



ARIZONA EDUCATOR PROFICIENCY ASSESSMENTS™



STUDY GUIDE

33 Constitutions of the United States and Arizona

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STUDY GUIDE ORDER FORM



PART 1: GENERAL INFORMATION ABOUT THE AEPA™ AND TEST PREPARATION

Part 1 of this study guide is contained in a separate PDF file. Click the link below to view or print this section:

[General Information About the AEPA and Test Preparation](#)



PART 2: FIELD-SPECIFIC INFORMATION

Field 33: Constitutions of the United States and Arizona

INTRODUCTION

This section includes a list of the test objectives, practice questions, and an answer key for the selected-response questions.

Test objectives. As noted earlier, the test objectives are broad, conceptual statements that reflect the knowledge, skills, and understanding an entry-level educator needs to practice effectively in Arizona schools. The list of test objectives for each test field is the *only* source of information about what a specific test will cover and therefore should be studied carefully.

Practice questions. The practice selected-response questions and practice performance assignments included in this section are designed to give you an introduction to the nature of the questions included in the AEPA tests. The practice questions represent the various types of questions you may expect to see on an actual test; however, they are *not* designed to provide diagnostic information to help you identify specific areas of individual strengths and weaknesses or to predict your performance on the test as a whole.

When you answer the practice questions, you may wish to use the sample answer sheet and sample Written Response Booklet provided in Part 1 to acquaint yourself with these materials. Use the answer key located after the practice questions to check your answers. Sample responses are provided immediately following each written performance assignment. The sample responses in this guide are for illustrative purposes only. Your written response should be your original work, written in your own words, and not copied or paraphrased from some other work.

To help you identify how the test objectives are measured, the objective statement to which the question corresponds is listed in the answer key. When you are finished with the practice questions, you may wish to go back and review the entire list of test objectives and descriptive statements for your test field.

TEST OBJECTIVES

Field 33: Constitutions of the United States and Arizona

SUBAREAS:

1. U.S. Constitution
2. Arizona Constitution

U.S. CONSTITUTION

0001 Understand major constitutional principles as defined in the preamble and in the articles of the U.S. Constitution.

For example: the structure, functions, and powers of the legislative, judicial, and executive branches of government; relationships among the three branches; major steps in the legislative process; major principles and procedures of the election process; terms and qualifications of U.S. senators, representatives, and the president; the relationship between the states and the federal government; the “supremacy clause” of the Constitution; and procedures for amending the Constitution.

0002 Understand the Bill of Rights and other amendments to the U.S. Constitution.

For example: the five civil liberties of the First Amendment; historical and political context of the Bill of Rights; ways in which the Bill of Rights limits the power of government; due process protections; amendments that have expanded popular participation in government, including that of historically excluded groups; civil rights issues and election procedures; amendments related to state lawsuits, taxation, and governmental organization.

0003 Understand ways in which the U.S. Constitution has been defined through interpretation.

For example: landmark Supreme Court decisions regarding the Bill of Rights and civil rights issues, governmental powers, and the rights of teachers and students.

ARIZONA CONSTITUTION

0004 Understand the principles of the Arizona Declaration of Rights and direct democracy.

For example: the historical and political context of the Arizona Declaration of Rights; basic civil liberties and due process protections; limitations on the powers of state government; provisions related to suffrage and direct democracy (initiative, referendum, recall); the role of the Progressive movement in the development of the Arizona Constitution; and the procedures for amending the Arizona Constitution.

