

Classroom Lesson: Constitutional Amendments

Total time required:
1-5 class periods

General Overview

Unlike most other laws in Washington, amendments to the Washington State Constitution must gain two-thirds approval in both chambers of the Legislature, at which point it is referred to voters in the General Election. This inquiry will help students understand the higher requirements for passing a constitutional amendment, and the committee work that goes into writing arguments and rebuttals in the Voters' Pamphlet.

Objectives

- Students will understand the process of passing a constitutional amendment and critically review the current process.
- Students will be able to review previous constitutional amendments and analyze their current applicability.
- Students will understand the impacts of changes to the Constitution.
- Students will understand the process of creating an argument for and against the constitutional amendment in the state Voters' Pamphlet.

Three activities are included for your classroom, and should be completed successively. Student materials for the three activities can be found on pages 5-12, and can be printed front and back. Pages 9-12 are for a pair activity, so print only one set of pages for each pair.

Activity 1: The process of passing a constitutional amendment (1 class period)

Objective: Students will analyze Section XXIII of the Washington State Constitution (Appendix A) and answer the questions below.

Lead the discussion to help students understand the process of passing a constitutional amendment, centered on why changing the state constitution requires both a higher legislative bar as well as popular approval.

1. Based on Section XXIII, what are the steps needed for a proposed constitutional amendment to become law in our state?

Teacher's note: Must pass a two-thirds majority in each branch of the Legislature and then be approved by voters at the next general election.

2. Why do you think that constitutional amendments are passed this way, as opposed to how laws are usually passed in our state by the Legislature?

Teacher's note: Regular legislation needs to pass both branches of Legislature with a simple majority.

3. Do you think the process of amending our constitution should change? How?

Additional questions: *Should citizens be able to gather signatures to change a constitutional amendment, similar to an initiative or referendum? Should the Legislature need only a simple majority for the amendment to pass each branch? Should the amendment even be referred to the people for a vote? Why or why not?*

Activity 2: Create your own constitutional amendment

(1-2 class periods)

Objective: Students will create a constitutional amendment that they think would pass today.

Guide a discussion on why students believe the amendments in the Mock Election pamphlet toolkit might have been introduced by the Legislature. You can suggest some conversation topics, such as fiscal conservancy, popular opinion, or bringing archaic language up to date.

Give each student a handout of Appendix B. Have them write a Constitutional Amendment and then answer the questions on the handout. Language removed is indicated with double parenthesis and struck out. Language added is underlined.

Optional: Have students visit the Washington State Legislature website (leg.wa.gov) for a complete list of current constitutional amendments, or the Secretary of State's website (sos.wa.gov/constitutionalamendments) for a complete list of past constitutional amendments and their election results. You can have students add or remove language to a previously proposed amendment, make changes to a section within an existing article, or create a whole new section if they think changes would improve its chances of passing both the Legislature and a vote of the people today.

Activity 3: Argue your constitutional amendment

(1-2 class periods)

Objective: Students will create 'For' and 'Against' statements and rebuttals for the constitutional amendments that were created in the last activity. Afterwards, the arguments and rebuttals will be read to the class.

Have each student lay out their proposed constitutional amendment from Appendix B in a row. Then, have students pair up in teams of two. Have each pair choose one of the constitutional amendments together and return to their seats.

Instruct students that one of them will write an argument for the ballot measure to pass, and the other will write an argument against. Give each team the handout from Appendix C to construct their argument. Students can refer to Appendix B to help them construct their argument.

Students are not allowed to see each other's arguments before both are ready to exchange. Once both initial arguments are created, have each team exchange arguments to write their rebuttal below.

Once all arguments and rebuttals are prepared, students can share with the classroom the Constitutional Amendment, arguments and rebuttals. Students can keep a tally of whether they believe each Constitutional Amendment would pass or fail. Afterwards, you can lead a discussion through one or all Amendments, and the reasons why students believe the amendment would pass or fail.

