of the task in some depth at Level 3

Holistic Scoring Reminder: These examples apply only to the evaluation of bullet 1 of the rubric.
A response meeting the criteria below does not, by itself, make it a Level 3 response.

1. Discusses all **three** aspects of the task with some depth for *one* case and only **one** aspect for the *second* case.
2. Discusses any **two** aspects of the task with some depth for *both* cases.

Note: If **all** aspects of the task for *one* Supreme Court case have been thoroughly developed evenly and in depth and if the response meets most of the other Level 5 criteria, the overall response may be a Level 3 paper.

Score of 2:

- Minimally develops **all** aspects of the task *or* develops *at least three* aspects of the task in some depth
- Is primarily descriptive; may include faulty, weak, or isolated application or analysis
- Includes few relevant facts, examples, and details; may include some inaccuracies
- Demonstrates a general plan of organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

Examples of addressing *at least three* aspects of the task in some depth at Level 2

Holistic Scoring Reminder: These examples apply only to the evaluation of bullet 1 of the rubric.
A response meeting the criteria below does not, by itself, make it a Level 2 response.

1. Discusses all **three** aspects of the task in some depth for only *one* case.
2. Discusses any **two** aspects of the task for *one* case and only **one** aspect for the *second* case.

Score of 1:

- Minimally develops some aspects of the task
- Is descriptive; may lack understanding, application, or analysis
- Includes few relevant facts, examples, or details; may include inaccuracies
- May demonstrate a weakness in organization; may lack focus; may contain digressions; may not clearly identify which aspect of the task is being addressed; may lack an introduction and/or a conclusion

Score of 0:

Fails to develop the task or may only refer to the theme in a general way; *OR* includes no relevant facts, examples, or details; *OR* includes only the theme, task, or suggestions as copied from the test booklet; *OR* is illegible; *OR* is a blank paper

*The term *create* as used by Anderson/Krathwohl, et al. in their 2001 revision of Bloom's *Taxonomy of Educational Objectives* refers to the highest level of the cognitive domain. This usage of create is similar to Bloom's use of the term *synthesis*. Creating implies an insightful reorganization of information into a new pattern or whole. While a Level 5 paper will contain analysis and/or evaluation of information, a very strong paper may also include examples of creating information as defined by Anderson and Krathwohl.

Although the Supreme Court does not create new legislation nor does it execute the laws of this nation, it brandishes much power in being able to stamp upon a law, the words constitutional or unconstitutional. In Northern Securities Co. v. United States, Theodore Roosevelt broke up a trust and in Brown v. Board of Education, the separate but equal clause of Plessy v. Ferguson was nullified. The lasting effect that the Supreme Court created through these two cases is that Northern Securities Co. v. U.S. set the precedent that the U.S. government could greater regulate business and the decision of Brown v. Board of Education led to greater tolerance, but increased racial tensions as well. Starting under Roosevelt, business began to bow to the government instead of the other way around and the idea of laissez faire policy was taken down. There was indeed greater tolerance for African-Americans and other minorities within America, but the racial tensions between Caucasian and African-Americans were especially hot. Finally, the decisions made in both cases were certainly influenced by the abuses and corruption that existed before.

Roosevelt's eyes were glued to many of the abuses that big business condoned and it compelled to take action. One of the first companies he decided to take on was the Northern Securities Company. He was determined to break up the trust that they had formed for he had perceived that their trust was harmful to the nation. ~~The~~ lawsuit reached the Supreme Court and the Supreme Court ruled that the trust that Northern Securities had formed was illegal and harmful

to the nation and to form such trusts would be improper. Winning this case, showed that the government under Roosevelt at that time, could force other mogul companies like U.S. Steel Corporation or Standard Oil Trust to bow to the government. Moreover, it dismantled the idea of complete laissez-faire policy and that now, even the Republicans had to take greater interest and control of big business.

Ever since the "separate but equal" clause of the Plessy v. Ferguson case, segregation within the nation had readily set in. Segregation took place in jobs, public transportation, and public facilities. Other African-Americans began to see the injustice in having these laws and that separate but equal could never truly be achieved. In a series of cases under Thurgood Marshall (a NAACP lawyer) that led to Brown v. Board of Education of Topeka when the "separate clause" was dismantled, it set in a trend of greater tolerance and reduced discrimination, more so in the north. The South as a whole ~~was~~ was more resistant to desegregation but this resistance led to an involvement of the federal government in enforcing these laws. African-Americans could go to facilities, have jobs, housing, and an education that was once denied to them. However, since segregation had been so instilled in the South, there was some culture clash between the culture of African-Americans and that of Caucasians. The resistance that came against desegregation and the impatience of African-Americans at ~~at~~ with the slow progress of desegregation led to fierce confrontations between the two groups and heightened tension. Furthermore instead of de jure segregation, de facto segregation became more prominent as

African-Americans and Caucasians became segregated by economic factors rather than by law.

In both cases, the degenerative and negative conditions influenced the decisions made in the cases and the actions taken afterward. In *Northern Securities v. United States*, the corrupt practices of big business had become rampant and big business ran unchecked. Trusts eliminated competition and created monopolies that increased the concentration of money in the hands of the wealthy and allowed companies to exploit their customers and extend their tentacles of influence into the Senate, and thus control government. Prior to *Brown v. Board of Education of Topeka*, the disastrous psychological effects of segregation that imprinted thoughts of inferiority on African-Americans and the obvious that African-American communities were nowhere equal to that of Caucasian facilities motivated the Supreme Court to believe that separate but equal was an absurdity. Moreover, the irrational could be seen in segregating every public facility and that segregation had always been simply fueled by hate and prejudice and not judicious judgment in the form of legislation.

Greater government regulation of business and greater tolerance in America, but escalated racial ~~to~~ tension were the fruits bore by the Supreme Court in their decisions in *Northern Securities Co. v. United States* and *Brown v. Board of Education of Topeka*. The decision in *Northern Securities Co. v. United States* set the precedent that big business would bow to the government and the policy of complete hands-off on business was replaced by augmented government involvement in

business. There was more tolerance and more love given for African-Americans, but there was heightened racial tension between African Americans and Caucasians that produced several violent confrontations. The widespread corruption in big business and its choking influence on competition and government led to the decision in *Northern Securities v. U.S.* while the effects of psychological inferiority, inherent inequality in segregation, and limited opportunities for African Americans influenced the *Brown v. Board of Education of Topeka* verdict.

Anchor Level 5-A

The response:

- Thoroughly develops all aspects of the task evenly and in depth by describing the historical circumstances surrounding *Northern Securities Co. v. United States* and *Brown v. Board of Education of Topeka*, explaining the Supreme Court’s decision, and discussing an impact on American society
- Is more analytical than descriptive (*Northern Securities Co.*: the Supreme Court ruled that the trust that the Northern Securities had formed was illegal and harmful to the nation and to form such trusts would be improper; trusts eliminated competition and created monopolies that increased the concentration of money in the hands of the wealthy and allowed companies to exploit their customers, extend their tentacles of influence into the Senate, and thus control government; the decision in *Northern Securities* set the precedent that big business would bow to the government and the policy of complete hands off on business was replaced by augmented government involvement in business; *Brown*: ever since the “separate but equal” clause of the *Plessy v. Ferguson* case, segregation within the nation had readily set in; instead of de jure segregation, de facto segregation became more prominent as African Americans and Caucasians became segregated by economic factors rather than by law; the disastrous psychological effects of segregation that imprinted thoughts of inferiority on African Americans and that African American communities were nowhere equal to that of Caucasian facilities, motivated the Supreme Court to believe that “separate but equal” was an absurdity)
- Richly supports the theme with relevant facts, examples, and details (*Northern Securities Co.*: Theodore Roosevelt; laissez-faire; United States Steel Corporation; Standard Oil Trust; Republicans; widespread corruption; *Brown*: racial tensions; series of cases under Thurgood Marshall; NAACP lawyer; culture clash)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that go far beyond a restatement of the theme by addressing important concepts

Conclusion: Overall, the response fits the criteria for Level 5. Sophisticated analyses and unusually perceptive comprehension of the complexity of the cases enhance the response.

