TEACH DEMOCRACY

What Should We Do About the Electoral College?

Civil Conversation Lesson Plan

Materials

- Handout A: Text
- Handout B: Civil Conversation Guide
- Teacher Presentation

Standards and Topics

- CCSS.SL.6-12.1 Prepare for and participate effectively in a range of conversations and collaborations with diverse partners, building on others' ideas and expressing their own clearly and persuasively
- CCSS.R.6-12.1 Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.
- C3.D2.Civ.11.9-12. Evaluate multiple procedures for making governmental decisions at the local, state, national, and international levels in terms of the civic purposes achieved.
- CA HSS-PoAD.12.6.6 Analyze trends in voter turnout; the causes and effects of reapportionment and redistricting, with special attention to spatial districting and the rights of minorities; and the function of the Electoral College.

Topics: Electoral College, voting, government, U.S. Constitution

Overview

In this Civil Conversation (CivCon), students discuss the merits and drawbacks of the Electoral College. First, they examine a text that offers multiple perspectives on the Electoral College. Next, they participate in a CivCon on the text. In this structured discussion method, students are encouraged to engage intellectually with challenging materials, gain insight about their own point of view, and strive for a shared understanding of issues.

Objectives

1. Evaluate the merits and drawbacks of the Electoral College
2. Participate effectively in a civil discussion by expressing clear and persuasive arguments, while building on others' ideas
3. Consider other perspectives with a sense of empathy

Procedure

I. Focus Discussion

A. Ask students, "How are presidents chosen in the United States?". Then present the election results from 2020 and 2016. Ask students, "For each presidential election, who won?". You may tell students to record their responses and then share them with partners or the whole class.

B. Inform students that a group, known as the Electoral College, selects the president of the United States. Tell them that there have been a few times when presidential candidates lost the popular vote but won the Electoral College. Students' task today is to consider if this is a problem and what should be done, if anything, about the Electoral College by examining multiple perspectives on the issue.

II. Reading: What Should Be Done About the Electoral College?

A. Briefly provide students with an overview of the purpose and rationale of the Civil Conversation activity. Use the overview above to help you.

B. Give each student a copy of **Handout A: What Should Be Done About the Electoral College?**

C. Distribute a copy of **Handout B: Civil Conversation Guide** to each student to complete as they read. Each student should fill in their own guide.

III. Civil Conversation

A. Divide the class into groups of 3–4 students. You may want to have each group select a leader who will get the discussion started, ensure the group stays on-task, and finishes on time.

B. Determine how much time the groups have to complete the discussion. (You will know what's best for your students, depending on the length of the reading and how experienced your students are in student-directed discussion.)

- **Time:** Conversations for classroom purposes should have a time limit, generally ranging from 15 to 45 minutes and an additional five minutes to reflect on the effectiveness of the conversations. The reflection time is an opportunity to ask any students who have not spoken to comment on the things they have heard. Ask them who said something that gave them a new insight that they agreed or disagreed with.
- **Small Groups:** This discussion strategy is designed to ensure the participation of every student. Groups of 3-4 students are ideal. If you are scaffolding text for various reading levels, group students who will use the same text together.

C. Review the rules of a Civil Conversation (listed under Step 3 on the Guide) and direct the groups to follow the instructions on the guide to get started.

D. Let groups know you will be circulating to listen in on their conversations and that each person in a group is expected to participate. The goal is for everyone to contribute equally to the conversation.

E. If necessary, remind groups of the time and urge them to move to the next steps.

IV. Assessment / Closure

A. After the groups have completed their discussions, debrief the activity by having the class reflect on the effectiveness of the conversation:

- What did you learn from the Civil Conversation?
- What common ground did you find with other members of the group?
- Ask all participants to suggest ways in which the conversation could be improved. If appropriate, have students add the suggestions to their list of conversation rules.

B. If you want to also debrief the content of the Civil Conversation, you might ask students:

- Was there any surprising information you learned from the reading? What was it?
- What should we do about the Electoral College?
- What do you think are the most effective reasons for keeping or changing the Electoral College?

C. For assessment, look for the following on each student's Civil Conversation Guide:

Step 2 – A, B: Basic understanding of text.

Step 2 – C, D: Text-based arguments.

Step 2 – E: Appropriate and compelling questions about the text.

Step 4 – A: Level of participation (should be "about the same as others").

Step 4 – B: Answer is appropriately related to topic/issue presented in text.

Step 4 – C, D: Specificity/text-based.

D. For additional assessment, you may want to collect the article/text students used to assess the annotations they made in terms of connections to prior knowledge/experience, questions they had while reading, and comments they made.

WHAT SHOULD WE DO ABOUT THE ELECTORAL COLLEGE?

In a U.S. presidential election, voters do not directly vote for their chosen candidate. Instead, when they mark their **ballots** for the presidential candidates, they are voting for members of the Electoral College. The Electoral College, made up of people called electors chosen in each state, officially selects the president. To win the presidency, a candidate must receive at least 270 of the 538 Electoral College votes.

The Electoral College vote usually matches what most Americans want. But four times, the Electoral College vote has gone against the popular vote. In 1876, Rutherford B. Hayes lost the popular vote by about 300,000 votes. In 1888, Benjamin Harrison lost by about 100,000. In 2000, George W. Bush lost by about 500,000 votes. In 2016, Donald J. Trump lost the popular vote by nearly three million. Even though these men lost the popular vote, they still won the Electoral College vote and became president.

ballots pieces of paper voters use to record their choices in an election

U.S. Constitution a set of laws that describes how the U.S. government works

compromised to agree by giving up something

legislatures groups of people who make laws for a state or country

Why Is There an Electoral College?

