



Curriculum Units by Fellows of the Yale-New Haven Teachers Institute  
2014 Volume III: Race and American Law, 1850-Present

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## **Educational Injustice in the United States**

Curriculum Unit 14.03.02  
by Daniel Hicks

### **Summary**

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For my students, and through discussions with my colleagues I have found that a vast majority of students in our community believe that the mistreatment of African-Americans in this country is exclusive to slavery, which they erroneously believe ended with the simultaneous efforts of Abraham Lincoln and Dr. Martin Luther King. Their chronological awareness about the history of our country is severely limited, and like many fifth graders, they are exposed to limited moments and viewpoints in history. The time period between the end of the Civil War and the Civil Rights movement are a very cloudy area of American history, particularly for my current 6th grade students. By tailoring this unit not just to the needs of my current students, but to address the deficiencies in the Social Studies curriculum in general, this unit will be applicable across a wide variety of 6th grade Social Studies classrooms.

This curriculum unit will analyze the history of educational discrimination in the United States toward major ethnic and racial groups, with particular focus paid to African-American and Latino-American and Asian American history. The struggle for human rights and equal protection under the law will be researched through a variety of class activities and readings, drawing from primary sources, Supreme Court opinion excerpts, and other collections of race-related legal analysis and documents. Particular attention will be paid to several historical incidents and court cases including *Plessy v. Ferguson*, *Lum v. Rice*, and *Mendez v. Westminster*. The unit culminates with students completing a series of journal entries in the voice of a minority student struggling with the realities of educational segregation.

### **School Background**

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Roberto Clemente Leadership Academy has been a neighborhood school for many years and for the past nine years it has been a lower performing school in the district and state of Connecticut. The school in the past has been unable to meet state standardized test requirements. The district of New Haven made the decision in the year 2011 to rank Clemente Leadership Academy a tier three school and has been designated as a turnaround school for the past 3 years. As a turnaround school run by an outside management company, Renaissance

School Services, there has been a bit more freedom for teachers to bend the curriculum in order to meet students' needs and engage students' interests. In doing so, one of the curriculum areas that has been less monitored, and thus more flexible, is Social Studies. While some teachers have given less attention to Social Studies as a result, other teachers have used this as an opportunity to create engaging and stimulating social studies projects, lessons, and activities that create an environment for their students where Social Studies is used to access and develop analytical and critical thinking skills that augment student literacy instruction. In a turnaround school, as with any school where students are significantly below grade level in reading, there is a profound focus on literacy instruction. This unit seeks to address lacks in student background knowledge, deficiencies in the New Haven Public Schools' Social Studies curriculum, and to provide variety to students in the development of their literacy skills. My class size is twenty students. Of the twenty students, 60% are African American and are 40% Hispanic. All students receive free lunch. There are three students receiving special education services. Of these twenty students, none of them have any background knowledge that relates to the Jim Crow era.

## Introduction

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In the New Haven Public Schools' 6th Grade Social Studies Curriculum, students are educated about the State of Connecticut and the history of the Civil War era in the United States. In their 8th grade year students once again turn their focus to the Civil War and Reconstruction in the third quarter of the school year. This disjointed and repetitive cycle of Social Studies education is in need of assistance and I believe that in a 6th grade classroom this unit is most applicable due to a combination of circumstances. Students already have background knowledge about the Civil War Era as a result of reading a book that is a part of their 5th grade literacy curriculum entitled, "The Brother's War," published by National Geographic. This text is a compilation of photographs and poetry from the Civil War era; it seeks to give readers a sense of the atmosphere of the nation during this crucial time in our history. The use of poetry and photographs gives students opportunities to use their analytical and inquiry skills while processing primary sources. This, combined with the focus in 6th grade Social Studies on the Civil War era, provides a great opportunity for teachers to build background knowledge in their students about this critical era in American history. This will allow students arrive in their 8th grade year well prepared to study Reconstruction and the racial discrimination that was faced by minorities in the legal realm post-Reconstruction.

