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## **Justice in Action: Reactions to Brown v. Board of Education**

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### **Overview**

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This unit is designed to be taught to fifth grade students and the primary objectives comply with the New Mexico standards for Social Studies: Government and Civics for fifth grade (see Appendix ). Although the unit is designed to be taught in its entirety and therefore will take several weeks to teach, it is plausible for a teacher to extract a particular lesson plan if time does not allow for the teaching of the complete unit. The unit will involve the following reasoning skills: analysis, synthesis, comparison and evaluation.

### **Rationale**

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History is difficult to teach because no one event ever occurred in isolation. There have always been causes and effects which have historic significance. This is an important concept for students to understand as it is integrated into many disciplines that students will study from the humanities to the sciences. Therefore it is my challenge as a teacher to illustrate for the students how significant even the smallest action like saying, "No!" can have on the outcome of history; or how great an impact one court case can have on the lives of thousands of people. Upon completion of this unit I hope that the students will feel as though they really experienced some of the key events in the American Civil Rights Movement. I want them to understand the complexity of the issues surrounding this time in our country's history. It is my goal to have students come away with an understanding that change does not happen abruptly and major movements such as the Civil Rights came about through a series of small actions that had lasting effects.

The overall objective for this unit will be to have students understand the significance of a particular event, such as a Supreme Court ruling or an act of civil disobedience, in the broader context of an overall movement or series of events that ultimately change our society. By studying cause and effect students can better comprehend historical and current events with the understanding that an issue, problem or conflict did not develop overnight, but rather evolved through a series of events that precipitated it. This is why I selected the American Civil Rights Movement and the landmark Supreme Court case *Brown v. Board of Education* (1954) to

help illustrate the point that historical events cannot be taught in isolation. Students tend to disregard the importance of history in their lives. They view it as a subject that is about dates and famous dead people. Students become readily interested in subjects that focus on people to whom they can identify. It is when a child identifies with someone that they become engaged in that person's character and their actions. The people and events the students study in history need to be tied to their present lives and therefore it is a subject that can be challenging to teach because it is with the utmost skill and dexterity that a teacher has to build and develop these connections in the minds of their students. In order for students to grow up and become productive citizens in our society they need to understand the impact of their actions on society around them.

It is the educator's job to empower his/her student which can be conducted through modeling positive behaviors and providing examples of exemplary acts conducted by others throughout history. My students are often drawn to people in history who have conducted a courageous act or died as a martyr. These acts of courage in which individuals risks many things in order for others to have a better life illustrate to students that society is comprised of individuals and the course of history is determined by their independent acts.

There are numerous examples in American history of individuals standing up for what they believe to be "right" and fighting for those rights in order to secure them for all. Unfortunately these acts of courage were often conducted through violent means. The Civil Rights Movement was propelled by individuals who agreed with Dr. Martin Luther King, Jr. that non-violence was the way to approach the situations they would encounter even though the oppressors, white racist southerners, were using violence to deter the Movement's progress. Violence was a major part of the Civil Rights Movement, but it was also to be used as a strategy by King and his followers as Robert Burt (1992) quotes King in his book, "Instead of submitting to surreptitious cruelty in thousands of dark jail cells and on countless shadowed street corners, he [the Southern black] would force his oppressor to commit his brutality openly - in the light of day - with the rest of the world looking on (p.312)." The 1950's cannot be viewed as a peaceful revolution when viewing all that took place during that time, but the fact that the overall objective for those African Americans fighting for their civil rights was to do so in acts of civil disobedience, not violence was novel, courageous and unique for America.

If we agree with Thomas Freidman (2005) that the world is flat -discussed in his book *The World Is Flat* in which globalization has created virtual global neighborhoods whereby communication is instantaneous and geographic distances no longer impede contact and communication - then we are not only educating our students so that they may succeed in their local, state and national communities, but we are educating them about our country's role as a member of the global community so that they will become a global citizen who will make a difference in worldly events.

## Objectives

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There will be four parts to this unit and each part will contain a lesson plan that will comply with the New Mexico Standards for Social Studies: Government and Civics for fifth grade. This unit will provide opportunities for fifth grade students to understand the ideals, rights, and responsibilities of citizenship. Students will understand the content and history of the founding documents of the United States with particular emphasis on the United States Constitution. Although New Mexico Standards also include the function of governments at the local, state, and tribal levels, this unit will focus primarily on the national government. Other units could

follow this once the teacher has established the groundwork for the students understanding the basic framework of our federal government.