Established as an institution to interpret laws the United States system of courts has shaped the state of American life. There have been many controversial issues over the course of this country's history and decisions mandated by the United States Supreme Court have rocked the foundation of this nation and radicalized American society. Often rulings by Supreme Court justices influence much more than the laws they address; they characterize the attitudes of the people and have great bearing on politics and morals.

In the 1950s decision race issues unresolved since Reconstruction proved to be a hot topic among politicians and citizens alike. The Jim Crow segregation of African-Americans in public facilities was becoming contested as many activists sought to overturn the Plessy v. Ferguson ruling that had made such an impact years earlier. The call for reconsideration would be granted in 1954 when the Supreme Court under Earl Warren would rule that "separate but equal", principle established by Plessy v. Ferguson, was unconstitutional. The Court would then mandate the desegregation of schools "with all deliberate speed" - an order that would meet much resistance from the American public for years to come.

The Brown decision radicalized education and roused angry sentiments from those opposed. Many people, claiming fear of too powerful a federal government, insisted

that the ruling violated the powers reserved to the states and that the issue of desegregation should be left to the states' decision. An instance like that which occurred in Little Rock, Arkansas, schools fought the desegregation order – though this would prove unsuccessful here. The Brown v. Board of Education decision changed forever the face of federal power and society and proved to be an immense step forward in the progress of African-Americans.

Perhaps one of the most controversial issues – even today – has proved to be one of the most influential Supreme Court decisions to have ever been made. In the 1960s and 1970s women's rights activists promoted women's right to birth control and abortion. Since the laws varied from state to state, feminists pushed for a decision that would apply to all. The issue of abortion was and continues to be foremost on the minds of American citizens in electing officials, following an ideology and establishing morals, it is understandable then why the decision in Roe v. Wade has made such an impact on every individual in American society – no matter their views on the issue. In its ruling, the Supreme Court determined that it was unconstitutional for a state to prohibit an abortion in the first trimester of pregnancy as it violated a woman's constitutional right to privacy. The decision, made in 1973 has

proved to be an issue of nationwide discord even 36 years later.

Roe v. Wade demonstrated an obvious liberal majority in the Supreme Court of that decade, a fact which reflects the thinking of the age. The Supreme Court ruling has continued to shape American views and become a determinant factor in politics. Certainly, Roe v. Wade will continue to provide for the ever-growing chasm between conservative and liberal views in American politics and influence the choice of a party's candidates. For instance, in the 2008 election, the Republicans were clearly pro-life and the Democrats were for keeping Roe v. Wade in effect.

The United States Supreme Court has, in its controversiality, seen its role flourish. The inclinations of those nine incomprehensibly powerful men and women have changed the course of American society and ~~shaped~~ shaped American culture to what it has become today and will undoubtedly continue to do so in the future - for better or for worse.

Anchor Level 5-B

The response:

- Thoroughly develops all aspects of the task evenly and in depth by describing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *Roe v. Wade*, explaining the Supreme Court’s decision, and discussing an impact on American society
- Is more analytical than descriptive (*Brown*: the Jim Crow segregation of African Americans in public facilities was becoming contested as many activists sought to overturn the *Plessy v. Ferguson* ruling that had made such an impact years earlier; the court would then mandate the desegregation of schools with all deliberate speed—an order that would meet much resistance from the American people for years to come; many people, claiming fear of too powerful a federal government, insisted that the ruling violated the powers reserved to the states and that the issue of desegregation should be left to the states; *Roe*: since the laws varied from state to state, feminists pushed for a decision that would apply to all; in its ruling, the Supreme Court determined that it was unconstitutional for a state to prohibit an abortion in the first trimester of pregnancy as it violated a woman’s constitutional right to privacy; *Roe v. Wade* will continue to provide for the ever-growing chasm between conservative and liberal views in American politics and influence the choice of party candidates)
- Richly supports the theme with relevant facts, examples, and details (*Brown*: Reconstruction; Earl Warren; “separate but equal”; Little Rock, Arkansas; federal power; *Roe*: 1960s and 1970s women’s rights activists; birth control; abortion; liberal majority; 2008 elections; Republicans were clearly pro-life; Democrats were for keeping *Roe* in effect)
- Demonstrates a logical and clear plan of organization; includes an introduction that cites the controversial nature of the decisions and a conclusion that notes the power of nine men and women to change American society

Conclusion: Overall, the response fits the criteria for Level 5. The response demonstrates a good understanding of the impact of the two decisions on United States government and politics. The exploration of federal-state relations in *Brown v. Board of Education of Topeka* and the divisive political fallout of *Roe v. Wade* indicates a strong understanding of the topic.

Throughout United States history, the U.S. government, the Supreme Court in particular, has played a significant role on our nation's society. The decisions made by our Supreme Court impact the way we live today as American citizens. In particular, decisions made by the court regarding our freedoms and rights can limit or impact our daily activities.

One court case exemplifies the power the government has over our daily freedoms is *Scheck vs. the United States* (1919). When Wilson brought the United States into World War I, the decision was made to bring back the draft, or demanding military services from any qualifying individual. In such a stressful time of crisis, many citizens protested this reenactment and spoke out against it, as well as other extreme war-time efforts. In 1919, Scheck an American citizen who spoke out against the war-time procedures such as the draft, was arrested for handing out pamphlets that persuaded others to do the same. Scheck protested that such an arrest violated his first amendment right to freedom of speech and press. ~~It was~~ Eventually, the case was appealed all the way up to the Supreme Court. They stated that during a time of war or crisis, individual freedoms will sometimes be sacrificed in order to protect national security. From this case, the phrase

evolved "clear and present danger". The Supreme Court ruled that Schenk ~~po~~ posed a clear and present danger to society. This case is an example where the Supreme Court usually supports the government during war time. The Court did this again in Korematsu during World War II. As a result of this case, freedoms that we are guaranteed under the Constitution may be ignored at times by the American Government in order to protect national security. The justices compared Schenk's actions to yelling "Fire" in a crowded theater, which may cause harm. In this example, the rights to freedom of speech are limited by the Supreme Court decision of 1919.

The court case of Gideon v. Wainwright is an example of a Supreme Court decision that granted us with the rights promised by the constitution, Unlike Schenk v. U.S. Because of this case of determination and strong will, all accused and set on trial are ~~guaranteed~~ ^{guaranteed} legal aid, even if they are unable to afford it.

Clarence Gideon was a man who was accused of robbery in his small hometown. Uneducated and poor, Gideon was unable to put up a fair fight against the opposing lawyer during his trial. Gideon was sent to jail, and he protested that his constitutional right gave him the right to a lawyer. Through much strenuous

research and many letters to the Supreme Court, the U.S. government finally agreed to take his case. The court agreed that indeed, Gideon was denied his right to a lawyer, and they ordered him a new trial with proper legal representation. As a result of this trial, not only Clarence Gideon received a lawyer, but other accused members of society are provided with legal assistance today, even if they are unable to pay for it. This case is an excellent example of a Supreme Court decision that helped protect the rights of the citizens in the United States, and one that has greatly impacted our society today.

As you can see, throughout the course of American history, Supreme Court decisions have made a dramatic impact on our society as ~~at~~ we know it. While *Scheck v. United States* effected our society for the worse, cases like *Gideon v. Wainwright* have protected our rights and have had a positive impact on our daily lives. Whether a case has a positive or negative impact on our lives, it is no question that the Supreme Court is a powerful branch of our government that continues to shape our American society.