In 6th Grade, curriculum focuses on our nation's founding and history through the early 20th century, but there is little attention paid to the struggle for basic human rights for African-Americans between the Emancipation Proclamation and the 1960's. Aside from their yearly discussion of who Martin Luther King was and what he stood for, students do not receive any instruction on the topic of civil rights. However, as part of the 5th grade Language Arts Curriculum students complete a unit centered on the book, *Hana's Suitcase* by Karen Levine, which chronicles the experiences of a young Czechoslovakian girl who was a victim of the Holocaust. One of the themes of this text is that the injustice done to the Jewish people was terrible, that they were treated as something less than human, and that building awareness about the injustices and discrimination done in the past will illuminate the present so that students can recognize injustice in the world around them.

The combination of this overarching theme of injustice and discrimination coupled with the Social Studies focus on American History provides a unique opportunity in 5th grade to present students with a curriculum

unit that illustrates the sad fact that injustice is not something that America has been immune to, but rather had inherent discrimination as part of our legal and economic structure since the founding of our nation. This proposed unit will analyze the history of legal discrimination in the United States toward major ethnic and racial groups, with particular focus paid to African-American and Latino-American and American Indian history. The struggle for human rights and equal protection under the law with regards to public education will be researched through a variety of class activities and readings, drawing from primary sources, Supreme Court opinion excerpts, and other collections of race-related legal analysis and documents. This unit focuses on several historical incidents and court cases including *Plessy v. Ferguson*, *Lum v Rice*, and *Mendez v Westminster*.

## Rationale

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Over the course of our seminar, "Race and American Law: 1850-Present", we sought to examine the contradictions between the rights and freedoms that our nation was founded upon and the treatment of our black citizens. Through the reading of Michael Klarman's book, *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*, we were exposed not only to court decisions, but a wealth of social and historical context built around landmark cases so that our understanding went much deeper than the court decisions themselves. Our seminar discussions and close readings of court cases, supported by the insights of our professor, allowed us to gain a solid understanding of the arguments made for racial segregation and the arguments made that went against racial segregation. By analyzing particular cases in this way, it allowed for fellows to branch out into their own readings and search for these same predominant arguments. Though *Lum v Rice* and *Mendez v Westminster* were not cases that we analyzed as a seminar group, I was given the tools needed to dissect these decisions in order to form an understanding of the issues sufficient enough to deliver these cases in a meaningful way to my students.

In both the *Lum* and *Mendez* cases, the issue at hand is educational segregation. In order to limit the scope of the Jim Crow era and make the topic more accessible for students, educational injustice will be the guiding topic of our class discussions and debates. This will allow students to grapple with the extremely difficult issue of racial segregation while analyzing a topic (education) that they can clearly relate to. For students at this age level, the ability to "put themselves in someone else's shoes" can often be difficult, particularly if the personal similarities between individuals are minimal. By looking at cases that deal with students' rights to equal education, they will be able to apply their everyday experiences to their analysis of these court cases.

Any discussion of the Jim Crow era, particularly for students who have little to no background knowledge of what Jim Crow was, must begin with *Plessy v Ferguson*. Though it argues the constitutionality of segregation of public transportation <sup>1</sup> and not education (as do the other cases students will study), it provides the rationale and the backdrop for all of the other discussions that will take place regarding segregation. Enforcing the "separate but equal" mandate that emanated from the *Plessy* decision is the foundation for the school segregation that students will be learning about. If students are to grasp anything of the Jim Crow era, particularly why it was deemed legal for districts to establish white schools and black schools, then they must ground their learning in a solid understanding of *Plessy*.

The other benefit of beginning with *Plessy v Ferguson* is that it provides an opportunity for students to plainly see what separate but equal might truly look like. By opening the lesson on *Plessy* with a visual activity

showing two different identical rail cars, they will be able to more easily form an understanding of the rationale that the Supreme Court used to make their decisions during this time period: if things were separate but equal, then constitutionality was upheld.