Preview of Student Activity pages

Activity 1: The process of passing a constitutional amendment

60

Article XXIII

Amendments.

Section 1. Any amendment or amendments to this constitution may be proposed in either branch of the Legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals with the yeas and nays thereon, and be submitted to the qualified electors of the State for their approval, at the next general election; and if the people approve and ratify such

Image from <https://www.sos.wa.gov/sites/default/files/2022-05/1889-constitution-color.pdf> (page 61)

Read Article XXIII of the Washington Constitution (next page), and answer the following questions:

Based on Sections 1-3, what are the steps needed for a proposed constitutional amendment to become law in our state?

Why do you think that constitutional amendments are passed this way, as opposed to how laws are usually passed in our state by the Legislature?

Do you think the process of amending our constitution should change? How?

Constitutional Amendment Lesson — Appendix A



Constitutional Amendment Lesson — Appendix A

[illegible]

Constitutional Amendment Lesson — Appendix B

Activity 2

Activity 3: Argue your constitutional amendment (for)

Read the constitutional amendment you chose. Then, make an argument to voters why they should *approve* it. Use the “That should be a law!” worksheet (Appendix B) as a guide to help formulate your argument. Make sure to follow the “Argument format” rules on the next page of this activity. Once you and your partner have both completed your arguments, exchange papers and write your rebuttals.

Argument for:

Name and contact information for your committee:

Read the argument above and then create a rebuttal. Make sure you create a rebuttal that only argues points already made; your rebuttal is not a *new* argument with *new* points. Make sure to follow the “Rebuttal format” rules on the next page.

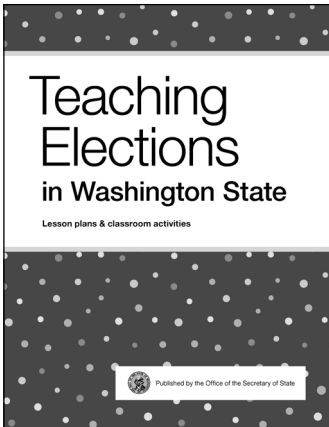
Rebuttal of argument for:

Constitutional Amendment Lesson — Appendix C

Constitutional Amendment Lesson – Appendix C

Constitutional Amendment Lesson — Preview of Student Activity pages

Additional teaching resources

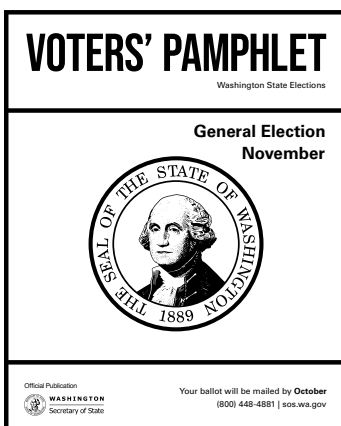
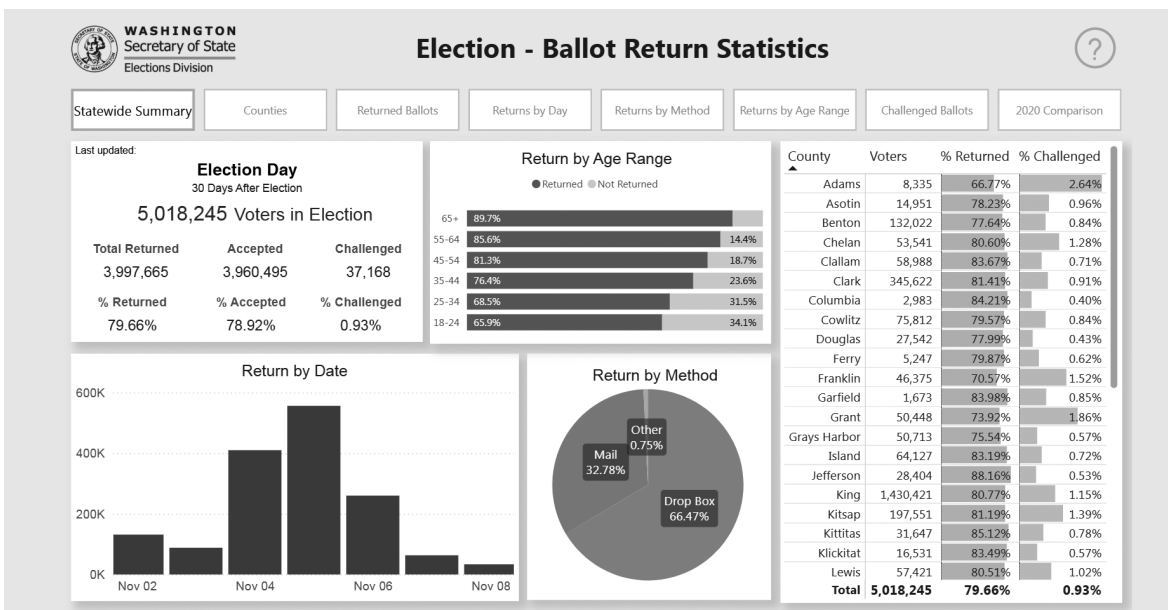