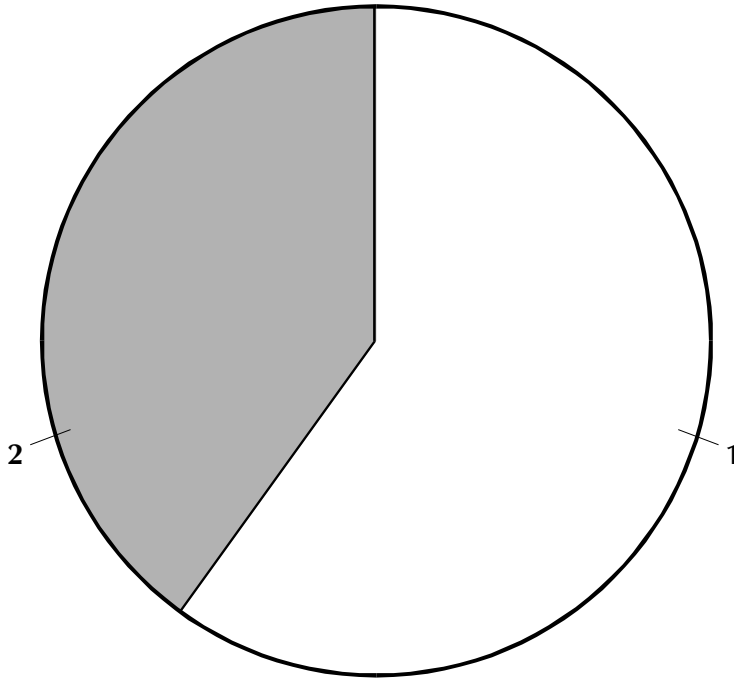
0005 Understand the structure, functions, powers, and limitations of the three branches of Arizona government.

For example: the structure, functions, and powers of the legislative, judicial, and executive branches of state government; terms and qualifications for state legislators, members of executive departments, and judges; major steps in the legislative process; relationships among the three branches; the jurisdiction of Arizona courts; procedures for electing, removing, and replacing members of government; and the relationship between sovereign tribal governments and the state government.

0006 Understand other provisions of the Arizona Constitution.

For example: provisions regarding interrelationships of state and local (municipal, county, special districts) governments; provisions regarding education, including the structure of the Arizona public school system and the education of all pupils, including exceptional students; provisions regarding revenues and taxation; and various other provisions of the Arizona Constitution (e.g., regarding corporations, labor, militia, English language).

DISTRIBUTION OF SELECTED-RESPONSE ITEMS ON THE TEST FORM



Subarea		Approximate Percentage of Selected-Response Items on Test Form
<input type="checkbox"/>	1. U.S. Constitution	60%
<input type="checkbox"/>	2. Arizona Constitution	40%

PRACTICE QUESTIONS

Field 33: Constitutions of the United States and Arizona

1. Which of the following best illustrates the operation of the principle of separation of powers in the federal government?
 - A. The president vetoes a congressional bill.
 - B. The House of Representatives amends a bill that originated in the Senate.
 - C. The Supreme Court decides a case involving international trade.
 - D. Members of the Senate organize a filibuster of a controversial measure.
2. According to the U.S. Constitution, which of the following bills must originate in the House of Representatives?
 - A. bills for establishing rules for naturalization
 - B. bills for declaring war
 - C. bills for creating independent regulatory commissions
 - D. bills for raising revenue
3. If no candidate for president of the United States receives a majority of votes in the Electoral College, the election is decided by which of the following?
 - A. the entire Congress
 - B. the Senate
 - C. the House of Representatives
 - D. the Supreme Court
4. To become part of the U.S. Constitution, a proposed amendment must be:
 - A. approved by a majority in both houses of Congress and ratified by two-thirds of the states.
 - B. approved by the president and ratified by a majority of the states.
 - C. approved by two-thirds in each house of Congress and ratified by three-fourths of the states.
 - D. approved by the Supreme Court and ratified by two-thirds of the states.

5. Which of the following most influenced the decision to include a Bill of Rights in the U.S. Constitution?

- A. the debate between small states and large states at the Constitutional Convention
- B. the arguments in *The Federalist Papers*
- C. the developments that resulted in the enactment of the Northwest Ordinance of 1787
- D. Antifederalist criticism of the Constitution

6. According to the Fifth Amendment to the U.S. Constitution, "[In no case] shall private property be taken for public use, without just compensation." This provision was included in the Bill of Rights for which of the following purposes?