In this unit students will identify the fundamental ideals and principles of our republican form of government. Next, the students will identify and describe the significance of American symbols and documents such as the United States Constitution and Bill of Rights. The first part of the unit will begin with a student's concept or definition of justice. Students will be asked to define the concept through symbols and conduct a discussion with their peers. The activity is designed to illustrate the differing perspectives that we all bring to the table. Students will then be asked to think about the following questions and share with a partner their responses: What is the Constitution? What is its purpose? What is the Bill of Rights? Do they protect everyone? As a whole group we will conduct a KWL chart, which allows us to see what students already *know* about the topic, *want to learn* about the topic, and have *learned* by the end of the lesson. Students will be able to explain how the three branches of the national government function and understand how they are defined in the United States Constitution. Students will also be able to identify and summarize contributions of various racial, ethnic, and religious groups to national identity.

## Teaching Strategies

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The State of New Mexico is a multi-cultural state with the first people living there being indigenous. The Anasazi were the first people to inhabit a central part of the Southwest region and many of their descendants including Navajo, Hopi and Pueblo Peoples continue to live in the region. New Mexico also has a large Hispanic population, people whose ancestry is link to the Conquistadors and whose leaders founded the oldest capitol in the United States, Santa Fe, which at the time was still part of Mexico. New Mexico is also a border state and given our proximity to Mexico we have a lot of families that have moved into our state from the bordering state of Chihuahua, Mexico. Two major ethnic groups are vastly underrepresented in the state, those two groups being Asian and African Americans. The public schools in our state reflect these facts. New Mexico is also a very large state as far as landmass is concerned and sparsely populated. Albuquerque, the largest city in the state, hosts fewer than 1 million inhabitants. The capitol city is Santa Fe and it has a population of 70,000 residents living within the city limits and including the surrounding county residents the total population increases by another 70,000 or so.

I teach in Santa Fe at a large public elementary school (almost 600 students) in an historic barrio (neighborhood) on the west side of town where property taxes are still relatively low and gated communities do not exist - Santa Fe is a city of rich and poor, the middle class has dwindled down to just the first responders and teacher. The free and reduced lunch program at the schools on the west side tend be in the range of 80% to 100%, whereas the east side school whose enrollment is half the size of ours is closer to 40% free and reduced. My school's population is primarily Hispanic (79.2%), which includes native Santa Feans (who consider their ancestry to be Spanish, as in Spain) and Mexican nationalists. The white population is 18.2% and the Native American population is 1.7%. My school is located in a very old neighborhood, Agua Fria Village, in Santa Fe where generations of families continue to live together. The area has been preserved and very little change has occurred over the last century with the exception of paved roads. The average salary for a Santa Fe County resident is \$50,093, but the average salary for the Agua Fria Village/Neighborhood is \$39,140.

An issue that is very specific to Santa Fe and northern New Mexico is racism between the two large Latino groups: the native Santa Feans and the Mexican Nationalists. There is a great tension between the two groups and debates are common in regards to immigration reform. This tension morphs into de facto segregation at school and is evident on the playground and in the cafeteria. Although both groups have the commonality of knowing the Spanish language they do not indicate that this is an attribute that will bring them together. Many of my students were born in the state of New Mexico, but their parents were born in Mexico and therefore they are very concerned with the future of immigration reform as it might affect their education if their families are forced to return to Mexico. As mentioned before there are very few Asian and African American families living in Santa Fe. Therefore this unit will address these historical events in the context of the struggles, issues, and prejudices that these students deal with on a daily basis. This past spring semester students at the two public high schools held informational meetings in regards to immigration reform that was being discussed by Congress. The west side high school's information session turned into a rally and shouting match with students standing on opposing curbs holding up the flag that represented their nationality. It got a bit ugly, while the other high school located closer to the east side held a calm informative session with no student conflict. The issue of prejudice and racism is serious in our schools and it is up to us as teachers to help educate our students about the attributes of one another's culture. One way to unite students is to find common ground.

Common ground is located in ideals that we all agree on and living in this country we all have to adhere to laws and rights set out in the Constitution and Bill of Rights. I think student populations can benefit and make their own connections to those who fought for Civil Rights during the 1950's and 1960's. Illustrating the struggles that other oppressed people in our society have endured will enable my students to see that they are not alone in their struggle. The current trends toward immigration reform provide an excellent platform for discussion. I recommend manipulating this unit so that it best serves your population, but I do feel that the topic can be a sensitive one and a teacher truly needs to understand his/her population prior to teaching this unit.