Download the latest version of the *Teaching Elections in Washington State* curriculum guide:

<https://bit.ly/TeachingElectionsWA>

Or request a copy at <https://www.sos.wa.gov/elections/education-outreach/k-12-college/teaching-elections-curriculum-guide>

Check our interactive Ballot Return Statistics dashboard, where students can see the number of ballots being returned each day during the current election, sorted into categories such as date, county, and age! sos.wa.gov/elections/data-research/ballot-return-statistics



Print off the Student Mock Election toolkit.

Visit sos.wa.gov/teacher-resources

Or request a classroom set of the **actual** statewide Voters' Pamphlet: email voterspamphlet@sos.wa.gov

Activity 1: The process of passing a constitutional amendment

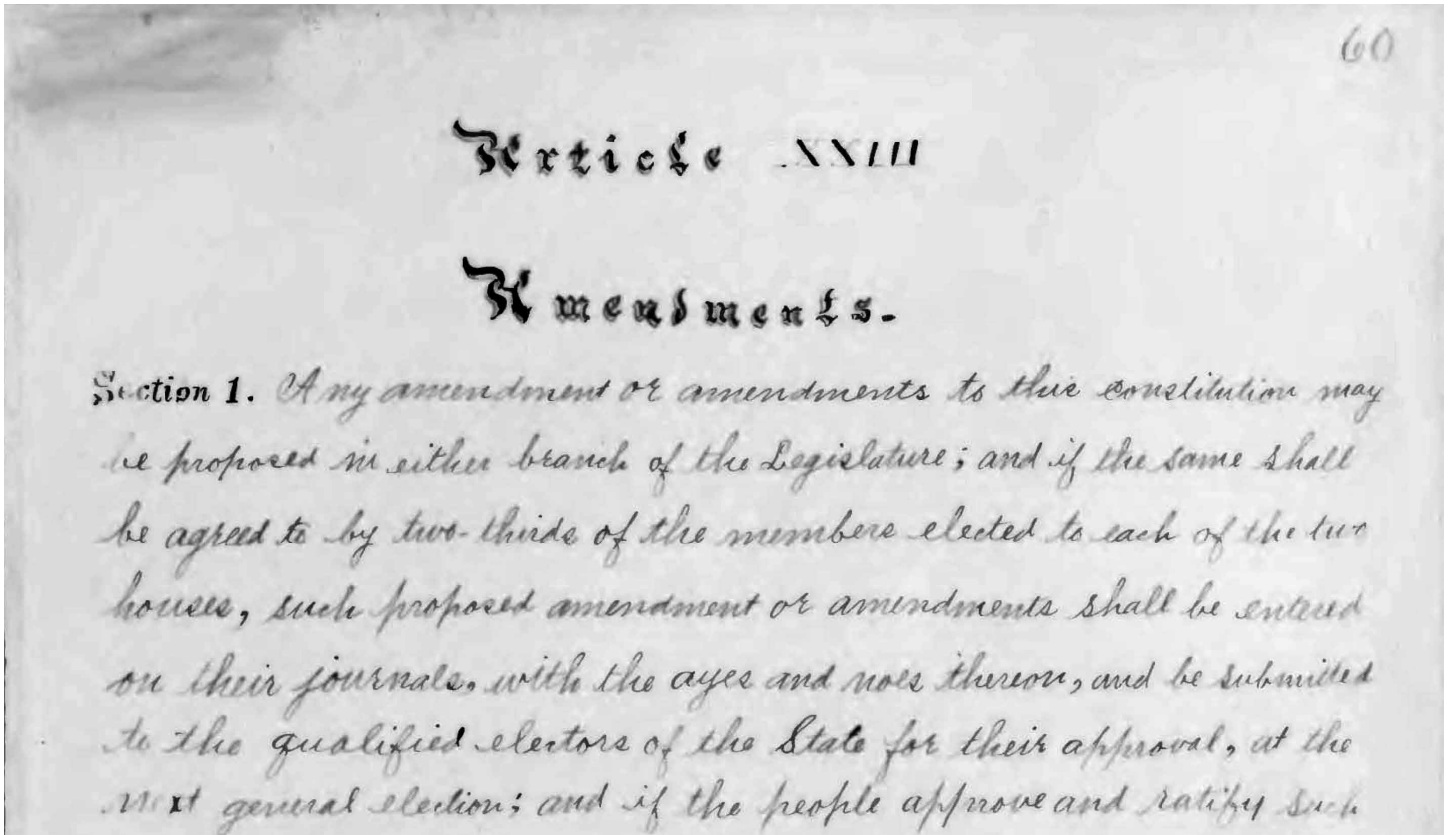


Image from <https://www.sos.wa.gov/sites/default/files/2022-05/1889-constitution-color.pdf> (page 61)

Read Article XXIII of the Washington Constitution (next page), and answer the following questions:

1. Based on Sections 1-3, what are the steps needed for a proposed constitutional amendment to become law in our state?
2. Why do you think that constitutional amendments are passed this way, as opposed to how laws are usually passed in our state by the Legislature?
3. Do you think the process of amending our constitution should change? How?

ARTICLE XXIII. AMENDMENTS

SECTION 1. HOW MADE

Any amendment or amendments to this Constitution may be proposed in either branch of the legislature; and if the same shall be agreed to by two-thirds of the members elected to each of the two houses, such proposed amendment or amendments shall be entered on their journals, with the ayes and noes thereon, and be submitted to the qualified electors of the state for their approval, at the next general election; and if the people approve and ratify such amendment or amendments, by a majority of the electors voting thereon, the same shall become part of this Constitution, and proclamation thereof shall be made by the governor: Provided, That if more than one amendment be submitted, they shall be submitted in such a manner that the people may vote for or against such amendments separately. The legislature shall also cause notice of the amendments that are to be submitted to the people to be published at least four times during the four weeks next preceding the election in every legal newspaper in the state: Provided, That failure of any newspaper to publish this notice shall not be interpreted as affecting the outcome of the election. [**AMENDMENT 37**, 1961 Senate Joint Resolution No. 25, p 2753. Approved November, 1962.]

