

# **Liberty and Justice for (Not) All**

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**Overview**

As a computer teacher in an urban Philadelphia Public School, I strive to help my students make good use of today's ever changing technologies in order to equip them with the necessary skills for 21<sup>st</sup> Century learning and living. This year I am collaborating with a fifth grade teacher, and together, we are focusing on enhancing our students' knowledge of history. How did people, events and movements of the past shape their world today? In particular, we are investigating the history of racial segregation and discrimination against African Americans through the lens of landmark Supreme Court cases. With many rich resources and interactive activities to help students go beyond the textbook, I hope this unit will stimulate their interest in exploring the past in order to understand the challenges of the present.

**Rationale**

Every morning we begin our day with a schoolyard assembly. The students line up by grade, listen to a few announcements, and recite the Pledge of Allegiance. As their lines parade into the building to start their learning day, the words "liberty and justice for all" linger in my thoughts. Do the students understand the implication of the words they rattle off each day? Do we as teachers, as well as parents, understand that the school is a product of the neighborhood, which is a product of housing, mortgages, and rent, which is a product of jobs, which is a product of skills and training, which is a product of education? Do we think about how our school is a product of past (and present) prejudices and practices of racial segregations? Without such historical perspectives, we fail to connect the dots between educational inequalities and poverty, civil rights and employment, and housing and school racial segregation. In looking back at the injustices and inequalities resulting from racial segregation and discrimination, we can better appreciate the challenges we still face today.

Several years ago my school celebrated its 100<sup>th</sup> Anniversary. In researching its history for another TIP seminar, I prepared a unit called, "Past and Present Look at

Overbrook.” Students were able to view images of the stages of construction and identify parts of the neighborhood, which was transitioning from farmland to housing. When I displayed a bulletin board of pictures of the graduating classes from various years, the students were fascinated by how much the school still looks the same, how lucky the kids were because they didn’t wear uniforms, but they made no or very little mention of the predominately white population. In developing this unit, I hope to help students take an inquisitive stance on historical events that have a direct impact on their lives.

## **Objectives**

This unit is intended for students in Grade 5 who are studying periods of American History from Reconstruction to Civil Rights Era. Along with the fifth grade teacher who will be providing instruction in social studies and literature, I will guide students in using Internet resources, online primary documents, and tools of technology to explore topics, reflect on learning and create culminating projects.

The objectives of the unit will include the following:

- To understand Supreme Court cases
- To develop deep meaning of key terms and vocabulary
- To discover the themes of continuity and change
- To establish a timeline for the history of this period
- To understand background, context and decisions of key
- To make connections between past and present
- To explore issues of inequalities in education

## **Background:**

In the landmark case of *Brown v. the Board of Education of Topeka, Kansas (1954)*, the Supreme Court of the United States ruled that it was unconstitutional to require black and white children to attend separate schools because it violated the Equal Protection Clause of the Fourteenth Amendment to the Constitution. Signaling the end of legalized racial segregation in public education, *Brown v. the Board* overturned the “separate but equal” doctrine of *Plessy v. Ferguson (1896)* and declared that laws, which separated black and white students in public schools, denied black children equal educational opportunities, were unconstitutional.

Before *Brown*.

The African American quest to gain access to equal educational opportunities is reflected in the many legal challenges to segregated public schools. School cases, from as early as 1849 (*Roberts v. City of Boston*, which upheld racial segregation) and continuing for a century, provide examples of individual, small group, state and national strategies pertaining to the ongoing struggles of African Americans to gain civil rights and racial justice in the United States. Hoping to achieve educational equality, parents began demanding better schools for their children. The struggles for desegregated schools

helped the larger causes of civil rights and racial justice in the United States to move forward.<sup>i</sup>

Furthermore, the Supreme Court had developed a more liberal view through appointments from Presidents Franklin D. Roosevelt and Harry S. Truman. In the 1920's and 1930's, the Court had issued decisions that made racial separation illegal in certain situations where separate could not be equal.<sup>ii</sup> Moreover, with the end of World War II, the separate-but-equal doctrine was unfavorable to growing international interests of the United States. Slowly, but eventually, the actions of attorneys and resultant court decisions began to provide some measures of hope and protection for racial equality.

