

# Racial Equality in Education Lesson Plan

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## Overview:

This lesson broadens the study of the ongoing struggle for racial equality in the schools beyond *Brown v. Board of Education* through an examination of the judiciary's role in safeguarding the rights of communities of color to a quality public education. It accompanies Chapter 4, "The Fight for Racial Equality," in *Wherever There's a Fight*. The text excerpts profile key 14th Amendment Equal Protection Clause cases that show the range of strategies used by individuals and communities in their struggle to access a quality public education. These compelling stories make vivid the struggle for racial equality in California public schools. This lesson assumes that students have some basic knowledge of the Bill of Rights.

This lesson meets the state of California History-Social Science Content Standards for:

- 11th Grade U.S. History and Geography: 11.10 and 11.11 (Students analyze key court cases and developments in the evolution of civil rights including the Bakke case and California's Proposition 209 along with discussion of racial equality as an ongoing social issue).
- 12th Grade Principles of American Democracy and Economics: 12.5 (Students examine the changing interpretations of the Bill of Rights over time with an emphasis on the 14th Amendment's equal protection clause and social controversies attendant to changing interpretations over time).

## **Learning Objectives:** Students will understand:

- How the battle by different ethnic and racial communities to end school segregation in California in the late 19th and first part of the 20th centuries predated more well known efforts by African Americans in Southern states decades later to fight for integrated public schools
- How the Mexican-American community in southern California through *Mendez v. Westminster* in the 1940s used groundbreaking legal strategies to challenge school segregation that were later used in *Brown v. Board of Education*
- How minority populations use a range of political strategies (e.g., protests, letter writing campaigns, ballot measures) in addition to judicial strategies to fight for equality in public education
- The difference between *de facto* and *de jure* segregation, the impact of residential segregation on school segregation and the unsuccessful struggle to get the courts to remedy *de facto* segregation
- The importance of class action suits as a strategy in the struggle for racial equality in education

**Duration:** 3-5 Class Periods; (\*Classwork given here could be given for homework, group work given here could be done individually etc.)

**Resources:** text excerpts, copies of the photo "[Oriental School](#)," [Handout #1](#) and [Handout #2](#) from Lesson packet

## **Activities:**

### **Warm Up:**

Post a number of copies of the photo, "Oriental School" ([download here](#)) around the classroom. Have students examine the photo closely.

### **Discussion:**

- What details allow you to guess the time period of this photo?
- What do you notice about the students? How are they dressed and what does that tell you (are they immigrants? People from one ethnic/racial group? What are they doing? Why?)
- If the students in that photo could speak to you--what do you think they would tell you about why they are in school? Their hopes and dreams for the future? Do you think their hopes and dreams could be characterized as "American"? Why or why not?

Tell students that this lesson will focus on the part of the 14th Amendment excerpted and written on the board: the Equal Protection Clause of the Fourteenth Amendment:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

- Ask students to copy the text into their notebooks and underline any words they don't understand. Go over this vocabulary together.
- Ask students to explain what the clause means in plain English
- How does the 14th Amendment strengthen citizens' protection from government? (make sure students understand that the 14th Amendment extends protection against the actions of the federal government to now include actions from state governments as well)

### **For discussion:**

- In *Plessy v. Ferguson* (briefly review if necessary), the Supreme Court established the legal concept of "separate but equal" to defend segregated rail cars. What do you think the students in the "Oriental School" photo would say about this concept? Do you think "separate but equal" is a useful tool for setting up public schools? Always? Sometimes? Never?

## Main Activity

Students will work in groups to read the stories of a diverse group of Californians who had to go to court to fight for equal access to quality public schools in the 19th and 20th centuries. Each group will read an excerpt from Chapter 4, "Under Color of Law: The Fight for Racial Equality," in *Wherever There's a Fight* and answer questions based on the text (See [Handout #1](#)--note that each group has a different set of questions). \*Review text sections beforehand and assign groups accordingly--some have more difficult text sections.

### Groups:

- 19th Century California (p. 129-132)
- Mendez v. Westminster (p.133-137)
- School Busing in Los Angeles County (p. 152-155)
- Williams v. California (p. 155-157)

### Reading/Writing

1) Read your section of the text quietly to yourself or aloud together with your group. If you are reading silently record your responses to the questions on [Handout #1](#) in your notebook. When you are all finished, share your responses with one another--filling out your own notes if your group members included important details that you left out. If you are reading aloud together, each of you should write down your group's responses to the questions (the group members' responses could vary depending on the question--they don't have to all be identical!)

2) When your group has finished answering the questions, complete [Handout #2](#) for a summary activity. Using your responses to [Handout #1](#) and small group discussion, take notes for an oral summary of your section that you will share in a partner activity with your classmates in other groups.

### Partner Sharing

1) Using your summary outline from [Handout #2](#), choose a partner (or the teacher will make the matches) from one of the three other groups. Each partner has 3 minutes to make a presentation and 2 minutes to answer any questions. Change partners until each student has given and heard 3 presentations.

### Whole Group Debrief

- Getting the legislature to pass a law or initiating a ballot proposition are political strategies--why are they sometimes not successful tools for minority populations? Why is seeking a "judicial remedy" sometimes a more effective strategy?
- How are "class action suits" a powerful tool for making change? Give an example from your reading of a successful class action suit?

- What is the difference between de facto and de jure segregation? Do you agree with the U.S. Supreme Court decision in 1982 that said the courts could only order desegregation if it was proven that a school district intentionally segregated students? Why or why not?
- Ask students to look in their notebooks at the text they copied over of the Equal Protection Clause of the Fourteenth Amendment:

No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws.

Why is this clause so important to people fighting for racial equality in the schools?

- On a half-piece of paper write one thing you learned about the struggle for racial equality in California schools that you'll remember two weeks from now. The teacher can solicit students to share their responses.

#### Assessment Ideas

Quiz, collect and assess [Handouts #1](#) and [#2](#), assess quality of oral presentations