

Answer Key: Federalism — How the Constitution Divides Power

Course: United States Government **Grades:** 9–12 **For teacher use only** Social Studies

How to use this key

Answers are grouped by section and question number. Many items are open-ended; accept any response that shows correct reasoning even if the wording differs. Notes flag where more than one answer is defensible and list common misconceptions to watch for. Everything students need is in the packet, so answers should draw on the sources and diagram only. Items marked **[BLOCK]** apply only to the ~90-minute version. Estimated grading time: ~6–8 min per packet.

Start Observe a Source grade for effort · ~2 min

1 Notice + predict from the Tenth Amendment.

Full credit for any reasonable notice + prediction. **Notice** examples: "powers not given to the national government go to the states or the people," "the states keep whatever is not delegated." **Predict** examples: schools, licenses, elections, local rules — any power a state plausibly handles. Accept any on-topic prediction; warm-up graded for effort.

2 Why divide power between national and state governments.

Accept any reasonable idea in the student's own words: to keep one government from getting too strong, to protect liberty, to let states meet local needs, to balance a unified nation with local control. More than one answer is defensible.

Build Read the Sources ~1 min

3 One power from each diagram column.

National (delegated): coin money / declare war / maintain armed forces / run the postal system / regulate trade between states.

Concurrent (shared): collect taxes / build roads / borrow money / make and enforce laws / set up courts.

State (reserved): run public schools / issue licenses / conduct elections / set up local governments.

Any one correct item per column earns full credit.

Apply Analyze the Sources ~3–4 min

4 Classify the powers (N / S / C).

a) Coin money — **N** (national/delegated).

b) Run public schools — **S** (state/reserved).

c) Collect taxes — **C** (concurrent/shared).

d) Declare war — **N** (national/delegated).

e) Issue driver's and marriage licenses — **S** (state/reserved).

These map directly to Source A and the diagram. No partial-credit alternates: these five are established, neutral textbook examples.

5 Source analysis of the Article I, Section 8 excerpt.

What it establishes / which branch: it gives powers to **Congress** (the legislative branch, the national legislature). Accept "Congress" or "the legislative branch."

Purpose / one power named: to "lay and collect Taxes, Duties, Imposts and Excises," to pay debts, or to provide for the common defense and general welfare — any one power quoted or paraphrased from the excerpt is fine.

Type of source: a **primary source** that is **public domain** (the text of the U.S. Constitution). Full credit if identified as primary.

6 Why the framers divided power (cause → divide → effects).

Cause (any one): fear that one all-powerful/central government could threaten liberty; having just broken from a distant central power.

Effects (any two): keep any single government from becoming too strong; let states meet local needs; keep the country unified on national matters. Any valid cause plus two valid effects earn full credit.

7 Explain the cause-and-effect chain (why divide power).

Model: "The framers worried that one all-powerful government could threaten liberty (cause), so they divided power between national and state levels; the intended effect was that no single government could become too strong, while states could still handle local matters." Award credit for a valid cause (a worry or goal) and a plausible effect that dividing power was meant to produce. See rubric below.

8 Fact (F) / Interpretation (I) / Opinion (O).

a) **F** — checkable in the Tenth Amendment / Source A (reserved to the states).

b) **I** — a reasoned "probably" conclusion about the framers' motives.

c) **O** — a personal value judgment ("more important"); cannot be proven.

d) **F** — checkable in Source A (taxing is a concurrent power).

Fact = checkable; interpretation = reasoned from facts (often "probably/because"); opinion = personal belief or ranking.

9 Evaluate the claim "only the national government can tax."

Correct: B (No). Source A lists taxing as a **concurrent** power held by **both** the national and state governments. Source B also shows Congress's taxing power, but that does not make it exclusive. Reject A (taxing is not delegated/ national-only) and C (taxes are named in both A and B). Explanation must cite the concurrent-power detail from Source A.

10 **[BLOCK]** Read the scenario (Source C).

When a **valid national law** and a **state law** genuinely conflict on a matter the national government is empowered to regulate, the **national law generally controls** because of the **Supremacy Clause** (Article VI), which makes valid national law the "supreme Law of the Land." Accept any clear one- or two-sentence answer that names the Supremacy Clause (or Article VI) and says national law generally prevails in a genuine conflict. Note: it is fine — and correct — for students to add that states still keep their reserved powers over the many matters left to them.

Explain CER (Q11) ~2–3 min

11 How does the scenario reflect federalism? (source-based argument)

Strong response: claims that the scenario shows **federalism** because power is **divided** among national, state, and shared levels; supports it with two accurate pieces of evidence; and reasons clearly.

