



Lesson 18.3 “Federalism and the Separation of Powers”

Unit 6: Establishing Government

Lesson Objectives

- Students will discuss a comparison of their school’s governance to the country’s governance to form an understanding of federalism.
- Students will identify different ways in which their federal, state, and local governments impact them.
- Students will make notes on a graphic about the three branches of government and create a visual representation of each branch.
- Students will play a game showing their understanding of the three branches of government.

Lesson Competencies

- I can initiate and sustain a focused discussion. (ELA 7)
- I can identify, explain, and analyze the core civic practices and foundational principles that guide governments and communities. (Moose SS)
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- I can read and comprehend a variety of grade-appropriate texts with increasing automaticity and fluency (i.e. fluency increases with successive readings). (ELA 1)
- I can integrate information, distinguish relevant-irrelevant information (e.g., fact/opinion), and (visually, orally, in writing) present what was learned. (ELA 8)

Essential Questions

How have New Hampshire’s people shaped its government?
How has New Hampshire come to be the way it is?

Focus Questions

What are the responsibilities of federal, state, and local government?
How is a balance of power part of our democracy?

Estimated Time

Two or three 40-minute class sessions

Materials & Equipment

Class set of “My School and Federalism” worksheet
Access to Unit 18, Learn It! “[Federalism and the Federal Government](#)”
Class set of “The Structure of Government Reading” worksheet
Class or group set of “Interacting with My Governments” worksheet
Class set of “The Three Branches of the Tree of Liberty” worksheet
Sets of “Which Branch?” facts as necessary



Educator Introduction & Rationale

One of the foundational principles of American government is the idea that government should be limited so as to not have too much power over its citizens. The U.S. Constitution does this in two ways. First, federalism is the idea of splitting the government into levels of government with power shared between them. American government is divided into three major levels: the national or federal government, state governments, and local governments. The federal and state governments each have different responsibilities but interact with each other and work together to provide services and establish laws. Second, the federal government is divided into three branches: the legislative, the executive, and the judicial. State governments also follow this same basic structure. Each branch has ways of limiting the other branches, known as the power to check. Please see the [Educator Overview](#) for Unit 6, "Establishing Government," especially the "Foundational Principles" section, for more information.

This lesson is the third lesson in Unit 18, Civics and Government Today. In this lesson, students are introduced to the different ways the structure of government limits government power. In part 1, they compare the organization of their school district with federal, state, and local governments to grasp an understanding of federalism. They then complete a reading and answer comprehension questions about federalism. They apply their learning by brainstorming how different activities in their lives are impacted by different levels of government. In part 2, they take notes on a graphic on the different branches of government and then play a game using their knowledge.

There is a reinforcement activity about balancing powers between federal and state governments by evaluating how powers are balanced within the students' households. Two extension activities investigate what is special about New Hampshire state government and give students the opportunity to experience negotiating with their classmates to spend a classroom supply budget of \$20. Please adapt all the material in this lesson, as necessary, to meet the needs of the students in your classroom. Please note, lesson vocabulary and definitions are at the end of the document. You may wish to preview these with your students.

Learning Activity

Part 1: Federalism

Activation & Discussion

My school and federalism. The concept of federalism, which is the federal, state, and local governments working together to govern the country, is a difficult one for students since they frequently see “government” as one big entity. To help them make concrete connections, open a discussion about how your school district is governed. Consider these questions together:

- Who makes decisions about school rules? About classroom rules?
- Who enforces them?
- Who decides the schedule of the lunches and recess?
- Who handles money for field trips and special events?
- Who decides the dates of vacations and holidays?
- Who decides classroom setup? Classroom schedules?
- Who decides the budget for a school?

Guide the discussion to help students understand that there is more than one level of governance or organization in the school district. Everyone works together, knowing and doing their various responsibilities, to make a positive learning environment for students, the citizens.

Put students in small groups and distribute “My School and Federalism” worksheet. Tell students that just as different levels of the school district work together, so too do different levels of the country work together to govern the country and make it a good place to live. Students should read through the worksheet and assign federal, state, and local governments to the school levels. Then, using the list of responsibilities within a school district, they should describe the responsibilities of the different levels of governments in the United States. Circulate to support learning. Review as best for your class.

Teaching tip: The worksheet “My School and Federalism” is designed to help students make obvious connections between what familiar school governance and the different levels of governments in the United States. As they complete the worksheet, help them draw the clear connections that exist.

Extend the learning by adding a category: the citizens. The governments at the local, state, and federal levels are meant to serve the citizens. Who are the citizens at the school? Who is the school organization meant to serve?