This unit is designed to last three weeks with a sixty minute period per day allocated to the unit lessons. The first two parts of the unit will be conducted in the first week and the last two weeks will be dedicated to part three and four of the unit. The lesson will involve the following reasoning skills: analysis, synthesis, comparison and evaluation.

The focus of the unit will be to understand the consequences of justice in action in regards to *Brown v. Board of Education*. Although the ruling for *Brown v. Board*, which mandated school desegregation, was a critical step in winning equal access to educational opportunity for African Americans, it came with a heavy price and white backlash was often extreme and very violent.

### **Background Information**

Before delving into *Brown* it will be important for students to understand the attitudes towards segregation prior to this ruling. Lincoln's proclamation emancipating the slaves was a giant step forward in the sense of government imposed idealization of equality, but what we realize is that physically freeing people does not necessarily free people's minds. The physical freeing of slaves was the moral thing to do, but how do you deprogram people from believing that they are superior and that their existence is more important than someone else's? How do you heal both the emotional and physical scars of years of humiliation, prejudice and torture? This change was going to take a while and the sad thing is that our society still has a huge hangover from this dark state of immoral behavior and attitudes. The white southerners, those who supported

segregation and believed in the States' rights to secede and who just suffered a great defeat in the Civil War, held tremendous resentments toward Lincoln and the North for their invasion not only into the states, but more importantly their invasion into the South's culture and way of life. They believe that they had a right to protect an industry that was contributing to the overall welfare of their economy. In the Southerner's mind the war was a result of the failure of federalism; the states did have rights and so they wanted to secede. As a result the white southerners developed segregation in order to preserve their way of life and keep the "negroes" at bay.

Although the Emancipation Proclamation ended slavery and the thirteenth and fourteenth amendments increased the rights of blacks, in no way was the nation witnessing a change in attitudes towards blacks. This is illustrated in the case of *Plessy v. Ferguson* (1896). It was this case that legalized segregation or rather endorsed it and the doctrine "separate but equal" became the status quo.

*Plessy v. Ferguson* was a Supreme Court case involving a Louisiana statute requiring railroads to provide separate and equal accommodations for black and white passengers. Segregation at the time, late 1800, was common. It was not until 1865 when the Massachusetts' statute was passed that we saw the first law forbidding race discrimination in public accommodations (Klarman, 2004). According to Robert Burt (1992) segregation rose out of a deep seeded resentment that the South was holding in the aftermath of the Civil War, during the years of Reconstruction and Post-Reconstruction. Burt (1992) believes that segregation was a reenactment of slavery. Segregation was the Southerners' method of rebellion against their defeat. Segregation was considered a social norm and was enforced by law throughout many states both in the North and South. Railroad segregation was first passed in Florida in 1887 and by 1892 eight other states had followed. Other forms of public transportation like streetcars were finding themselves being regulated by segregation measures passed at the turn of the century. These laws required that the streetcars have separate-but-equal accommodations and did not allow for many exceptions to the law. Why were these laws being passed? It was a way for the Southern white oppressors to maintain control (Burt, 1992). Klarman supports this idea: "These laws may have been directed toward a younger generation of blacks, unschooled in traditional racial etiquette (2004, p.18)." Integration on the railroads was a more cost effective solution for the railroad companies than upgrading facilities to accommodate blacks. The integration that was taking place was due to the bottom line, not changes in people's attitude.

In many people's minds it is commonly thought that the North had a different attitude towards free slaves than the South yet many northern states disenfranchised blacks. They did this by two means: exclusion from public education or plain and simple segregation; prohibition of interracial marriage. Northern whites were known to support blacks' civil rights such as freedom of contract, property ownership and court access, which the Fourteenth Amendment was designed to protect under the security of the Constitution (Klarman, 2004).

The fear of compulsory public school integration was debated prior to the passing of the Civil Rights Act in 1868. The Democrats at the time argued that it was going to happen; therefore they did not want to support the rhetoric in the Fourteenth Amendment. The Republicans convinced them that this would never happen (Klarman, 2004). People at the time saw segregation in public transportation differently than segregated education. The societal norm in 1868 was, as previously mentioned, to exclude blacks from education or segregate them, yet train travel was integrated. Congress was sending out mixed signals. In the mid-1860's they segregated a school in the District of Columbia and wrote charters for railroads that forbid segregation. The congress believed it had the authority to prohibit railroad segregation, but it does not mean they believe the courts did (Klarman, 2004). This brings us *Plessy v. Ferguson* (1896).

