

## LESSON THREE

### **Core Learning Goal: 1**

The student will demonstrate an understanding of the historical development and current status of principles, institutions, and processes of political systems.

### **Expectation: 1**

The student will demonstrate understanding of the structure and functions of government and politics in the United States.

### **Indicator 1.1.3**

The student will evaluate roles and policies the government has assumed regarding public issues.

#### **Assessment Limits:**

? *Public issues:*

*Environment (pollution, land use)*

*Entitlements (Social Security, welfare)*

*Health care and public health (costs, substance abuse, diseases)*

*Censorship (media, technology)*

*Crime (prevention, punishments)*

**Equality, race, ethnicity, region, religion, gender, language, socioeconomic status, age, and individuals with disabilities**

? *Other issues may be assessed, but information will be provided.*

### **Overview:**

In this lesson students will analyze both sides of a contemporary issue (affirmative action). An Issues Analysis Model could be used to provide more structure. Teachers may choose to conclude this lesson with a debate on affirmative action. Be sure to set ground rules before debating controversial issues.

### **Lesson Objectives:**

Students will examine affirmative action policies.

Students will analyze the positive/negative aspects of affirmative action.

### **Materials:**

Government textbooks

Student Reading: **Affirmative Action**

Student Handout: **Directed Reading Assignment**

Useful websites:

<http://oyez.nwu.edu> (Supreme Court rulings)

<http://aad.english.ucsb.edu/> (affirmative action pro/con)

**Procedures:**

1. Write the word “affirmative” on the chalkboard. Ask students what the word affirmative means. Briefly discuss any responses, and then select a student to find the dictionary meaning. Write the word “action” on the chalkboard and define it. Introduce today’s objective that the class will examine a government policy called affirmative action.
2. Refer to a textbook to review the Fourteenth Amendment equal protection clause, which is often cited in the debate over affirmative action.
3. Distribute the reading **Affirmative Action** and the handout **Directed Reading Assignment**. Students could also use the internet to gather information about affirmative action laws, court cases, and arguments.
4. Debrief and check the accuracy of student answers. A formal debate of the issue may be conducted.

**Assessment of Indicator:**

Have students answer this Extended Constructed Response item:

- ? Compare the arguments for affirmative action with the arguments against affirmative action.
- ? Did the government’s affirmative action policy promote equity in the United States?
- ? Should the affirmative action policy continue? Why or why not?
- ? Include details and examples to support your answers.

Use the Social Studies Rubric to score student responses.

## Affirmative Action

President Lyndon B. Johnson first used the term affirmative action in 1965. It refers to government policies that grant jobs, promotions, government contracts, admission to school, and other benefits to minority groups and women. In signing the Voting Rights Act and Executive Order 11246, President Johnson created the concept of affirmative action. These programs were originally designed to make up for society's past discrimination (unfair action toward minority groups). The federal government required both state and local governments to have affirmative action programs. Organizations and schools that received federal aid also had to follow the policy. Affirmative action provided preferential treatment for minorities and sometimes included a quota where a specific percent of jobs or school openings were set aside for minorities and women.

Such a quota was established in the 1970's at the University of California Medical School. A quota was established whereby 16 places out of 100 each year were allotted to minorities. A white male student named Allen Bakke sued the college because minority students with lower test scores than his were admitted to the school but he was not. In *Regents of the University of California v. Bakke* (1978), the Supreme Court ruled that Bakke had to be allowed into the medical school because quotas were unconstitutional.

Affirmative action caused much disagreement in the United States. Organizations such as the American Civil Liberties Union have spoken up in favor of the program. They believe that discrimination against African Americans, Native Americans, Hispanics, and women caused them to suffer many disadvantages that others did not. Supporters say that putting minorities and women into key positions is a worthy goal, and that race and gender must be considered when judging qualifications for schools, jobs, and promotions. They think that because of past discrimination the government must make extra efforts to promote minorities/women.

Organizations such as the Center for Individual Rights were formed in opposition to affirmative action programs. People who oppose affirmative action say it's wrong to discriminate against people today just to make up for past discrimination. They state that merit (your ability and qualifications) should be the only criteria for college, jobs and promotions. Opponents are particularly against numerical quotas that reserve a certain number of positions or contracts just for minorities/women.

Recent federal court decisions have modified affirmative action laws, making it more difficult to implement the goals of affirmative action. In cases such as *Adarand Constructors Inc. v. Peña* (1995) and *Pascataway Board of Education v. Taxman* (1996), the Supreme Court has ruled against affirmative action programs.

## Directed Reading Assignment

Directions:

Read *Affirmative Action* and answer the questions below.

1. Define affirmative action.
2. What was the original purpose of affirmative action?
3. Who was required to have affirmative action programs?
4. What would a quota require?
5. Describe the effect affirmative action had on Allan Bakke's admission to the University of California.

6. In the chart below, list the arguments for and against affirmative action.

<b>FOR</b>	<b>AGAINST</b>