

2022

AP®



CollegeBoard

AP® United States Government and Politics

Scoring Guidelines

Set 1

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Question 1: Concept Application

3 points

- A. Describe a structural barrier in the scenario that makes it less likely that a third-party candidate will be able to secure enough popular support to justify including the candidate in a debate. **1 point**

Acceptable descriptions include:

- The winner-take-all electoral system discourages voters from supporting third-party candidates because they are less likely to win, so third-party candidates rarely have enough support to be included in debates.

- B. In the context of the scenario, explain how a third-party candidate could still have an influence on public policy despite the barrier described in part A. **1 point**

Acceptable explanations include:

- Even though third-party candidates like Ralph Nader generally are unable to secure any electors in the electoral college, they sometimes are able to influence public policy by raising awareness of issues which leads to the major parties adopting that platform.

- C. Explain how including the third-party candidate in the scenario could have had a positive impact on participatory democracy. **1 point**

Acceptable explanations include:

- Participatory democracy encourages broad engagement, and the inclusion of a third-party candidate in a debate will expand the appeal of the election among more citizens by bringing in more people and ideas.
- A third-party candidate like Nader will usually expand the range of issues of interest to the public. This could motivate people to participate in politics.

Total for question 1 **3 points**

Question 2: Quantitative Analysis

4 points

- A. Using the bar graph, identify the president who faced the fewest number of investigative hearing days in a single year when the House was controlled by the opposing party. **1 point**

Acceptable identifications include:

- Clinton faced the fewest number of investigative hearing days.

- B. Describe the relationship between investigative hearing days and party control of the House and the presidency as shown in the bar graph. **1 point**

Acceptable descriptions include:

- When the opposing party controls the House, there are usually more hearings investigating the executive branch.
- When the same party controls the House, there are usually fewer hearings investigating the executive branch.

- C. Draw a conclusion about how the difference in congressional hearing days between 1970 and 1980 and between 1990 and 2000 may have affected presidential power during those periods. **1 point**

Acceptable conclusions include:

- Between 1970 and 1980, there were more congressional hearing days in the House than between 1990 and 2000, which might have led to a decline in presidential power.

- D. Explain whether the data in the bar graph for the years in which the president's party controls the House reflect Madison's ideas in *The Federalist* 51. **1 point**

Acceptable explanations include:

- The Federalist* 51 assumes that there will be checks and balances but does not take into consideration the role of political parties. Madison states that the legislative branch would serve as a check on the executive. But if one party controls both the House and the presidency, the interest of the House leadership in the welfare of the political party might be stronger than holding a president of their own party accountable. This would lead to fewer investigations of the executive branch, which would be contrary to the idea of checks in *Federalist* 51.

Total for question 2 **4 points**

Question 3: SCOTUS Comparison

4 points

- A. Identify the civil liberty that is common to both *Citizens United v. Federal Election Commission* (2010) and *United States v. Eichman* (1990). **1 point**

- The civil liberty is freedom of speech or freedom of expression.

- B. Explain how the reasoning in *Citizens United v. Federal Election Commission* and *United States v. Eichman* led to a similar holding in both cases.

Acceptable responses include:

One point for describing relevant information about the reasoning in the required Supreme Court case. **1 point**

- In *Citizens United*, the reasoning of the court led it to hold that political advertisements and communications were a protected form of free speech.

OR

OR

Two points for correctly explaining how the reasoning in both cases led to a similar holding. **2 points**

- In *Citizens United*, the reasoning of the court led it to hold that political advertisements and communications were a protected form of free speech. In *Eichman*, the court reasoned that burning a flag in protest was symbolic speech. In both cases, the court held that the action was a form of speech that is protected by the First Amendment.

- C. Explain how those unhappy with the precedent established in *Eichman* can use a constitutional process to have it overturned. **1 point**

Acceptable explanations include the following:

- States can ratify an amendment that would invalidate the decision.
- A constitutional convention can be called to propose an amendment that would invalidate the decision and then state constitutional conventions can ratify it.