Lum v Rice is the 1927 Supreme Court case regarding the education of 9-year-old Martha Lum of Bolivar County, Mississippi. Born in the United States, but of Chinese descent, Martha Lum was denied entry into the all white Rosedale Consolidated High School, solely because of her Chinese background. A lower court granted Lum's request and forced the Board of Trustees of Rosedale High School to admit his daughter. Lum's argument was not based on the fact that racial discrimination was illegal, but that his daughter Martha should not have been identified as "colored" because of her Chinese descent. The case then went to the State Supreme Court of Mississippi, which ruled against Lum and overturned the lower court's decision, again barring Martha Lum from attending the high school for white children. Lum's father appealed to the United States Supreme Court, which unanimously upheld the state Supreme Court's ruling. Drawing heavily from the precedent set by Plessy v. Ferguson, the court maintained the constitutionality of segregation in public education, and also determined that the county did not violate Lum's rights under the Fourteenth Amendment due to the fact that the county did provide her with a segregated school that was readily accessible. <sup>2</sup> As Klarman states, this is not technically a challenge to school segregation. "The appellant's principal argument was that Mississippi denied equal privileges to Chinese by combining them with blacks, while whites enjoyed separate schools." <sup>3</sup> Despite this fact, Justice Taft treated this case as a challenge to school segregation, which at this point in time, had little chance of being overturned. National sentiment at this time was firmly pro-school segregation. In the South, school segregation was almost universal, while in the North, the Great Migration inflamed feelings of racial prejudice, which created an environment where segregation became more commonplace following World War I.

Within this context, there was the growing voice among black Americans, most prominently that of W.E.B. Du Bois, which advocated for school segregation. In the minds of many African-Americans, school segregation provided a safe haven for black youths from insults and harassment that they would face from their peers and educators in integrated schools. In addition, school segregation provided jobs for black educators who otherwise would not have been able to find work in integrated schools. Klarman, explaining the position of Du Bois, stated that "He argued that blacks were 'crucified' in integrated schools and that it was 'suicidal' for blacks to concede the inferiority of their own schools by demanding integration." <sup>4</sup> The concerns of Du Bois speak to the supremacy struggle that was occurring during the Jim Crow era. In addition to the emotional effects of segregation, the psychological struggle for racial superiority was at the core of the implementation of Jim Crow practices. White supremacy over all other racial groups in the United States (Hispanic-Americans, Asian-Americans, and African-Americans, and Native-Americans) was the goal of Jim Crow. This was not a struggle for power that existed only in the South. With shifting demographics in Northern cities as a result of the Great Migration, the federal government enacted housing policies that solidified the supremacy of white property holders and the inferiority of minority owned properties. <sup>5</sup> Institutionalized white supremacy became the norm during Jim Crow as the concerns of W.E.B Du Bois regarding concessions of inferiority were not heeded.

The other social aspects to consider with Lum v Rice were the distinct differences between Southern Chinese and Southern Blacks. During the early 1900s in the Mississippi Delta, there was a small community of people of Chinese descent. This community formed as replacement for black labor during the Reconstruction era. Within the Chinese community, most of them found employment running grocery stores, where they received little public animosity if they were "pure Chinese". These individuals did face more virulent discrimination

when they were of mixed Chinese-black ancestry. Within local communities in this area, Chinese-American students were allowed to enter white schools, however it was under the State of Mississippi's jurisdiction that Gong Lum's daughter was denied entry into Rosedale. At this point, a challenge to school segregation was not something that prominent groups such as the NAACP would be willing to pursue. The chances of success were very slim, and as Klarman puts it, "In this setting, Court invalidation of school segregation was inconceivable."

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In this case, students will be required to analyze the situation of education in terms of whites versus other minorities, not just African Americans. One of the enduring understandings of this curriculum unit is that there has been racial injustice perpetrated against every minority group during the Jim Crow era, not solely against African Americans. By providing students with an opportunity to see a prominent case involving Asian-Americans, the majority of students in the class will need to empathize with a racial group other than their own in order to see the injustice happening. This holds special value for upper elementary level students who struggle with thinking outside of their own personal situations. It also gives students the opportunity to see that there was not, in the eyes of the law during this era, a hierarchy of minority racial groups.