In 1896, the Supreme Court ruled that it was not wrong for a state to use discriminatory seating practices on public transportation. The states were allowed to require segregation on public transportation. The Court sustained the transportation law that ordered separate but equal transportation for blacks and whites. This was how the status quo of separate but equal came into effect and maintained itself for more than fifty years until *Brown v. Board of Education* (1954).

*Brown v. Board of Education*, perhaps the most famous and most important Supreme Court case in the history of the United States, rocked our nation and led to a movement that changed our country forever. In the 1950's segregated schools was the norm. In Topeka, Kansas, a black third-grader named Linda Brown had to walk one mile through a railroad switchyard to get to her black elementary school. A white elementary school was located seven blocks from her home. Her father, Oliver Brown, tried to enroll her in the white elementary school, but he was refused by the principal. Mr. Brown did not give up. He took his issue to the head of Topeka's branch of the National Association for the Advancement of Colored People (NAACP), Mckinley Burnett. The NAACP was eager to challenge the segregation issue and was willing to help Mr. Brown in his pursuit of justice and equality. Brown had other black parents join him and in the year 1951, the NAACP requested an injunction that would forbid the segregation of Topeka's public schools.

The U.S. District Court (Kansas) heard Brown's case in 1951. The NAACP focused on the argument that segregated schools sent the message to black children that they were inferior to white children; therefore, the schools were inherently unequal. The Board of Education for Topeka Public Schools stated that because segregation was infused into many other aspects of life, segregated schools simply prepared black children for the segregation they would face during adulthood. The board didn't think that the segregation was harmful to the education of black children and they dropped the names of a handful of famous blacks who overcame segregation to become high achievers in our society.

The court reviewed the precedent set by *Plessy v. Ferguson*, allowing separate but equal school systems for blacks and whites, and took note that no Supreme Court ruling had overturned *Plessy* to date. The courts often refer to precedent when deciding a case and this case was no exception. The court felt obligated to rule in favor of the Board of Education because otherwise they would be endorsing the segregation and they knew this was wrong because conditions were not equal for blacks in the South. Blacks in the South had no voice in politics because only 2% of the population of blacks risked their life to register to vote. The intimidation from the white supremacists was so intense that many chose not to risk their health and/or livelihood in order to vote.

Brown appealed to the Supreme Court in the fall of 1951 along with several other cases brought by the NAACP that were challenging school segregation in three other states. The Supreme Court failed to make a decision when it first heard the case more than a year later in 1952. The following year in 1953 the Supreme Court heard a reargument from both sides. In 1954 Chief Justice Warren wrote that the historical information presented in the reargument was inconclusive. Warren then addressed the dilemma of the court when trying to determine the constitutionality of segregated schools under the definitions defined in the 14th amendment (Brest and Levinson, 2000):

We must look instead to the effect of segregation itself on public education. In approaching this problem, we cannot turn the clock back to 1868 when the Amendment was adopted, or even to 1896 when *Plessy v. Ferguson* was written. We must consider public education in the light of its full development and its present place in American life throughout the Nation. Only in this way can it be determined if segregation in public schools deprives these plaintiffs of the equal



protection of the laws.

The Court unanimously declared that segregated schools were not equal and this was a violation of the Constitution. Chief Justice Warren read the decision of the Court on May 17, 1954:

We come then to the question presented: Does segregation of children in public schools solely on the basis of race, even though the physical facilities and other "tangible" factors may be equal, deprive the children of the minority group of equal educational opportunities? We believe that it does... We conclude that in the field of public education the doctrine of 'separate but equal' has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and others similarly situated for whom the actions have been brought are, by reason of the segregation complained of, deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

This ruling declared that mandatory segregation which existed in twenty-one states was unconstitutional. This was to be the beginning of desegregation of the public schools.

Providing students with this background will help them better understand the social reaction of Southern whites to the Court's decision. Popular opinion in the South was to ignore the Court's ruling and this is where the student activities come into play.

### **Framework of the Unit**

The unit will begin with the student's concept or definition of the word justice. This word is singled out in my unit because it is one of the founding fathers' main objectives stated in the Preamble of the Constitution, "Establish Justice" and because it continues to be redefined and established by the judicial branch of government today. This, of course, is why our constitution is known as a "living document." I want students to understand that the document must be interpreted to make sense in today's world. I also want the students to realize that they are not so different from a Supreme Court Justice in the sense that they too can come to their own conclusions when interpreting something as long as they justify their own reasoning. So, the students will give me their definitions of the concept through symbols and a discussion will follow.