Total for question 3 4 points

Question 4: Argument Essay**6 points**

Reporting Category	Scoring Criteria	
Row A Claim/Thesis (0–1 points)	0 points Does not meet the criteria for one point.	1 point Responds to the prompt with a defensible claim or thesis that establishes a line of reasoning.
Decision Rules and Scoring Notes		
	Responses that do not earn this point: <ul style="list-style-type: none"> Only restate the prompt. Do not make a claim that responds to the prompt. 	Responses that earn this point: <ul style="list-style-type: none"> Respond to the prompt rather than restating or rephrasing the prompt and establish a line of reasoning. Provide a defensible claim or thesis that establishes a line of reasoning about whether legal challenges or social movements are the most effective means for changing federal policy.
Examples that do not earn this point: <p>Restate the prompt</p> <ul style="list-style-type: none"> <i>“History has shown that legal challenges, which use the courts are clearly the most effective in changing federal policy when it comes to civil rights.”</i> <p>Do not respond to the prompt</p> <ul style="list-style-type: none"> <i>“Social movements work outside of the system and can mobilize citizens.”</i> 	Examples that earn this point: <ul style="list-style-type: none"> <i>“Legal challenges are most effective because decisions of the court do not necessarily need to appeal to public opinion and have the effect of changing policy in the area of civil rights.”</i> <i>“Social movements are most effective because large numbers of people can put pressure on the political system which has resulted in policy changes in the area of civil rights.”</i> 	
Additional Notes: <ul style="list-style-type: none"> The claim or thesis must consist of one or more sentences that may be located anywhere in the response. A claim or thesis that meets the criteria can be awarded the point whether or not the rest of the response successfully supports that line of reasoning. 		

Reporting Category	Scoring Criteria			
Row B Evidence (0–3 points)	0 points Does not meet the criteria for one point.	1 point Provides one piece of evidence that is <u>relevant to the topic</u> of the prompt.	2 points Uses <u>one</u> piece of specific and relevant evidence to <u>support the claim or thesis</u> .	3 points Uses <u>two</u> pieces of specific and relevant evidence to <u>support the claim or thesis</u> .
Decision Rules and Scoring Notes				
Responses that do not earn points: <ul style="list-style-type: none"> Do not provide any accurate evidence. Provide evidence that is not relevant to the topic. 	Responses that earn 1 point: <ul style="list-style-type: none"> Provide one piece of evidence relevant to the topic of the prompt. May or may not have a claim or thesis. 	Responses that earn 2 points: <ul style="list-style-type: none"> Provide one piece of specific and relevant evidence that supports the claim or thesis. This evidence can come from one of the foundational documents listed in the prompt, any other foundational document, or from knowledge of course concepts. 	Responses that earn 3 points: <ul style="list-style-type: none"> Provide two pieces of specific and relevant evidence that support the claim or thesis. One of these pieces of evidence must come from a foundational document listed in the prompt. The other piece of evidence can come from a different foundational document or from knowledge of course concepts. 	
Examples that do not earn points: Provide evidence that is not specific <ul style="list-style-type: none"> <i>"The Constitution protects Civil Rights."</i> Provide evidence that is not relevant to the topic of the prompt <ul style="list-style-type: none"> <i>"Civil liberties protect citizens against the actions of the government."</i> 	Examples of evidence that are relevant to the <u>topic</u> of the prompt: <ul style="list-style-type: none"> Social movements such as LGBTQ+, workers', or women's rights <i>Brown v. Board of Education</i> (1954) and other relevant cases Civil Rights legislation such as the Civil Rights Act or Voting Rights Act The Fourteenth and Fifteenth Amendments 	Examples of acceptable specific and relevant evidence that support the claim or thesis (one example is one piece of evidence): <ul style="list-style-type: none"> <i>"Mass social movements such as the women's rights movement have used protests to bring attention to their causes."</i> <i>"Brown was a legal challenge that desegregated schools even though it was unpopular in that school district."</i> <i>"The Civil Rights Act was passed following the March on Washington."</i> Examples of acceptable specific and relevant evidence from the foundational documents that support the claim or thesis (one example is one piece of evidence): <ul style="list-style-type: none"> <i>"The First Amendment protects freedom of speech which enables citizens to criticize federal policy."</i> <i>"The First Amendment protects freedom of assembly which allows groups to gather."</i> <i>"The First Amendment protects the right to petition which allows citizens to bring issues before the government."</i> <i>"Federalist 78 argues that courts have the power to determine whether acts of Congress are constitutional, which allows citizens to challenge laws through the courts."</i> <i>"Letter from Birmingham Jail argues in favor of non-violent, civil disobedience as a means to raise awareness of discriminatory policies or actions."</i> 		
Additional Notes: <ul style="list-style-type: none"> To earn two or three points in Row B, the response must have a defensible claim or thesis (earned the point in Row A). To earn three points, the response must use one of the foundational documents listed in the prompt. 				