*Mendez v Westminster* is a 1946 federal court case from Orange County, California in which five Mexican-American fathers claimed that their children, by being denied entry into white schools and being forced to attend segregated "Mexican Schools", had their constitutional rights violated. The case was brought by a group of parents lead by Gonzalo Mendez, who as a child attended an integrated white and Mexican Westminster Main School. This was the very school that his children were denied entry into due to their Mexican heritage. They were instead told that they had to attend a school located in a different district that consisted of entirely Mexican or Mexican-American children called the Hoover School. The case originated in the US District Court, where the issue that the court considered was whether or not the segregation of Mexican-American students violated California law as well as the equal protection clause of the Fourteenth Amendment. At the time, there was no state law mandating segregation. It was merely a local practice. The judge, Paul McCormick, ruled in favor of Mendez and struck down school segregation in Orange County. The United States Ninth Circuit Court of Appeals affirmed the District court's decision that the segregation of students into separate schools was unconstitutional. During the appeal to the Ninth Circuit Court of Appeals, the lead counsel for Mendez was Thurgood Marshall, who 8 years later would be the NAACP's lead counsel for *Brown v Board of Education of Topeka*, which would overturn the "separate but equal" doctrine of *Plessy v Ferguson*.<sup>7</sup>

Student understanding of *Mendez v Westminster* is essential to understanding the dismantling of public school segregation. Though the case took place 8 years before *Brown*, the arguments used against school segregation for Mexican Americans would be the same arguments used 8 years later against school segregation in the *Brown* case. The main thrust of the argument against segregation presented by Mendez was the social, psychological, and pedagogical effects that school segregation had on the Mexican-American youths. It is imperative to understand the emotional impact that school segregation has on minority groups, specifically feelings of inferiority that result from exclusion from society. These feelings of inferiority experienced by minorities were a product of school segregation used as one part of a systematic assertion of white supremacy over American minorities. By subjecting minorities of all backgrounds to inferior schools, services, and economic opportunities, a culture of white supremacy in the United States was created and solidified for the coming generations. Power, control, and white supremacy were the aims of segregation, but this phenomenon was the vestige of American practices of slavery. Coates explains, since the founding of the United States, "American Law worked to reduce black people to a class of untouchables and raise all white men to the level of citizens."<sup>8</sup> As Wollenberg states, "The case provides insight into the long history of school segregation in California and is an important chapter in the experience of Mexican and Mexican-American

people in the United States." <sup>9</sup> The case of *Mendez v Westminster* not only shows the precursors of the dismantling of school segregation, but it also shows a court ruling based on those feelings that result from school segregation. It is a pivotal moment in the issue of segregated public education, and it provides an opportunity for reflection on our current structures of public education. Though not mandated by law, many of our schools are segregated as a result of racially segregated neighborhoods, which lends to a discussion with students about their personal feelings about their schools.

Though there were a variety of topics covered in our seminar, from segregation in public conveyances to interracial marriage rights, the breadth of the discriminatory practices levied against African Americans and other minority groups is simply too much for a 5th grade student to absorb within a 4 week unit. In order to give students an entryway into this complex and deep topic, this unit is focused on racial discrimination within the public education system of the United States. While this is something that the students can relate to, it is also a topic that has been dramatized through various films and books, so the opportunities for using media supports for students to help them visualize the circumstances of these cases are many.

## Teaching Strategies and Objectives

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In addition to their daily formative assessments such as reading responses, answering text-dependent questions based on close readings, reflection writing pieces, and oral discussion, students will be required to conduct research in order to complete the summative task of the unit which is to compose a journal from the point of view of a middle school student struggling with the school segregation during the Jim Crow era.

The culminating project of this unit will be a character journal activity in which students will take the voice of one of different minority 5th or 6th grade students dealing with school segregation during the unit-covered time period. Students will be required to demonstrate various aspects of their learning, including the period, location, social contexts, and emotional/psychological effects of school segregation that were specific to each of the three minority groups that they are embodying through their writing. These student journals will be transferred into digital format and compiled on a class website which will be structured as a teaching tool, where students will take what they have learning about educational discrimination during the Jim Crow era and apply it in order to create an educational resources for their peers about a topic that often evades student background knowledge and our district curriculum.