The leadership roles from the Howard University School of Law and the National Association for the Advancement of Colored People (NAACP) were crucial factors leading up to *Brown*. Beginning in the 1930s, African American lawyers from Howard University law school and the NAACP coordinated legal strategies for challenging constitutionally sanctioned segregation.<sup>iii</sup>

Howard University, one of the oldest black universities in the United States, provided education in science, law, and medicine at a time when most African American programs were devoted to vocational education. Howard University's faculty included some of the intellectual leaders of the nation. Among them was Charles Hamilton Houston, who in 1929 became Vice Dean of Howard University School of Law and changed its part-time evening courses to a full-time program with an emphasis on civil rights in the curriculum. His determination to train world-class lawyers gave African Americans invaluable leadership in the fight against racial injustice.<sup>iv</sup> Houston believed that the Negro lawyer was a social engineer in the efforts of desegregation.<sup>v</sup>

The NAACP, founded in 1909, is one of the nation's oldest civil rights organizations. The mission of NAACP was to eliminate lynching, and to fight racial and social injustice, primarily through legal action. Education was a major area of their focused attention. Their case-by-case, state-by-state strategy was key in attacking segregation in the Courts, eventually trying the *Brown v. Board of Education* case in 1954.<sup>vi</sup>

Thurgood Marshall, who attended Howard University after being denied admittance to University of Maryland Law School because of race, became the nation's leading legal civil rights advocate. He was invited by Charles Hamilton Houston to join the legal staff of the NAACP and between 1940 and 1961 he headed their Legal Defense and Educational Fund. Recognized for his talent, Thurgood Marshall would become lead counsel in the *Brown v. Board of Education* case and later the first African American United States Supreme Court Justice.

### *Brown*

In the early 1950's, racial segregation in public schools was the norm across America. Although all the schools were supposed to be equal, many black students attended schools that were far inferior to those for white students. *Brown v. the Board of*

*Education of Topeka, Kansas* was a combination of 5 cases from Delaware, Kansas, Washington, D.C., South Carolina and Virginia that were unsuccessful in their lower court attempts to overturn segregation.<sup>vii</sup> Rather than deal with each case individually, the Supreme Court combined these cases into a single case, which became *Brown v. the Board of Education of Topeka, Kansas* (1954). Oliver Brown was just one of plaintiffs from five states who were part of the NAACP cases brought before the Supreme Court in 1951. The Kansas case was named for Oliver Brown as a legal strategy to have a man head the plaintiff roster. Brown tried to enroll his seven-year old daughter, Linda, in the Sumner Elementary School but was denied admission based on race. Twelve other families in Topeka joined the Browns in the lawsuit.

The US District Court for the District of Kansas (1951) decided that segregated schools did not violate the Fourteenth Amendment because other factors were considered equal. Subsequently, combined with other cases, *Brown* advanced to the Supreme Court. Its ruling determined that segregated schools are “inherently unequal” and violate Fourteenth Amendment. In 1955 the case was reargued to determine how to remedy this violation, and it was declared that the schools should be desegregated “with all deliberate speed.”<sup>viii</sup>

The lead attorney for the NAACP team that would take the case to the Supreme Court was Thurgood Marshall. Marshall successfully argued that states had no valid reason for imposing segregation, and that racial separation caused psychological damage to black children, which violated the equal protection clause of the Fourteenth Amendment. The opinion written by Chief Justice Earl Warren maintained that for African American schoolchildren, segregation generates “a feeling of inferiority as to their status in the community that may affect their hearts and minds in a way unlikely to ever be undone.”<sup>ix</sup> In his closing statement of this opinion, Warren concludes,

“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.”<sup>x</sup>

#### After *Brown*

In the years following *Brown*, many districts resisted or delayed implementation. Some school districts shut down schools rather than integrate them. Equal treatment in education was easier said than done. Districts did not proceed with “deliberate speed” to put the law into practice. White flight increased from the cities to suburbs. Some districts redrew the boundaries that preserved racially segregated school districts. In the interest of creating more racially balanced schools, courts imposed busing requirements during the 1970s. Black students rode buses for longer distances and at younger ages than white students in desegregated districts. Busing to create more racially balanced schools became a controversial issue.<sup>xi</sup>

Although the *Brown* case signaled the end of "*de jure*" segregation in the United States (segregation of public places mandated by law), we are still faced with "*de facto*" segregation (racial separation due to personal choices). These choices reflect housing patterns and lower incomes that contribute to many neighborhood schools having a largely black population of students.