Anchor Level 4-A

The response:

- Develops all aspects of the task but does so somewhat unevenly by discussing all aspects of the task for *Schenck v. United States* more thoroughly than for *Gideon v. Wainwright*
- Is both descriptive and analytical (*Schenck*: protested that his arrest violated his first amendment right of freedom of speech; the Supreme Court ruled that Schenck posed a “clear and present danger” to society; case is an example of where the Supreme Court usually supports the government during wartime; *Gideon*: uneducated and poor, Gideon was unable to put up a fair fight against the opposing lawyer during his trial; not only did Clarence Gideon receive a lawyer, but other accused members of society are provided with legal assistance today, even if they are unable to pay for it)
- Supports the theme with relevant facts, examples, and details (*Schenck*: President Wilson; World War I; draft, pamphlets; national security; yelling fire in a crowded theater; Korematsu; *Gideon*: sent to jail; letters to the Supreme Court; ordered a new trial)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are slightly beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 4. The response indicates comprehension of the historical forces prompting the *Schenck v. United States* decision and the long-lasting impact of the “clear and present danger” doctrine. In contrast, the treatment of *Gideon v. Wainwright* is more superficial and general.

The United States Supreme Court has the authority to deem a law unconstitutional and uphold democratic principles of American society. As a result, the supreme court has had a great impact on society throughout history. *Brown v. Board of Education of Topeka* ended the well-established practice of segregation and paved the way for African American equality. Similarly, *Roe v. Wade* ruled in favor of women's freedom of choice and has since provoked much debate.

Brown v. Board of Education of Topeka exhibits the supreme court influence over the course of history. From the Civil War, to the case in 1954, segregated public facilities for African Americans + whites were deemed acceptable as long as they were equal. Jim Crow laws were established to uphold segregation, severely limiting black rights. This "separate but equal" principle had been affirmed by *Plessy v. Ferguson*. As a result, separate schools, restrooms, parks, water fountains, etc. were set up for Blacks. However, such facilities were certainly not equal; Black facilities were of lower quality. *Brown v. Board of Ed.* ruled in favor of Black equality + civil rights. The supreme court

declared segregated public schools unconstitutional because separating children by race was wrong. As a result of the ruling, all schools were ordered to be desegregated + integrate Black students. African American students initially faced much adversity, as many whites opposed integration. For example, in Little Rock, AK, the state gov't tried to deter integration to keep the white population satisfied. It took federal troops to enforce the decision. The case also had widespread effects on the African American Civil Rights movement, encouraging Blacks to fight against other racial injustices. Brown v. Board of Ed. ultimately helped to establish a more equal American society in which an African American man could become President.

Roe v. Wade was a supreme court case that positively effected women's rights in today's society. Prior to the ruling, women were not equal to men in status or in freedoms. Abortion was banned in most states. However, during the feminist movement many women believed they should have the freedom to choose + Roe v. Wade gave them that power. The supreme court ruled

that women were entitled to the right to choose if they want to have an abortion. The Supreme Court said women had the right to privacy and abortion should be allowed in all states. Since 1973, the case has aroused controversy between those that are pro-life and those that are pro-choice.

The Supreme Court has a great deal of influence in shaping American society. It has played a major role in civil rights, women's rights, and all other aspects of society.

Anchor Level 4-B

The response:

- Develops all aspects of the task but does so somewhat unevenly by discussing all aspects of the task for *Brown v. Board of Education of Topeka* more thoroughly than for *Roe v. Wade*
- Is both descriptive and analytical (*Brown*: from the Civil War to 1954, segregated public facilities for African Americans and whites were deemed acceptable as long as they were equal; the Supreme Court declared segregated public schools unconstitutional because separating children by race was wrong; the case also had widespread effects on the African American civil rights movement, encouraging blacks to fight against other racial injustices; *Roe*: prior to the ruling, women were not equal to men in status or in freedoms; the Supreme Court decision said that women had the right to privacy and abortions should be allowed in all states; since 1973, the case has aroused controversy between those that are pro-life and those that are pro-choice)
- Supports the theme with relevant facts, examples, and details (*Brown*: Jim Crow; “separate but equal”; *Plessy v. Ferguson*; Little Rock, Arkansas; federal troops; *Roe*: feminist movement)
- Demonstrates a logical and clear plan of organization; includes an introduction and a conclusion that are slightly beyond a restatement of the theme

Conclusion: Overall, the response fits the criteria for Level 4. Understanding of *Brown v. Board of Education of Topeka* is illustrated by astute generalizations and rich detail. That same level of detail is missing in the discussion of *Roe v. Wade*.

The role of the Supreme Court is to determine if laws are constitutional or not. ~~The Supreme Court~~ There have been a plethora of cases in which civil liberties have been protected. Two such cases were Brown v. Board of Education of Topeka in 1954 and United States v. Nixon in 1973. Both had great impact on society, one was one step in the direction towards true equality for African Americans, and the other showed that not even the president was above the law; that the law is blind and that everyone is legally equal.

Almost a hundred years after the Civil War and ~~of~~ when ~~African American~~ slaves were freed, there was still no equality ^{for African Americans.} ~~The~~ Jim Crow laws were in place which limited the freedom of African Americans. Segregation separated blacks and whites completely. They ate in different restaurants, went to bathroom in different places, and went to different schools. Blacks and ~~white~~ whites did not integrate, not only by choice, but by law. According to the law these segregated schools were separate but equal, unfortunately this was not at all

The case. The level of any black establishment was far inferior than that of a ~~very~~ white establishment. In 1954 a Supreme Court ~~rating~~ case, Brown v. Board of Topeka of Kansas changed all that and made segregation illegal. An African American girl had to travel a far distance to go to school and travel dangerous railroad tracks even though there was a white school just minutes from her home. Her father brought the case all the way to the Supreme Court. ~~Not only~~ Black schools had inferior equipment, books, desks and other supplies than white schools, as well. The Supreme Court ruled that separate was not equal and ruled that segregation was illegal. This was a monumental case in that it was a step in the direction of equality. Although it was extremely difficult in certain areas of the South, like Little Rock, Arkansas where troops had to be sent to protect black students, whites and blacks finally work and learn together.

Another extremely important case was the

United States of Nixon. ~~Richard~~ ~~Richard~~
~~Nixon~~ Under Nixon a couple of
burglars broke into the Democratic
Convention, when these men were caught
Nixon supposedly told someone to pay them
to keep quiet about the White House's
knowledge and involvement. More evidence
was made public with the publication of
the Pentagon Papers. When it came to light
that Nixon had taped all of his conversations
Congress asked to hear them, but Nixon refused
claiming executive privilege. It was
brought to the Supreme Court and they
told Nixon that he had to give up the tapes,
that it was an obstruction of justice. Although
Nixon finally did, he had taped over the
incriminating section. Nixon probably
would have been found guilty had he
not resigned, Gerald Ford his vice president
became president. This case showed
the efficiency of the government and
that the system of checks and balances

waked and especially that nobody, including the President, was above the law and that actions had consequences.

Both cases *Brown v. Board of Topeka of Kansas* and *United States v. Nixon* were important Supreme Court cases that bettered the United States. Both since how important the Supreme Court is and how influential it is in American Society.

