

The Presidential Power of the Pen: Should the president use executive orders to create public policy?

Time Frame: 1- 2 class periods	Author: Mary Ellen Daneels, West Chicago Community High School, mdaneels@d94.org
Proven Practices <ul style="list-style-type: none"> ✓ Instruction on government institutions ✓ Use of current & controversial issues ✓ Simulations of democratic practices ✓ Service Learning (ideas provided) 	
IL Social Studies Standards SS.IS.1.9-12: Address essential questions that reflect an enduring issue in the field. SS.IS.5.9-12: Identify evidence that draws information from multiple sources to revise or strengthen claims. SS.IS.7.9-12: Articulate explanations and arguments to a targeted audience in diverse settings SS.IS.9.9-12: Use deliberative processes and apply democratic strategies and procedures to address local, regional, or global concerns and take action in or out of school. SS.CV.4.9-12: Explain how the US Constitution established a system of government that has powers, responsibilities, and limits that have changed over time and are still contested while promoting the common good and protecting rights. SS.CV.7.9-12: Describe the concepts and principles that are inherent to American Constitutional Democracy. SS.CV.9.9-12: Explain public policies in terms of intended and unintended consequences and related consequences.	CCSS/ELA History/Social Studies Standards <u>CCSS.ELA-LITERACY.RH.11-12.7</u> Integrate and evaluate multiple sources of information presented in diverse formats and media (e.g., visually, quantitatively, as well as in words) in order to address a question or solve a problem. <u>CCSS.ELA-LITERACY.RH.11-12.2</u> Determine the central ideas or information of a primary or secondary source; provide an accurate summary that makes clear the relationships among the key details and ideas. <u>CCSS.ELA-LITERACY.RH.11-12.6</u> Evaluate authors' differing points of view on the same historical event or issue by assessing the authors' claims, reasoning, and evidence. <u>CCSS.ELA-LITERACY.RH.11-12.9</u> Integrate information from diverse sources, both primary and secondary, into a coherent understanding of an idea or event, noting discrepancies among sources.
Essential Question: How much power should the president have?	
Supporting Questions <ul style="list-style-type: none"> • What is an executive order and how can this power be “checked” by the other branches? • How have presidents used executive orders to impact public policy in the past? • How do individuals differ over the use of executive orders to shape current public policy? (note: this lesson uses the current controversy over DACA. Another more timely issue can be substituted here) 	

Resources Required

Capitol Hill Cold Open- Saturday Night Live available online at <https://www.youtube.com/watch?v=JUDSeb2zHQ0>

What's an executive order? CBC News Explainer available online at <https://www.youtube.com/watch?v=-Us8WluMJMU>

Executive Orders 101: What are they and how do presidents use them? The National Constitution Center, January 23, 2017. Available online at <https://constitutioncenter.org/blog/executive-orders-101-what-are-they-and-how-do-presidents-use-them>

Gosar, Paul. *Roll Back DACA* USA Today, September 5, 2017. Available online at <https://www.usatoday.com/story/opinion/2017/09/05/paul-gosar-roll-back-daca-editorials-debates/105303938/>

Editorial Board. *Trump's DACA Reversal Won't Only Hurt Dreamers* USA Today. September 5, 2017. Available online at <https://www.usatoday.com/story/opinion/2017/09/05/trump-daca-reversal-wont-hurt-just-dreamers-editorials-debates/634739001/>

Editorial Board. *President Trump, Leave DACA Alone.* USA Today. August 31, 2017. Available online at <https://www.usatoday.com/story/opinion/2017/08/31/president-trump-leave-daca-alone-editorials-debates/613855001/>

Paxton, Ken. *Donald Trump should keep his promise to dump DACA.* USA Today. July 26, 2017. Available online at <https://www.usatoday.com/story/opinion/2017/07/26/trump-not-king-we-must-phase-out-daca-and-return-rule-law-column/488732001/>