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| Student Reading | <p>Structure of our government. Before beginning Direct Instruction, have students read pages 1 and 2 in Unit 18, Learn It! "Federalism and the Federal Government."</p> |
| Direct Instruction | <p>Federalism in the United States. Reiterate to students the concept of federalism as a system of government that is divided into federal (or national), state, and local responsibilities. Each of these governments have their own roles and responsibilities in the governance of our society, but there is also quite a bit of overlap between the laws they establish and the services they provide.</p> <p>Provide students with "The Structure of Government Reading" worksheet and encourage them to refer back to the reading to answer the questions.</p> |
| Student Reading | <p>The Tree of Liberty. Before beginning Guided Practice, project or distribute copies of the infographic "Tree of Liberty" and preview its contents with students. It can be accessed on page 1 of Unit 18, Learn It! "Federalism and the Federal Government."</p> |
| Guided Practice & Discussion | <p>Interacting with government. Every day we have interactions with our local, state, and federal governments. Introduce this idea to the class by detailing an activity from your daily life that is made possible by or regulated by government. For example, driving to work today, you may have:</p> <ol style="list-style-type: none"> 1. driven on state and local roads that were built and are maintained by state and local governments; 2. used a vehicle that federal and state government rules and laws made sure was safe for the driver and the environment; 3. and carried your driver's license, which was issued by the state government. <p>Brainstorm with students some activities in their lives that are governed in some way by various governments while you distribute "Interacting with My Governments." Students may or may not have the background knowledge needed to know which government impacted an activity, but they can complete the first two columns with minimal help in small groups. Circulate to support learning and gather the class together periodically to address questions you've heard multiple times.</p> <p>Teaching tip: This worksheet may be partially filled out with guidance in school and then finished for homework to generate discussion at home about government.</p> |

Part 2: The Three Branches

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| Student Reading | <p>Branches of our government. Before beginning Direct Instruction, project the chart "Branches of Government," and preview its contents with students. It can be accessed on page 9 of Unit 18, Learn It! "Federalism and the Federal Government." Then have students read pages 9 to 12.</p> |
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Direct Instruction

A closer look at the federal branches. The U.S. Constitution divides the federal government into three branches: the legislative, the executive, and the judicial. The N.H. state government is also divided into three branches, but this activity will focus on the powers and activities of the federal government.

Distribute “The Three Branches of the Tree of Liberty” worksheet and ask students to add details about the role of each branch of government based on what they learned from the reading. Encourage students to refer back to the reading as necessary.

Review the worksheet as a group. While reviewing, draw attention to the different powers of the different branches.

- Ask students what it means to create a law. Who creates laws? An example of a law that Congress could create would be “Everyone over the age of 18 can vote.”
- What does it mean to enforce a law? Who enforces the law? The executive branch usually creates programs or agencies to enforce and publicize laws, such as Get Out the Vote or a registration campaign on college campuses.
- Who decides if the law is fair? How? People or states bring court cases about laws they think are unfair. The judicial system decides if the laws they are talking about are fair or not; for instance, if someone was 14 and wanted to vote, the courts would likely say that was illegal.

Teaching tip: Grasping the different powers of the three branches is difficult at the elementary level. Give as many examples as possible, although students may be concrete only on the idea that the branches have different powers.

As you finish your discussion reviewing the three branches, have students brainstorm and draw a symbol on the worksheet to represent each branch of the tree/government.

Guided Practice

Which branch? Use the quiz game “Which Branch?” to work with understanding and remembering aspects of the branches of the government. Decide for your class whether you will allow them to reference notes; consider allowing notes at first, then putting them away as students become familiar with the information. Consider:

- Playing the game “Jeopardy”-style, where the leader says a fact and groups have to signal their readiness to answer. When indicated, a group has to answer in the form of a question, such as “What is the executive branch?” Keep track of points and give the winning team bragging rights.
- Cut and use the facts as a sorting game, where students sort the facts into different branches.
- In a more wide-open classroom or outside, make three groups of students and assign each one either executive, judicial, or legislative branches. When you read a fact, each group has to decide whether they will send a member racing forward to claim that fact. +1 for each fact collected correctly, -1 for each fact collected incorrectly.



- Have each student represent each branch in a drawing (or have the name of the branch written clearly) and read out the facts. Each student has to hold up which branch the clue describes without looking at others' drawings or words.

Reinforcement

1. **Balancing federal and state powers.** Sometimes there are clear boundaries between the roles and responsibilities of the different levels of government, but often these levels become mixed in different ways with the governments working together to provide services. The different levels of government do not always agree about the roles each should play. Give students the "Balancing Powers" worksheet. After students have had a chance to complete the chart, ask them to review their responses and use a pencil to cross out the boxes where how they believe decisions should be made does not match reality. Engage students in a class discussion about their responses. Possible questions to guide discussion:
 - Do you and your parents or guardians always agree about what decisions are made and who makes those decisions?
 - Why is it important that some decisions are made by parents or guardians?
 - Why is it important that some decisions are made together?
 - Do you think decisions are made differently in different families?
 - How can this conversation be applied to our federal and state governments?

