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FCLE Study Guide

Florida Civic Literacy Exam 3 Full-Length Practice Tests

272 Questions, Every Answer Explained from Primary Sources

20 questions per competency

Sources cited for every answer

Free online timed tests

Edition 1

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Florida Civic Literacy Exam

3 Full-Length Practice Tests

272 Questions, Every Answer Explained from Primary Sources

Edition 1 · November 2026

FCLE Study Guide. Florida Civic Literacy Exam: 3 Full-Length Practice Tests, 272 Questions, Every Answer Explained from Primary Sources.

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Sources and verification. Every question and explanation in this book was written from and checked against primary sources: the text of the Constitution and its amendments, the Declaration of Independence and other founding documents as transcribed by the National Archives, the opinions of the Supreme Court, the Federalist and Anti-Federalist papers, and National Archives and federal agency records of landmark legislation and executive actions. The full source list appears at the back. Dates, amendment numbers, and case holdings were cross-checked by automated tests against those sources, and the complete question bank was reviewed independently for keyed-answer errors and ambiguity before publication.

Development note. This book was developed with the assistance of artificial intelligence tools under human editorial direction. The sourcing and verification process described above applies to every page.

Corrections. If you find an error, the online edition at https://sourceboundprep.com/fcle lists any corrections and tells you how to report one. Note the question number and test.

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How to Use This Book

This book has one purpose: to get you a passing score on the Florida Civic Literacy Exam, and ideally a comfortable one. It is built around the state's own blueprint for the exam, the Supplemental Guide published by the Florida Department of Education, which lists exactly which principles, documents, cases, laws, and executive actions the test covers. Every chapter, question, and flashcard here is tied to an item on that list.

What is inside

- **Four review chapters**, one per competency, in the same order as the four sections of the exam. Each chapter explains the ideas the exam tests, quotes the primary sources the questions are built from, points out how the exam tends to frame questions on each topic, and ends with an eight-question Quick Check.
- **Three full-length practice tests** of 80 questions each, arranged in four sections of 20 like the real exam, followed by complete answer keys. Every explanation tells you why the right answer is right, why the tempting wrong answers are wrong, and which primary source it comes from.
- **Quick-review sheets**: one page per competency with the facts most worth memorizing.
- **A glossary** of every term, document, case, law, and executive action in the book. The online edition turns it into a flashcard deck.
- **Online practice tests** at https://sourceboundprep.com/fcle. They are the same questions as the printed tests, with an optional timer, automatic scoring by competency, and instant explanations.

How to study with it

If you have three weeks, follow the plan in the next chapter. If you have less, do this:

1. **Take Practice Test 1 first, before reading anything.** You need to know where you stand. Score it by section. The exam reports a score for each competency, and so do we. A section where you scored 14 or below out of 20 is where your study time goes.

2. **Read the chapters for your weak sections**, then do the Quick Check at the end of each. Read the explanations even for questions you got right; the explanations are where the exam's patterns live.
3. **Take Practice Test 2 under exam conditions.** No notes. If you want a timer, use 160 minutes, which is the length of the K-12 administration. Review every explanation, right or wrong.
4. **Read the quick-review sheets and work the flashcards** for a few days.
5. **Take Practice Test 3 the day before or two days before the exam.** You should be scoring in the sixties out of 80. The pass mark is 48.

How the questions are written

The exam asks you to recall, explain, interpret, categorize, and draw conclusions. In practice that means three kinds of questions:

- **Recall:** "Which amendment abolished slavery?" You either know it or you do not. The quick-review sheets and flashcards are for these.
- **Interpretation:** a quotation from a document, a case, or a speech, followed by "Which principle does this express?" or "Which case established this precedent?" The review chapters quote the same passages the exam likes to use, so you will recognize them.
- **Application:** a short scenario, followed by "Which constitutional protection has been violated?" or "How would the Court most likely rule, based on Case X?" These reward understanding what a principle or holding actually does. The explanations in this book are written to build that understanding.

Two rules for test day

Answer every question. There is no penalty for guessing. If you can eliminate two of the four options, which is usually possible, your odds are already even.

Read the stem for the exact question being asked. Many wrong answers are true statements that do not answer the question. "Which article grants the power to coin money?" has one answer even though three of the options describe real articles of the Constitution.

About the FCLE

The Florida Civic Literacy Exam is the assessment Florida uses to confirm that students have met the state's civic literacy requirement. Here is what you need to know about it, drawn from the Florida Department of Education's published materials and from the testing centers that administer it.

Who takes it and why

High school students. Since the 2021-22 school year, Florida law has required students enrolled in United States Government (including the Honors, Pre-IB, and Advanced Placement versions, related courses such as American Political Systems Honors and Humane Letters 1 History, and the dual-enrollment American Government and U.S. history survey courses) to take the FCLE. Districts administer it in two state testing windows each year, one in late fall and one in spring; for the 2026-27 school year the windows are November 2 to December 18, 2026, and March 29 to May 28, 2027, and each school sets its own test days inside them. Taking the exam is required; passing it is not a graduation requirement. A passing score is reported to the state for the student's transcript and **exempts the student from the postsecondary civic literacy assessment**, so passing in high school means never taking it in college.