Anchor Level 4-C

The response:

- Develops all aspects of the task but does so somewhat unevenly by addressing *United States v. Nixon* more thoroughly than *Brown v. Board of Education of Topeka*
- Is both descriptive and analytical (*Brown*: almost a hundred years after the Civil War when slaves were freed, there was still no equality for African Americans; the Supreme Court ruled that separate was not equal and ruled that segregation was illegal; it was extremely difficult in certain areas of the South, like Little Rock, Arkansas, where troops had to be sent to protect black students; *Nixon*: evidence was made public with the publication of the Pentagon Papers; when it came to light that Nixon had taped all of his conversations, Congress asked to hear them, but Nixon refused, claiming executive privilege; the Supreme Court told Nixon that he had to give up the tapes, that it was obstruction of justice; the system of checks and balances worked; nobody, including the President, was above the law)
- Supports the theme with relevant facts, examples, and details (*Brown*: Jim Crow laws; segregation; ate in different restaurants; “separate but equal”; *Nixon*: burglars paid to keep them quiet; taped over the incriminating section; Nixon probably would have been found guilty had he not resigned; Gerald Ford became President); includes an inaccuracy (*Nixon*: 1973 Democratic Convention)
- Demonstrates a logical and clear plan of organization; includes an introduction that connects both cases to the concept of equality for all Americans and a conclusion that restates the theme

Conclusion: Overall, the response fits the criteria for Level 4. The discussion of the rule of law and checks and balances in *United States v. Nixon* is especially notable. However, the discussion of *Brown v. Board of Education of Topeka* lacks the same substance and depth.

The United States Supreme Court has made many decisions, which shaped American society. The Supreme Court cases "Brown v. Board of Education of Topeka" in 1954 and "Heart of Atlanta Motel v. United States" in 1964 greatly changed American society because they led to an increase of civil rights for minorities living in the United States.

The ¹⁹⁵⁴ Supreme Court case "Brown v. Board of Education of Topeka" came to be for many reasons. Many schools were segregated by race and this made many children have to travel far to receive an education, ~~but~~ ^{even though} there ~~was~~ ^{were} nearby schools that they were not allowed to attend due to their race. Many people found this unfair and brought it to the Supreme Court.

The Supreme Court ruled in the case "Brown v. Board of Education" that all public schools had to be integrated; schools were to be zoned by location, not race. The United States guaranteed all citizens the right to an education, and it is unfair to have children travelling far to learn, when there is a much more accessible school nearby.

The case "Brown v. Board of Education of Topeka" led to a great change in American society because

Schools were now forced to integrate. This integration led to more equality among all races. This case led to incidents, such as "The Little Rock Nine" in ~~Arkansas~~ ^{Arkansas} ~~Arkansas~~. Nine students living in Arkansas were rejected admittance to a primarily Caucasian, public school. Federal troops were called in to Little Rock to ensure that these nine students were allowed admittance. This event shows how "Brown v. Board of Education of Topeka" did change racial segregation in American schools; this Supreme Court case helped to integrate American society.

The 1964 Supreme Court case "Heart of Atlantic Motel v. United States" greatly impacted American society and it came to be for many reasons. The United States federal government rules interstate commerce, and the United States declared that all public places be integrated. The Heart of Atlantic Motel in Georgia denied African Americans the privilege of renting rooms because the motel claimed that motels are private places, not public. The African Americans that were denied a room took this case to the Supreme Court because they felt that this treatment was unfair.

The ~~sup~~ United States Supreme Court ruled in

the case "Heart of Atlanta Motel v. United States" that denying rooms to people of specific races was unlawful. The ~~motel~~ motel business is interstate commerce because people ~~visit motels~~ ~~from~~ in most cases, people visiting motels are from out of state and travelling. The federal government has the right to regulate interstate commerce; individual ~~to~~ states and businesses cannot make their own laws when dealing with interstate commerce. "Heart of Atlantic Motel v. United States" ruled that hotels and motels could not deny access based on race.

~~HEART~~

"Heart of Atlanta Motel v. United States" ~~case~~ impacted American society greatly because it was yet another case to enforce integration. This case led to integration in hotels and motels, and as more things became integrated, races were slowly being treated equally. This court case showed how the United States wanted to take action and enforce racial equality.

Many ~~court cases~~ United States Supreme cases, such as "Brown v. Board of Education of Topeka" and "Heart of Atlantic Motel v.

United States," greatly impacted and changed American society. "Brown v. Board of Education of Topeka" and "Heart of Atlanta Motel v. United States" both help lead to a more integrated society. This integration helped lead to equality among all races in the United States.

Anchor Level 3-A

The response:

- Develops most aspects of the task in some depth by addressing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *Heart of Atlanta Motel v. United States*, explaining the Supreme Court's decision in *Heart of Atlanta Motel v. United States* and discussing an impact of both cases on American society
- Is more descriptive than analytical (*Brown*: many schools were segregated by race; this case led to incidents like the "Little Rock Nine" in Arkansas; *Heart of Atlanta Motel*: the Heart of Atlanta Motel in Georgia denied African Americans the privilege of renting rooms because the motel claimed that hotels are private places, not public; the United States Supreme Court ruled that denying rooms to people of specific races was unlawful; it was yet another case to enforce integration); includes faulty and weak analysis (*Brown*: the United States guarantees all citizens the right to an education, and it is unfair to have children traveling far to learn when there is a much more accessible school nearby)
- Includes few relevant facts, examples, and details (*Heart of Atlanta Motel*: the right to regulate interstate commerce)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion stating that both decisions led to increased civil rights and integration

Conclusion: Overall, the response fits the criteria for Level 3. The response demonstrates knowledge of how the federal government used its power over interstate commerce to enforce integration. A lack of historical detail limits its overall quality.

Throughout history, the United States Supreme Court has played a large role in influencing society. ~~issues~~ The Supreme Court's decisions often have long-term effects on societal aspects of life. For example, issues such as industrial corporations, freedom of speech, and abortion have all been decided upon by the Supreme Court. The Judicial Branch has especially played a major role in dealing with civil rights ^{and slavery} "as demonstrated by Dred Scott v. Sanford and Brown v. Board of Education of Topeka. In both cases, the Supreme Court's verdicts highly influenced society for African Americans and those living throughout the Civil Rights ^{and Civil War} periods.

In the court case of Dred Scott v. Sanford, a slave named Dred Scott ~~was~~ attempted to sue his owner for his freedom. Scott had lived in a free territory (an area above the 36'30 line) and thus believed that he became a free citizen. The Supreme Court ruled that Dred Scott was not a citizen, and could therefore not sue in a court of law. Furthermore, the Court declared that Congress had no right to bar slavery from any area. In the decade leading up to the Civil War, the Dred Scott case of 1857 served to further divide the North and South territories and increase the sectional strife between abolitionists and slaveholders.

Another civil rights court case that had extreme societal consequences was Brown v. Board of Education of

Topeka of 1954. This case, almost a century after the Dred Scott Decision, concerned a little African American girl named Linda Brown who was denied access to a white school of which she lived closest to. The Brown family argued that if Linda ~~could~~ ^{would} not be taught in the white school, she would have to walk miles out of her way to the nearest school that would accept her. The Supreme Court ruled that the all-white school must allow Linda ~~to~~ admittance, and ~~also that~~ ^{also called} for ~~desegregation measures~~ the beginning of desegregation measures. As a result of this decision and the desegregation that ensued in schools, restaurants, and hospitals, new race riots erupted in a number of large cities. Brown v. Board of Education had overturned the verdict in a previous case – Plessy v. Ferguson, which had affirmed the idea that African Americans were to be "separate, but equal." This overturning angered many whites who believed in lasting segregation, and thus fueled the violence seen in the race riots of the major cities.

The decisions made by the United States Supreme Court have ^{had} a significant impact on many aspects of American society throughout history. The Supreme Court has had an especially lasting effect on the issue of civil rights ^{and slavery}. Whereas in the nineteenth century, ~~about~~ African Americans had ^{largely} lost their ^{political stance} ~~stance~~ as a result of the Dred

Scott Decision, in the twentieth century, African Americans were just beginning to be treated with justice, as seen by the ^{case of} *Brown v. Board of Education*. ~~case of~~ In any case, it is clear that the ^{decisions of the} United States Supreme Court has have largely affected American society throughout the eras of the Civil War and Civil Rights period.

