

**Subject:** Civics and Government

**Grade Level:** 9–12

### Standards:

#### ***Indiana DOE***

##### *Academic (3)*

##### *USG.3.13*

Explain the electoral process in terms of election laws and election systems on the national, state, and local level.

##### *USG.3.16*

Explain and evaluate the original purpose and role of the Electoral College and its relevance today.

##### *USG.5.7*

Explain how citizens in the United States participate in public elections as voters and supporters of candidates for public office.

#### ***Nationwide***

##### *National Standards for Civics and Government (5)*

##### *I.D.3.3 What are alternative ways of organizing constitutional governments?*

To achieve this standard, students should be able to evaluate differing bases of electoral systems.

##### *II.C.2.2.e*

Students should be able to describe the character of American political conflict and explain factors that usually tend to prevent it or lower its intensity. To achieve this standard, students should be able to explain some of the reasons why political conflict in the United States, with notable exceptions..., has generally been less divisive than in many other nations. These include acceptance of majority rule tempered by respect for minority rights.

##### *III.E.4*

Students should be able to evaluate, take, and defend positions about the roles of political parties, campaigns, and elections in American politics.

### Materials Needed:

Students will need access to:

A computer or laptop or a way to show video in class

Students may need headphones

Access to PBS Learning Media

Access to the internet

### Learning Objectives:

- Understand what can trigger a vote recount in a close Presidential election.
- Understand that unusual results can occur when Congress must decide an inconclusive election.
- Review inconclusive Presidential elections that threatened to divide the nation.

### Introduction/Anticipatory Set:

A Presidential election may seem to be a simple matter: Just count the votes and name the top vote-getter as the new President. But many things can go wrong with that plan, so the Constitution establishes rules to govern what happens when the outcome of an election is unclear.

### Body of Lesson:

1. Some states require a recount of votes in a Presidential election if the margin of victory falls below a certain level. Other states allow a candidate to petition for a recount if the margin of victory is slim. In either case, the outcome of a Presidential election may be delayed by several weeks.
  - a. For example, the result of the Bush-Gore election of 2000 was unknown for five weeks because state law required a recount of Florida's votes. The Supreme Court halted the recount because it was only being done in certain counties, not statewide.
  - b. The Biden-Trump election of 2020 was contested even after the inauguration, although none of the audits or recounts requested by candidate Trump altered the outcome of the election.
  - c. Learning Activity:
    - i. View the video, "Inconclusive Elections."

## LESSON PLAN – INCONCLUSIVE ELECTIONS

- ii. Have students research the election laws of your state to determine what conditions (if any) would trigger a vote recount.
    - iii. Have your students discuss the question: Should our state make Presidential elections easier to challenge? Why or why not?
  2. Current laws for resolving inconclusive elections can lead to some unusual results. For example, if Congress must decide the outcome of an election, we may get a President from one party and a Vice President from the opposing party.
  3. Some Presidential elections have threatened to divide the nation. Even now, millions of voters deny the validity of the 2020 Presidential election and claim that the office was captured by fraud.
    - a. Learning Activity:
      - i. Refer students to the History Channel’s web page, “8 Most Contentious U.S. Presidential Elections” (<https://www.history.com/news/most-contentious-u-s-presidential-elections>).
      - ii. Have each student write a three-page essay (approximately 750 words) on the student’s choice of one of these topics:
        1. How the Constitution held the United States together after a disputed election.
        2. How a new President could promote unity and healing after a disputed election.

## Summary/Closure

Each Presidential election is an important milestone in the history of the United States, but an inconclusive election poses an obstacle to the unity of the nation. For this reason, we need to understand how we can reduce uncertain outcomes and minimize the rancor of election campaigns.

## Extension Activities

Some political commentators have propose different types of Presidential elections to reduce the likelihood of an inconclusive result. For example:

1. *Approval voting* calls for a voter to choose all candidates that he/she approves for the office. Read the article, “Approval Voting 101” (<https://electionscience.org/approval-voting-101/>). The candidate with the most votes is the winner.

## LESSON PLAN – INCONCLUSIVE ELECTIONS

2. *Ranked choice voting* calls for a voter to rank the top candidates that he/she approves for the office. The candidate with the highest ranking is the winner. Read “Pros and Cons of Ranked Choice Voting” (<https://congressionaldigest.com/pros-and-cons-of-ranked-choice-voting/>).
  - a. *Learning Activity:*
    - i. Have students read these articles.
    - ii. Have the group discuss the questions, “Would each method reduce the likelihood of an inconclusive result? Would it reduce the need for vote recounts?”

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