SECTION 2. CONSTITUTIONAL CONVENTIONS

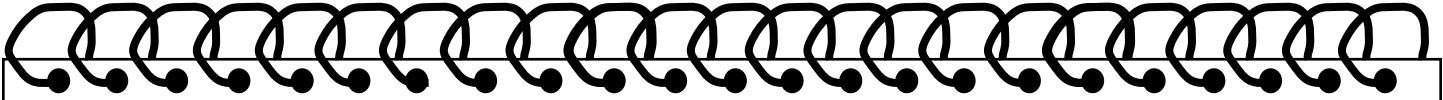
Whenever two-thirds of the members elected to each branch of the legislature shall deem it necessary to call a convention to revise or amend this Constitution, they shall recommend to the electors to vote at the next general election, for or against a convention, and if a majority of all the electors voting at said election shall have voted for a convention, the legislature shall at the next session, provide by law for calling the same; and such convention shall consist of a number of members, not less than that of the most numerous branch of the legislature.

SECTION 3. SUBMISSION TO THE PEOPLE

Any Constitution adopted by such convention shall have no validity until it has been submitted to and adopted by the people.

Activity 2: Create your own constitutional amendment

Often, changes made to the state Constitution are a product of their times. Create an amendment to our state Constitution that could be made today. You can remove or add language to a previously proposed amendment or a section from an existing article, or add a whole new section. Then, fill out the notebook questions below and on the next page.



“That should be a law!”

What is your amendment? Check the info box below for tips on formatting.

[illegible]

How do I edit measure text?

Language in double parentheses with a line through it is existing state law; it will be taken out of the law if this measure is approved by voters.

~~((sample of text to be deleted))~~

Underlined language does not appear in current state law but will be added to the law if this measure is approved by voters.

sample of text to be added

What would your amendment do?

Why is it important that this amendment becomes law?

Who would be affected?

How much will this amendment cost and who pays for it?

Why will both legislators **and** voters choose to pass this amendment?

When would the new rules start?



Activity 3: Argue your constitutional amendment (for)

Read the constitutional amendment you chose. Then, make an argument to voters why they should *approve* it. Use the “That should be a law!” worksheet (Appendix B) as a guide to help formulate your argument. Make sure to follow the “Argument format” rules on the next page of this activity. Once you and your partner have both completed your arguments, exchange papers and write your rebuttals.

Argument for:

Name and contact information for your committee:

Read the argument above and then create a rebuttal. Make sure you create a rebuttal that only argues points already made; your rebuttal is not a *new* argument with *new* points. Make sure to follow the “Rebuttal format” rules on the next page.

Rebuttal of argument for:

Voters' Pamphlet

Guide to Arguments and Rebuttals for Ballot Measures

Argument format

Use the instructions below to structure your argument. These are generally the same as the instructions given to committees writing actual arguments for and against ballot measures.

- Arguments can be up to 250 words.
- Hyphenations count as two (2) words (e.g., “pro-jobs”).
- You can create up to four (4) headings, in bold. Each heading can be no more than 15 words. Words used in the headings are counted against the 250-word limit.
- Write up to four (4) paragraphs underneath your headings. Italics are the only emphasis allowed in your font (no underlining or all caps).
- No tables, lists, bullets, or pictures allowed.
- No web addresses allowed.
- Once you hand your argument over for rebuttals, no changes are allowed.

Rebuttal format

- Rebuttals can be up to 75 words.
- Rebuttals should be only one (1) paragraph, with no headings.
- Only italics can be used for emphasis (no underlining, bold, or all caps).
- No graphs, charts, bullets, or pictures.
- No web addresses allowed.

Activity 3: Argue your constitutional amendment (against)

Read the constitutional amendment you chose. Then, make an argument to voters why they should *reject* it. Use the “That should be a law!” worksheet (Appendix B) as a guide to help formulate your argument. Make sure to follow the “Argument format” rules on the next page of this activity. Once you and your partner have both completed your arguments, exchange papers and write your rebuttals.

Argument against:

Name and contact information for your committee:

Read the argument above and then create a rebuttal. Make sure you create a rebuttal that only argues points already made; your rebuttal is not a *new* argument with *new* points. Make sure to follow the “Rebuttal format” rules on the next page.