- A. to ensure that the government does not require excessive bail or impose excessive fines
- B. to regulate the government's power of eminent domain
- C. to prevent the government from demanding the quartering of soldiers in private homes
- D. to protect personal property from unreasonable searches and seizures

7. Use the information in the box below to answer the question that follows.

- Fifteenth Amendment: asserts that voting rights could not be denied on account of race or previous servitude
- Seventeenth Amendment: provides for the direct election of senators
- Nineteenth Amendment: grants voting rights to women
- Twenty-sixth Amendment: extends voting privileges to persons 18 years of age or older

Which of the following best describes the main purpose of these four amendments to the U.S. Constitution?

- A. to expand popular participation in the political process
- B. to eliminate inconsistencies in state voting laws
- C. to make it easier for citizens to exercise their right to vote
- D. to increase the accountability of elected officials

8. According to the Fourteenth Amendment to the U.S. Constitution, no state shall "deprive any person of life, liberty, or property, without due process of law, nor deny to any person . . . the equal protection of the laws." Which of the following best describes the main purpose of this constitutional provision?
- A. to extend the police powers of the federal government
 - B. to eliminate differences in the structure and operation of state and federal courts
 - C. to clarify the federal government's power to bring suit against the states
 - D. to extend the protections contained in the Bill of Rights to all Americans

9. **Use the excerpt below from the U.S. Supreme Court decision in *Schenck v. United States* (1919) to answer the question that follows.**

The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic. . . . The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. It is a question of proximity and degree.

Which of the following statements is the best summary of the Court's decision in this case?

- A. The legality of an act of free speech depends upon the intent of the speaker.
- B. Congress has the right to define whether an act of free speech is either harmful or beneficial.
- C. The legality of an act of free speech is determined by the extent to which the statement is correct.
- D. An act of free speech is punishable by law only when it jeopardizes the well-being of others.

10. In *Brown v. Board of Education of Topeka* (1954), the U.S. Supreme Court outlawed segregation in public schools. The Court's decision in the case most influenced the evolving interpretation of which of the following constitutional provisions?

- A. the freedom of assembly clause of the First Amendment
- B. the due process clause of the Fifth Amendment
- C. the reserved powers clause of the Tenth Amendment
- D. the equal protection clause of the Fourteenth Amendment

11. In *Ableman v. Booth* (1859), the U.S. Supreme Court denied state courts the right to issue rulings that conflicted with the decisions of federal courts. The Court's decision in the case most influenced the evolving interpretation of which of the following constitutional principles?

- A. popular sovereignty
- B. federalism
- C. separation of powers
- D. rule of law

12. **Use the excerpt below from the U.S. Supreme Court decision in *Pickering v. Board of Education* (1968) to answer the question that follows.**

Teachers are, as a class, the members of a community most likely to have informed and definite opinions as to how funds allocated to the operation of the schools should be spent. . . .

In a case such as this, absent proof of false statements knowingly or recklessly made by him, a teacher's exercise of his right to speak on issues of public importance may not furnish the basis for his dismissal from public employment.

Based on the excerpt above, which of the following conclusions can be drawn about the Court's opinion in this case?

- A. Teachers involved in disputes about school operations may never be dismissed by school boards.
- B. When making statements about school operations, teachers must provide irrefutable evidence for all assertions.
- C. School boards have the right to dismiss teachers who question the motives of board members.
- D. The Constitution does not protect teachers who purposely make misleading statements about public issues.

13. Use the excerpt below from the Arizona Constitution to answer the question that follows.

No standing army shall be kept up by this state in time of peace, and no soldier shall in time of peace be quartered in any house without the consent of its owner, nor in time of war except in the manner prescribed by law.

One can best understand the historical origins of the provision above by examining events surrounding which of the following conflicts?

- A. Black Hawk War
- B. American Revolution
- C. War of 1812
- D. U.S. Civil War

14. Use the privileges and immunities clause of the Arizona Constitution, quoted below, to answer the question that follows.

No law shall be enacted granting to any citizen, class of citizens, or corporation other than municipal, privileges or immunities which, upon the same terms, shall not equally belong to all citizens or corporations.

Which of the following best describes the main purpose of this clause of the Arizona Constitution?