College students. Students entering the Florida College System or State University System must demonstrate civic literacy before they earn an associate in arts or a bachelor's degree (and, for students who entered in fall 2022 or later, an associate in science or associate in applied science). Under the state rule as amended in December 2024, that means passing an approved course (American Government, POS 2041; Civil Discourse and the American Political Order, AMS 2010; or the U.S. history surveys, AMH 2010 and AMH 2020) **and** reaching the standard score on an approved assessment: the FCLE at 60 percent, AP U.S. Government and Politics at 3, AP U.S. History at 4, or CLEP American Government or CLEP History of the United States I at 50. A qualifying AP or CLEP score counts for both the course and the assessment. Students who passed the FCLE in high school are exempt from the assessment part. Colleges administer the exam through their testing centers, usually at no charge.

The format

Feature	Detail
Questions	80 multiple-choice items on a fixed form (the state FAQ says approximately 80; the state's sample items have four options each)
Sections	Four competencies: American Democracy; U.S. Constitution; Founding Documents; Landmark Impact on Law and Society. College testing centers describe the form as 20 questions from each; the practice tests in this book use that split
Passing score	60 percent, which is 48 of 80
Delivery	Computer-based (the Cambium Test Delivery System used for Florida's statewide tests); paper accommodations exist
Time (K-12)	One 160-minute session with a break at 80 minutes; students who finish may leave at the break, and a student who is not finished after 160 minutes may keep working for up to half a school day
Time (college)	Usually untimed; most students finish in about 90 minutes, so plan on up to 2 hours
Testing windows (K-12), 2026-27	November 2 to December 18, 2026, and March 29 to May 28, 2027; your district picks its days inside these
Retakes (K-12)	Two attempts per window, with a 30-calendar-day wait between attempts
Retakes (college)	Set by each institution: some allow a retake after 7 days, some require a 30-day wait, and some have no waiting period; usually no fee
Score report	Raw score, overall and for each of the four competencies, available as soon as the test is submitted (a college may take a few days to post it to your student account)

Confirm the retake rule and scheduling with your school or testing center; those details vary by institution and can change. The facts in this table were checked in October 2026 against the Florida Department of Education's FCLE Frequently Asked Questions for K-12 Administration (revised July 2025), its 2025-26 FCLE Fact Sheet (August 2025), the 2026-27 Statewide Assessment

Schedule (May 2026), and Rule 6A-10.02413 of the Florida Administrative Code (effective December 24, 2024); the online edition's About page notes any later change.

The four competencies

Florida law defines them this way, and the state's Supplemental Guide describes what each covers:

1. **Understanding of the basic principles and practices of American democracy and how they are applied in our republican form of government.** Social contract, separation of powers and checks and balances, rule of law, due process, equality under the law, popular sovereignty, natural rights, federalism, individual liberty, republicanism, constitutionalism, majority rule and minority rights, equal protection, the Bill of Rights, and elections.
2. **Understanding of the United States Constitution and its application.** The seven articles, expressed and implied powers, the amendment process, the Bill of Rights and later amendments, selective incorporation, the Federalist and Anti-Federalist debate, and the major clauses (Supremacy, Full Faith and Credit, Commerce, Emoluments, Due Process, Equal Protection, Necessary and Proper, and the First Amendment clauses).
3. **Knowledge of the founding documents and how they have shaped the nature and functions of our institutions of self-government.** The Declaration of Independence, the Massachusetts Constitution of 1780, the Articles of Confederation, the Northwest Ordinances, the Federalist Papers (especially Nos. 10, 14, 31, 39, and 51), the Constitution, and the Bill of Rights, plus earlier influences: Magna Carta, the Mayflower Compact, the English Bill of Rights, Common Sense, the Virginia Declaration of Rights, and the Anti-Federalist papers.
4. **Understanding of landmark Supreme Court cases, landmark legislation, and landmark executive actions and their impact on law and society.** Twenty-six named Supreme Court cases from Marbury v. Madison to Citizens United, plus legislation and executive actions grouped by type: compromises over slavery, territorial expansion, civil rights and liberties, social programs, environmental protection, and war powers.

The state's guide says all four competencies overlap in content, and that the Constitution competency overlaps particularly with the first and the fourth. Do not be thrown by that; the knowledge is the same.

Official resources you should also use

- The **Supplemental Guide for the FCLE** (Florida Department of Education, March 2022) is the blueprint this book follows. It is a 10-page PDF on the FLDOE website.
- The **FCLE Sample Items** PDF gives the state's sample questions with an answer key. Work through it; it shows the state's own question style.
- A **computer-based version of the sample items** is available on the state's practice test site, which lets you experience the testing interface.
- The **FCLE Fact Sheet** and the **FCLE Frequently Asked Questions for K-12 Administration**, both on the Florida Department of Education's FCLE page, cover test-day rules: timing, the break, accommodations, retakes, and score reporting.

All three are free. Links appear in the Sources chapter and on the online edition's About page.

A Three-Week Study Plan

About 45 minutes a day, five days a week. Adjust the weeks to match your weak sections; the plan assumes you need work on all four.

Week 1: Baseline and foundations

- **Day 1.** Take Practice Test 1 without studying first. Score it by section. Write your four section scores on the inside cover.
- **Day 2.** Review the explanations for Sections 1 and 2 of Test 1. Mark any topic you missed twice.
- **Day 3.** Review the explanations for Sections 3 and 4 of Test 1.
- **Day 4.** Read Chapter 1 (American Democracy). Do the Quick Check.
- **Day 5.** Read Chapter 3 (Founding Documents). Do the Quick Check. Start the Chapter 3 flashcards: dates, authors, and the one idea each document is known for.

