

ELA.06.SR.1.08.042 C1 T8

Sample Item ID:	ELA.06.SR.1.08.042
Grade/Model:	06/1a
Claim:	1. Students can read closely and analytically to comprehend a range of increasingly complex literary and informational texts.
Assessment Target(s):	8. KEY DETAILS: Use explicit details and implicit information from texts to support inferences or analyses of the information presented
Secondary Target(s):	n/a
Standard(s):	RI-1, RH-1, RST-1, RI-3, RH-3
DOK:	2
Difficulty:	E
Item Type:	Selected Response
Score Points:	2
Key:	E
Stimulus/Passage(s):	Judicial Review
Stimulus/Text Complexity:	The piece presents an abstract concept in a clear and concrete way. The quantitative measures give a range from grade 4-8; the qualitative review suggests that the most appropriate placement is at grade 6. Based on these sets of measures, this passage is recommended for assessment at grade 6. Please see the text complexity worksheet attached.
Acknowledgement(s):	Joy Hakim, <i>A History of US: The New Nation</i> (Oxford University Press, 1993), p. 48 Fair Use (<5% of source)
Item/Task Notes:	
How this task contributes to the sufficient evidence for this claim:	In order to respond to the prompt, students must select the sentence that best supports a given analysis of the informational text from a list of options.
Target-Specific Attributes (e.g., accessibility issues):	Requires students to read grade-level text and either use a mouse or indicate correct response. Alternative formats and/or support may be required for visually- and physically-impaired students.

*Stimulus Text:***Judicial Review**

1803, in a very important Supreme Court case called *Marbury v. Madison*, [Chief Justice John] Marshall said the Court could throw out any law passed by Congress if the Court thought that law was unconstitutional. "It is emphatically the province and duty of the judicial department to say what the law is," wrote Chief Justice Marshall in that very important case.

Marbury v. Madison began a process called “judicial review.” It gave the Supreme Court the power to decide if a law passed by Congress meets the requirements of the Constitution.

But who really cares if a law is constitutional or unconstitutional, if Congress wants it? Well, imagine that tomorrow Congress passes a law saying you can’t criticize the president. Suppose your mother does that and she goes to jail. That actually happens in some countries. In those countries people are even afraid to talk to their friends. It happened here in 1798 with the Sedition Act.

Judicial review protects all of us. It helps guarantee our freedoms. Judicial review made the Constitution stronger. It made the Supreme Court powerful. It made the Court a real check and balance to the two other government branches.

We Americans have always cared about our freedoms, especially the freedoms guaranteed in the Bill of Rights. John Marshall made sure those rights would be protected—even from Congress and the president.

Item Stem:

Joy Hakim, the author of the passage, believes that Judicial Review is a positive process.

Which of the following sentences from the passage **best** supports the above statement?

Options:

- A. *Marbury v. Madison* began a process called “judicial review.”
- B. But who really cares if a law is constitutional or unconstitutional, if Congress wants it?

- C. Well, imagine that tomorrow Congress passes a law saying you can't criticize the president.
- D. In those countries people are even afraid to talk to their friends.
- E. Judicial review protects all of us.

Distractor Analysis:

- A. Incorrect: this is a factual statement and does not contain any clues regarding the author's feelings about her subject.
- B. Incorrect: this question leads in to a more detailed description of what might happen without Judicial Review, but it does not tell us anything about the author's feelings about Judicial Review.
- C. Incorrect: this sentence is part of a description about the ways that Judicial Review helps to protect people, but it does not tell us anything about Hakim's views on Judicial Review.
- D. Incorrect: this is a factual statement that does not contain any clues regarding Hakim's feelings or beliefs.
- E. Correct: in this sentence, Hakim expresses her belief that Judicial Review "protects" people; students can infer that she believes this is a positive thing.

Worksheet: Text Complexity Analysis		
Title	Author	Text Description
Judicial Review	Joy Hakim	Explanation of the concept of judicial review



Recommended Placement for Assessment: Grade 6
 The piece presents an abstract concept in a clear and concrete way. The quantitative measures give a range from grade 4-8; the qualitative review suggests that the most appropriate placement is at grade 6. **Based on these sets of measures, this passage is recommended for assessment at grade 6.**

Qualitative Measures	Quantitative Measures
<p>Meaning/Purpose: <u>Slightly complex:</u> This brief piece is clearly and narrowly focused on the explanation and uses an example to support it.</p> <p>Text Structure: <u>Slightly complex:</u> Organization is predictable and clear.</p> <p>Language Features: <u>Moderately complex:</u> With a few exceptions (primarily in the quote from Marshall), the vocabulary is clear and straightforward. Unfamiliar terms are explained. The tone is conversational. Sentence structure is varied, with simple, compound, and some complex sentences.</p> <p>Knowledge Demands: <u>Moderately complex:</u> Moderately complex: Students must have basic understanding of the three branches of government, the Constitution, and the Supreme Court to give context to the information and help them understand the significance of the concept.</p>	<p>Common Core State Standards Appendix A Complexity Band Level (if applicable):</p> <p>Lexile or Other Quantitative Measure of the Text:</p> <p>Lexile: 900L; grades 4-5 Flesch-Kincaid: 8.2 Word Count: 225</p> <hr/> <p style="background-color: #4682B4; color: white; padding: 2px;">Considerations for Passage Selection</p> <p>Passage selection should be based on the ELA Content Specifications targets and the cognitive demands of the assessment tasks.</p> <p>Potential Challenges a Text May Pose:</p> <ul style="list-style-type: none"> • Accessibility • Sentence and text structures • Archaic language, slang, idioms, or other language challenges • Background knowledge • Bias and sensitivity issues • Word count

Adapted from the 2012 ELA SCASS work