I believe that fifth grade students - provided that they have guidance - will be able to read the Constitution in its entirety; however, my goal is to have the students comprehend the overall meaning and purpose of the document. The focus will be on the Preamble and the Bill of Rights. After all, it is the Preamble that sets the objectives for the government and it is the Bill of Rights and the Fourteenth Amendment that has affected the rights of the individual that led to the landmark Supreme Court case known as *Brown v. Board of Education* precipitating the Civil Rights Movement.

In order to help students fully understand and respect the struggles that the people involved in the American Civil Rights Movement endured; students will need to be educated about rights in general. Where did we get our rights? Are all people equal under the arm of the law? Has that always been the case? Many students believe that the right to an education is one granted to "all" people and in their minds this has always been the case. The objective of teaching students about their rights will be met by introducing them to the Constitution of the United States and speaking directly to its purpose.

Many students do not know that school was off limits to a particular race. They do not know that when education did become available to African Americans they were forced to attend separate schools for their

education. Segregation was the norm as supported by the attitudes noted in the opinion of *Plessy v. Ferguson*. Today American kids take school for granted, but hopefully upon learning about their country's struggle with this issue they will be able to view the right to attend school as something special because many people made great sacrifices so that they could have a seat at the front of the class in whatever school they so choose to attend.

Could the federal government have done anything to avert the violence in the aftermath of the decision, or provide more support and protection for black students and those who supported desegregation? Was it fair that black kids had to be integrated into the all white public school rather than upgrading the black schools to meet the standards of the white schools, even though the decision had determined that "separate" was not equal? Could the process of public school integration have been implemented in a different way? How? What support was available to communities to understand the process in which they were about to partake? Was there another approach to the *Brown v. Board* ruling that would have been ruled Constitutional, but brought about different results?

These questions will create an interesting dialog and will challenge the students to come up with creative answers. After using these questions in group discussion then the students will be presented with a copy of the Preamble of the United States Constitution and discuss its importance. An introduction to the Constitution and an overall explanation of the role and purpose of the document will be conducted. The initial lesson for the unit will consist of three parts: Defining Justice, The Preamble, and the Bill of Rights and the amendments that follow the original document. Students will explore an amendment in depth. Students will review the amendment and create a scenario in which this amendment would protect them and describe it to the class or act it out. They will argue why they believe it should be in the Constitution. The activity will be wrapped up by asking if there is a right that they feel is not included in the Constitution.

The third part will introduce the landmark case of *Brown v. Board* and provide visual aides such as photographs, films, and newspapers, as well as primary sources describing life in the fifties for African Americans living in the South where segregation and discrimination were rampant. Students will be put into small groups and will be provided with a synopsis of the case taken from the information in the preceding paragraphs. Students will view documentaries such as "Eyes on the Prize" that will enable them to see in a fairly graphic manner what it was like living in the segregated South in 1950's. Resources will include a video biography on Ernest Green, one of the first students to be a part of the integration at Central High in Little Rock, Arkansas. As their main project for the unit students will conduct an investigation into a significant event in the history of the Civil Rights Movement following *Brown v. Board of Education*. The students will be provided with a list of events and important people from which to select their research topic (see Lesson 2: Part 3).

The Court's decision to desegregate public schools brought about violence and it is important for students to understand that even though the law was in place to provide for equality it did not mean people were willing to change deeply ingrained prejudices that they had held for generations. Many white supremacists did not care whether they were breaking the law. Governor Faubus of Arkansas brought out the Arkansas National Guard in order to prevent nine black students from attending Central High School in Little Rock and this was in 1957. Here was a man who was governor of a state and he was disobeying the Court's order. Events to be researched might include, but will not be limited to: the struggle to save public education at Central High (Little Rock Nine), the sit-ins, Freedom Riders, or the well-known act of Rosa Parks' refusal to give up her seat on the bus to a white man and the Montgomery bus boycott that followed. All of these events came about in the aftermath of the ruling of *Brown v. Board of Education*. Students will be asked to give a presentation on



their research. I will provide the opportunity for students to present in character and provide a skit if they feel comfortable doing so. I feel this method often allows student to empathize more with the person they are researching. They will end by describing the significance of this act in the context of the entire Civil Rights Movement.

The final part of the unit will culminate with an assessment. Students will write a response to a scenario in which they are asked to relate to a fictitious character who might have been involved in the desegregation of public schools in the South just after the ruling of *Brown v. Board of Education*.