- A. to clarify the limits of the privileges and immunities granted to citizens
- B. to ensure that all citizens share the same privileges and immunities
- C. to describe the privileges and immunities of citizens
- D. to specify which citizens enjoy which privileges and immunities

15. Use the excerpt below from the Arizona Constitution to answer the question that follows.

The liberty of conscience secured by the provisions of this constitution shall not be so construed as to excuse acts of licentiousness, or justify practices inconsistent with the peace and safety of the state.

The main purpose of the provision above is to achieve a balance between:

- A. moral values and political interests.
 - B. freedom and order.
 - C. secular requirements and religious concerns.
 - D. rights and privileges.
16. Which of the following best describes the structure of the Arizona state legislature?
- A. two senators and six representatives from fifteen legislative districts
 - B. two senators and four representatives from twenty legislative districts
 - C. one senator and two representatives from thirty legislative districts
 - D. four senators and eight representatives from ten legislative districts
17. Which of the following best describes a major function of the Arizona state legislature?
- A. to appoint the directors of state administrative agencies
 - B. to determine the constitutionality of state laws and local ordinances
 - C. to supervise the Arizona National Guard in peacetime
 - D. to appropriate money needed to operate state government

18. Which of the following excerpts from the Arizona Constitution best illustrates the operation of the system of checks and balances in Arizona state government?
- A. "Every bill shall be read by sections on three different days, unless in case of emergency, two-thirds of either house deem it expedient to dispense with this rule."
 - B. "A judge retired by the supreme court shall be considered to have retired voluntarily. A judge removed by the supreme court is ineligible for judicial office in this state."
 - C. "Every bill passed by the legislature, before it becomes a law, shall be presented to the governor. If he approve, he shall sign it, and it shall become a law as provided in this constitution."
 - D. "All commissions shall issue in the name of the state, and shall be signed by the governor, sealed with the seal of the state, and attested by the secretary of state."
19. According to the Arizona Constitution, which of the following requirements must be met before a city can frame a charter for its own government?
- A. The city must acquire approval from the Arizona state legislature.
 - B. The city's population must be greater than 3,500.
 - C. The city must acquire approval from its county board of supervisors.
 - D. The city must have been incorporated for at least five years.
20. The Arizona Constitution prohibits which of the following corporate activities?
- A. the purchase of public lands for business operations
 - B. the issuance of corporate bonds
 - C. the lockout of workers during labor disputes
 - D. the formation of monopolies and trusts

ANSWER KEY

Field 33: Constitutions of the United States and Arizona

Question Number	Correct Response	Objective
1.	A	Understand major constitutional principles as defined in the preamble and in the articles of the U.S. Constitution.
2.	D	Understand major constitutional principles as defined in the preamble and in the articles of the U.S. Constitution.
3.	C	Understand major constitutional principles as defined in the preamble and in the articles of the U.S. Constitution.
4.	C	Understand major constitutional principles as defined in the preamble and in the articles of the U.S. Constitution.
5.	D	Understand the Bill of Rights and other amendments to the U.S. Constitution.
6.	B	Understand the Bill of Rights and other amendments to the U.S. Constitution.
7.	A	Understand the Bill of Rights and other amendments to the U.S. Constitution.
8.	D	Understand the Bill of Rights and other amendments to the U.S. Constitution.
9.	D	Understand ways in which the U.S. Constitution has been defined through interpretation.
10.	D	Understand ways in which the U.S. Constitution has been defined through interpretation.
11.	B	Understand ways in which the U.S. Constitution has been defined through interpretation.
12.	D	Understand ways in which the U.S. Constitution has been defined through interpretation.
13.	B	Understand the principles of the Arizona Declaration of Rights and direct democracy.
14.	B	Understand the principles of the Arizona Declaration of Rights and direct democracy.
15.	B	Understand the principles of the Arizona Declaration of Rights and direct democracy.
16.	C	Understand the structure, functions, powers, and limitations of the three branches of Arizona government.
17.	D	Understand the structure, functions, powers, and limitations of the three branches of Arizona government.
18.	C	Understand the structure, functions, powers, and limitations of the three branches of Arizona government.
19.	B	Understand other provisions of the Arizona Constitution.
20.	D	Understand other provisions of the Arizona Constitution.