Anchor Level 3-B

The response:

- Develops all aspects of the task with little depth by describing the historical circumstances surrounding *Dred Scott v. Sanford* and *Brown v. Board of Education of Topeka*, explaining the Supreme Court's decision, and discussing an impact on American society
- Is more descriptive than analytical (*Dred Scott*: Scott had lived in a free territory above the 36°30' line; the court declared that Congress had no right to bar slavery from any area; in the decade leading up to the Civil War, the *Dred Scott* case of 1857 served to further divide the North and South and increase the sectional strife between abolitionists and slaveholders; *Brown*: Linda Brown was denied access to a white school that she lived closest to; the Supreme Court ruled that the all-white school must allow Linda admittance and also called for the beginning of desegregation measures; this overturning angered many whites who believed in lasting segregation); includes faulty analysis (*Brown*: refueled the violence seen in the race riots of the major cities)
- Includes some relevant facts, examples, and details (*Dred Scott*: a slave; not a citizen; *Brown*: almost a century after the *Dred Scott* decision; desegregation that ensued in schools, restaurants, and hospitals; *Plessy v. Ferguson*; "separate but equal")
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion that reiterate the importance of the cases for African Americans

Conclusion: Overall, the response fits the criteria for Level 3. The response addresses the tasks for *Dred Scott v. Sanford* accurately but without elaboration. The discussion of the impact of *Brown v. Board of Education of Topeka* includes an inaccurate focus on urban race riots.

Throughout history the Supreme Court has played a vital role in the government. They have expanded laws ~~and~~ and disagreed with those they thought against the Constitution. The highest court has been the judges of the most major issues to this date and always get the final say on the issue. The decisions of these esteemed judges are critical to American Society, it changed the rights we have and paints the fine line between what's wrong and what's right.

In the early twentieth century after the case of Plessy v. Ferguson, Society was one of "separate but equal" in regards to public places. Segregation was ~~there~~ an unspoken rule, Blacks could not enter ~~one~~ a white business, while a white man would never think to enter a place of Black men. Everything from schools to libraries to bathrooms were segregated. Until 1954 when a little girl from Topeka decided she didn't want to go to a black school. This girl lived literally blocks away from a white school but was forced to go miles across town to attend

a school reserved for colored kids. To a little girl that was unfair and made no sense at all. So she ~~took~~ ^{appealed to} ~~the~~ the Supreme Court in a case that became known as Brown v. the Board of Education of Topeka. In the end the court ruled segregation wrong and that "separate but equal" was no longer valid. It was no longer a choice to have public places being dominated by a one color system. It ruled that separate was not equal and said public places had to begin integrating, but without a set date. Little Brown was allowed to attend the school right up the road, accompanied by government guards. This had a huge impact on the society at the time, taking away the normal actions and ~~realities~~ forcing everyone to mingle with each other. It changed everything society was built on and created unity.

Some cases in American history were about extending individual rights and freedoms. After Earl Warren had come to power as chief justice it became a move towards

rewarding people with more individual rights than they had. It allowed people to take advantage of the opportunities they have in America.

Supreme Court cases truly ~~do~~ determine the means in which society will live. It can expand right of the people or change the ~~base~~ building blocks society was built on. The decision of each case impacts society in ways ~~only~~ only the highest justices can.

Anchor Level 3-C

The response:

- Develops most aspects of the task in some depth by describing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *Miranda v. Arizona*, explaining the Supreme Court's decision in each case, and discussing the impact of *Miranda v. Arizona* on American society
- Is more descriptive than analytical (*Brown*: in the early 20th century, after the case of *Plessy v. Ferguson*, society was one of "separate but equal" in regards to public places; the court ruled segregation wrong and that "separate but equal" was no longer valid; *Miranda*: while being questioned, Miranda said some incriminating things which were later used in court against him; after Earl Warren had come to power as Chief Justice, there was a move toward individual rights; before arresting someone, they must be informed of their Miranda rights); includes faulty analysis (*Brown*: segregation was an unspoken rule; it changed everything society was built on and created unity)
- Includes some relevant facts, examples, and details (*Brown*: schools to libraries to bathrooms were segregated; *Miranda*: accused of rape and kidnapping; right to remain silent; retrial); includes some inaccuracies (*Brown*: said public places had to begin integrating; Brown was accompanied by government guards; *Miranda*: this transformed the procedure of indictment)
- Demonstrates a satisfactory plan of organization; includes an introduction and a conclusion emphasizing the effect of the supreme court on individual rights

Conclusion: Overall, the response fits the criteria for Level 3. A clear understanding of *Miranda v. Arizona* is evident. However, the treatment of *Brown v. Board of Education of Topeka* is characterized by broad overstatements, misinformation, and a lack of detail.

Throughout United States history, the Supreme Court and their decisions have had a significant impact and played a major role on what the United States is today. Two of the many court cases which prove this statement are *Brown vs The Board of Education* (1954) and *Roe vs Wade* (1973). Both court cases made an impact on United States history.

Brown vs. Board of Education of Topeka in 1954 was about whether "separate but equal" was constitutional or not. Thirty years prior to this in the *Plessy vs. Ferguson* case it was declared constitutional. In the case some African American kids had to walk farther to school, ^{and} through rough neighborhoods to get to a "black" school when the "white" school was closer and safer. When the case was brought up to the Supreme Court they debated it then passed the decision saying "separate but equal" was unconstitutional. The decision impacted society because segregation soon ended and discrimination decreased.

slightly. The second case also impacted society.

The second case is Roe vs. Wade in 1973. This case had to deal with whether having an abortion was constitutional or not. A girl wanted to have an abortion but it was illegal in her state. She fought for the right. When it was brought to the Supreme Court, the decision was made 5 to 4. ~~There~~ The first trimester it was pro-choice, second trimester was dependant on circumstances and third trimester was pro-life. The decision still stands today at a 5 to 4 majority. Across the nation people still debate the issue. It is very controversial and that is one impact of the decision. Another impact is that there are many rallies and campaigns fighting on way or another.

Court case decisions made by the Supreme Court have influenced American history a lot. Whether the impacts are long term or short term they still have an impact.

Anchor Level 2-A

The response:

- Minimally develops all aspects of the task by describing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *Roe v. Wade*, explaining the Supreme Court's decision, and mentioning an impact on American society
- Is primarily descriptive (*Brown*: in the *Plessy v. Ferguson* case "separate but equal" was declared constitutional; the Supreme Court debated the case then made the decision saying "separate but equal" was unconstitutional; discrimination decreased slightly; *Roe*: a girl wanted to have an abortion but it was illegal in her state; the decision was made 5 to 4; across the nation people still debate the issue); includes faulty analysis (*Brown*: the decision impacted society because segregation soon ended; *Roe*: the first trimester was pro-choice, second trimester was dependent on circumstances; and third trimester was pro-life)
- Includes few relevant facts, examples, and details (*Brown*: African American kids walked farther to school; *Roe*: led to rallies and campaigns fighting one way or another)
- Demonstrates a general plan of organization; includes an introduction that is a restatement of the theme and a simplistic conclusion

Conclusion: Overall, the response fits the criteria for Level 2. Over-generalized statements throughout the response suggest limited understanding of the cases.

The United States Supreme Court has played a major role in the United States history. The court's decisions have had a significant impact on many aspects of American society.

The Brown v. Board of Education of Topeka case had an impact on American society. This case highlighted that separate but equal is not equal. A young girl had to walk by a school full of Caucasians to go to a black school, that was not equal. The court came to the decision that blacks & whites should be able to attend the same school.