Extension

1. **The N.H. state government.** New Hampshire enacted a state constitution in 1784, five years before the U.S. Constitution went into effect, but N.H. state government has the same basic structure as the federal government because the people who created them shared the same ideas about American government and democracy. Have students read Unit 18, Learn It! "[State and Local Government](#)," pages 1-4, to answer questions about how the N.H. state government is special.
2. **Checks and balances simulation.** Our federal and state governments not only divide the powers between three branches of government, but they also establish a system through which branches can check and balance each other. Distribute copies of "Costs of Supplies Simulation" worksheet. There will need to be at least eight students working on the simulation.

Supporting Materials

"Which Branch?" inspired by "Branch O Mania!" at Ben's Guide to the U.S. Constitution, bensguide.gpo.gov/games

"Balancing Powers" inspired by Worksheet 6, National Archives, "Understanding Federalism," www.archives.gov/legislative/resources/education/federalism

Standards

“Moose on the Loose” Content:

- ✓ Students will understand that after the revolution, the United States of America established a federal government; colonies established state governments. They will understand that the New Hampshire State Constitution established the basic structure of government for the state and created laws to protect the people and interests of the state. (3-5.T3.2)

“Moose on the Loose” Skills:

- ✓ Communicating and Critiquing Conclusions (3-5.S2.1, 3-5.S2.2)
- ✓ Understanding and Participating in Government (3-5.S6.1, 3-5.S6.2)

New Hampshire Social Studies Frameworks:

- ✓ Civics and Governments: Structure and Function of United States and New Hampshire Government (SS:CV:4:2.1)

NCSS Themes:

- ✓ Theme 5: Individuals, Groups, and Institutions
- ✓ Theme 6: Power, Authority, and Governance

C3 Frameworks:

- ✓ Civic and Political Institutions (D2.Civ.1.3-5, D2.Civ.3.3-5, D2.Civ.5.3-5, D2.Civ.6.3-5)
- ✓ Participation and Deliberation (D2.Civ.7.3-5)

Common Core ELA:

- ✓ Key Ideas and Details in Informational Text (RI.4.1, RI.4.2, RI.4.3)
- ✓ Craft and Structure in Informational Text (RI.4.4)
- ✓ Integration of Knowledge and Ideas in Informational Text (RI.4.7)
- ✓ Range of Reading and Level of Text Complexity in Informational Text (RI.4.10)
- ✓ Fluency in Foundational Skills (RF.4.4a)
- ✓ Research to Build and Present Knowledge (W.4.7, W.4.8)
- ✓ Comprehension and Collaboration in Speaking and Listening (SL.4.1b, SL.4.1c)
- ✓ Vocabulary Acquisition and Use (L.4.4, L.4.6)

Lesson Vocabulary

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| amendment | (noun) An addition to an existing document; in the U.S. Constitution, the amendments come after the original document |
| bicameral | (noun) A legislature that has two parts; the U.S. Congress is bicameral because it has the House of Representatives and the Senate |
| branch of government | (noun) A section of government with its own purpose; the U.S. government has three sections of the government with different responsibilities that support each other to create, examine, and enforce laws |
| central government | (noun) The center or federal government of a group of states; the U.S. central government is in Washington, D.C. |
| check | (verb) In government, when one part of the government legally stops another part from taking its desired actions |
| checks and balances | (noun) The idea where separate parts of the government are given powers to stop each other's actions and are made to share power |
| constitution | (noun) A document laying out the rules for how a government will work |
| Constitution | (noun) The document that lays out the framework for how the federal government works; written in 1787 and ratified in 1789 |
| democracy | (noun) A government ruled by majority vote of the people |
| executive | (adjective) Describing the person or branch of government who puts plans and laws into effect |
| executive branch | (noun) The section of government that puts plans and laws into effect |
| federal | (adjective) The central government of a group of states; the U.S. federal government is in Washington, D.C. |
| federalism | (adjective) When local towns, states, and the federal government share power together |
| General Court | (noun) The official name for the New Hampshire state legislature |
| government | (noun) A group of people that have the power to make and carry out laws for a community |
| governor | (noun) The leader of the executive branch of a state government |
| House of Representatives | (noun) One of two legislative chambers; usually larger than the Senate |
| judicial | (adjective) Describing the people or branch of government that decides if laws are fair |
| judicial branch | (noun) The section of government that decides if laws are fair |
| law | (noun) A rule that regulates the actions of members of a community |
| legislative | (adjective) Describing the people or branch of government that makes laws |
| legislative branch | (noun) The section of government that makes laws |
| legislator | (noun) A person elected to serve in either the House of Representatives or Senate |
| legislature | (noun) A group of people chosen or elected to make the laws for a colony or state |
| representative | (noun) The person selected by a group of people who will communicate their views and make laws for them |

Senate (noun) One of two legislative chambers; usually smaller than the House of Representatives

separation of powers (noun) When the actions government can take to govern are divided among parts of the government in order to limit government's power

veto (verb) To reject something; in government, to reject the final version of a bill passed by the legislature

