



Federal v. State Powers Chart Answer Key

Instructions: Imagine you are a committee within the U.S. Department of Education that is reviewing civics education in the country. The Department is considering mandating that all states require a civics course in order to graduate from high school. The Department has asked you to evaluate this issue and decide whether the federal mandate would violate state powers. Review the resources provided and collect information that supports arguments that it DOES and DOES NOT violate state powers. Then, answer the questions below.

Resources

- [Government 101: State Governments](#)
- [The Role of Federal Government in Education](#)
- [A Look at Civics Education in the United States](#)
- [Pros and Cons of Federal Involvement in Education](#)

Federal Mandate DOES Violate State Powers

- The 10th Amendment declares, “The powers not delegated to the United States by the Constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people.” In other words, states have all powers not granted to the federal government by the Constitution. Education is not a delegated federal power, and therefore, the states have the authority over this area.
- States must take responsibility for certain localized issues, including the education of inhabitants.
- Each state has its own Constitution that allows it to administer laws within its state as it sees fit, as long as it does not violate the U.S. Constitution.

Federal Mandate DOES NOT Violate State Powers

- The federal government can issue mandates that contain required rules/laws for state governments to administer but must provide the states with funding to do so.
- The federal government can also provide states with grants that require states to follow certain rules or criteria in order to get the funding.
- The federal government has the power to pass education-related laws. States then create statutes and rules, while local education agencies, such as school districts, develop policies to enforce state laws and regulations.



Federal Mandate DOES Violate State Powers *(continued)*

- State and local governments provide 92% of all funding for education, so they should have the most say in what is required for graduation.
- 30 states already require at least some civics education to graduate, so there is no need for a federal mandate.
- There are many nonprofit and local organizations that support civics.
- There are mixed results with past federal laws.

Federal Mandate DOES NOT Violate State Powers *(continued)*

- Throughout U.S. history, several federal laws dealing with education have been passed, such as the Elementary and Secondary Education Act, the No Child Left Behind Act, and the Every Student Succeeds Act.
- The federal government does provide funding—for example \$771.1 billion in the 2019–20 school year.
- The federal government sets standards that all states must follow to provide equity across the nation.
- 11 states have no civics requirement.
- States with more rigorous civics requirements have better outcomes.

Conclusion

1. Does the federal government have the power to mandate a civics course? Explain your reasoning.

Yes

- Past federal laws that deal with education open the door for other federal laws that impact education.
- The federal government can issue mandates that contain required rules/laws for state governments to administer.
- The federal government does provide funding—for example, \$771.1 billion in the 2019–20 school year—and therefore should have some say.

No

- The 10th Amendment provides power to the states in all areas not delegated to the federal government, which includes education.
- State and local governments provide the most funding and therefore should have the most say.
- Many federal laws that deal with education are only required if the state chooses to accept funding.



2. Is a federal mandate necessary? Explain your reasoning.

Yes	No
<ul style="list-style-type: none">● Only nine states and Washington, D.C. require one year of U.S. civics, while 11 states have no civics requirement. There is clearly a need for the federal government to set a standard● Federal standards help to ensure that all students, regardless of their state or district, receive a high-quality education.● Federal mandates would help hold all districts accountable.● Federal mandates would eliminate inconsistencies.● The federal government could help fill funding gaps that states struggle with.	<ul style="list-style-type: none">● 30 states already require at least some civics education to graduate, so there is no need for a federal mandate.● There are many nonprofit and local organizations that support civics.● There are mixed results with past federal laws that show a federal mandate may not work.● Federal standards may be worse for students in some states.● State laws can be more tailored to state needs than federal laws.

3. Based on your answers to the previous questions, should the federal government mandate a civics course for all high school students? Explain your reasoning.

Answers will vary.