Another case that impacted the American society was Dred Scott v. Sandford. For this case a slave brought their slave owner to court, because the slave owner brought his slave with him to another state & the slave believed that because he is in another state he is a free slave. But the court ruled that once a slave owns a slave, slaves were considered property & had no rights.

Many cases had been brought to the Supreme Court & played major roles in the United States history. The decisions ruled by the Supreme Court have had significant impacts on the American society. Now, because of the *Brown v. Board of Education of Topeka* I can attend schools with Caucasian people.

Anchor Level 2-B

The response:

- Minimally develops most aspects of the task by describing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *Dred Scott v. Sanford*, stating the Supreme Court's decision in each case, and mentioning an impact of *Brown v. Board of Education of Topeka* on American society
- Is primarily descriptive (*Brown*: a young girl had to walk by a school full of Caucasians to go to a black school that was not equal; the court came to the decision that blacks and whites should be able to attend the same school; now, because of *Brown*, I can attend schools with Caucasians; *Dred Scott*: the slave owner brought his slave with him to another state and the slave believed that because he was in another state he was free; slaves were considered property and had no rights)
- Includes few relevant facts, examples, and details (*Brown*: separate but equal is not equal)
- Demonstrates a general plan of organization; restates the theme in the introduction and concludes with a statement about the personal impact of *Brown*

Conclusion: Overall, the response fits the criteria for Level 2. The response presents a cursory treatment of the tasks and fails to mention the impact of the *Dred Scott* decision.

The United States court cases ~~have~~ ^{has} ~~been~~ played a major role in the United States history. The courts decisions have had a significant impact on many aspects of American society. When acknowledging these court cases there are a few ~~cases~~ ^{cases} to consider. The first thing to ponder is The United States v. Nixon in 1974. The other case to examine is Schenk v. The United States.

Nixon was the first president to be impeached. He was brought to trial for ~~obstructing justice~~ ^{obstructing justice} by withholding information. Another reason he was brought to trial because he had illegal recordings, that he recorded during his meeting. Finally Nixon was apart of a group called CREEP, that tried to keep Nixon in office. They spied on other people, until they got caught. One day a janitor found a piece of tape on the door on the night ~~of it~~ ^{of it}, until it he noticed it

again and called the police. Wilson was brought to trial for all of these accusations. Finally Wilson responded as ~~the~~ President Debe anything thing could happen to him for his signature. The court would of found him guilty, if he did not respond. That is what happened in the case Wilson v. U.S. the United States.

Another case that impacted the American society was Schenck v. U.S. the United States. In this case Schenck sent out packets to people about the war. These packets were considered propaganda. Schenck thought nothing of it, he believed he was protected by the 1st amendment. Finally Schenck was brought to trial and charged. During war time freedom of speech is limited. That is the significance of the Schenck v. U.S. the United States.

~~The~~ The United States court cases had a major impact on

American society today. When acknowledged-
ing these cases, there are a few to
examine. The 1st one to examine is
Nixon v. the United States and
the significance of that case. The other
case to ponder is Schenck v. S
the United States and the significance
of the outcome of that case. There are
a few things to recognize when
~~consider~~ consider each case that had
an impact on American society.

Anchor Level 2-C

The response:

- Develops some aspects of the task in some depth by describing the historical circumstances surrounding *United States v. Nixon* and *Schenck v. United States* and explaining the Supreme Court's decision in *Schenck v. United States*
- Is primarily descriptive (*Nixon*: they spied on other people until they got caught; *Schenck*: Schenck sent out packets to people about the war; during wartime, freedom of speech is limited)
- Includes few relevant facts, examples, and details (*Nixon*: CREEP; Nixon resigned; *Schenck*: propaganda; first amendment); includes inaccuracies (*Nixon*: Nixon was the first President to be impeached; he was brought to trial for upholding information; illegal recordings)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that restate the theme

Conclusion: Overall, the response fits the criteria for Level 2. The response demonstrates some general knowledge about two significant cases; however, it fails to address all aspects of the task and is poorly worded.

Supreme Court cases have had a long lasting effect on us. Especially those from the earlier years. These court cases helped establish what the United States is today!

Brown vs. The Board of Education involved an African American child to walk farther to ~~cross the road~~ an integrated school, while the white school was closer. Had it not been for this case many schools would not be mixed like it is today. ~~When~~ Blacks were not allowed at white schools, which is why the young girl was forced to walk to the integrated school. Her father there after decided to go to court to help his child go to the school which is closer though it was white.

The ~~the~~ supreme court case United States v. Nixon occurred due to the watergate scandal. When Nixon tried covering up his past and got caught. he was brought to the supreme court and it was decided to impeach

President Nixon.

These two court cases have had an everlasting change in the world. *Brown v. Board of Education* helped to mix all cultures into ~~an~~ almost every school. Which is how most schools are here today. While *United States v. Nixon* helped the government to insure that a watergate scandal would indeed never happen again.

Anchor Level 1-A

The response:

- Minimally develops some aspects of the task by describing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *United States v. Nixon*
- Is descriptive (*Brown*: her father decided to go to court to help his child go to the school which was closer though it was white; *Nixon*: Nixon tried covering up his past and got caught); lacks understanding (*Brown*: involved an African American child to walk farther to an integrated school; helped to mix all cultures into almost every school, which is how most schools are today)
- Includes few relevant facts, examples, and details (*Nixon*: Watergate scandal); includes an inaccuracy (*Nixon*: he was brought to the Supreme Court and it was decided to impeach President Nixon)
- Demonstrates a general plan of organization; includes an introduction that restates the theme and a conclusion that makes inaccurate generalizations about the cases

Conclusion: Overall, the response fits the criteria for Level 1. The response demonstrates only a minimal understanding of the cases.

Throughout the many years that the United States has been a country there have been many court cases with big outcomes. Worcester v Georgia, Korematsu v United States, Brown v. Board of education, and one that I think had a huge impact on everyone, Nixon vs United States.

Richard Nixon, a president that many looked too for greatness, and one that would lead the U.S. like it should be, ~~was~~ was involved in one of the biggest scandals in the U.S. ~~the~~ history, The Watergate Scandal. Nixon denied for 5 days that he had nothing to do with it, but as more evidence came to be known, it made ~~Nixon~~ Nixon look guilty. Nixon always recorded every conversation ~~and~~ he had, person or telephone, and once they leaked, he was a ~~more~~ more than guilty. There was evidence of him talking about Watergate, and he was caught. Nixon then resigned, making

Anchor Paper – Thematic Essay – Level 1 – B

W'm the first and only president
to ever ~~be~~ resign.

Anchor Level 1-B

The response:

- Minimally develops some aspects of the task by describing the historical circumstances surrounding *United States v. Nixon* and stating an impact of the case on American society
- Is descriptive (*Nixon*: Nixon always recorded every conversation he had; Nixon then resigned, making him the first and only President to ever resign)
- Includes few relevant facts, examples, and details (*Nixon*: scandal; Watergate); includes an inaccuracy (*Nixon*: Nixon denied for five days that he had nothing to do with it)
- Demonstrates a general plan of organization; includes a brief introduction that lists some suggested cases and lacks a conclusion

Conclusion: Overall, the response fits the criteria for Level 1. Details of the Watergate affair are cited with no connection to the role played by the Supreme Court. Only slight understanding of the case is implied.

The Supreme Court has played an active role in shaping American Society. Throughout American history, the Supreme Court decisions have established important principles and created trends. Two landmark cases that have had a profound impact on the nation are the Dred Scott Case and Brown v. Board of Education.