In order to complete this final project, students will be required to research examples of educational discrimination in order to gain an understanding of what types of challenges students faced in different settings. Students will need to identify the facts of these various school segregation examples, as well as the social concerns specific to that region and setting.

### Enduring Understandings

- The history of the United States is filled with examples of legal discrimination against all minority groups, particularly in the period between Emancipation and the Civil Rights movement.



- Jim Crow laws were racial segregation laws that were enacted between the 1870s and 1960s primarily at the state and local level.
- Throughout the Jim Crow era, school segregation was an accepted practice that severely limited the prospects of minority students.

In order to reach these understandings with my students, a variety of teachings strategies will be employed. For a diverse set of students with reading levels ranging from Kindergarten to 6th grade equivalencies, there must be a solid and consistent use of visual aides to support any types of readings, regardless of complexity. In order to address this while analyzing court cases, I will present photographs of segregated schools and of the parties to the case at the outset of each case study. In addition, supplemental readings, which will be more accessible to students in terms of their reading level, should be provided to students for each of the cases studies. These supplemental readings should include summaries tailored to upper elementary level students and also local newspaper articles from the time period that will help students access the issue that sparked the various cases they will study.

To scaffold student research, it is suggested that several lessons that should be completed prior to the unit to ensure that the basic skills of identifying key search terms, reliable vs. unreliable sources, etc. During the curriculum unit, students will not be conducting research on the entire web. Instead, students will use a custom Google search, in which the teacher will pre-determine the sites from which students will draw information. These will be sites that the teacher has screened to ensure that the content is appropriate, relevant, and fruitful for student review.

### **Curriculum Unit Map**

Day	Topic	Objective
1	Road to Civil War	Students will be able to develop a timeline of events in US History to the Civil War in order to build background knowledge.
2	Jim Crow—Not a slave but not a citizen	Students will be able to compare and contrast life as a slave with life during Jim Crow era.
3	Jim Crow Law Jigsaw activity—what type of limits were placed on Blacks?	Students will be able to evaluate the limits placed on people of color by Jim Crow laws in order to compare them with limits placed on Jews during Holocaust as read about in Hana's Suitcase.
4	Jim Crow Profiles (PBS)	Students will be able to describe how Jim Crow laws affected individuals' lives during the late 19 <sup>th</sup> century.
5	Plessy v. Ferguson (The Case)	Students will be able to outline the sequence of events that resulted in the case Plessy v. Ferguson in order to understand the essential question of the case.
6	Plessy v. Ferguson (The Decision and Repercussions)	Students will be able to describe the importance of Plessy in order to extend their thinking as to how this decision will impact future SC decisions.
7	"Incident" by Countee Cullen and "I, Too" by Langston Hughes	Students will be able to infer poet's attitudes toward American



		society by completing a close reading of "Incident" and "I, Too" in order to analyze the way minorities felt during Jim Crow era.
8	Lum v. Rice	Students will be able to make connections between the case of Martha Lum and the Plessy decision in order to determine the extent of the segregation issue.
9	Mendez v. Westminster ( <a href="http://www.tolerance.org/activity/tale-two-schools">http://www.tolerance.org/activity/tale-two-schools</a> )	Students will be able to compare and contrast the case of Gonzalo Mendez and Martha Lum in order to see the changes that began to take shape in American society.
10	Writer's Workshop-Journal Project	Students will be able to write journal entries from various minority student points of view in order to demonstrate their knowledge of school segregation during the Jim Crow era.
11	Writer's Workshop-Journal Project	Students will be able to write journal entries from various minority student points of view in order to demonstrate their knowledge of school segregation during the Jim Crow era.
12	Writer's Workshop-Journal Project	Students will be able to write journal entries from various minority

		student points of view in order to demonstrate their knowledge of school segregation during the Jim Crow era.
13	Group Website development	Students will be able to develop a website detailing to discrimination faced by their selected minority group.
14	Group Website Presentations	Students will be able to present their journal projects through their websites.