Week 2: The Constitution and the cases

- **Day 6.** Read Chapter 2 (The Constitution), first half: the seven articles and the kinds of powers.
- **Day 7.** Chapter 2, second half: the amendments, selective incorporation, the ratification debate, and the clauses. Do the Quick Check.
- **Day 8.** Read Chapter 4 (Landmark Cases). Build or review the case flashcards: for each case, the year, the constitutional question, the holding, and the one-line impact.
- **Day 9.** Chapter 4, legislation and executive actions. Do the Quick Check.
- **Day 10.** Take Practice Test 2 under exam conditions: no notes, no breaks except the one the real exam gives you, and a 160-minute timer if you want practice with time pressure. Score it.

Week 3: Close the gaps

- **Day 11.** Review every Test 2 explanation, including the ones you got right. Compare your section scores to Week 1.

- **Day 12.** Re-read the chapter for your weakest section. Work its flashcards until you can get through the deck without a miss.
- **Day 13.** Quick-review sheets, all four. Read them twice, then try to reproduce each one from memory on a blank page.
- **Day 14.** Take Practice Test 3. Score it. Review the explanations for everything you missed.
- **Day 15 (the day before the exam).** Quick-review sheets once more, and the flashcards for the cases and amendments. Stop early. Sleep.

What your scores should look like

Test	Typical score if you are on track	What to do if you are below it
Practice Test 1	40 to 50 out of 80	Normal. This is your baseline.
Practice Test 2	52 to 62	Spend Week 3 on your two weakest sections only.
Practice Test 3	60 or higher	If below 56, add a week: re-read all four chapters and retake Test 1, which you will have mostly forgotten.

The pass mark is 48. A score of 60 on Practice Test 3 gives you a comfortable margin for exam-day nerves and for the handful of questions on any test that fall outside what any book can predict.

Chapter 1: American Democracy

What this section tests. The state's blueprint asks you to identify, explain, interpret, and apply fifteen principles and practices of American democracy and the republican form of government. Most questions in this section give you a quotation or a short scenario and ask which principle it illustrates, or ask which option is the best example of a principle. The principles overlap, so the skill is telling them apart. This chapter takes them in the blueprint's order and, for each one, gives you the definition, the source the exam draws on, and the distinction that separates it from its neighbors.

1. The social contract and consent of the governed

The idea. People living in a state of nature agree among themselves to form a government, giving up some freedom of action in exchange for the protection of their rights. Government's authority therefore rests on the consent of the governed. If the government breaks the agreement by violating the rights it was created to protect, the people may alter or abolish it.

The sources. John Locke's *Second Treatise of Government* (1689):

> "Men being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent."

The Declaration of Independence (1776) restates the theory as the justification for independence: governments are "instituted among Men, deriving their just powers from the consent of the governed," and "whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or to abolish it."

The Mayflower Compact (1620) is the exam's favorite early American example: the Pilgrims "covenant and combine ourselves together into a civil Body Politick" and promise to obey the "just and equal Laws" they will make.

Telling it apart. The social contract is about where government's *legitimacy* comes from. Separation of powers and federalism are about how power is *arranged* once a government exists. When a question quotes Locke or the Declaration on consent, or describes people agreeing to form a government, the

answer is social contract or consent of the governed. Thomas Hobbes also used a social contract, but his version surrendered rights to an absolute ruler; the Founders followed Locke, whose contract keeps the people in charge.

2. Separation of powers and checks and balances

The idea. Separation of powers divides government into legislative, executive, and judicial branches so that no one person or body makes, enforces, and judges the law. Checks and balances go a step further: each branch is given tools to limit the others.

The sources. Montesquieu, *The Spirit of Laws* (1748), as quoted by Madison in Federalist No. 47:

> "There can be no liberty where the legislative and executive powers are united in the same person, or body of magistrates."

Madison in Federalist No. 51 (1788) explains why structure, not good intentions, protects liberty:

> "Ambition must be made to counteract ambition. The interest of the man must be connected with the constitutional rights of the place."

And, in the same essay: "If men were angels, no government would be necessary. If angels were to govern men, neither external nor internal controls on government would be necessary."

The checks you must know.

Branch acting	Check	Where
President	Vetoes a bill	Art. I, Sec. 7
Congress	Overrides a veto by two-thirds of each house	Art. I, Sec. 7
Senate	Confirms or rejects judges, ambassadors, and officers	Art. II, Sec. 2
Senate	Consents to treaties by two-thirds	Art. II, Sec. 2
House and Senate	Impeach (House) and try (Senate, two-thirds to convict)	Art. I, Secs. 2-3

Branch acting	Check	Where
Courts	Declare laws or executive acts unconstitutional (judicial review)	*Marbury v. Madison* (1803)
President	Appoints judges; grants pardons	Art. II, Sec. 2
Congress	Controls funding; creates lower courts; can propose amendments	Art. I, Sec. 8-9; Art. III; Art. V

Telling it apart. If the question describes *which branch does what*, it is separation of powers. If it describes *one branch limiting another*, it is checks and balances. A Senate vote on a treaty is a check; the Senate's existence as a lawmaking body is separation.

3. Rule of law

The idea. Everyone, including those who govern, is bound by and accountable under the law. Power is exercised through established law, not personal will.

The sources. The Massachusetts Constitution of 1780, Article XXX, ends its statement of separation of powers with the classic phrase: "to the end it may be a government of laws and not of men." Magna Carta (1215) is the ancestor: the king himself promised that no freeman would be imprisoned or ruined "save by lawful judgement of his peers or by the law of the land." The modern case is *United States v. Nixon* (1974), in which a unanimous Supreme Court ordered the President to obey a subpoena: executive privilege exists but is not absolute, and no one is above the law. Thomas Paine put it plainly in *Common Sense*: "in America the law is king."

