Standard 3: Structure and Functions of Government

SS.5.C.3.4

Describe the amendment process as defined in Article V of the Constitution and give examples.

What is the process for amending the U.S. Constitution?

Teacher Note: These lessons should be taught in conjunction with American history benchmarks to add historical perspective to these important civics understandings.
**Teacher Content Knowledge Resource**

**Amendment procedures outlined in the U.S. Constitution**

Article V of the U.S. Constitution outlines two methods for introducing amendments to the *U.S. Constitution*. These methods are:

a) Two-thirds of each house of Congress votes to amend the *U.S. Constitution* followed by three-fourths of the state legislatures (or conventions of the state legislatures) approving of the amendment.

b) A national convention where two-thirds of all states are represented votes to introduce an amendment followed by three-fourths of the state legislatures (or conventions of the state legislatures) approving of the amendment.

Both circumstances require that three-fourths of the state legislatures (or conventions of the state legislatures) approve an amendment before it becomes part of the *U.S. Constitution*. The second method, where amendments are introduced in state legislatures, has never been successfully used. All ratified amendments have been proposed in Congress. The amendment procedure in many ways reflects a states’ rights approach, where the state legislatures or their conventions are responsible for ratifying all amendments whether introduced by national convention or in Congress.

**Constitutional amendments over time**

The *Constitution* has been amended 27 times; the first 10 amendments, collectively known as the *Bill of Rights* were ratified in 1791. The last time that the *Constitution* was amended was in 1992.

Many constitutional amendments exhibit a relationship to one another as to their theme or timeframe in which they were ratified. For example, the *Bill of Rights* reflects the Anti-Federalist founders’ fears that the federal government would infringe on basic personal and political rights including the right of political expression and the right to due process in criminal proceedings and other matters. The “Civil War Amendments”, Amendments 13 through 15, were ratified between 1865 and 1870, and were part of the post-Civil War Reconstruction. These amendments eliminated slavery, defined citizenship, and prevented the states from denying citizens the right to vote. Southern states were expected to ratify these amendments following the Civil War in exchange for monetary support from the federal government. Three 20th century amendments reflect concerns about a presidency growing too powerful; the 20th amendment, ratified 1933, reduces the “lame duck period” between Election Day and Inauguration Day, the 22nd amendment (1951) limits the presidency to two four year terms (plus up to two years in those cases where the vice-president becomes president due to death.

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1 This content also covers American History Benchmark SS.5.A.5.10: Examine the significance of the Constitution including its key political concepts, origins of these concepts, and their role in American democracy.
resignation or removal), and the 25th amendment (1967), which provides that the vice-president shall become “acting president” during such time that the president is alive but otherwise unable or unwilling to serve.

Three amendments deny states the right to limit voting rights to certain populations. The 15th amendment (1870) forbids states from denying citizens the right to vote based on race, color or previous condition of servitude while the 19th amendment (1920) forbids states from denying citizens the right to vote on account of sex. Finally, the 26th amendment (1971) extended voting rights to all citizens 18 years and older.

The last constitutional amendment, which denies Congress the right to raise its own pay (Congress may vote to raise the pay of the next Congress; Congresses last two years), was originally approved by Congress in 1789 but was not ratified until 1992. This amendment had no ratification deadline. When Congress introduces an amendment, it may include a ratification deadline (typically seven years) although one is not required.

Only one amendment has been rescinded. The 18th amendment that prohibited the “manufacture, sale, or transportation” of alcohol was ratified in 1919. It was rescinded with the 21st amendment in 1933. Since then, there has been some debate about rescinding other amendments, such as the 22nd amendment which limits presidential terms.

**Conclusion**

Article V of the U.S. Constitution provides for a state-centered amendment ratification process. While nearly 10,000 amendments have been introduced, the **U.S. Constitution** has been amended 27 times, including one rescission.
Common Core State Standards

Grade 5 English Language Arts, Reading: Literature

Key Ideas and Details

RL.5.1. Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

RL.5.2. Determine a theme of a story, drama, or poem from details in the text, including how characters in a story or drama respond to challenges or how the speaker in a poem reflects upon a topic; summarize the text.

RL.5.3. Compare and contrast two or more characters, settings, or events in a story or drama, drawing on specific details in the text (e.g., how characters interact).

Craft and Structure

RL.5.4. Determine the meaning of words and phrases as they are used in a text, including figurative language such as metaphors and similes.

RL.5.5. Explain how a series of chapters, scenes, or stanzas fits together to provide the overall structure of a particular story, drama, or poem.

RL.5.6. Describe how a narrator’s or speaker’s point of view influences how events are described.

