



AP[®] United States Government and Politics 2007 Scoring Guidelines

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AP[®] UNITED STATES GOVERNMENT AND POLITICS

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Question 1

5 points

Part (a): 1 point

One point is earned for a description of the winner-take-all feature of the electoral college. A correct description is: the candidate who gets the most votes (or a majority, a plurality, more than any other candidate) wins all of a state's electoral votes.

Part (b): 1 point

One point is earned for an explanation of how the winner-take-all feature of the electoral college affects how presidential candidates from the two major parties run their campaigns. The explanation must include a specific campaign management or campaign strategy, and it must clearly be tied to the winner-take-all feature at the state level.

Acceptable explanations include:

- Resource allocation or focus on competitive states, swing states, and large states where candidates spend their time or money or buy media.
- Issues (an issue may swing a bloc of voters in a state).
- Choice of Vice-President (regional balance).

Part (c): 1 point

One point is earned for an explanation of how or why the winner-take-all system hinders third parties at the state level.

Acceptable explanations include:

- Third-party candidates may get a lot of popular votes but no electoral votes unless they carry a state.
- The difficulty of winning electoral votes hampers the ability to raise funds and gain other campaign resources.

Part (d): 2 points

One point is earned for each correct explanation of why the electoral college has not been abolished. The explanation must be tied to the national perspective.

Acceptable explanations include:

- Helps to ensure that a majority of electoral votes are earned by one candidate.
- History/tradition.
- Would require constitutional amendment.
- No clear consensus on an alternative.
- Collectively benefits small states.
- Racial minorities (and interest groups) in some states like the electoral college because it protects their votes.

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Question 1 (continued)

- Collectively benefits large states.
- Competitive states like it.
- Favors two-party system.

A score of zero (0) is earned for an attempted answer that receives no points.

A score of dash (—) is earned for a blank or off-task answer.

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Question 2

6 points

Part (a): 1 point

One point is earned for correctly identifying the establishment clause as the First Amendment clause upon which the United States Supreme Court based its decision for either the *Engel* or *Lemon* case.

Part (b): 1 point

One point is earned for a correct description of the Supreme Court's decision in the case that was selected in part (a).

Acceptable explanations of *Engel v. Vitale*:

- Must say that the decision struck down state-sponsored prayer in school.
- MUST mention state-sponsored or state-organized prayer to get credit.
- MUST indicate that the prayer had some type of official government backing/sponsorship/sanction.
- Do not have to specify "public schools" to get credit.

No point is given if the answer states only that the decision "banned prayer in school."

Acceptable explanations of *Lemon v. Kurtzman*:

- Must say that the decision struck down state funding for private religious schools. (More specifically, it struck down state funding to pay parochial teachers to give instruction in secular subjects.)
- Will receive credit for statements recognizing that there are certain conditions or criteria that are used in determining if a government practice does not violate the establishment clause. Conditions/criteria may include:
 - Secular purpose.
 - Neither enhances nor inhibits religion.
 - No excessive entanglement between government and religion.

Part (c): 1 point

One point is earned for identifying the free exercise clause as the First Amendment clause upon which the Supreme Court based its decision for either *Reynolds v. United States* or *Oregon v. Smith*.

Part (d): 1 point

One point is earned for describing the Supreme Court's decision in the case that was selected in part (c).

An acceptable explanation of *Reynolds v. United States* is:

- The decision restricted/banned/disallowed polygamy.

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Question 2 (continued)

No point is earned for saying that the “Supreme Court declared polygamy to be unconstitutional.” Polygamy is a personal action that is illegal but not a governmental action that is unconstitutional.

An acceptable explanation of *Oregon v. Smith* is:

- The decision restricted/banned drug use in religious ceremonies.

No point is earned for saying that the “Supreme Court declared drug use in religious ceremonies to be unconstitutional.” Drug use is a personal action that is illegal but not a governmental action that is unconstitutional.

Part (e): 2 points

One point is earned for each correct description of ways in which other political institutions might limit the impact of Supreme Court decisions.

Acceptable descriptions may include:

- Congressional/state/local legislation.
- Executive branch/state government refusal to enforce a Supreme Court decision; ignoring a Supreme Court decision.
- Judicial appointments.
- Constitutional amendment.
- Change in appellate jurisdiction.

Other political institutions do not have to be identified by name; for example, “Constitutional amendments can be passed to overturn Supreme Court decisions” is acceptable.

In part (e), students do not have to confine their answers to freedom of religion. An acceptable answer, for example, might cite state legislation designed to get around the provisions of *Roe v. Wade* even though the latter obviously does not involve freedom of religion.

A score of zero (0) is earned for an attempted answer that earns no points.

A score of dash (—) is earned for a blank or off-task answer.

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Question 3

7 points

Part (a): 1 point

One point is earned for a correct description of the primary conflict over the decision to go to war: the President is commander-in-chief and Congress has power to declare war.

Part (b): 2 points

One point is earned for each correct description of a provision of the War Powers Resolution designed to limit the President's power over war making.

Acceptable descriptions include:

- President must notify Congress within 48 hours of sending troops into combat.
- President must consult with Congress whenever feasible.
- Conflicts are limited to 60 days unless Congress takes action,
- Congress can extend time from the initial 60 days **or** can withdraw troops after 60 days with adequate notification to the President.

Part (c): 4 points

One point is earned for correctly identifying two other formal powers Congress has over war making (maximum 2 points). One point is earned for each explanation of the formal powers identified in part (c) (maximum 2 points).

Acceptable answers include:

- Passing laws.
- Appropriations (any mention of "funding").
- Confirmation of nominees.
- Impeachment.
- Treaty ratification.
- Congressional oversight (hearings or investigations).

To earn a point, the explanation must tell how or why these are formal Congressional powers over war making.

A score of zero (0) is earned for an attempted answer that earns no points.

A score of dash (—) is earned for a blank or off-task answer.

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Question 4

5 points

Part (a): 1 point

One point is earned for defining federalism. A common definition is: a constitutional division of power between levels (national and state) of government.

Part (b): 2 points

One point is earned for each explanation of how a categorical grant, federal mandate, or selective incorporation has been used to increase federal power relative to the states.

An acceptable explanation of a categorical grant:

- A grant designed for a specific purpose.
- States must spend money in accord with national government's wishes.

An acceptable explanation of a federal mandate:

- A federal government tells states what policies to implement.

An acceptable explanation of selective incorporation:

- Federal courts can overturn state and local practices.

Part (c): 2 points

One point is earned for each explanation (maximum 2 points) of how the Welfare Reform Act of 1996, block grants, or the Tenth Amendment has been used to increase the power of the states relative to the federal government.

Acceptable explanations of the Welfare Reform Act of 1996 include:

- States were given the power and money to run their own welfare program.
- States were given discretion to determine how to implement the federal goal of transferring people from welfare to work.

Acceptable explanations of block grants include:

- It is targeted money.
- Block grants to states have few strings attached, so states can make decisions about the details of where the money goes.

Acceptable explanations of the Tenth Amendment include:

- It reserves power to the states and to the people
- It is being used to argue that power be returned to states.

A score of zero (0) is earned for an attempted answer that receives no points.

A score of dash (—) is earned for a blank or off-task answer.