The Dred Scott case was one of the most significant trials in American history. The case took place during a time period when there was much turmoil about slavery and its role in society. Many northerners feared the expansion of slavery westward, as they did not want the "slave power" to grow. Southerners, however, were quite content with their free labor and naturally wanted to bring slaves with them when they expanded. There were a series of compromises drawn up dictating where slavery was and was not allowed. Dred Scott was a slave whose owner took him to a free territory. Since the

area was technically declared free, Dred Scott decided to take his owner court with hopes that he would be considered legally free.

Unfortunately for him, the court ruled that African Americans were not citizens, and therefore did not have the right to a trial. He also stated that the federal government did not have the authority to ban slavery anywhere.

This undid the Missouri Compromise and the Compromise of 1850. Some people tried to work around this declaration, such as Stephen Douglas with his freeport doctrine. He stated that a state can ban slavery by not creating any provisions to ensure its survival. Ultimately, this case increased turmoil surrounding slaves, and contributed to the civil war.

Another landmark case was Brown v. the Board of Education.

This case arose during the Civil Rights movement of the 1950's. African Americans were trying to

exercise rights that had been granted to them during the reconstruction period. Although written on paper, there were many things preventing African Americans from actually exercising their rights. For example, the Ku Klux Klan tried to intimidate blacks from voting. The Plessy v. Ferguson case said that as long as facilities were equal, segregation was legal. However, in reality facilities were not equal. "White" facilities were pretty much always in better condition. In the Brown v. Board of Education case, Linda Brown and her father went to court and requested that Linda be allowed to attend a White school because it was right near her house and the nearest Black School was miles away. The court ruled that schools had to desegregate and undid the Plessy v. Ferguson case. The ruling, however, did

not indicate a time frame and therefore many schools did not uphold the ruling. This led to the ~~the~~ incident in Little Rock, Arkansas. President Kennedy sent troops to guard some black children who went to a white school. Many whites did not want blacks in their schools. Private school attendance began to increase because many whites saw this as a haven from blacks.

Both cases had a profound impact on American history and changed its course. The Supreme Court had and continues to play a large role in society and establishes many significant precedents.

The United States Supreme Court has played a major role in United States history. The court decisions have had a significant role on many aspects of American society.

Two United States Court cases were *Brown vs. Board of Education of Topeka* (1954), and *The Scopes Trial*.

The court case of *Brown vs. Board of Education* (1954) proposed that *Brown* was being penalized for teaching the theory of Darwin's evolution in schools to children. *Brown* thought that it was something important that the kids should learn about. Darwin's evolution theory is about the transformation of monkeys to human over decades (or centuries) of time. The parents of the children who

were being taught this & the districts Board of education reported that students should not be taught that in school due to there are so many benefits of it.

The Nuremberg trials were court cases held against the leading Nazis during WWII at the concentration camps in Poland. At the camps ~~to~~ mostly Jews were killed & also Russians. People were killed for their race and some were never able to find their families ever again.

Nazi leaders were accused of acts of humanity and were all put to death from them killed millions of Jews.

Through history many court cases reflect how they have played a major role in the lives of US now. Evolution is taught in

Thematic Essay—Practice Paper – B

SCHOOLS along with two other
trials. The numbers trials
resulted in the acts of humanity
The Nazis were charged for
would never happen ever
again. (at the time)

Thematic Essay—Practice Paper – C

The United States Supreme Court has played a major role
in United States history. The court's decisions have had
a significant impact on many aspects of American society.
Two such cases were *Miranda v. Arizona* and *Shenck v.
United States of America*. Each impacted society differently.

Miranda v. Arizona was a landmark court case that
had to do with the rights of the accused. *Miranda* had
been arrested but did not know his rights and was not
informed of them. As a result he sued the state of
Arizona. The Supreme Court ruled in favor of *Miranda* and
now in today's society a person being arrested must
be read their rights and agree to knowing them. The
next case is an opposite reflection of *Miranda v. Arizona*.

The other case that was important was *Schenck v. United States of America*. In the World War I era a man in a movie theatre named Schenck yelled "fire" and caused a chaotic scene as a result. He was arrested but countered stating he was exercising his freedom of speech. The court stated back that in war time personal rights ~~can~~ can be limited and that you can't say necessarily everything you want to in public.

Schenck v. U.S.A and *Miranda v. Arizona* were two major Supreme Court cases that have left a lasting impact on American society. One grants rights while the others limited them. Each had to deal with the idea of one's personal rights. It is because of our great justice system making decisions like these that America is the great nation it has ~~become~~ come to be today.

American History has seen the United States Supreme Court impact society greatly. The Court's decisions have played a major role in our history. These cases were major problems in our Government and had made their way to the highest court where they made the final decision.

In 1944 the Supreme Court was brought the case of *Korematsu v. The United States*, when Pearl Harbor was attacked in WWII by the Japanese. The United States tried to protect itself from possible Japanese spies in the country. The United States then proceeded to act on this by finding Japanese Americans and putting them in internment camps to keep an eye on them and make sure they are not spies. Many Japanese Americans lost their jobs, their homes, and all other personal belongings after being put into these camps. After Mr. Korematsu was caught not obeying the exclusion order, he tried to legally take action against the United States. His case made it all the way up to the Supreme Court when they ruled against his favor. With the notion that the United States, during a period of crisis of war, may infringe on all citizens and non-citizens rights to protect other people. This ruling shows that the Court will usually support the government during wartime. They may put you in a camp if they think you are a threat. Many years later the survivors of these internment camps received

money from our government as an apology for what had happened, but they still reserve that right.

Ten ~~the~~ years later in 1954, the Supreme Court was brought a different kind of case. This case dealt with the Segregation of public schools by race. The Board of Education ~~issue~~ ^{being} was brought up as a major problem in the United States that ceased to be fixed since the Civil War. Equal rights of all citizens regardless of race. The Brown family took sides against the law that Blacks and whites could not go to school together. This was one of many laws made to split the society apart by color. Their mission was intergration of schools, intergration of society. The Supreme Court heard this case and ruled in their favor. Blacks and whites should be able to go and learn in whatever public school they want to. This has made a great impact in our society. The intergration of public schools was at first rejected and turned violent, but over time the public learned to live with each other. And our society today is mixed much further than before. Because of this ruling our tolerance for other cultures has raised significantly.

These two Supreme Court cases have shaped today's society and laws. We learned from our mistakes and have become a better nation, a closer nation because of these Supreme Court decisions.

Throughout history, the Supreme Court has played a major role within the United States of America. The decisions that the Supreme Court has made has changed American society in some kind of way. Two major Supreme Court cases that have made a difference consist of *Brown v. Board of Education of Topeka* (1954) and *Miranda v. Arizona* (1966).

Brown v. Board of Education of Topeka was a court case which involved racial segregation rights. There was a African American family who had lived one mile from a "white" school and lived several miles from an African American school; therefore the mother had fought with the school as well as the court to allow her children to attend an all-white school. The court did rule in favor of the Brown family and stated that racial segregation is illegal! This changed the American society dramatically. Many white Americans were extremely angry, believing that there should be a separation of schools due to race. However, the African Americans had felt that progress was occurring in helping

them gain many more freedom rights. Multiple mixed emotions had occurred as a result of the court ruling in favor of Brown during the Brown v. Board of Education court case.

Miranda v. Arizona is another important court case that is well known throughout the U.S. still till this day. Miranda was arrested in 1966 and when she had been arrested she was never read her rights. ~~and~~ Since she was never read her rights ~~and~~ not knowing she had the right to remain silent and anything she did or said would be used against her. This angered Miranda; therefore she took her argument to the court. The court did rule in favor of Miranda, stating that a person has to be read their rights if arrested. This changed American society by Miranda's determination and as shown on just about every television show and movie, when a person is arrested they are read their rights. As a result of this court case many people were saved knowing they have the right to remain silent.