Sample: "This scenario reflects federalism because power is divided by level. Evidence 1: the state sets school rules and issues licenses — these are **reserved (state) powers** (Source A / diagram). Evidence 2: the national government coins the money, a **delegated (national) power**, while **both** collect taxes, a **concurrent** power. Reasoning: because each level does the jobs the Constitution assigns it — and some jobs are shared — the scenario matches the national/state/concurrent structure of federalism."

Defensible alternates: any accurate mapping of the scenario's examples to delegated, reserved, and concurrent categories, with two supported pieces of evidence and sound reasoning, earns full credit. Do *not* reward answers that confuse federalism with **separation of powers** (branches within one government) or that use no packet evidence.

[BLOCK] extended writing: full block credit requires (1) a described situation where a valid national law and a state law **conflict** on a matter the national government may regulate, and (2) a correct statement that national law generally controls via the **Supremacy Clause / Article VI**, framed so it still fits a federal system where states keep reserved powers.

CER scoring rubric (3 points)

Score	Claim	Evidence	Reasoning
3	States that the scenario shows federalism — power divided among national, state, and shared levels — clearly stated.	Two accurate, relevant pieces from the sources or diagram (correctly categorized).	Explains why the evidence fits the federal structure; accurate and on-topic. (Block: adds a national-vs-state conflict resolved by the Supremacy Clause.)
2	Names federalism / divided power, mostly clear.	One solid piece, or two with a minor mis-categorization.	Some correct linkage but incomplete or a small misconception.
1	Vague, or confuses federalism with separation of powers.	Evidence weak, off-topic, or not from the packet.	Little or flawed reasoning; no clear tie between evidence and claim.
0	No/incorrect claim.	No evidence.	No reasoning.

Close ACE ~1 min

ACE Articulate / Connect / Extend.

Articulate: accept any accurate plain-language definition (e.g., "federalism is a system that divides government power between a national government and state governments, with some powers shared").

Connect: the cited items must be correctly categorized — e.g., *national*: coin money / declare war; *state*: run schools / issue licenses; *shared*: taxing / building roads. Grade whether each is placed in the right column.

Extend: any reasonable everyday example placed at the right level with a sensible reason (e.g., "a driver's license — my state issues it, a reserved power"). More than one answer is defensible; grade the reasoning.

Continue Early finisher (optional)

EF Sort three more powers, with a reason each.

(1) Running the postal system — **national** (delegated; Source A lists it). (2) Conducting elections — **state** (reserved; states run elections). (3) Borrowing money — **concurrent** (both levels may borrow; Source A lists it as shared). Grade the categorization and the one-line reason drawn from Source A.

Watch Common misconceptions

- **Federalism vs. separation of powers.** *Federalism* divides power between **levels** of government (national and state). *Separation of powers* divides power among the three **branches** (legislative, executive, judicial) *within* a single government. Q11 and the ACE Connect target this; watch for students describing branches when the item asks about levels.
- **"States have no power."** Not true — the Tenth Amendment reserves powers to the states, and they run many day-to-day matters (schools, licenses, elections, local government). Q1, Q3, Q4, and Q9 reinforce that states hold real reserved powers.
- **"Only the national government taxes."** Taxing is a **concurrent** power held by *both* levels (Q9). Source B's Article I taxing power does not make it exclusive to Congress.
- **Delegated vs. reserved vs. concurrent.** Coining money and declaring war are *delegated* (national); schools and licenses are *reserved* (state); taxing and roads are *concurrent* (shared). Q4 and Q3 target correct sorting.
- **Fact vs. interpretation vs. opinion (Q8).** A "probably...because" motive statement is an interpretation; a value ranking ("states are more important") is an opinion.
- **Non-partisan framing.** Keep discussion on how power is *structured* and shared; avoid tying examples to any party or current political dispute. Source C is a neutral, invented scenario, not a real case.

Teacher follow-up based on likely errors

If many students confuse **federalism** with **separation of powers** (Q11), do a quick "levels vs. branches" contrast on the board. If Q4 shows sorting trouble, re-anchor with the three-column diagram and a few extra example powers. If Q8 reveals fact/interpretation/opinion confusion, revisit the Word Bank definitions with examples. If the CER (Q11) evidence is thin, model naming a specific example power and labeling it delegated, reserved, or concurrent. The highest-value idea to revisit is that federalism *divides* power among national, state, and *shared* levels — and that states hold real reserved powers, while some powers (like taxing) belong to both.

HS_GOV_Federalism_01 — Federalism: How the Constitution Divides Power Teacher Answer Key