

John F. Kennedy Hyannis Museum
Constitution Week
A Lesson for Grade 5: “Separation of Powers”
Adapted from the National Constitution Center

Introduction

In this lesson, students will learn about how the three branches of the United States Government work together through separation of powers and a system of checks and balances. Students will learn the composition of the legislative, executive, and judicial branches of government. They will read sections of Articles I, II, and III of the Constitution and be able to identify the powers of each branch of government. Students will watch a video, “Separation of Powers”, to see how the system of checks and balances established in the Constitution has worked across time with President Jefferson in the early 1800s, President Lincoln in 1861, and President Nixon in 1973.

MA Department of Elementary and Secondary Education History and Social Science Content Standards

Grade 5:

Topic 3: Principles of United States Government

- 3-18.** Explain how the framers of the Constitution divided and shared powers among the three branches of the United States government; describe the function of each branch and the system of checks and balances.

Guiding Questions

1. What are the three branches of government established by the Constitution?
2. What are the responsibilities of the legislative, executive, and judicial branches?
3. What is the system of “Checks and Balances”, established by the Constitution?

Learning Objectives

1. Students will be able to identify the roles and responsibilities of the Executive, Legislative, and Judicial Branches of the Federal Government as outlined by the *Constitution*.
2. Students will be able to explain why the authors of the Constitution organized the government with three branches and explain the system of “checks and balances.”

Lesson Materials

1. The *Constitution*, Article I, Sections 7 & 8
2. The *Constitution*, Article II, Sections 2 & 3
3. The *Constitution*, Article III, Section 2
4. Video: *Separation of Powers* <https://constitutioncenter.org/learn/hall-pass/separation-of-powers>
5. Worksheet: “Who’s Got the Power?” (included)

Lesson Activities

Pre-Lesson: Separation of Powers/Checks and Balances

1. Introduce students to the concepts of separation of powers and checks and balances by using the familiar context of the school. “How is our school community divided into different groups?” (Teachers, Administrators, Support Personnel, Students)
2. Compare this to the U.S. Government: “Just as our school is made up of different groups, the U.S. government is made up of three groups or branches, each with its own set of powers and jobs.
3. What are the three branches of government? (Executive, Legislative, and Judicial)

Lesson: The Three Branches of Government as Written in the *Constitution*

1. Share the following information about each branch:
 - a) The Executive Branch includes the President, members of the Cabinet, and heads of additional federal agencies including the CIA and Environmental Protection Agency. Members of the Cabinet oversee 15 executive departments.
 - b) The Legislative Branch or Congress, is a bicameral legislature, meaning it has two distinct parts the Senate, with 100 members (2 for each state), and the House of Representatives with 435 members (based on each state's population, but with at least 2 from each state). Senators are elected every 6 years, and representatives are elected every 2 years.
 - c) The Judicial Branch is made up of the Supreme Court and lower federal courts. Nine justices, including a chief justice make up the Supreme Court. The judges are appointed by the president and confirmed by the senate. Judges remain in office indefinitely, until they choose to resign, pass away, or are impeached or convicted by Congress. Federal judges who serve in the country's many district courts or one of the country's 13 courts of appeals are also appointed and serve indefinitely.
2. Articles I, II, and III of the *Constitution* grant specific powers to each branch of government. This is known as the "Separation of Powers" and keeps anyone branch from abusing its power.
3. Activity: Divide students into small groups. Distribute Articles I, II, and III of the Constitution. Write the following on a white board:
 - *Powers of the Legislative Branch: Article I, Sections 7&8*
 - *Powers of the Executive Branch: Article II, Sections 2&3*
 - *Powers of the Judicial Branch: Article III, Section 2*Have students work in their small groups, reading and highlighting the sections that explain each branch's power. Then have them complete the worksheet: *Who's Got the Power?* Review the answers with students. Remind students that the authors of the *Constitution* developed these three branches to be sure no one branch is too powerful.
6. Have students watch the video *Separation of Powers*, <https://constitutioncenter.org/learn/hall-pass/separation-of-powers> to reinforce their knowledge.