## Classroom Activities

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### Lesson Plan for Day 3

#### Standards:

CCSS.ELA-LITERACY.W.5.9

Draw evidence from literary or informational texts to support analysis, reflection, and research.

CCSS.ELA-LITERACY.RH.6-8.1

Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-LITERACY.RH.6-8.7

Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.

**Objective:** Today we are learning how to analyze a primary source in order to understand the injustices faced by everyday people during the Jim Crow era. We will know we've got it when we can state the different types of injustices faced and orally reflect on the impact of those injustices.

#### Mini-Lesson (10-15 minutes):

1. **Intro-** How would it feel if I gave something to one student, but not to others? How would you feel if you were the student that got something? How would you feel if you were the student that did not get something?
2. **Review-** what is a close reading? What do close readers do?
3. **Model-** Close reading of Holocaust journal excerpt and completion of reflection sheet.
4. Explain the system of injustice that was created under Jim Crow laws.

#### Modeling:

-Begin reading Holocaust journal excerpt and say, "I am going to complete a close reading of this journal excerpt from a young person who was a victim of the Holocaust. I am doing this in order to understand what limits were placed on Jewish people and to try to infer what they felt like suffering this injustice."

-Read aloud and annotate journal excerpt.

-Model completion of reflection sheet while dictating thought process.

#### Guided/Independent Work:

-Students are placed into groups and each given a journal entry written by someone suffering an injustice during Jim Crow.

-Each group will complete a close reading of their journal entry in order to a.) understand the injustice being suffered by the author and b.) infer the feelings of the author as a result of that lack of freedom

-Student groups will share out to whole class describing their findings.

-Students will independently complete final reflection sheet on which they will try to paint a complete picture of the injustices suffered during Jim Crow.

#### Assessment:

1. Use student's responses and questions to assess if they were able identify the injustice and infer the feelings of the author.
2. Exit slips

<b>Lesson Plan for Day 5</b>
<b>Standards:</b> <u>CCSS.ELA-LITERACY.W.5.9</u> Draw evidence from literary or informational texts to support analysis, reflection, and research. <u>CCSS.ELA-LITERACY.RH.6-8.1</u> Cite specific textual evidence to support analysis of primary and secondary sources.
<b>Objective:</b> Today we are learning how to analyze a primary source in order to understand the essential question in the <i>Plessy v Ferguson</i> case. We will know we've got it when we can state the essential question of the case citing evidence from the reading.
<b>Mini-Lesson (10-15 minutes):</b> <ol style="list-style-type: none"> <li>1. <b>Intro-</b> Identical rail car activity... "Which rail car would you rather ride in? Would you feel that it was unfair if you had to ride in car A?"</li> <li>2. <b>Case Brief-</b> Identify sections of the case brief and describe the purpose of each section.</li> <li>3. Read out loud the case brief</li> <li>4. <b>Model-</b> Show students how to conduct a close read of a sample case brief</li> <li>5. Explain how to identify the essential question in a case and why it is important.</li> </ol>
<b>Modeling:</b> -Begin reading the sample case brief and say, "I am going to read this brief and annotate in order to find the problem and other important parts of the case." -In the details section, underline key words/sentences -"These examples show me the parts of the case that I need to know in order to understand what the case is about." -Model finding out who the main parties are and what their complaint is. -Identify the essential question of the case based on close reading annotations
<b>Guided/Independent Work:</b> -Who are the main people involved in <i>Plessy v Ferguson</i> ? -What are the details of the case that are important? -What is the essential question of the case?
<b>Assessment:</b> <ol style="list-style-type: none"> <li>1. Use student's responses and questions to assess if they were able infer the essential question.</li> <li>2. Use exit slip: What is the essential question of the case? What evidence helped you to form this question?</li> </ol>

**Lesson Plan for Day 7****Standards:**

CCSS.ELA-Literacy.RL.7.1 Cite several pieces of textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text.  
CCSS.ELA-Literacy.RL.7.2 Determine a theme or central idea of a text and analyze its development over the course of the text; provide an objective summary of the text.  
CCSS.ELA-Literacy.RL.7.4 Determine the meaning of words and phrases as they are used in a text, including figurative and connotative meanings; analyze the impact of rhymes and other repetitions of sounds (e.g., alliteration) on a specific verse or stanza of a poem or section of a story or drama.