### Modern Cases and Issues

Almost 50 years after *Brown v. the Board*, two cases came before the court questioning the constitutionality of using race as a factor in school assignments. These two cases are *Parents Involved in Community Schools v. Seattle School District No. 1* and *Meredith v. Jefferson County Board of Education*. At issue in both cases is whether a public school district that has not operated a legally segregated school attendance system may choose to classify students by race and use that classification for school assignments in order to achieve racially integrated schools. In these cases, the Supreme Court held that the plans of these two schools violated the Fourteenth Amendment by using race too extensively as a factor in school assignments. This decision limits the ability of school districts to manage the racial makeup of the student bodies in their schools. <sup>xii</sup>

In *Parents Involved in Community Schools v. Seattle School District No. 1*, a white student was denied admittance to the high school of his choice in 2000 because his race (white) did not serve to bring the school into racial balance. In *Meredith v. Jefferson County Board Of Education* (2002), a parent of a white kindergarten student new to the Louisville, Kentucky district requested a transfer to a nearby school with available space, but was denied because of "adverse effects on desegregation compliance." <sup>xiii</sup> In both these cases, the Supreme Court voted, 5 to 4, to reject diversity plans from Seattle and Louisville, Ky., declaring that the districts had failed to meet "their heavy burden" of justifying "the extreme means they have chosen" — discriminating among individual students based on race by relying upon racial classifications in making school assignments. <sup>xiv</sup>

### On the Home Front

With a history of *separate but equal* and *resistance to integration*, African American access to education was limited, resulting in second-class citizenship and low-paying jobs. After decades of working toward civil rights and desegregation, many classrooms are still segregated.

In Philadelphia, a desegregation lawsuit (1970) sought to increase racial diversity in the district's schools through busing and other desegregation plans. The Pennsylvania Human Rights Commission filed suit alleging that Philadelphia schools were unlawfully segregated by race and denied minority students educational opportunities equal to white students.

In 1994 Pennsylvania Commonwealth Court Judge Doris Smith demanded "improvements in the substandard quality of education" in what she labeled "racially

isolated minority schools" There were 134 segregated schools with 90 percent or more African American or Latino students, located in predominantly African American and Latino neighborhoods, and serving the majority of Philadelphia's students. Suburban white flight and white enrollment at private and parochial schools contributed to these demographics. As a consequence, improving the education programs offered in those schools became the focus of Judge Smith's orders, making the Philadelphia desegregation suit one of the very first to focus on resource gaps between schools within a single district and on the achievement gap between minority and white students.<sup>xv</sup>

In 2009, Commonwealth Court Judge Doris Smith-Ribner signed the consent order bringing to a close the 40-year old case that focused on education equity for African-American and Latino children in the School District of Philadelphia. All parties consented to using "Imagine 2014," the School District's five-year strategic plan (under Superintendent Arlene Ackerman), as the basis for closing the achievement and opportunity gaps in low-performing schools.<sup>xvi</sup>

### Segregation, Desegregation, Integration

With increasing incidence of white flight, rising number of immigrants, and creation of population-targeted charter schools, there is evidence of re-segregation in American schools. Supreme Court decisions of the 1990s have made it easier for urban school districts to be released from decades-old desegregation plans. In an article in *Teaching Tolerance*, Gary Orfield laments this trend and posits that we should care deeply about desegregation because racial segregation is strongly linked to segregation by class. The students in intensely segregated schools are also in a lower socioeconomic status. Unfortunately, these schools have fewer resources and fewer opportunities but still face rigorous high-stakes testing. Students in racially diverse classrooms have benefited from enhanced learning opportunities, higher academic achievement for minorities and increased social interaction among members of different racial and ethnic backgrounds.<sup>xvii</sup>

As demographic changes continue to unfold in our nation, we need to find approaches to integration that respect civil rights issues that were at the heart of *Brown v. Board*. We need people, educational policy and branches of government to work together toward solutions that are just and equitable. The wisdom of Dr. Martin Luther King reminds us not to abandon desegregation but deepen our commitment to it as we live in an ever-changing multicultural world.