Reporting Category	Scoring Criteria	
Row C Reasoning (0–1 points)	0 points Does not meet the criteria for one point.	1 point Explains how or why the evidence supports the claim or thesis.
Decision Rules and Scoring Notes		
<p>Responses that do not earn this point:</p> <ul style="list-style-type: none"> Include evidence but offer no reasoning to connect the evidence to the claim or thesis. Restate the prompt without explaining how the evidence supports the claim or thesis. 	<p>Responses that earn this point:</p> <ul style="list-style-type: none"> Explain the relationship between the evidence provided and the claim or thesis. <p>Examples of reasoning that explain how the evidence supports the claim or thesis:</p> <ul style="list-style-type: none"> <i>“Court cases such as Brown v. Board of Education established a precedent for desegregating schools which was one of the biggest achievements of the Civil Rights movement. Because schools are locally controlled, it would have been much more difficult to achieve such a broad victory through a social movement.”</i> <i>“Political protest and civil disobedience are actions that can be taken when direct challenges to the system have been exhausted or are no longer effective. When a social movement gains prominent recognition, legislatures are more likely to move quickly to address the concerns of their citizens, unlike a legal challenge which can be costly and slow.”</i> 	
<p>Additional Notes:</p> <ul style="list-style-type: none"> To earn this point, the response must have a defensible claim or thesis (earned the point in Row A) and support that argument with at least one piece of specific and relevant evidence (earned at least two points in Row B). The explanation of the relationship between one piece of evidence and the claim or thesis is sufficient to earn this point. 		

Reporting Category	Scoring Criteria	
Row D Responds to Alternate Perspectives (0–1 points)	0 points Does not meet the criteria for one point.	1 point Responds to an opposing or alternate perspective using refutation, concession, or rebuttal.
Decision Rules and Scoring Notes		
	<p>Responses that do not earn this point:</p> <ul style="list-style-type: none"> Restate the opposite of the claim or thesis. May identify or describe an alternate perspective but do not refute, concede, or rebut that perspective. Refute a foundational document rather than an alternate perspective to the provided claim or thesis. 	<p>Responses that earn this point:</p> <ul style="list-style-type: none"> Must describe an alternate perspective AND refute, concede, or rebut that perspective.
	<p>Examples of responses that do not earn the point:</p> <p>Restate the opposite of the claim or thesis</p> <ul style="list-style-type: none"> <i>"Many would argue that legal challenges are better, but this is simply untrue."</i> <p>Describe an alternate perspective but do not refute, concede, or rebut that perspective</p> <ul style="list-style-type: none"> <i>"Some would argue that social movements are better because they mobilize people for change."</i> 	<p>Examples of acceptable responses to an alternate perspective may include:</p> <ul style="list-style-type: none"> <i>"Some argue that social movements are better because they mobilize a large number of people for change, but social movements require coordination and participation which takes time."</i> <i>"Some argue that legal challenges are more effective because they don't require changing public opinion, but legal challenges generally require financial support and could take a long time."</i>
	<p>Additional Notes:</p> <ul style="list-style-type: none"> To earn this point, the response must have a defensible claim or thesis (earned the point in Row A). Responses that demonstrate an incorrect understanding of the alternate perspective do not earn this point. 	