**Objective:**

Today we are learning how to evaluate the author's words in order to understand how it creates a tone in the poem by using two poems from the Jim Crow era. We will know we've got it when we can annotate the text and identify words that create/change the tone of text.

**Essential Question:**

How does an author's choice of words affect the tone/mood of a poem?  
What words in the poems made you like it or draws your attention to it?

**Mini Lesson(10 – 15 minutes):**

1. **Intro:** Mood: How does my mood affect my tone? Model examples of mood/tone
2. Set objective: "Sometimes when we read our attention is drawn to what the authors says and the words he/she uses in their work. Authors use and choose words to set a tone/voice in their writing. When we read a good way to reflect and think about the authors work is by annotating our thoughts"
3. Read out loud for the class the poem *I, Too* by Langston Hughes.
4. Model: While reading think out loud and annotate thoughts. (see below)
5. -explain purpose of reflection/writing. "I wrote this because...." "the authors choice of words made me wonder..."

**Modeling:**

-Begin reading: "I am going to begin reading and while I read I am going to look for words that help me figure out the authors tone/feelings/ the words that are affecting the poem"  
-underline "but I laugh" : Say: "I am underling but I laugh because it seems important to me and he says it in response to someone sending him out of the room"  
-The authors is telling me that this person is being treated unjustly because he says that he will grow strong in response to how the people are treating him.

**Guided/Independent Work:**

-What similarities do you see between the two poems we read? (prompt for tone, word choice, feelings). How are the tones the same or different? What makes it change?  
-Can you make any judgments or infer anything about Langston Hughes and Countee Cullen from his poetry?  
-How may the authors personal experiences affected his tone/word choice/writing?  
-Why do you think the words authors choose are important to the tone of the poem?

**Assessment:**

1. Use student's responses and word choice to assess if they were able to annotate.
2. Use exit slip: How do you think the words the authors use affect the poem/feeling/tone of a poem.



## Standards Addressed

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CCSS.ELA-LITERACY.CCRA.R.1 Read closely to determine what the text says explicitly and to make logical inferences from it; cite specific textual evidence when writing or speaking to support conclusions drawn from the text.

CCSS.ELA-LITERACY.W.5.2 Write informative/explanatory texts to examine a topic and convey ideas and information clearly.

CCSS.ELA-LITERACY.W.5.7 Conduct short research projects that use several sources to build knowledge through investigation of different aspects of a topic.

CCSS.ELA-LITERACY.W.5.8 Recall relevant information from experiences or gather relevant information from print and digital sources; summarize or paraphrase information in notes and finished work, and provide a list of sources.

CCSS.ELA-LITERACY.W.5.9 Draw evidence from literary or informational texts to support analysis, reflection, and research.

CCSS.ELA-LITERACY.RH.6-8.1 Cite specific textual evidence to support analysis of primary and secondary sources.

CCSS.ELA-LITERACY.RH.6-8.2 Determine the central ideas or information of a primary or secondary source; provide an accurate summary of the source distinct from prior knowledge or opinions.

CCSS.ELA-LITERACY.RH.6-8.6 Identify aspects of a text that reveal an author's point of view or purpose (e.g., loaded language, inclusion or avoidance of particular facts).

CCSS.ELA-LITERACY.RH.6-8.7 Integrate visual information (e.g., in charts, graphs, photographs, videos, or maps) with other information in print and digital texts.

CCSS.ELA-LITERACY.RH.6-8.8 Distinguish among fact, opinion, and reasoned judgment in a text.

CCSS.ELA-LITERACY.RH.6-8.9 Analyze the relationship between a primary and secondary source on the same topic.

CCSS.ELA-LITERACY.RI.5.7 Draw on information from multiple print or digital sources, demonstrating the ability to locate an answer to a question quickly or to solve a problem efficiently.

CCSS.ELA-LITERACY.RI.5.9 Integrate information from several texts on the same topic in order to write or speak about the subject knowledgeably.