*Desegregation simply removes... legal and social prohibitions.*  
Integration is creative, and is therefore more profound and far-reaching.  
Integration is the positive acceptance of desegregation and the welcomed participation of Negroes into the total range of human activities.<sup>xviii</sup>

### Strategies

This unit will include using age-appropriate websites to gather information about Supreme Court cases. In using websites for research, students will learn how to evaluate the sites they encounter as sources of information in terms of accuracy and objectivity. Students will engage in a variety of activities to encourage them to raise questions about this time period and its influence on education. Throughout the unit, students will be reading and writing in a variety of genres. They will keep a journal or make use of a class blog for responses, reflections and further questions on the topics. There will be a wide range of books related to the topic of civil rights and history of segregation kept in the classroom for students to use during their literacy block. A Timeline will be created for reference throughout the unit. Students will have many opportunities to use computer applications and Internet resources. For one lesson, I have included a chat room (TodaysMeet) to teach them digital citizenship while engaging in conversation about content.

### **Classroom Activities/Lesson Plans**

The following lesson plans will be used in the computer room to supplement the fifth grade social studies curriculum's African American History strand. Students will have access to Internet-connected computers. The Smart Board in the room will provide introductory and summative materials.

#### **Lesson 1A: Introduction to the Concept of Segregation in American Education**

Objective: To use a familiar classroom setting to stimulate thinking about issues of segregation and education

Duration: One period: 45 minutes

Procedure: Using the anagram tool on the Smart Board, I will have one or two students come up to figure out the word SEGREGATION. Provide hints along the way if needed. Ask a few students to explain their meaning of the word *segregation*.

Next students will assist in completing a chart that indicates:

Number of students in class:

Boys \_\_\_\_\_ Girls \_\_\_\_\_ Total \_\_\_\_\_  
African American \_\_\_\_\_ Asian \_\_\_\_\_ Latino \_\_\_\_\_ White \_\_\_\_\_ Other \_\_\_\_\_

We will discuss results with the following

What group does the highest number represent? The lowest number?

Are these results similar to the other classes in our school?

If you attended another school, how do these results compare to your previous school?

Do you think the composition of a class (or school) effects the education of its students?

Why or why not?

Students will then respond to these prompts in on their unit blog:

Which do you think is better: attend a school in your neighborhood or be bused to a different school? Explain

What kind of school choice do you wish you and your parents had for your move to middle school?

### **Lesson 1B: Vocabulary Development: Graphic Representation**

Objective: To build and deepen understanding of vocabulary and concepts dealing with segregation and education.

Duration: One period: 45 minutes

Procedure: We will begin by sorting a list of words for connections to our topic. Students will look for ways to connect them through synonyms, antonyms, and/or relationship to Constitutional amendments, persons or places.

The students will select words and use *Kidspiration* Software to create graphic representations of these key vocabulary words. I will prepare a template that asks them to include: word, brief definition, image that illustrates meaning, example from historic period, and an antonym for the word. I will bookmark this "[Important Vocabulary](#)"<sup>xix</sup> page from Street Law Website to start with and add to it as unit progresses:

- Segregate = to impose the separation of a race or class from the rest of a group of people
- Discriminate = to act on the basis of prejudice
- Inferior = lower in quality
- Prejudice = irrational hatred or suspicion of a specific group, race, or religion
- Protest = to express strong objection
- U.S. Supreme Court = the highest federal court in the United States
- *De jure, de facto*
- Legal = permitted by law

The completed documents will be presented to class and displayed in classroom for duration of unit.