Empathy is a great teacher and my goal in this unit is to foster the creation of empathy in students by exposing them to opportunities so that they may "walk a mile in the other person's shoes."

## **Lesson 1: Defining Justice and Its role in the Constitution**

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Part 1: Students define justice through images

*Guiding Question:* What is Justice and what does it look like?

*Objective:* Students will define the term justice through artistic expression and agree on a verbal definition through consensus.

*Procedure:*

I will begin this lesson by writing the word *justice* on the board. I will ask students to give me their definition of the word. Next, I will create a web on the board placing the word justice in the center and ask the students to provide synonyms or other words that they feel are related to justice. These words will be the spurs to the web. Once the web is created on the board then distribute drawing paper to the students and tell them that they are going to create an image of the web. Give examples of symbols that have come to represent a certain term or concept (for example: peace sign). Ask the students to create a symbol for justice. These images will then be displayed in the room throughout the duration of the unit.

As for the final act of this part of the unit, the group of students will discuss what definition they all agree upon for the word *justice*. This will be written down on a poster board and be display in the classroom.

*Assessment:* Student will demonstrate his/her understanding of justice through written or creative expression.

Part 2: Introduction to the Constitution, Bill of Rights and the Amendments

*Guiding Question:* What are civil rights and where did we get them?

*Objective:* Student will be able to describe the purpose for having a constitution as well as describe civil rights protected by this document. Student will identify fundamental ideals and principles of our republican form of government.

*Procedure:*

I will initiate this lesson by asking students to get a partner. Then I will hand each pair a sheet of paper with the following questions on it:

1. What is the Constitution?
2. What is its purpose?
3. What is the Bill of Rights?
4. What are the Amendments to the Constitution?
5. Who does the Constitution protect and does it protect everyone?

The pairs will be asked to work together to write thoughtful responses to these questions. After ten minutes I will call the class together as a large group. On the board or overhead I will construct a KWL chart (What do the students Know? What is it they want to learn? What did they actually Learn?). This chart will be filled in as the students respond to the questions on the paper. This is an informal assessment to let me know how much they know about the Constitution. Each pair will share their answers and I will write them in the "K" part of the chart. If they do not know the answer I will put the question in the "W" section of the chart. The "L" section will be filled in at the end of the lesson once we determined what they have learned throughout the unit.

Next I will show a School House Rock Video "The Preamble" that has animated children singing about the Constitution. It is a catchy tune and the students tend to remember details from the lyrics. This is the students' introduction to the Preamble of the Constitution. After showing it we will revisit the questions we looked at earlier and the "What we want to learn" part of the chart. A discussion about what the Preamble means and its purpose will follow. I will ask one or two students to describe the overall goals of the Preamble and we will write these on our KWL chart.

*Assessment:* Students will be asked to answer the initial anticipatory questions that were presented at the beginning of the lesson.

### Part 3: The Bill of Rights - Ten Promises We Should Know

*Guiding Question:* How are citizens protected from the government?

*Objective:* Students will identify and describe the significance of American essential documents. Students will understand the significance of the Bill of Rights to their own lives.

*Procedure:*

Using Kathleen Krull's book *A Kid's Guide to America's Bill of Rights* I will read the 462 words that make up the United States Bill of Rights (p.4). I will then begin a discussion with the students on why the founding fathers (James Madison in particular) felt it necessary for individuals to be protected. I will ask students to come up with scenarios in which individuals' rights could be threatened.

Next I will inform students that this document has never been changed only added to and I will introduce the amendments to the Bill of Rights. In order to have the students learn a little more about a particular amendment I will have each child pick at random an amendment which I will have written on an index card. Their assignment will be to look up the amendment - I will provide copies of the Constitution and provide other reference material including the internet - write it down, give an example of how this amendment protects an individual from the government. Extra credit will be given to those students who prefer to act out their example by creating a skit to demonstrate the amendment and its significance.

The culminating activity will be a charting exercise whereby the students will be asked to engage in a poll. The poll will be conducted to determine which amendment the students deem most important and significant to their personal lives. Once the children have been polled then a small group will be responsible for collecting and interpreting the data. The group will generate a bar graph illustrating the results of the poll and present this information to the rest of the class. The activity will be wrapped up by asking if there is a right that they feel is not included in the Constitution. Prior to moving on to the next lesson the class will revisit the KWL chart and fill in any of the sections that they have new information for.

*Assessment:* Students will be asked to respond to the following question: How would you be affected by the removal of the first amendment's section on the freedom of expression? Give at least three examples of how not having freedom of expression would affect you in school, home, and in your community?

