

The Electoral College – Elector Voting Process

Grade Level: 9-12

Subjects: U.S. History, Civics, U.S. Government

Time Required: One 50-minute class period

Objective: Students will understand the process of Electoral College voting in December and its significance in determining the presidency.

Materials: 12th Amendment

Background:

The Electoral College is a unique feature of the United States' presidential election system, established in Article II, Section 1 of the Constitution and refined by the 12th Amendment. After voters cast their ballots in the general election in November, the Electoral College comes into play, with its electors officially casting their votes in December. The meeting takes place on the first Tuesday after the second Wednesday in December.

The Electoral College is often debated for its fairness and modern relevance, making it a rich topic for discussion and analysis. By the end of this lesson, students should understand how the December voting contributes to the broader goal of a peaceful transfer of power.

Lesson Plan:

Part 1: Warm Up Activity (5-10 minutes)

Ask students "What do you know about the Electoral College? Why do you think electors meet in December?"

- Depending on the course or curriculum covered, answers may vary. This lesson plan is designed to be able to be used as a standalone activity outside of a curriculum that would have already covered the electoral process.

Discuss what students know as a class and fill in any quick fact gaps that might arise. Examples of what might be discussed:



- The Electoral College's role in presidential elections
- Key facts about the December meeting:
 - Takes place on the first Tuesday after the second Wednesday in December
 - Electors cast separate ballots for President and Vice President
 - Votes are sent to Congress for counting in January

Part 2: Set the Stage (5-10 minutes)

Provide brief direct instruction on how the Electoral College voting works. Suggested topics to cover would be:

- State meetings - Electors meet in their respective state capitals
- Casting ballots - Each elector votes for President and Vice President on separate ballots
- Certifying votes - Votes are certified and sent to the President of the Senate, the National Archives, and other officials
- Faithless electors - Briefly discuss controversies like faithless electors and their impact

It may also be helpful to show students a quick video showcasing the process, for example, [this 4-minute video from KGW News](#). You may also choose to dig in a bit deeper on how your state selects its electors.

Part 3: Primary Source Analysis Activity (25 minutes)

In pairs, or as a class, have students analyze the text of the 12th Amendment, which details the process for electors. As they read the amendment, students should create a visual diagram (e.g., flowchart) of the electoral process.

12th Amendment

The Electors shall meet in their respective states and vote by ballot for President and Vice-President, one of whom, at least, shall not be an inhabitant of the same state with themselves; they shall name in their ballots the person voted for as President, and in distinct ballots the person voted for as Vice-President, and they shall make distinct lists of all persons voted for as President, and of all persons voted for as Vice-President, and of the number of votes for each, which lists they shall sign and certify, and transmit sealed to the seat of the government of the United States, directed to the President of the Senate; -- the President of the Senate shall, in the presence of the Senate and House of Representatives, open all the certificates and the votes shall then be counted; -- The person having the greatest number of votes for President,



shall be the President, if such number be a majority of the whole number of Electors appointed; and if no person have such majority, then from the persons having the highest numbers not exceeding three on the list of those voted for as President, the House of Representatives shall choose immediately, by ballot, the President. But in choosing the President, the votes shall be taken by states, the representation from each state having one vote; a quorum for this purpose shall consist of a member or members from two-thirds of the states, and a majority of all the states shall be necessary to a choice. And if the House of Representatives shall not choose a President whenever the right of choice shall devolve upon them, before the fourth day of March next following, then the Vice-President shall act as President, as in case of the death or other constitutional disability of the President.-- The person having the greatest number of votes as Vice-President, shall be the Vice-President, if such number be a majority of the whole number of Electors appointed, and if no person have a majority, then from the two highest numbers on the list, the Senate shall choose the Vice-President; a quorum for the purpose shall consist of two-thirds of the whole number of Senators, and a majority of the whole number shall be necessary to a choice. But no person constitutionally ineligible to the office of President shall be eligible to that of Vice-President of the United States.

Once students have analyzed the text of the amendment, have students discuss any (or all) of the following questions in small groups. Then bring them back together for a full class discussion and debrief:

- 1) What is the significance of the December vote in ensuring a peaceful transfer of power?
- 2) What might happen if the 12th Amendment were not in place today?
- 3) What might happen if no candidate wins a majority in the Electoral College? Do you think the process detailed in the Constitution is fair and democratic?
- 4) How does the 12th Amendment address the balance of power between states and the federal government?
- 5) Imagine a modern election without distinct votes for President and Vice President. How might this lead to political instability?
- 6) Does the 12th Amendment still effectively address the challenges of modern elections?
 - a. Consider issues like the rise of third-party candidates, the role of the Electoral College, and the possibility of contested elections in America today.



Part 4: Assessment (5 minutes)

Exit Ticket: Have students write a short response to the prompt "What did you find most surprising or interesting about how the Electoral College votes in December?"