The Framers of the **U.S. Constitution** debated about how the president should be selected. Some were fearful of letting the American people elect the president directly. They believed that voters would not be well-informed enough to vote responsibly. Others thought that Congress should not be involved in choosing a president because it might weaken the separation of powers between the legislative and executive branches of government.

The Framers **compromised** by choosing a system of electors. The system placed the final decision of who would be president and vice president into the hands of a separate voting body called the Electoral College. Its members (known as electors) would vote for the president.

How Does the Electoral College Work?

State **legislatures** decide how their electors are chosen and how their electoral votes are given out. Each state has its own rules for picking these electors. Electors in each state pledge their votes to one or the other candidate, so there are groups (or "slates") ready to vote for whoever wins. On Election Day, the popular vote in each state decides which slate will represent them. After the election, on a specific date, the slates meet in their states and cast their votes for president and vice president.

Under the U.S. Constitution, each state gets a number of electors equal to the number of members in the House of Representatives for that state plus its two U.S. Senators. Electors cast one vote for president and a separate vote for vice president.

In every state except Maine and Nebraska, the presidential candidate who gets the most votes gets all that state's electoral votes. This is known as a plurality winner-take-all system. Maine and Nebraska use the Congressional District Method, in which one electoral vote is assigned to each congressional district, and then the statewide winner of the popular vote gets the state's other two electoral votes.

Under this system, it is possible for electoral votes to be shared between candidates. In the 2016 presidential election, for example, Hillary Clinton got three of Maine's electoral votes, and Donald Trump got one.

What Do Americans Think About the Electoral College?

Americans' opinion of the Electoral College is divided. In December 2016, the Gallup polling company found that 47% of Americans want to keep the Electoral College, an increase from 35% in 2004, with 49% wanting to amend the Constitution to switch to a national popular vote. However, a 2023 Pew Research Center survey found that 65% of Americans support a national popular vote, while only 33% support keeping the Electoral College. It seems safe to expect debate over this issue leading up to national elections every four years.

Given today's electoral complexities, what are the main arguments behind Americans' divided opinion on the Electoral College?

Arguments Against the Electoral College

1. It allows a president to be elected who does not win the popular vote. This has occurred four times.

2. It undermines the democratic principle of "one person, one vote." Since every state gets at least three electoral votes regardless of the state's population, the influence of voters in small states is greater.

3. No winner may be chosen. A close election can prevent any candidate from getting a majority of Electoral College votes. When no one candidate receives a majority of electoral votes, the House of Representatives — with each state delegation having just one vote — decides who is president. This has occurred twice in our history (in 1800 and 1824).

4. The Electoral College makes presidential candidates ignore some states. They concentrate their efforts and attention on the so-called swing states that have many votes in the Electoral College.

Arguments For the Electoral College

1. The Electoral College reflects our federal system as described in the U.S. Constitution. It gives power to the states and their representatives instead of the national government.

2. No one region in the U.S. (South, West, Midwest, etc.) controls enough electoral votes to elect a president all by itself. Therefore, successful presidential candidates must appeal to voters across multiple regions. This encourages candidates to campaign in smaller swing states with relatively large rural populations.

3. The Electoral College has contributed to political stability by promoting the two-party system, which encourages the major parties to represent a wide range of interests. Since the first presidential election, third parties have only won one or more electoral votes 12 times.

4. It is the system we have and in which candidates and the public know how to operate. Any change to it could have negative, unexpected consequences.

Name: _____

The Electoral College

Civil Conversation Guide

Step 1: Read.

A. Read through the entire selection without stopping to think about any particular section.

B. Re-read the selection and annotate ("talk to") the text:

- Underline the main/most important points. You can comment on these points in the margins.
- Circle words or phrases that are unknown or confusing to you.
- Write down any questions you have in the margin labeling them with a "?".
- Draw an ➡ in the margin next to text that connects to something you know from outside the text. Note what the connection is, such as a news item or personal experience.

Step 2: Think about the reading to prepare for the discussion.

A. This reading is about...

B. The MAIN POINTS are:

What Should We Do About the Electoral College?

C. In the reading, I agree with:

D. In the reading, I disagree with:

E. What are two questions about this reading that you think could be discussed? (The best questions for discussion are ones that have no simple answer and that can use the text as evidence.)

1.

2.

Step 3: Discuss and Listen.

You will have _____ minutes to discuss. Your goal is to engage with each other and the text to gain insight about your own point of view while finding a shared understanding of the issue.

Start by taking turns sharing your answers to the questions in Step 2, sections A-D. Then, you will likely find at least one discussion question at the end of the reading. If time permits, you can discuss questions you came up with in Section E above.

Rules for a Civil Conversation

1. Everyone in your group should participate in the conversation.
2. Listen carefully to what others are saying
3. Ask clarifying questions if your do not understand a point raised
4. Be respectful of what others are saying.
5. Refer to the text to support your ideas.

Step 4: After your conversation...

A. Compared to others in your group, did you speak? ___ Less than, ___ About the same as, ___ More than others.

B. Note some of the ways you added to the discussion.

C. What evidence did you use from the text to add to the discussion? Why was this evidence helpful?

D. What did you learn about the topic from the Civil Conversation? (Be sure to reference the text!)