Integration of Knowledge and Ideas

RL.5.7. Analyze how visual and multimedia elements contribute to the meaning, tone, or beauty of a text (e.g., graphic novel, multimedia presentation of fiction, folktale, myth, poem).

RL.5.8. (Not applicable to literature)

RL.5.9. Compare and contrast stories in the same genre (e.g., mysteries and adventure stories) on their approaches to similar themes and topics.

Range of Reading and Complexity of Text

RL.5.10. By the end of the year, read and comprehend literature, including stories, dramas, and poetry, at the high end of the grades 4–5 text complexity band independently and proficiently.
Common Core State Standards
Grade 5 English Language Arts, Reading: Informational Text

Key Ideas and Details

RI.5.1. Quote accurately from a text when explaining what the text says explicitly and when drawing inferences from the text.

RI.5.2. Determine two or more main ideas of a text and explain how they are supported by key details; summarize the text.

RI.5.3. Explain the relationships or interactions between two or more individuals, events, ideas, or concepts in a historical, scientific, or technical text based on specific information in the text.

Craft and Structure

RI.5.4. Determine the meaning of general academic and domain-specific words and phrases in a text relevant to a grade 5 topic or subject area.

RI.5.5. Compare and contrast the overall structure (e.g., chronology, comparison, cause/effect, problem/solution) of events, ideas, concepts, or information in two or more texts.

RI.5.6. Analyze multiple accounts of the same event or topic, noting important similarities and differences in the point of view they represent.

Integration of Knowledge and Ideas

RI.5.7. Draw on information from multiple print or digital sources, demonstrating the ability to locate an answer to a question quickly or to solve a problem efficiently.

RI.5.8. Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point(s).

RI.5.9. Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably.

Range of Reading and Level of Text Complexity

RI.5.10. By the end of the year, read and comprehend informational texts, including history/social studies, science, and technical texts, at the high end of the grades 4–5 text complexity band independently and proficiently.
Common Core State Standards
Grade 5 English Language Arts, Reading: Language

Vocabulary Acquisition and Use

L.5.4. Determine or clarify the meaning of unknown and multiple-meaning words and phrases based on grade 5 reading and content, choosing flexibly from a range of strategies.

- Use context (e.g., cause/effect relationships and comparisons in text) as a clue to the meaning of a word or phrase.
- Use common, grade-appropriate Greek and Latin affixes and roots as clues to the meaning of a word (e.g., *photograph*, *photosynthesis*).
- Consult reference materials (e.g., dictionaries, glossaries, thesauruses), both print and digital, to find the pronunciation and determine or clarify the precise meaning of key words and phrases.

L.5.5. Demonstrate understanding of figurative language, word relationships, and nuances in word meanings.

- Interpret figurative language, including similes and metaphors, in context.
- Recognize and explain the meaning of common idioms, adages, and proverbs.
- Use the relationship between particular words (e.g., synonyms, antonyms, homographs) to better understand each of the words.

L.5.6. Acquire and use accurately grade-appropriate general academic and domain-specific words and phrases, including those that signal contrast, addition, and other logical relationships (e.g., *however, although, nevertheless, similarly, moreover, in addition*).
Text Types and Purposes

W.5.1. Write opinion pieces on topics or texts, supporting a point of view with reasons and information.

- Introduce a topic or text clearly, state an opinion, and create an organizational structure in which ideas are logically grouped to support the writer’s purpose.
- Provide logically ordered reasons that are supported by facts and details.
- Link opinion and reasons using words, phrases, and clauses (e.g., consequently, specifically).
- Provide a concluding statement or section related to the opinion presented.

W.5.2. Write informative/explanatory texts to examine a topic and convey ideas and information clearly.

- Introduce a topic clearly, provide a general observation and focus, and group related information logically; include formatting (e.g., headings), illustrations, and multimedia when useful to aiding comprehension.
- Develop the topic with facts, definitions, concrete details, quotations, or other information and examples related to the topic.
- Link ideas within and across categories of information using words, phrases, and clauses (e.g., in contrast, especially).
- Use precise language and domain-specific vocabulary to inform about or explain the topic.
- Provide a concluding statement or section related to the information or explanation presented.

W.5.3. Write narratives to develop real or imagined experiences or events using effective technique, descriptive details, and clear event sequences.

- Orient the reader by establishing a situation and introducing a narrator and/or characters; organize an event sequence that unfolds naturally.
- Use narrative techniques, such as dialogue, description, and pacing, to develop experiences and events or show the responses of characters to situations.
- Use a variety of transitional words, phrases, and clauses to manage the sequence of events.
- Use concrete words and phrases and sensory details to convey experiences and events precisely.
- Provide a conclusion that follows from the narrated experiences or events.