## **Lesson 2: Brown v. Board of Education: Justice in Action**

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Part 1: Plessy v. Ferguson: Understanding the Status Quo of Race Segregation

*Guiding Questions:* What does it mean to segregate?

*Objectives:* Students will learn about the social attitudes towards free blacks after the Emancipation Proclamation was issued by President Lincoln. Students will be able to describe and discuss the role of government and the relationship between the three branches.

*Procedure:*

For this lesson I will provide a list of terms and their definitions for students to refer to throughout the activities. I will review these terms with the students and ensure their understanding of them prior to beginning the lesson. Here is the list of terms:

Emancipation Proclamation

Slavery

Abolition

Segregation

Prejudice

Minority

Discrimination

Thirteenth Amendment

Fourteenth Amendment

This lesson begins with a talk about the status of blacks in the United States post Civil War. The goal is to get students to understand that although blacks were free people according to the law, they were not treated as such by many people especially those people in the South. This talk will focus on segregation and how it became part of people's daily existence at that time in our history. Following this background talk I will introduce the case of *Plessy v. Ferguson* and speak to the fact that this case established and reinforced the status quo of separate but equal. It will be important for students to understand the significance of the court ruling in *Plessy v. Ferguson* so that they can understand the outcome of *Brown v. Board*.

*Assessment:* Students will be asked to re-read the thirteenth and fourteenth amendments and write a response whether they agree with the court ruling or not.

Part 2: *Brown v. Board of Education* and life in the South during the 1950's

*Guiding Question:* Why aren't all people treated equally?

*Objective:* Students will become familiar with the Civil Rights Movement and be able to describe how it came about and the major players involved in the struggle. Students will be able to describe the cause and effect surrounding the Supreme Court's decision on the *Brown v. Board* decision.

*Procedure:*

The overall goal of this lesson is to provide a wealth of primary sources so that students can read and study about the conditions of segregation that existed in the United States prior to the ruling of *Brown v. Board*. I will distribute photographic images, reproductions of newspaper headings. I will put students into small groups and provide each group with a packet of images that explicitly illustrate segregation and white supremacist attitudes. Each group will be given a set of questions to discuss while viewing the images. I will hold up a photograph and model responses to the guiding questions that each group will be asked to respond to.

Each group will respond to the following questions:

1. What do you see going on in the image? Are there people in the image? Who? What kind of emotions do you feel each person in the image is experiencing, describe these emotions?
2. What do you think took place right before this picture was taken? What happened right after this picture was taken?
3. Are people being treated fairly?
4. How does this image make you feel and why?

This activity will last fifteen minutes and I will travel between groups to listen to their responses. I will ask the students to pick out one image that they find especially moving or disturbing and ask them to share with the large group. They will describe what they think is going on in the photograph.

Next, I will ask someone to tell me the outcome of the *Plessy v. Ferguson* court case and remind students that separate but equal was the accepted norm for the nation at that time. I will then inform the students about the *Brown* case and give the background on this case. Students will learn the Supreme Court's decision and be able to define desegregation and give reasons why separate was no longer accepted as equal. This information is located in the background section of this unit.

*Assessment:* Students will be asked to give two examples of how blacks were treated unjustly by the separate but equal attitudes of the times. Students may illustrate their examples or write a narrative.

## Lesson 3: Reaction to the Court's Ruling to Desegregate Public Schools

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Part 1: Understanding people's actions and attitudes

*Guiding Question:* What were the reactions to desegregation?

*Objectives:* Students will research an historic event using primary and secondary sources.

*Procedure:*

I will begin this part of the lesson by showing the students a film about the Little Rock Nine, who were the first group of black students to be integrated into an all white public high school. The film is entitled *The Ernest Green Story*. I hope to inspire my students through the actions of these brave young people. At the end of the film we will discuss the challenges the students faced.

I will then provide a list of events that took place after *Brown v. Board of Education* that were to become part of the Civil Rights Movement. Each student will select an event or person and research that event/person. The students will follow a rubric and create a poster board which will be displayed for the class. The events I will describe to the students will be the following:

Ruby Bridges

Rosa Parks

Freedom Riders

Lunch Counter Sit-Ins

Marches

Voter Registration

Little Rock Nine

The Murder of Emmett Till

Montgomery Bus Boycott

James Meredith

Medgar Evers

Martin Luther King Jr.