On the exam. A scenario in which an official exempts himself from a law, or a quotation such as President Nixon's "when the president does it, that means that it is not illegal," points to the rule of law (as the principle being violated). A scenario in which officials obey an unfavorable court order illustrates it.

4. Due process

The idea. Government must follow fair, established procedures before it deprives anyone of life, liberty, or property. Procedural due process means notice, a hearing, and an impartial decision maker. (Courts have also read the clause to protect certain fundamental rights regardless of procedure; that is called substantive due process and underlies cases such as *Roe v. Wade*.)

The sources. The Fifth Amendment: no person shall "be deprived of life, liberty, or property, without due process of law." The Fourteenth Amendment repeats the guarantee against the states, which is how the Bill of Rights came to apply to state and local governments through selective incorporation (see Chapter 2).

Telling it apart. Due process is about *fair procedure* for the individual. Equal protection is about *treating similarly situated people the same*. If a city tows and sells your car without notice or a hearing, that is a due process problem. If it charges one racial group a higher fee, that is an equal protection problem.

5. Equality under the law

The idea. The law treats similarly situated people alike and protects everyone equally. It promises equal *treatment* and equal *protection*, not equal *outcomes*. Be ready for a wrong answer that says government must guarantee equal wealth or equal results; the exam uses it.

The sources. The Declaration's "all men are created equal"; the Fourteenth Amendment's Equal Protection Clause; and Justice Harlan's dissent in *Plessy v. Ferguson* (1896): "Our constitution is color-blind, and neither knows nor tolerates classes among citizens." The Seneca Falls Declaration of Sentiments (1848) deliberately echoed the Declaration, "all men and women are created equal," to claim the founding promise for women.

6. Popular sovereignty

The idea. The people are the source of all government authority; government is created by and subject to their will.

The sources. The Preamble: "We the People of the United States... do ordain and establish this Constitution." The Virginia Declaration of Rights (1776), Section 2: "all power is vested in, and consequently derived from, the people; that magistrates are their trustees and servants and at all times amenable to them."

Telling it apart. Popular sovereignty answers "who is in charge?" (the people). Republicanism answers "how do they govern?" (through elected representatives). A citizen vote on a state constitutional amendment is the clearest example of popular sovereignty in action. Note that in the 1850s the phrase also meant letting settlers in a territory vote on slavery (the Kansas-Nebraska Act); if a question is set in that era, that is the meaning.

7. Natural rights and natural law

The idea. Certain rights belong to people by nature, before and apart from any government, so government's job is to secure them, not to grant them. Locke named life, liberty, and property. Jefferson wrote "Life, Liberty and the pursuit of Happiness." George Mason's Virginia Declaration of Rights, adopted weeks before the Declaration, spoke of "certain inherent rights" including "the enjoyment of life and liberty, with the means of acquiring and possessing property, and pursuing and obtaining happiness and safety."

Telling it apart. If an option says rights exist only because a legislature granted them, that is the *opposite* of natural rights. "Endowed by their Creator with certain unalienable Rights" is the exam's signature natural rights quotation.

8. Federalism

The idea. A constitution divides power between a national government and state governments, each with its own sphere.

The vocabulary.

- **Expressed, enumerated, or delegated powers:** listed in the Constitution, mostly Article I, Section 8: tax, borrow, regulate interstate and foreign commerce, coin money, declare war, raise armies, establish post offices, naturalize citizens.
- **Implied powers:** not listed but reasonably needed to carry out listed powers, under the Necessary and Proper Clause (*McCulloch v. Maryland*).

- **Reserved powers:** kept by the states or the people under the Tenth Amendment: schools, licenses, marriage, most criminal law, elections.
- **Concurrent powers:** held by both, such as taxing, borrowing, and operating courts.
- **Denied powers:** forbidden to Congress (Art. I, Sec. 9: no suspension of habeas corpus except in rebellion or invasion, no bills of attainder, no ex post facto laws, no titles of nobility) or to the states (Art. I, Sec. 10: no treaties, no coining money, no impairing contracts).

The source. The Tenth Amendment: "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." When state and federal law conflict, Article VI's Supremacy Clause makes valid federal law prevail.

9. Individual liberty

The idea. The Founders prized political and religious liberty, having seen established churches, persecution, and prosecutions for criticizing the government. Article VI bans any religious test for office; the First Amendment forbids an establishment of religion and protects free exercise, speech, press, assembly, and petition.

On the exam. The Establishment Clause stops government from sponsoring religion (*Engel v. Vitale*: no state-written school prayer). The Free Exercise Clause protects individuals' religious practice (*Wisconsin v. Yoder*: Amish families exempt from compulsory schooling past eighth grade). A student wearing religious attire is free exercise; a school requiring a prayer is an establishment problem. Political liberty appears as the right to criticize the government, which the Alien and Sedition Acts of 1798 notoriously punished.

10. Republicanism and representative democracy

The idea. In a republic, citizens elect representatives who make the laws. In a direct (pure) democracy, citizens vote on the laws themselves, as in ancient Athens or a modern referendum. Article IV, Section 4 guarantees every state "a Republican Form of Government." The Founders looked to the Roman Republic as their classical model and wrote the Federalist Papers under the name Publius, a founder of that republic.