Statement Sort by Mary Ellen Daneels available online at <http://documents.mccormickfoundation.org/lesson-plans/executive-power-DACA-statement-sort.docx>

Socratic Seminar Guide by Candi Fikis, Regional Mentor, West Chicago Community High School, adapted by Mary Ellen Daneels, Lead Teacher Mentor available online at <http://documents.mccormickfoundation.org/lesson-plans/Socratic-Seminar-Example.docx>

Power Point by Mary Ellen Daneels available online at <https://tinyurl.com/eordersppt>

Inquiry Guide by Mary Ellen Daneels available online at <https://tinyurl.com/eorderinquiryguide>

Executive Orders, Civics 101 Podcast. New Hampshire Public Radio, February 13, 2017. Available online at <https://www.civics101podcast.org/civics-101-episodes/ep7>

The Constitution Project by PJ Productions. "Key Constitutional Concepts- Checks and Balances" hosted by the Annenberg Foundation and Trust at Sunnylands. Available at <http://www.annenbergclassroom.org/page/key-constitutional-concepts>

Recommended Procedures

1. Show video clip from SNL to class to introduce the topic.
2. Pass out Inquiry Guide and introduce questions guiding the investigation.

IllinoisCivics.org is your leading resource for information and materials to support teaching of the required high school civics course in Illinois.

3. Show CBC video clip and have students complete first supporting questions.
*As an alternative, Civics 101 from New Hampshire Public Radio has a 16 minute podcast students can listen to in order to respond to the first supporting questions. This could also be done as homework to prepare for class.
4. Pass out article titled, “Executive Orders 101” and have students complete second supporting question. (For an alternative/supplemental resource, play the 20 minute video clip “Checks and Balances” from the Annenberg Foundation starting at 41:52)
5. Put students into small groups of 4. Give group an envelope of the statements cut up. Have students take statements out and infer the topic for deliberation related to executive orders.
6. Introduce third supporting question and show video clip that provides an introduction to the issue of DACA and executive orders.
7. Have students sort statements into two categories, six statements each.
8. Give each student in the group one of the four primary source readings related to the DACA issue. Instruct students to closely read their source and look for the three statements from statement sort that are paraphrases of their source.
9. To check understanding, have students with same reading gather in a corner of the room, bringing statements with them.
10. Have groups re-sort statements as needed.
11. Have students pair up with individual in small group who had similar perspective on issue and complete their side of the t-chart, summarizing best claims from both readings.
12. Have pairs share with one another, listeners, should paraphrase back what they heard and complete the t chart.
13. Introduce the Socratic Seminar activity to students with Socratic Seminar guide. To prepare to participate, students will complete preparation guide. This could be done as homework.
14. Conduct Socratic Seminar.
15. At end of deliberation, have students respond to essential question with a persuasive essay using evidence from readings, videos and Socratic Seminar., addressing claims and counterclaims. Teachers could use tools such as google classroom & blackboard.com to promote on-line deliberation.

Possible Service Learning Extensions

- o Students can write an elected official advocating their position on executive orders.
- o Students can write letters to the editor or craft an editorial cartoon on issue.

Differentiation

- o Advanced students may not use statement sort and curate further sources on the issue.
- o For classes that need more literacy support, the teacher can model step 8 with one of the readings to the whole class, have class practice with an additional reading and check understanding and then have student pairs read final two sources and complete activity.
- o Deliberation can occur without the primary source analysis; using only the simplified statements.

Possible Assessments

- in class deliberation
- vote

- four corner check
- blog

- Letter to elected official with rubric
- Letter to the editor or political cartoon w/ explanation.

Other Considerations

If norms for classroom deliberations have not been established, here are some resources teachers can use to scaffold civil discourse.

- o [Conducting a Civil Conversation in the Classroom by CRFC](#)
- o [Contracting by Facing History and Ourselves](#)

For more information on how to run a Socratic Seminar, please see [Socratic Seminar by Facing History and Ourselves](#).