### **Lesson 1C: Timeline of Events**

Objective: To create the beginnings of a timeline of events dealing with the history of racial segregation in education.

Duration: One period: 45 minutes (and then ongoing)

Procedure: We will use an online tool to create a timeline for the duration of the unit. We will use [Dipity](#)<sup>xx</sup>, a free digital timeline website (registration required). Students will be



able to collaborate on this interactive timeline to integrate dates, images, video, audio, text, and links.

I will use Smart Board for a demonstration of the tool. Students will have time to browse related timelines. We will add a few entries as a whole class. Students will have time to work on this at home, in classroom and in computer room.

Some students may work on the timeline using PowerPoint or Microsoft Word so that it can be printed and displayed in class.

### **Lesson 2A: The Road to Justice (Before Brown v. the Board of Education)**

Objective: To identify and explain efforts aimed at ending segregation in the years leading up to *Brown v. the Board*.

Duration: Duration: Two periods: 45 minutes

Procedure: I will begin by asking students to share their understanding of the phrase *separate but equal*: When did it originate, how did it apply to education, who benefited from it?

Students will then be directed to an interactive web tool from [National Park Services website](#) that will guide them through a set of simulation illustrating the meaning and reality of *separate but equal* in the years leading up to *Brown v. Board*.<sup>xxi</sup> As students take on the role of African American students in 1950's, they will discover differences in the schools for white and black students, and be introduced to the strategies employed by those striving for justice in education and civil rights for African Americans.

As students revisit the site, they will work in teams to report out on the choices and consequences along the way.

- Accept the Way Things Are – Barriers to Change
- Try to Get Better Education – Fighting segregation requires allies
- Students in segregated Schools – Physical conditions, drop out trend, acceptance in colleges
- Long struggle for change – Significance of *Roberts v. Boston*, and other court cases/class action lawsuits dealing with segregation.

Students will conclude lesson with a summary of “The Road to Justice” in their unit blog.

### **Lesson 2B: Web Evaluation**

Objective: To evaluate information found on websites

Duration: 1 period: 45 minutes each

Procedure: I will begin the lesson by asking students what they do when they want to find information on the Internet. We will briefly discuss the topic of the unit (segregation in public education) and what kind of information they will access. Students will complete an exercise to help them become aware of criteria for evaluating websites.

First, I will ask them to look up information with certain keywords: *segregation, separate but equal, desegregation*. We will discuss results as to number of results and names of sites on top of list.

I will demonstrate a lesson on the Smart Board to show students how to look for Authority, Accuracy, Currency and Objectivity. We will practice reading a URL and paying attention to domain (edu, com, org, net). They will then use the following guide to evaluate websites on topics such as: *segregation, Supreme Court, Brown v. Board, Affirmative Action, and Separate but Equal*.

- Author: Is the name of author stated? Is it easy to find? Is the work presented as research or someone's blog entry? Is there contact information?
- Current: Is there a date on the page? Is it current? Are links working?
- Accurate: Is the information reliable? Are there references to works cited?
- Objectivity: Is there advertising on the page? Does information sound like an opinion or a report? Is the page part of a university resource, a company selling books, or a group with a cause?

After we share and discuss results, students will complete a blog entry, using the following prompts:

- Why do you think it is necessary to evaluate the information you find on Internet websites?
- What questions do you have about who can publish information on the Internet?
- What help do you need in recognizing reliable websites for your assignments?

### **Lesson 3: Landmark Supreme Court Case: *Brown v. Board***

Objective: To examine the significance and outcomes of historical events and relate that knowledge to today's world

Duration: 3 periods: 45 minutes each

Procedure:

A. Warm Up Activity: Students will begin the lesson by expressing opinion on segregated schools by participating in a survey using, [Poll Everywhere](#), a free, web-based student response system.<sup>xxii</sup> I will set up the survey with statements and students will

input their responses using: 1- I agree, 2 - I disagree, 3 - I'm unsure. The anonymous responses can encourage honesty.