Why not pure democracy? Madison in Federalist No. 10: pure democracies "have ever been spectacles of turbulence and contention," swayed by passion and faction. Representation "refine[s] and enlarge[s] the public views," and a large republic contains so many interests that no single faction can easily dominate. Federalist No. 14 adds that a democracy must be small because the people meet in person, while "a republic may be extended over a large region." Federalist No. 39 defines a republic as a government that "derives all its powers directly or indirectly from the great body of the people" and is administered by officers serving "for a limited period, or during good behavior."

On the exam. "Which modern practice is most like ancient Athens?" The referendum. "Which ancient civilization established a republic?" Rome. "Why did the Founders not favor pure democracy?" Fear of faction and passion trampling rights.

11. Constitutionalism

The idea. Government is created, empowered, and limited by a written constitution that is the supreme law and that officials swear to uphold (Article VI's oath clause). It is the practical form of limited government. The principal function of a written constitution is to establish the structure of government, grant its powers, and limit them.

12. Majority rule and minority rights

The idea. Decisions are made by majority vote, but the rights of individuals and minorities are protected from the majority by the Bill of Rights, by independent courts, and by supermajority requirements such as the three-fourths of states needed to amend the Constitution. Madison's Federalist No. 10 argues that "extend[ing] the sphere" of the republic makes it "less probable that a majority of the whole will have a common motive to invade the rights of other citizens." A town that votes overwhelmingly to ban an unpopular group's newsletter has violated this principle; the First Amendment removes that choice from majority control.

13. Equal protection

The idea. The Fourteenth Amendment, Section 1: no state shall "deny to any person within its jurisdiction the equal protection of the laws." It is the constitutional basis of *Brown v. Board of Education* (segregated schools are inherently unequal), *Baker v. Carr* (courts may hear challenges to unequal legislative districts), *Regents v. Bakke* (racial quotas unconstitutional, race as one factor permitted), *Shaw v. Reno* (racial gerrymandering gets strict scrutiny), and *Bush v. Gore* (a recount without uniform standards treats voters unequally).

14. The Bill of Rights and the protection of civil rights and liberties

Civil liberties are freedoms that protect individuals *from* government: speech, religion, press, protection against unreasonable searches. **Civil rights** are guarantees of equal treatment and protection *by* government against discrimination: the Equal Protection Clause, the Civil Rights Act of 1964.

The amendments at a glance. First: religion (establishment and free exercise), speech, press, assembly, petition. Second: keep and bear arms. Third: no peacetime quartering of soldiers. Fourth: no unreasonable searches and seizures; warrants on probable cause. Fifth: grand jury, double jeopardy, self-incrimination, due process, takings. Sixth: speedy public trial, impartial jury, notice, confrontation, compulsory process, counsel. Seventh: civil jury trials. Eighth: no excessive bail or fines, no cruel and unusual punishments. Ninth: unlisted rights are retained by the people. Tenth: undelegated powers are reserved to the states or the people.

Rights have limits. Justice Holmes in *Schenck v. United States* (1919): the question is whether words "create a clear and present danger" of harms Congress may prevent. Student speech may be limited when it substantially disrupts school (*Tinker*) or is school-sponsored (*Hazelwood*). Searches of a home generally require a warrant, but police may act on items in plain view or in emergencies. Expect a question that tests whether you know rights are strong *but not absolute*.

15. Elections

Who runs them. Article I, Section 4 leaves the "Times, Places and Manner" of congressional elections to the states, subject to regulation by Congress. In Florida, the Division of Elections under the Secretary of State supervises, and each county's elected Supervisor of Elections registers voters, runs the polls, and counts ballots.

The federal calendar. The entire House every two years; one-third of the Senate every two years for six-year terms; the President every four years through electors. Each state's electors equal its senators plus representatives; the District of Columbia has three (Twenty-third Amendment); 538 in all, 270 to win; if no one has a majority, the House chooses, voting by state. Primaries choose party nominees for the general election; Florida's primaries are closed to voters registered with the party.

Why free, fair, and secure elections matter. They are how the consent of the governed is actually expressed. If elections are rigged or insecure, the officials chosen do not represent the people, and the peaceful transfer of power that defines a republic breaks down.

Turnout. Higher in presidential years than midterms; rises with age, education, income, and competitive races; falls with burdensome registration rules. The voting-rights amendments, Fifteenth (race, 1870), Nineteenth (sex, 1920), Twenty-fourth (poll tax, 1964), and Twenty-sixth (age 18, 1971), expanded who may participate.

Chapter 1 traps

- **Social contract versus natural rights.** Consent and the agreement to form government is social contract; rights that exist before government is natural rights. The Declaration contains both; read the quoted sentence.
- **Separation of powers versus checks and balances.** Division of functions versus one branch limiting another.
- **Due process versus equal protection.** Fair procedure versus equal treatment.
- **Popular sovereignty versus republicanism.** Source of authority versus method of governing.

- **Republic versus democracy.** Representatives versus direct votes. "Republican form" has nothing to do with a political party.
- **Equal treatment, not equal outcomes.** The exam uses the equal-outcomes distractor.

Quick Check

Eight questions on this chapter. Answers follow.

1. Which amendment prohibits cruel and unusual punishments?

A. the Third Amendment
B. the Fifth Amendment
C. the Sixth Amendment
D. the Eighth Amendment

2.

> "The Times, Places and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations..."
> Source: U.S. Constitution, Article I, Section 4

Based on this clause, who has primary responsibility for running congressional elections in the United States?

A. the state governments, subject to regulations Congress may make
B. the President
C. the Supreme Court
D. the political parties

3. In Florida, which official is responsible for conducting elections and maintaining voter registration records at the county level?

