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Free Response Question 1

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Question 1

3 points

Part A: 1 point

One point is earned for describing an action Congress could take to address the concerns of the interest group in the scenario.

- Congress could pass a law that would reverse the Johnson Amendment.
- Congress could pass a law to allow religious organizations to participate more directly in politics.

Part B: 1 point

One point is earned for explaining, in the context of the scenario, how partisan divisions could prevent the action described in part A.

- Partisan divisions make it more difficult to pass a law because parties adhere to different ideological points of view.
- If Congress and the president are from different political parties, the president might threaten to veto the legislation.

Part C: 1 point

One point is earned for explaining why the Alliance Defending Freedom might argue that their constitutional rights are threatened by the Johnson Amendment.

- The Alliance Defending Freedom and other religious groups might argue that their First Amendment rights are being violated.
- The Alliance Defending Freedom and other religious groups might argue that their freedom of speech/religion is being violated.

A score of zero (0) is assigned to an answer that is off-task or is attempted but earns no points.

A score of NR is assigned to an answer that is blank.
A. Congress can pass a provision of the Johnson Amendment. The provision can allow religious leaders to speak for or against certain candidates. Therefore, the Johnson Amendment can only restrict contributions of money.

B. This new provision can lead to partisan divisions because it is a more conservative or Republican plan. Congress today is more divided between the two parties. Democratic lawmakers will not agree with this new provision because it gives religious groups too much power and somewhat weakens the division between church and state.

C. The Alliance Defending Freedom can argue that their First Amendment rights are threatened by the Johnson Amendment. This is because religious leaders or organizations cannot publicly support a candidate, therefore it limits their Free Speech. Also, the government cannot limit their Free Speech unless there is a “clear and present danger,” which in this case there is not.
Due to the harm of interest groups acting out civil disobedience, which can be very harming to the public, Congress can ask the interest groups to peacefully voice their concerns to Congress. Congress can accommodate for their needs and pass laws to address the concerns of interest groups that relate to various policies such as religion in this case. Similarly, partisan divisions could prevent these actions by forming a system where religion can influence a campaign and where issues that relate to interest groups can be accommodated for. The Alliance defending freedom can argue about their constitutional rights are being threatened because it goes against the First Amendment and their right to religion as stated in the Johnson Amendment.

Use a pen with black or dark blue ink only. Do NOT write your name. Do NOT write outside the box.
A. Congress could take the conservative Christian interest group to court, going against the tax law or enforcing a law that prohibits them from challenging provisions of that tax law.

B. Partisan divisions could prevent the actions by arguing that it's in the group's rights to protest against the tax.

C. The Alliance Defending Freedom could argue that their constitutional rights are threatened by the Johnson Amendment because they feel that the Amendment isn't allowing them a freedom of speech because they aren't allowed to have any political activity or contribute money to political campaigns.
Question 1

Note: Student samples are quoted verbatim and may contain spelling and grammatical errors.

Overview

This question expected students to be familiar with the legislative process and interest group behavior and be able to explain how a group interprets civil liberties in the United States Constitution. Students were also expected to apply this knowledge to a scenario about how a law passed by Congress affects the ability of religiously based interest groups to participate in politics.

Sample: 1A
Score: 3

The response earned 1 point in part A by explaining that Congress could pass provisions that “allow religious leaders to speak for or against certain candidates.”

The response earned 1 point in part B by explaining that Congress is “more divided between the two parties” and explaining that “Democratic lawmakers will not agree.”

The response earned 1 point in part C by stating the interest group “can argue that their First Amendment rights are threatened.”

Sample: 1B
Score: 2

The response earned 1 point in part A by stating that Congress may “pass laws to address the concern” as it relates to “religion in this case.”

The response did not earn a point in part B because “[p]artisan divisions” is simply restated and does not provide an example of what it is.

The response earned 1 point in part C by stating “it goes against the First Amendment and their right to religion.”

Sample: 1C
Score: 1

The response earned no points in part A because it incorrectly identifies an action Congress could take to address the concerns of the interest group.

The response earned no points in part B because it fails to correctly explain how partisan divisions could prevent the action described in this part of the question.

The response earned 1 point in C by stating that “the Amendment isn’t allowing them a freedom of speech.”