Who Decides?

Trace constitutional limits through a school start-time proposal.

USG.C.3.1.B "Analyze how the Constitution of the United States of America safeguards against authoritarianism by establishing enumerated powers, organizing government, and distributing powers among separate branches of government, the states..."

NAME _____ DATE _____

1 READ AND MARK

Read it twice

YOUR JOB Underline limits on federal power, circle the roles of states, local boards, or the people, and put a box around one example of a branch checking another branch. Use your marks to trace why no single official controls the decision.

A Nationwide School Schedule?

1. Imagine a president announces that every public school in the country must begin at 9:00 a.m. The goal might appeal to families, but a popular goal does not grant an office unlimited power. The Constitution gives the federal government specific, or enumerated, powers. For example, Congress may collect taxes and regulate commerce among the states. It does not give the president a general power to set school schedules by announcement. Any federal law affecting schools must rest on a constitutional source of authority. By requiring that source, the Constitution makes it harder for one official to turn a preference into a nationwide command.

2. Suppose Congress considers a bill that offers federal funds to states that adopt a later school start time. Congress can legislate within its constitutional powers, including its spending power, but the details of such a bill still must meet constitutional limits. The House and Senate must pass a bill before it reaches the president, who may sign or veto it. Congress can override a veto with a two-thirds vote in each chamber. If a law is challenged, federal courts can decide whether it follows the Constitution. These steps divide authority, so neither a president nor a single chamber of Congress can make federal law alone.

3. States also have a role in the school-day decision. Under the Tenth Amendment, powers not delegated to the United States or prohibited to the states are reserved to the states or the people. States generally oversee public education and may authorize local school boards to set start times. Those boards exercise authority delegated by states, not powers reserved directly to local governments by the federal Constitution. People can vote for state lawmakers, speak at school board meetings, and ask federal lawmakers to change a funding proposal. This division gives communities ways to shape policy without handing every decision to a single national leader.

2 ANSWER WITH EVIDENCE

Use the passage

1. Why does the Constitution prevent the president's announcement from becoming a nationwide school schedule on its own?

2. How do the House, Senate, president, and federal courts limit the power of any one part of the federal government in the passage?

3. How does the Tenth Amendment help explain the states' role in school schedules, and where do local boards get their authority?

4. How does the proposed funding bill differ from the president's announcement in its source of authority and its effect on states?

3 YOUR TURN

Your own words

A senator asks the president to order all county parks to stay open until midnight. Write 5 or 6 sentences explaining a limit on the president, an appropriate role for Congress, how states and counties could decide park hours, and one way people could influence the decision.

ANSWER KEY

Who Decides?

HIGH SCHOOL · USG.C.3.1.B

PART 1 · READ AND MARK

Underline limits on federal power, circle the roles of states, local boards, or the people, and put a box around one example of a branch checking another branch. Use your marks to trace why no single official controls the decision. Accept any marking that follows this job and points at the right text.

PART 2 · ANSWERS

#	QUESTION	ANSWER
1	Why does the Constitution prevent the president's announcement from becoming a nationwide school schedule on its own?	**The president has no general constitutional power to set school schedules by announcement. A popular goal does not create that power.**
2	How do the House, Senate, president, and federal courts limit the power of any one part of the federal government in the passage?	**Both chambers must pass a bill, the president may veto it, and federal courts can review a challenged law's constitutionality. Congress can override a veto only with a two-thirds vote in each chamber.**
3	How does the Tenth Amendment help explain the states' role in school schedules, and where do local boards get their authority?	**Powers not delegated to the federal government or prohibited to states are reserved to states or the people. States generally oversee public education and may delegate scheduling authority to local boards.**
4	How does the proposed funding bill differ from the president's announcement in its source of authority and its effect on states?	**Congress could use its spending power to offer funds to states that adopt later start times, subject to constitutional limits. The president's announcement claims a general power to set schedules, while the bill offers states a choice.**

PART 3 · YOUR TURN (SAMPLE ANSWER)

The president cannot set all county park hours just because a senator asks, since an order cannot create new constitutional powers. Congress could consider offering states park funding under its spending power, subject to constitutional limits. States can set rules for parks within their borders and delegate decisions about county parks to counties. Counties would then act under state authority, not a separate reservation of power in the Tenth Amendment. People could ask county officials for later hours or vote for state representatives who support them.

Accept other accurate examples of public participation. Responses should distinguish state authority from authority that a state delegates to a county.