A. the Speaker of the Florida House
B. the county Supervisor of Elections
C. the Chief Justice of the Florida Supreme Court
D. the county school superintendent

4. How often are all members of the U.S. House of Representatives elected?

- **A.** every four years
- **B.** every six years
- **C.** whenever the President calls an election
- **D.** every two years

5. How is the President of the United States formally elected?

- **A.** by a direct nationwide popular vote
- **B.** by a majority vote of the House of Representatives in every election
- **C.** by electors chosen in each state, with a majority of electoral votes (270 of 538) needed to win
- **D.** by the Supreme Court

6. What is the purpose of a primary election?

- **A.** to choose a political party's nominee for the general election
- **B.** to elect the President directly
- **C.** to ratify amendments to the state constitution
- **D.** to remove an official from office before the end of the term

7. Why are free, fair, and secure elections essential to a republican form of government?

- **A.** They allow the government to control which candidates may run.
- **B.** They give the government legitimacy by ensuring officials actually reflect the consent of the governed and allow peaceful transfers of power.
- **C.** They guarantee that the same party will stay in power.
- **D.** They eliminate the need for a constitution.

8. Which of the following is generally associated with higher voter turnout in the United States?

- **A.** a lower level of education among eligible voters
- **B.** an uncontested race with only one candidate
- **C.** a presidential election year rather than a midterm election year
- **D.** a requirement that voters re-register every month

Quick Check: Answers

1. **D** Bill of Rights and Civil Liberties

The Eighth Amendment bars excessive bail, excessive fines, and cruel and unusual punishments, language borrowed from the English Bill of Rights of 1689. The Third Amendment limits quartering of soldiers, the Fifth protects against self-incrimination and double jeopardy, and the Sixth guarantees trial rights.

Source: The Bill of Rights: A Transcription, Eighth Amendment; English Bill of Rights (1689), 'excessive bail ought not to be required... nor cruel and unusual punishments inflicted'

2. **A** Elections

The Constitution assigns the administration of federal elections to the states, which is why ballots, polling places, and registration rules vary by state, while reserving to Congress the power to override state rules by law. The President, the Court, and the parties do not run elections.

Source: The Constitution of the United States: A Transcription, Art. I, Sec. 4, cl. 1

3. **B** Elections

Florida's Division of Elections, under the Secretary of State, oversees elections statewide, while each of the 67 counties has an elected Supervisor of Elections who registers voters, runs polling places, and counts ballots. The legislative, judicial, and school officials listed have no election-administration duties.

Source: Voting (Florida Division of Elections), Florida Division of Elections, 'Voting' (references to county Supervisor of Elections)

4. **D** Elections

Article I, Section 2 provides that Representatives are 'chosen every second Year by the People of the several States,' so the entire House stands for election every two years. Presidents serve four-year terms and senators six-year terms, and the President cannot call a congressional election; the only special House elections are those a state's governor calls to fill a vacancy under Article I, Section 2.

Source: The Constitution of the United States: A Transcription, Art. I, Sec. 2, cl. 1

5. **C** Elections

Under Article II and the Twelfth Amendment, each state appoints electors equal to its senators plus representatives, and the District of Columbia has three under the Twenty-third Amendment, for 538 total; a candidate needs a majority, 270. The House chooses only if no candidate has a majority, voting by state delegation. The popular vote determines electors but does not itself elect the President.

Source: About the Electors / Electoral College, About the Electors; The Constitution of the United States: A Transcription, Art. II, Sec. 1; Twelfth Amendment

6. **A** Elections

Primaries let party voters select the candidate who will represent the party in the general election; Florida uses closed primaries in which voters registered with a party choose that party's nominees. Removing an official before the term ends is a recall, and amendments are approved in general or special elections.

Source: Voting (Florida Division of Elections), Florida Division of Elections, 'Voting'; How to vote and elections, How elections work

7. **B** Elections

In a republic the people's consent is expressed through elections; if elections are rigged, insecure, or unfair, the officials chosen do not truly represent the people and the peaceful transfer of power breaks down. Elections exist to let voters, not the government, choose among candidates, and they operate within, not instead of, a constitution.

Source: The Constitution of the United States: A Transcription, Art. IV, Sec. 4; Art. I, Sec. 2; Supplemental Guide for the Florida Civic Literacy Examination (FCLE), Competency One, item 15

8. **C** Elections

Turnout is consistently higher in presidential election years than in midterms, and it rises with education, income, age, and competitive races. Burdensome registration rules and uncontested races depress participation rather than increase it.

Source: How to vote and elections, Voting and elections; Supplemental Guide for the Florida Civic Literacy Examination (FCLE), Competency Two, 2(c)(iii) Factors that Contribute to Voter Turnout

Practice Test 1

80 questions in four sections of 20. Passing is 48 correct. The K-12 administration allows 160 minutes; most college administrations are untimed. Mark your answers on the sheet below or on scratch paper, then check the key that follows.