Production and Distribution of Writing

W.5.4. Produce clear and coherent writing in which the development and organization are appropriate to task, purpose, and audience. (Grade-specific expectations for writing types are defined in standards 1–3 above.)

W.5.5. With guidance and support from peers and adults, develop and strengthen writing as needed by planning, revising, editing, rewriting, or trying a new approach.
W.5.6. With some guidance and support from adults, use technology, including the Internet, to produce and publish writing as well as to interact and collaborate with others; demonstrate sufficient command of keyboarding skills to type a minimum of two pages in a single sitting.

**Research to Build and Present Knowledge**

W.5.7. Conduct short research projects that use several sources to build knowledge through investigation of different aspects of a topic.

W.5.8. Recall relevant information from experiences or gather relevant information from print and digital sources; summarize or paraphrase information in notes and finished work, and provide a list of sources.

W.5.9. Draw evidence from literary or informational texts to support analysis, reflection, and research.

- Apply *grade 5 Reading standards* to literature (e.g., “Compare and contrast two or more characters, settings, or events in a story or a drama, drawing on specific details in the text [e.g., how characters interact]”).

- Apply *grade 5 Reading standards* to informational texts (e.g., “Explain how an author uses reasons and evidence to support particular points in a text, identifying which reasons and evidence support which point[s]”).

**Range of Writing**

W.5.10. Write routinely over extended time frames (time for research, reflection, and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.
Civics Content Vocabulary

Teacher Note: Preteach vocabulary words and definitions. As a vocabulary extension following the lesson, have students complete the chart for each word providing examples and non-examples (if applicable) and a gesture/visual/symbol for each word.

<table>
<thead>
<tr>
<th>Word</th>
<th>Definition</th>
<th>Example</th>
<th>Non-Example</th>
<th>Gesture/Visual/Symbol</th>
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<tbody>
<tr>
<td>amendment</td>
<td>a change</td>
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<tr>
<td>article</td>
<td>a separate part of a document dealing with a single subject</td>
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Instructions for conducting a Read Aloud

Preparing for a Read Aloud:
1. Select a read aloud text that will provide a springboard for teaching the civics benchmark (See suggested books within this module, but not limited to).

2. Along with the content civics vocabulary for this module, identify additional vocabulary terms within the selection necessary for text comprehension and understanding the civics benchmark.

3. Generate questions of varying complexity related to the text that support deeper understanding of the civics benchmark.

4. Plan opportunities for authentic student engagement with the text during the Read Aloud (text discussion, turn & talk, think-pair-share).

Conducting a Read Aloud:
1. Introduce the book.

2. Briefly introduce the predetermined vocabulary words.

3. During the Read Aloud, conduct think alouds so students are provided a model of thinking that is applied while reading. Use the generated questions to ask students about the text to allow opportunities for authentic student engagement (text discussion, turn & talk, think-pair-share) and to clarify understanding.

4. After the Read Aloud, provide opportunities for students to discuss and write about civics concepts learned.
**Suggested Book**

*Constitution Translated for Kids* by Cathy Travis

Grade 5-10, A sentence-by-sentence, article-by-article interpretation of the Constitution. The first half of the book is arranged to show the original wording of the document in one column, with a translation in simple language on the right. For example, part of Article I Section 9 explaining the Writ of Habeas Corpus, is explained, People who are arrested and put in jail have the right to make the government tell them why they were put in jail. Articles that were later amended or repealed are noted as such. The second half of the book describes how the Constitution has evolved, defines the branches of government, gives details about each amendment, and includes a glossary. This edition updates information about proposed amendments.
Bell Work

Module Objective:
1. The student will describe the amendment process as defined in Article V of the Constitution.

Activity:
1. Say to the students (or write on the board): There are X students in this class. How many students make up two thirds of the class?
2. Develop questions to ask your students that when voted on would be difficult to get that number in the majority. Examples might include:
   a. Should the class color be red, white, or blue?
   b. Should we remove the word “try” from use in the class?
   c. What would be the best class cookie—Oreo, snickerdoodle, lemon cream?
3. Ask the class: what is two-thirds?
4. Tally student responses to the three questions and determine if the two-thirds percentage has been met.
5. Lead the class in a discussion on the difficulty of reaching a two-thirds consensus. Explain to the students that Article V of the Constitution gives ways that the Constitution can be changed or amended requiring a two-thirds consensus in each house of Congress.
Guided Practice Activity

Activity:

1. Inform the students that Article V of the Constitution explains the two possible processes for amending the Constitution.
2. Pass out the information sheet: Article V – Amendment. Read and review the information sheet with the class.
3. Tell the students that they are going to make two different flow charts to represent the processes that they learned about in Article V.
4. Divide the class into small groups of 3-4 and give each group a copy of each activity sheet: Method #1 and Method #2.
5. Instruct each group to complete the flow charts using the information they learned from the information sheet: Article V – Amendment. Circulate from group to group to check for accuracy. Discuss with students that Method #2 has never been used successfully.
Article V - Amendment

The Congress, whenever two thirds of both Houses shall deem it necessary, shall propose Amendments to this Constitution, or, on the Application of the Legislatures of two thirds of the several States, shall call a Convention for proposing Amendments, which, in either Case, shall be valid to all Intents and Purposes, as part of this Constitution, when ratified by the Legislatures of three fourths of the several States, or by Conventions in three fourths thereof, as the one or the other Mode of Ratification may be proposed by the Congress; Provided that no Amendment which may be made prior to the Year One thousand eight hundred and eight shall in any Manner affect the first and fourth Clauses in the Ninth Section of the first Article; and that no State, without its Consent, shall be deprived of its equal Suffrage in the Senate.

Source- http://www.usconstitution.net/const.html#Article4

This Article explains the ways our Constitution may be changed, or amended.

One method of amending the Constitution is for 2/3 of each house (287 of the 435-member House of Representatives, and 66 of the 100 Senators) to pass a proposed amendment and send it to the states’ legislatures. It takes 3/4 (38) states’ approval of the amendment in order for it to be added to the Constitution.

We the People do not directly vote on new amendments, and the President does not vote on or veto any amendment.

Another method for amending the Constitution is a Constitutional Convention to be called for by 2/3 (33) of the state legislatures. At such a convention, one or more amendments can be proposed and then sent to the state legislatures (or state conventions) for approval – again, 3/4 of the state legislatures must approve. (This method has not been used successfully).

Method #1

Proposed Change to the U.S. Constitution

Who

Number

Who

Number

Who

Number

Challenge Question:
This method has been used ________ times.
Who_____________________

Number___________

Proposed Change to the U.S. Constitution

Who______________

Number___________

Challenge Question:
This method has been used _____________ times.
Application Activity

Activity:

1. Pass out the Reading Comprehension worksheet to each student.
2. Provide adequate time for each student to read the passage and answer each question.
3. Review and discuss each question as a whole class.
Reading Comprehension

Directions: Independently read the following section about the amendment process. Then answer the questions in complete sentences.

The Amendment Process

Adding a New Amendment to the United States Constitution

Not an Easy Task!

The United States Constitution was written "to endure for ages to come" Chief Justice John Marshall wrote in the early 1800s. To ensure it would last, the framers made it possible to amend the document in the future. Not all proposed amendments are successful because the process is very difficult. For example, in the 1980s, the required 2/3 of each house of Congress voted to guarantee equal rights for women as an amendment to the Constitution and only 35 of 38 state legislatures approved the amendment. Therefore the amendment failed.

The Constitution has been amended only 27 times since it was drafted in 1787, including the first 10 amendments adopted four years later as the Bill of Rights.

Not just any idea to improve America deserves an amendment. The idea must be one of major impact affecting all Americans or securing rights of citizens.


1. Why do you think Chief Justice John Marshall said that the United States Constitution was written “to endure for ages to come”?

__________________________________________________________________________

2. What are the first ten amendments to the Constitution called?

__________________________________________________________________________

3. Which part of the amendment process prevented an amendment guaranteeing equal rights for women from being ratified as an amendment to the Constitution?

__________________________________________________________________________
Independent Practice Activity

Writing Prompt: The framers wanted to make it difficult to amend the Constitution. Before you write, think about why you think they wanted to make the Constitution difficult to change. Now write to explain why changing the Constitution is difficult.

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## Supplemental Resources and Activity

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<td>5.</td>
<td><a href="http://www.brainpop.com">http://www.brainpop.com</a></td>
<td>BrainPop - Videos and quizzes to build background knowledge (interactive online videos with questions) Search for: U.S. Constitution, Bill of Rights</td>
</tr>
</tbody>
</table>
Reading Comprehension

1. It is a difficult process to change the Constitution, due to the process being difficult, the document will last.
2. The Bill of Rights
3. ¾ of the state legislatures did not ratify the Equal Rights Amendment (equal rights for women)
Method #1 Answer Key

Proposed Change to the U.S. Constitution

Who: House of Representatives
Number: 287

Who: Senate
Number: 66

Who: State Legislatures
Number: ¾ or 38

This method has been used _____27______ times.
Who: State Legislatures

Number: 2/3 or 33

Proposed Change to the U.S. Constitution

Who: State Legislatures or State Conventions

Number: ¾ or 38

This method has been used _____0______ times.