

This question requires you to compare a Supreme Court case you studied in class with one you have not studied in class. A summary of the Supreme Court case you did not study in class is presented below and provides all of the information you need to know about this case to answer the prompts.

Cantwell v. Connecticut (1940)

3. Newton Cantwell and his sons, who were Jehovah's Witnesses, went door-to-door in a New Haven, Connecticut, neighborhood to distribute pamphlets about their religion and encouraged people to join their church. The men did not have a permit to solicit door-to-door. A Connecticut state court convicted the Cantwells of violating an ordinance that stated "[n]o person shall solicit money, services, subscriptions or any valuable thing for any alleged religious, charitable or philanthropic cause. . . unless such cause shall have been approved by the secretary of the public welfare council."

Cantwell and his sons challenged the conviction, arguing that they did not need to obtain a permit because their activities were protected by the United States Constitution. The Connecticut Supreme Court upheld the conviction, finding that the statute was in the public interest and that it protected against fraud. The Cantwells appealed to the United States Supreme Court.

In a unanimous decision, the Supreme Court ruled in the Cantwells' favor, holding that the United States Constitution prohibited states from making laws like the one in question in New Haven. The Court reasoned that the First Amendment gives citizens the right to believe, as well as the right to act on those beliefs, and regarding the right to act, laws may not deny or limit the right to preach or disseminate religious views.

- A. Identify the First Amendment clause that is common to both *Wisconsin v. Yoder* (1972) and *Cantwell v. Connecticut* (1940).
- B. Explain how the facts in *Wisconsin v. Yoder* and *Cantwell v. Connecticut* resulted in the Supreme Court issuing similar holdings in both cases.
- C. Explain how the facts of *Cantwell v. Connecticut* (1940) illustrate the Court's need to balance government power and the rights of citizens.

Begin your response to this question at the top of a new page in the separate Free Response booklet and fill in the appropriate circle at the top of each page to indicate the question number.

4. The federal government and the states each play an important role in public education. Take a position on whether the federal government or the states are more effective in ensuring educational opportunities for all students.

Use at least one piece of evidence from one of the following foundational documents:

- Fourteenth Amendment of the United States Constitution
- Tenth Amendment of the United States Constitution
- Article I of the United States Constitution

In your response you should do the following:

- ✓ Respond to the prompt with a defensible claim or thesis that establishes a line of reasoning.
- ✓ Support your claim with at least TWO pieces of specific and relevant evidence.
 - One piece of evidence must come from one of the preceding foundational documents.
 - A second piece of evidence can come from any other foundational document not used as your first piece of evidence or it may be from your knowledge of course concepts.
- ✓ Use reasoning to explain why your evidence supports your claim or thesis.
- ✓ Respond to an opposing or alternate perspective using refutation, concession, or rebuttal.

Begin your response to this question at the top of a new page in the separate Free Response booklet and fill in the appropriate circle at the top of each page to indicate the question number.

Question 3: SCOTUS Comparison**4 points**

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- A.** Identify the First Amendment clause that is common to both *Wisconsin v. Yoder* (1972) and *Cantwell v. Connecticut* (1940). **1 point**

The free exercise clause

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- B.** Explain how the facts in *Wisconsin v. Yoder* and *Cantwell v. Connecticut* resulted in the Supreme Court issuing similar holdings in both cases.

Acceptable responses include:

One point for **describing** relevant information (facts or holding) about the required Supreme Court case. **1 point**

- In *Yoder*, mandatory public school attendance beyond the eighth grade was contrary to the religious beliefs of some Amish parents.
- In *Yoder*, the Court held that exemptions from school attendance requirements for religious students were protected by the free exercise clause.

OR

OR

Two points for correctly **explaining** how the facts in both cases resulted in the Supreme Court issuing similar holdings. **2 points**

- While *Yoder* was about school attendance and *Cantwell* was about solicitation, both cases concerned legal restrictions on religious practice. In both cases, the Court held that the laws were unconstitutional because they violated the free exercise clause.
- In *Yoder*, parents claimed that a law requiring school past the eighth grade violated their religious beliefs. The Court held that exemptions from school for religious students were protected by the free exercise clause. In *Cantwell*, Jehovah's Witnesses claimed that regulations on door-to-door solicitation were a restriction on a religious practice. The Court held that their solicitation, even without a permit, was also protected by the free exercise clause.

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- C.** Explain how the facts of *Cantwell v. Connecticut* (1940) illustrate the Court's need to balance government power and the rights of citizens. **1 point**

Acceptable explanations include the following:

In *Cantwell*, the Court had to balance the government's power to regulate door-to-door solicitation with the right of citizens to freely practice their religion.

Total for question 3 4 points