1 Ⓐ Ⓑ Ⓒ Ⓓ	21 Ⓐ Ⓑ Ⓒ Ⓓ	41 Ⓐ Ⓑ Ⓒ Ⓓ	61 Ⓐ Ⓑ Ⓒ Ⓓ
2 Ⓐ Ⓑ Ⓒ Ⓓ	22 Ⓐ Ⓑ Ⓒ Ⓓ	42 Ⓐ Ⓑ Ⓒ Ⓓ	62 Ⓐ Ⓑ Ⓒ Ⓓ
3 Ⓐ Ⓑ Ⓒ Ⓓ	23 Ⓐ Ⓑ Ⓒ Ⓓ	43 Ⓐ Ⓑ Ⓒ Ⓓ	63 Ⓐ Ⓑ Ⓒ Ⓓ
4 Ⓐ Ⓑ Ⓒ Ⓓ	24 Ⓐ Ⓑ Ⓒ Ⓓ	44 Ⓐ Ⓑ Ⓒ Ⓓ	64 Ⓐ Ⓑ Ⓒ Ⓓ
5 Ⓐ Ⓑ Ⓒ Ⓓ	25 Ⓐ Ⓑ Ⓒ Ⓓ	45 Ⓐ Ⓑ Ⓒ Ⓓ	65 Ⓐ Ⓑ Ⓒ Ⓓ
6 Ⓐ Ⓑ Ⓒ Ⓓ	26 Ⓐ Ⓑ Ⓒ Ⓓ	46 Ⓐ Ⓑ Ⓒ Ⓓ	66 Ⓐ Ⓑ Ⓒ Ⓓ
7 Ⓐ Ⓑ Ⓒ Ⓓ	27 Ⓐ Ⓑ Ⓒ Ⓓ	47 Ⓐ Ⓑ Ⓒ Ⓓ	67 Ⓐ Ⓑ Ⓒ Ⓓ
8 Ⓐ Ⓑ Ⓒ Ⓓ	28 Ⓐ Ⓑ Ⓒ Ⓓ	48 Ⓐ Ⓑ Ⓒ Ⓓ	68 Ⓐ Ⓑ Ⓒ Ⓓ
9 Ⓐ Ⓑ Ⓒ Ⓓ	29 Ⓐ Ⓑ Ⓒ Ⓓ	49 Ⓐ Ⓑ Ⓒ Ⓓ	69 Ⓐ Ⓑ Ⓒ Ⓓ
10 Ⓐ Ⓑ Ⓒ Ⓓ	30 Ⓐ Ⓑ Ⓒ Ⓓ	50 Ⓐ Ⓑ Ⓒ Ⓓ	70 Ⓐ Ⓑ Ⓒ Ⓓ
11 Ⓐ Ⓑ Ⓒ Ⓓ	31 Ⓐ Ⓑ Ⓒ Ⓓ	51 Ⓐ Ⓑ Ⓒ Ⓓ	71 Ⓐ Ⓑ Ⓒ Ⓓ
12 Ⓐ Ⓑ Ⓒ Ⓓ	32 Ⓐ Ⓑ Ⓒ Ⓓ	52 Ⓐ Ⓑ Ⓒ Ⓓ	72 Ⓐ Ⓑ Ⓒ Ⓓ
13 Ⓐ Ⓑ Ⓒ Ⓓ	33 Ⓐ Ⓑ Ⓒ Ⓓ	53 Ⓐ Ⓑ Ⓒ Ⓓ	73 Ⓐ Ⓑ Ⓒ Ⓓ
14 Ⓐ Ⓑ Ⓒ Ⓓ	34 Ⓐ Ⓑ Ⓒ Ⓓ	54 Ⓐ Ⓑ Ⓒ Ⓓ	74 Ⓐ Ⓑ Ⓒ Ⓓ
15 Ⓐ Ⓑ Ⓒ Ⓓ	35 Ⓐ Ⓑ Ⓒ Ⓓ	55 Ⓐ Ⓑ Ⓒ Ⓓ	75 Ⓐ Ⓑ Ⓒ Ⓓ
16 Ⓐ Ⓑ Ⓒ Ⓓ	36 Ⓐ Ⓑ Ⓒ Ⓓ	56 Ⓐ Ⓑ Ⓒ Ⓓ	76 Ⓐ Ⓑ Ⓒ Ⓓ
17 Ⓐ Ⓑ Ⓒ Ⓓ	37 Ⓐ Ⓑ Ⓒ Ⓓ	57 Ⓐ Ⓑ Ⓒ Ⓓ	77 Ⓐ Ⓑ Ⓒ Ⓓ
18 Ⓐ Ⓑ Ⓒ Ⓓ	38 Ⓐ Ⓑ Ⓒ Ⓓ	58 Ⓐ Ⓑ Ⓒ Ⓓ	78 Ⓐ Ⓑ Ⓒ Ⓓ
19 Ⓐ Ⓑ Ⓒ Ⓓ	39 Ⓐ Ⓑ Ⓒ Ⓓ	59 Ⓐ Ⓑ Ⓒ Ⓓ	79 Ⓐ Ⓑ Ⓒ Ⓓ
20 Ⓐ Ⓑ Ⓒ Ⓓ	40 Ⓐ Ⓑ Ⓒ Ⓓ	60 Ⓐ Ⓑ Ⓒ Ⓓ	80 Ⓐ Ⓑ Ⓒ Ⓓ

Section 1: American Democracy (Questions 1-20)

1.

> "Men being, as has been said, by nature, all free, equal, and independent, no one can be put out of this estate, and subjected to the political power of another, without his own consent."
> Source: John Locke, Second Treatise of Government (1689), Sec. 95

Which principle of American democracy is most directly expressed in this passage?

A. the separation of powers among three branches of government
B. federalism, which divides power between national and state governments
C. the social contract, in which legitimate government rests on the consent of the governed
D. judicial review, which allows courts to strike down laws

2.

> "...Governments are instituted among Men, deriving their just powers from the consent of the governed..."
> Source: Declaration of Independence (1776), National Archives

The ideas in this passage are most closely associated with which political philosopher?

