

Graduate Project: Connecting Civil Rights to the AP Government Exam  
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Note: Advanced Placement U.S. Government & Politics written exam questions are fairly proscribed; though the ideas, research, and questions below are my own, they intentionally mimic the College Board's language in directions and question format to best prepare students for the exam. While assessments are aligned with a particular lesson, they would be given as a summative assessment at the end of the unit in order to integrate all three lessons into their responses. Additionally, this mimics the exam, where, the essays and short-answer questions are given in one sitting.

### **Lesson**

*Reno v. Shaw*

### **Standards**

CON-3: The republican ideal in the U.S. is manifested in the structure and operation of the legislative branch. CON-3.C.1.: CONgressional behavior and governing effectiveness are influenced by: Gerrymandering, redistricting, and unequal representation of constituencies have been partially address by such Court decisions as *Baker v. Carr* (1961), which opened the door to equal protection challenges to redistricting and state the "one person, one vote" doctrine, and the no-racial-gerrymandering decision in *Shaw v. Reno* (1993)..

Free-Response Questions: SCOTUS Comparison: Compare a nonrequired Supreme Court case with a required Supreme Court case, explaining how information from the required case is relevant to that in the nonrequired case.

### **Materials**

1. Class set of district maps of circles and triangles
2. Radiolab's "The Architect" podcast episode (Act 1: 0:00-13:30 with the remainder of the episode to be completed on their own outside of class)

### **Procedures**

1. Anticipatory set: distribute a district map of circles and triangles. One half of the room has to create 4 districts of 16 shapes apiece, trying to favor the circles, and the other does the same trying to favor the triangles. Discuss strategies that students utilized, and define the terms that likely reflect their strategies: packing and cracking. In what cases might we see attempts to do this today? How do state legislatures know where to "pack" or "crack" without access to individual voting records?
2. Direct instruction and discussion: Listen to Radiolab's "The Architect" podcast episode (Act I, 0:00-13:30). Note: students have already listened to the "Political Thicket"

Radiolab episode, which covers *Baker v. Carr*, a precedent for *Reno v. Shaw* and required Supreme Court case. The journalist notes, “You can’t look at race, but you have to look at race.” How do we see this play out in society today? What are situations that students encounter or will encounter that struggles with this dichotomy?

3. Individual Activity: Distribute Street Law’s “Reno v. Shaw,” and have students read only the background and precedents of the case. Assign students a side, either Reno or Shaw. Each student will write a one-paragraph opinion that uses precedent and Constitutional clauses to support their assigned side.
4. Direct instruction and discussion: Share the majority and concurring opinions of the case. Discuss: why did the Court reach a different decision in this case than in *Baker v. Carr*?

### **Assessment**

#### SCOTUS Comparison Question

The Voting Rights Act was passed in 1965 to ensure state and local governments do not pass laws or policies that deny American citizens the equal right to vote based on race. On June 25, 2013, the Supreme Court swept away a key provision of this landmark civil rights law in *Shelby County v. Holder*.

In April 2010, Shelby County, Alabama filed suit asking a federal court in Washington, DC to declare Section 5 of the Voting Rights Act unconstitutional. Section 5 is a key part of the Voting Rights Act, requiring certain jurisdictions with a history of discrimination to submit any proposed changes in voting procedures to the U.S. Department of Justice or a federal district court in D.C. – before it goes into effect – to ensure the change would not harm minority voters...

On June 25, 2013, the Supreme Court ruled that the coverage formula in Section 4(b) of the Voting Rights Act — which determines which jurisdictions are covered by Section 5 — is unconstitutional because it is based on an old formula. As a practical matter this means that Section 5 is inoperable until Congress enacts a new coverage formula, which the decision invited Congress to do.

Source: *The Brennan Center for Justice*, August 4, 2018 (<https://www.brennancenter.org/legal-work/shelby-county-v-holder>)

- A) Identify the Constitutional clause that is common to both *Shelby v. Holder* and *Reno v. Shaw*.
- B) Based on the clause identified in part A, explain how the facts in *Reno v. Shaw* led to a different holding in *Shelby v. Holder*.
- C) Describe an enumerated power that Congress could utilize in response to the ruling in this case.

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