Rebuttal of argument against:

Voters' Pamphlet

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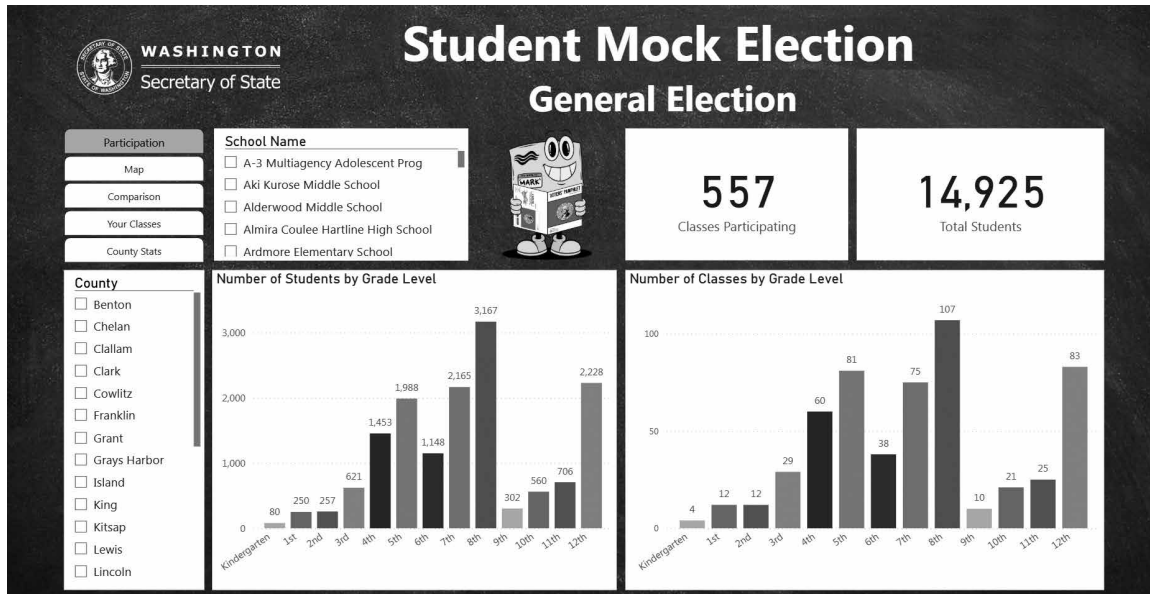
Additional student resources

Is your school participating?

Scan to see if your school is representing your community on the Student Mock Election dashboard!

<https://www.sos.wa.gov/elections/k12map>

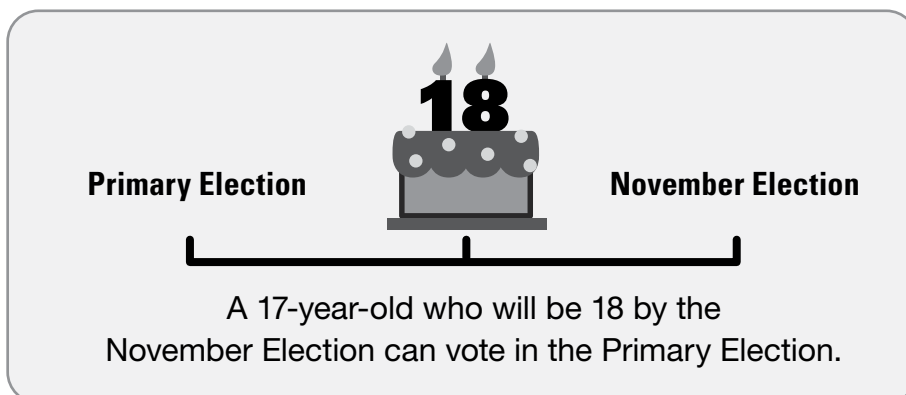
If not, ask your teacher to sign up!



Did you know?

If you are at least 16 years old, you can sign up as a Future Voter and be automatically registered to vote when you become eligible.

Learn more about the Future Voter program by scanning the QR code or visiting <https://bit.ly/FutureVoter>



Future Voter