A. John Locke
B. Thomas Hobbes
C. Niccolo Machiavelli
D. Karl Marx

3. Which of the following is the best example of checks and balances in the United States government?

A. The House of Representatives elects its own Speaker.
B. A state legislature passes a budget for the state.
C. The Senate rejects a treaty negotiated by the President.
D. A federal agency publishes its annual report.

4. Which action is a check exercised by the judicial branch on the other branches?

A. vetoing a bill passed by Congress
B. declaring a federal law unconstitutional
C. impeaching a federal official
D. approving the federal budget

5.

> "No freeman is to be taken or imprisoned or disseised of his free tenement or of his liberties or free customs, or outlawed or exiled or in any way ruined, nor will we go against such a man or send against him save by lawful judgement of his peers or by the law of the land."
> Source: Magna Carta (1297 text), clause 29, National Archives translation

Which idea later central to American government is expressed in this clause?

A. Monarchs rule by divine right and answer only to God.
B. Government power over individuals must be exercised according to established law.
C. All adult men have the right to vote for their rulers.
D. The national government is supreme over the states.

6. A city tows and sells a resident's car for unpaid fines without notifying the owner or giving any opportunity to contest the fines. Which constitutional protection has most likely been violated?

A. the right to bear arms
B. the protection against quartering soldiers
C. the right to a speedy trial
D. the guarantee of due process

Practice Test 1: Answers and Explanations

1-C 2-A 3-C 4-B 5-B 6-D 7-D 8-A 9-A 10-D 11-C 12-B 13-D 14-A 15-A 16-C 17-B 18-B 19-C 20-D 21-B 22-A 23-A 24-D 25-B 26-D 27-B 28-A 29-C 30-D 31-A 32-D 33-C 34-B 35-A 36-C 37-D 38-B 39-C 40-C 41-B 42-D 43-C 44-A 45-B 46-C 47-A 48-D 49-A 50-A 51-B 52-C 53-D 54-D 55-C 56-D 57-A 58-B 59-C 60-B 61-D 62-D 63-C 64-C 65-C 66-A 67-A 68-C 69-A 70-B 71-A 72-B 73-A 74-D 75-C 76-D 77-B 78-D 79-B 80-B

Section 1: American Democracy

1. **C** Social Contract

Locke argues that free and equal people can be governed only with their consent. That agreement to accept political authority in exchange for protection of rights is the social contract, the idea Jefferson restated in the Declaration as 'the consent of the governed.' Separation of powers, federalism, and judicial review are structural features of the Constitution, not the source of government's legitimacy.

Source: Second Treatise of Government (1689), John Locke, Second Treatise, ch. VIII, sec. 95; Declaration of Independence: A Transcription, second paragraph

2. **A** Social Contract

Jefferson drew directly on Locke's Second Treatise, which grounds legitimate government in the consent of free and equal people. Hobbes also used a social contract but argued for surrendering rights to an absolute sovereign, not for a government limited by consent. Machiavelli wrote about acquiring and holding power, and Marx wrote in the mid-nineteenth century, decades after the Declaration.

Source: Declaration of Independence: A Transcription, second paragraph; Second Treatise of Government (1689), John Locke, Second Treatise, ch. VIII

3. **C** Checks and Balances / Separation of Powers

Checks and balances give each branch tools to limit the others. The Senate's power to refuse consent to a treaty (Article II, Section 2) is a legislative check on the executive. Choosing a Speaker is internal to one branch, a state budget involves no interaction between federal branches, and an agency report checks no one.

Source: The Constitution of the United States: A Transcription, Art. II, Sec. 2, cl. 2

4. **B** Checks and Balances / Separation of Powers

Judicial review, established in Marbury v. Madison, lets federal courts refuse to enforce laws or executive actions that conflict with the Constitution. The veto belongs to the President, impeachment and the budget belong to Congress.

Source: Supreme Court opinions and syllabi (by case), Marbury v. Madison, 5 U.S. 137 (1803); The Constitution of the United States: A Transcription, Art. I, Sec. 7; Art. I, Sec. 2-3

5. **B** Rule of Law

This clause, numbered 29 in the 1297 text and 39 in the original 1215 charter, binds even the king to act through lawful judgment and the law of the land, an early statement of the rule of law and of due process that the Founders drew upon. It limits, rather than affirms, divine right. Magna Carta did not establish voting rights, and the supremacy of a national government over states is a later American concept.

Source: Magna Carta, National Archives translation (text of the 1297 reissue; original charter sealed by King John in 1215), clause 29 of the 1297 text (clause 39 in the 1215 charter)

6. **D** Due Process

Taking property without notice and a chance to be heard is the classic denial of procedural due process, which the Fourteenth Amendment requires of state and local governments. The Second and Third Amendments are unrelated, and the speedy-trial right applies to criminal prosecutions, not a civil fine.

Source: The Constitution: Amendments 11-27, Fourteenth Amendment, Sec. 1; The Bill of Rights: A Transcription, Fifth Amendment

7. **D** Equality under the Law

Equality under the law means equal treatment and equal protection, not a guarantee of equal outcomes or wealth. The Fourteenth Amendment's Equal Protection Clause embodies this idea. Limiting protection to property owners or giving officials special protection contradicts it.

Source: The Constitution: Amendments 11-27, Fourteenth Amendment, Sec. 1; Supplemental Guide for the Florida Civic Literacy Examination (FCLE), Competency One, item 5

This was a sample of FCLE Study Guide

You have just read the front matter, **Chapter 1: American Democracy** in full, the first pages of Practice Test 1, and the first pages of its answers and explanations: 29 of the book's 204 pages, as printed.

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