## Reading List for Students

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Warriors Don't Cry by Melba Patillo Beals

As I Grew Older by Langston Hughes

I, Too by Langston Hughes

Incident by Countee Cullen

Plessy v Ferguson (1896) by Richard Wormser- [http://www.pbs.org/wnet/jimcrow/stories\\_events\\_plessy.html](http://www.pbs.org/wnet/jimcrow/stories_events_plessy.html)

Righting a Wrong: Mendez v. Westminster brought an end to segregation in O.C. schools - and ultimately throughout the state and nation by Phillip Zonkel

<http://sylviamendezinthemendezvswestminster.com/aboutus.html>

## Additional Readings for Teachers

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Bell, Derrick A. Race, Racism, and American Law. Boston: Little, Brown, 1973. Print.

Higginbotham, F. Michael. Race Law: Cases, Commentary, and Questions. Durham, NC: Carolina Academic, 2001. Print.

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## Notes

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<sup>1</sup> "Plessy v. Ferguson." LII / Legal Information Institute. N.p., n.d. Web. 30 Mar. 2014

The Plessy v Ferguson case provides the backdrop for everything that will be discussed with regard to segregation in the United States. This unit focuses on education, but the doctrine of "separate but equal" which emanated from the Plessy decision gave the foundational justification of public school segregation during the Jim Crow era. Particular attention in the Plessy decision should be paid to Justice Harlan's dissent, especially his views on racial superiority in the eyes of the Constitution, which he poignantly declares is "color-blind".

<sup>2</sup> "Gong Lum v. Rice - 275 U.S. 78 (1927)." Justia US Supreme Court Center. N.p., n.d. Web. 27 May 2014.

Lum v Rice is illuminating for those unfamiliar with the struggles of racial groups other than African-Americans during the Jim Crow era. It provides an interesting look at the Supreme Court's, as well as the appellants' views on racial differentiations. This is not



a challenge to school segregation as an institution, but rather a challenge to the grouping of Asian Americans as a "colored race".

<sup>3</sup> Klarman, Michael J. *From Jim Crow to Civil Rights: The Supreme Court and the Struggle for Racial Equality*. Oxford: Oxford UP, 2004. Print. (146)

Klarman's book provides an excellent and comprehensive look at the Jim Crow era through the lens of Supreme Court cases and the societal context around which they arose. The sections cited within the unit are drawn from the third chapter of his book where he discusses public education during the Interwar Period. This section provides not only Klarman's analysis but notes various sources that are particularly relevant to those seeking to understand the era. Particular attention should be paid to the writings of W.E.B. Du Bois referenced by Klarman.

<sup>4</sup> Ibid., 147.

<sup>5</sup> Coates, Ta-Nehisi. "The Case for Reparations." *The Atlantic* [New York] n.d.: n. pag. 21 May 2014. Web.

While the title of this text lead me to believe that this would be an article discussing the injustices suffered as a result of slavery, I was pleasantly surprised to find a text that links the injustices of slavery to the practices of systematic white supremacy during the Jim Crow era. This article was fascinating and Coates' description of American history as one of racial plunder was both provocative and enlightening. This is a must read for anyone preparing to teach this unit.

<sup>6</sup> Ibid., 148.

<sup>7</sup> *Mendez v Westminster*. Circuit Court of Appeals, Ninth Circuit. 14 Aug. 1947. Print.

The Mendez decision, when read side by side with the Plessy decision, shows the shifts taking place in society and in the resulting jurisprudence. Many of the arguments used in Mendez can later be found in the more famous *Brown v Board of Education of Topeka* case, but it was in Mendez where the arguments gained traction.

<sup>8</sup> Ibid.

<sup>9</sup> Wollenberg, Charles. "Mendez v Westminster: Race, Nationality and Segregation in California Schools." *California Historical Quarterly* 53.4 (1974): 317-32. Jstor. Web.

Wollenberg's article details in a factual and descriptive manner the legal and societal situation surrounding the Mendez case and decision. It is comprehensive in its analysis and provides nice support to the text of the Mendez decision.

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