These court cases have changed

American society in many ways
if it weren't for Miranda and the
Brown family things might not have
changed. The Supreme Court has to
make serious decisions that can change the
American society forever

Practice Paper A—Score Level 3

The response:

- Develops all aspects of the task but does so somewhat unevenly by describing the historical circumstances surrounding *Dred Scott v. Sanford* and *Brown v. Board of Education of Topeka* more thoroughly than the remaining aspects of the task
- Is more descriptive than analytical (*Dred Scott*: many northerners feared the expansion of slavery as they did not want the “slave power” to grow; the court ruled that African Americans were not citizens; Stephen Douglas stated that a state can ban slavery by not creating any provisions to ensure its survival; *Brown*: although written on paper, many things prevented African Americans from actually exercising their rights; the court ruled that schools had to desegregate and undid the *Plessy v. Ferguson* case; private school attendance began to increase because many whites saw this as a haven from blacks)
- Includes some relevant facts, examples, and details (*Dred Scott*: series of compromises; Missouri Compromise; Freeport Doctrine; Civil War; *Brown*: civil rights movement of the 1950s; Reconstruction; Ku Klux Klan; Linda Brown; Little Rock, Arkansas); includes some inaccuracies (*Dred Scott*: undid the Compromise of 1850; *Brown*: President Kennedy sent troops to Little Rock)
- Demonstrates a satisfactory plan of organization; includes an introduction that labels the cases as landmarks and a conclusion noting the importance of each case in establishing precedents

Conclusion: Overall, the response fits the criteria for Level 3. The descriptions of the historical circumstances surrounding each case indicate understanding of each era. However, the important ideas mentioned in the rest of the response are not adequately explored.

Practice Paper B—Score Level 0

The response:

Fails to develop the task; includes no relevant facts about United States Supreme Court cases

Conclusion: The response fits the criteria for level 0. Although the response is lengthy and contains much information about two famous trials, it describes the State of Tennessee Scopes trial under *Brown v. Board of Education of Topeka* and describes the Nuremberg war crimes tribunal as another United States Supreme Court case.

Practice Paper C—Score Level 1

The response:

- Minimally develops some aspects of the task by mentioning the historical circumstances surrounding *Miranda v. Arizona*, stating the Supreme Court’s decision in *Miranda v. Arizona* and *Schenck v. United States*, and mentioning an impact of *Miranda v. Arizona*
- Is descriptive (*Miranda*: Miranda had been arrested but did not know his rights and was not informed of them; the Supreme Court ruled in favor of Miranda and now in today’s society a person being arrested must be read their rights and agree to knowing them; *Schenck*: the court stated that in wartime personal rights can be limited and that you cannot say necessarily everything you want to in public)
- Includes few relevant facts, examples, and details (*Miranda*: rights of the accused; *Schenck*: World War I era); includes an inaccuracy (*Schenck*: a man in a movie theater named Schenck yelled “fire” and caused a chaotic scene as a result)
- Demonstrates a general plan of organization; includes an introduction that restates the theme and a conclusion that observes one case granted rights and the other reduced them

Conclusion: Overall, the response fits the criteria for Level 1. Very limited information about *Miranda v. Arizona* is presented. Furthermore, the response confuses Justice Holmes’ analogy of yelling fire in a crowded theater with the actual events surrounding *Schenck v. United States*.

Practice Paper D—Score Level 3

The response:

- Develops all aspects of the task with little depth by describing the historical circumstances surrounding *Korematsu v. United States* and *Brown v. Board of Education of Topeka*, explaining the Supreme Court’s decision, and discussing an impact on American society
- Is more descriptive than analytical (*Korematsu*: many Japanese Americans lost their jobs, their homes, and all other personal belongings after being put into these camps; the United States, during a period of crisis or war, may infringe on all citizen’s and non-citizen’s rights to protect other people; many years later, the survivors of these internment camps received money from our government as an apology for what had happened, but they still reserved that right; *Brown*: brought up a major problem in the United States that ceased to be fixed since the Civil War; the Supreme Court heard this case and ruled in their favor; the integration of public schools was at first rejected and turned violent); includes weak analysis (*Brown*: blacks and whites should be able to go and learn in whatever public school they want to)
- Includes some relevant facts, examples, and details (*Korematsu*: Pearl Harbor; World War II; possible Japanese spies; internment camps; exclusion order; *Brown*: segregation)
- Demonstrates a satisfactory plan of organization; includes an introduction that is a restatement of the theme and a conclusion that is partially inaccurate

Conclusion: Overall, the response fits the criteria for Level 3. The response presents sound information about each case but neglects to clearly develop its impact on American society.

Practice Paper E—Score Level 2

The response:

- Minimally develops all aspects of the task by describing the historical circumstances surrounding *Brown v. Board of Education of Topeka* and *Miranda v. Arizona*, stating the Supreme Court’s decision, and mentioning an impact on American society
- Is primarily descriptive (*Brown*: the mother had fought with the school as well as the court to allow her children to attend an all-white school; the court did rule in favor of the Brown family and stated that racial segregation is illegal; many white Americans were extremely angry, believing that there should be a separation of schools due to race; *Miranda*: never read her rights not knowing she had the right to remain silent; the court did rule in favor of Miranda, stating that a person has to be read their rights if arrested)
- Includes few relevant facts, examples, and details (*Brown*: several miles from an African American school); includes an inaccuracy (*Miranda*: refers to Miranda as “she” throughout the response)
- Demonstrates a general plan of organization; includes an introduction and a conclusion that generally restate the theme

Conclusion: Overall, the response fits the criteria for Level 2. The response refers to the cases in a general way and fails to show that they are landmark decisions that had a significant impact on American society.

United States History and Government Specifications August 2009

Part I Multiple-Choice Questions by Standard

Standard	Question Numbers
1—United States and New York History	2, 3, 10, 11, 12, 13, 14, 17, 20, 21, 22, 25, 27, 30, 32, 37, 38, 43, 44, 48
2—World History	34, 35, 40, 41
3—Geography	1, 18, 31, 47
4—Economics	8, 15, 16, 19, 23, 26, 28, 29, 33, 42, 49, 50
5—Civics, Citizenship, and Government	4, 5, 6, 7, 9, 24, 36, 39, 45, 46

Parts II and III by Theme and Standard

	Theme	STANDARDS
Thematic Essay	Supreme Court Decisions; Citizenship; Constitutional Principles; Civic Values	Standards 1 and 5: United States and New York History; Civics, Citizenship, and Government
Document-based Essay	Presidential Decisions and Actions; Constitutional Principles; Government; Change	Standards 1, 3, 4, and 5: United States and New York History; Geography; Economics; Civics, Citizenship, and Government

Notes:

Part I and Part II scoring information is found in Volume 1 of the Rating Guide.

Part III scoring information is found in Volume 2 of the Rating Guide.

The *Chart for Determining the Final Examination Score for the August 2009 Regents Examination in United States History and Government* will be posted on the Department's web site <http://www.emsc.nysed.gov/osa/> on the day of the examination. Conversion charts provided for the previous administrations of the United States History and Government examination must NOT be used to determine students' final scores for this administration.

Submitting Teacher Evaluations of the Test to the Department

Suggestions and feedback from teachers provide an important contribution to the test development process. The Department provides an online evaluation form for State assessments. It contains spaces for teachers to respond to several specific questions and to make suggestions. Instructions for completing the evaluation form are as follows:

1. Go to <http://www.emsc.nysed.gov/osa/exameval>.
2. Select the test title.
3. Complete the required demographic fields.
4. Complete each evaluation question and provide comments in the space provided.
5. Click the SUBMIT button at the bottom of the page to submit the completed form.