Jesse Jackson

A. Philip Randolph

John Lewis

Four Little Girls

Fannie Lou Hamer

Voting Rights Bill

Black Power

Coretta Scott King

Malcolm X

Student Nonviolent Coordinating Committee (SNCC)

The rubric will include the following elements:

- Brief description of person/event with important dates
- Photograph
- Give reason for event taking place/ Action taken by individual
- List the outcome of the event or action
- Describe why this event was significant
- Timeline of important dates surrounding event
- Researcher's name

*Assessment:* Student demonstrated written performance in the form of their poster board exhibiting their research findings. Student will give an oral presentation at the culmination of their research and this presentation may be conducted as a skit or by the student coming in costume as the person they researched.

Part 2: Eyes on the Prize

*Guiding Question:* What was the primary goal of the Civil Rights Movement?

*Objective:* Students will be able to identify the primary objectives of the Civil Rights Movement and understand their significance in history of the United States.

*Procedure:*

I will show the film *Eyes on the Prize*, which focuses on the struggles endured by the major players in the Civil Rights Movement. This film will tie together the students' independent research into a unified whole and make connections for them. The film may not be shown in its entirety because it is quite long.

*Assessment:* The final assessment following the viewing and discussion of this film will be an essay response to scenario below concerning desegregation.

Scenario: Imagine it is 1954 and the Supreme Court has just handed down the ruling on *Brown v. Board of Education* claiming that "separate but equal" is unconstitutional. The ruling mandates that all public schools desegregate. You live in a southern state. Your challenge is to define how you will respond as one of the following characters involved in desegregation.

Character A: Principal of the High School being integrated.



Problem: Parents have come to you with complaints that they feel violence will escalate at the school site. Other schools are using the Army National Guard (ANG) but you feel the presence of the Guard will send the wrong message to your students and create an environment of fear and intimidation. What do you do to insure the safety of the black students being integrated into your school?

Character B: African-American Student

Problem: You are just about to begin your sophomore year in high school and you have been asked if you want to attend an all-white high school with 8 other black students. The school you currently attend takes 45 minutes by bus to get to and the textbooks are used and out dated. The school itself has a lot of structural problems and is located in a bad neighborhood. The high school you could attend is ten minutes from your house and is very well equipped with up-to-date school materials. What do you decide to do? Do you decide to attend the all-white high school?

Character C: White Student already attending the high school that is being desegregated.

Problem: A friend of the family is one of the students about to integrate into your high school. You have known this person since you were little because his/her mother was your babysitter since you were young and the two of you played together. You always spent time around the house but you did not socialize outside the house. Now your friend is attending your school and will need a friend to help him/her adjust and get around. Your other friends have made discriminatory comments about the new students that are part of the desegregation. You want to help your friend, but you are afraid that your other friends will harass you and perhaps your friend too. What do you do?

Character D: Governor of the State

Problem: You have just received news that the Supreme Court ruling came down and mandated that all states take immediate action towards desegregation or face being in violation of federal law. However, you hear that your neighboring states are not taking any steps toward desegregation. They are waiting for the government to force them to do something. You took an oath of office to defend your state constitution as well as abide by the U.S. Constitution. The cities in your state are divided and you have some mayors supporting desegregation and a few who staunchly oppose it. How do you go about desegregating the schools in your state? (Note: Creating a timeline for your implementation might help you answer this question).

Character E: Superintendent of Public Schools

Problem: White parents are threatening not to send their children to school if you go forward with the desegregation. They feel that the quality of their child's education will be diminished if segregation occurs. They are writing letters of complaint to the State Department of Education. Many parents are starting to develop plans to home school students and create their own private schools. How do you deal with these parents and what do you do?

Character F: Concerned Citizen

Problem: The all-white public high school you graduated from is closing because of low enrollment. All your neighbors, who have school-aged students, have begun home schooling their children because they feel this is a better option than desegregation. You do not have the same convictions and you feel all children should have equal opportunities for education. You believe other schools will be closing soon as fearful whites follow

the trend set by parents in your neighborhood. What do you do to help keep the public schools open?

Character G: Teacher

Problem: Your principal has informed the staff that five teachers from the school need to volunteer to go teach at the all white school that is currently being integrated. The principal believes this will make it easier for the black students to integrate and feel more comfortable in their new setting. You are very close to your students and you have had good relationships with them. You know your presence will make a difference but you love your current work location. What do you do?

Directions: You are to select one of the characters described above and respond to the questions surrounding the problem in which they are engaged. Please describe your response in detail. You may refer to your notes or any written materials that we have utilized throughout the course of the unit. Please write your response in first person.

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