- It is better to attend a school in your neighborhood than to be bused to a different school.
- Families should move if they want their children to go to better school.
- Parents should choose the best schools for their children.
- Students learn better if they are in class with other students like themselves.
- Only minority families support integration of schools

After reviewing the live results on Smart Board (or on a screen via projector), I will ask students if they can determine how these statements relate to the Supreme Court Case of *Brown v. the Board of Education*.

B. Studying the Case: With this segue, I will explain how we are going to approach our study of this case with a Web Quest activity to learn more about the facts and significance of the case. They will divide into groups. Each person within the group will be responsible for one of the topics and include information to explain the following.

- Historical Background: *Plessy v. Ferguson* decision (1896) – separate but equal. A New wave of challenges to legal segregation by the NAACP and other groups in the 1950's
- Circumstances of the Case: In Topeka, Kansas, a black student named Linda Brown had to walk through a dangerous railroad to get to her all-black school. Her family believed that segregated schools should be illegal.
- Constitutional Issue: 14<sup>th</sup> Amendment
- Arguments: For Linda Brown – For the Board of Education
- Decision and Rationale – Segregation in public education is a denial of the equal protection of the laws. How was this to be implemented?

C. Reporting and Reflecting: Each group will use a Google Document to input, edit and present their work. They can include related images/links to further the understanding of the case. After presentations and discussions, each student will respond to one of the following prompt and post it on their unit blog.

- What does it mean to have segregated schools?
- What do you think "equality" in education means for you?
- Which do you think matters more: Schools are desegregated. Neighborhoods are desegregated. Explain.

#### **Lesson 4: *The Road Takes a Turn: Race and School Choice***

Objective: To examine how American courts and communities are dealing with issues of race and education.

Duration: 1 period: 45 minutes

Procedure: I will engage students in a conversation about their school choices for next year when they will be beginning middle school. We will brainstorm a list of public schools that accept students in 6<sup>th</sup> grade and sort them into categories: neighborhood, magnet, special admit, lottery and determine if students are aware of admission policies. For example: Beeber (neighborhood), MYA (special admit - busing), OEC (lottery), Masterman (academic achievement).

After a brief discussion, I will introduce them to the cases *Parents Involved in Community Schools v. Seattle School District No. 1* and *Meredith v. Jefferson County Board of Education*.

Students will first read a brief summary of these two racial discrimination cases from [Race, the 14th Amendment & Our Schools: The Supreme Court Rules](#).<sup>xxiii</sup>

- Crystal Meredith's efforts to enroll her son into a Kindergarten one mile from home (schools were legally segregated prior to 1975)
- Seattle's program to remedy the racial imbalance of high schools in neighborhoods that are mostly white or mostly black. (Seattle's schools were never legally segregated)

They will also listen to [audio recordings](#) of opening statements in each case.<sup>xxiv</sup>

After these activities, I will pose some questions to start a conversation using [TodaysMeet](#)<sup>xxv</sup>, which is a private chat room encouraging quick conversation in a safe environment.

- Do you agree with the Supreme Court that these districts violated the 14<sup>th</sup> Amendment by using racial classifications in making school assignments?
- What questions do you have about the elementary school (Meredith) and/or the high school (Seattle) situations?
- Is racial diversity important in our public schools? Why or why not?
- How should our Middle Schools determine who gets admitted to their schools? (Think of the ones mentioned at beginning of lesson)

The transcript from this session will be saved for further discussion and clarification.

#### **Lesson 4: All Roads Lead to Home: Residential Segregation**

Objective: To reflect on the issue of segregation and school choice in our Philadelphia Public Schools

Duration: 1 period 45 minutes

Procedure Using the anagram tool on the Smart Board, I will have one or two students come up to figure out the word RESEGREGATION. Provide hints along the way if needed. Ask a few students to explain their meaning of the words *segregation* and *resegregation*.

We will use this opportunity to review key points from the unit organized as

- Before *Brown v. Board*
- *Brown v. Board*
- After *Brown v. Board*

Students will determine where key words would fit. (*De jure* segregation, *de facto* segregation, integration, desegregation, resegregation.) Then I will display photographs on Smart Board depicting past and present class pictures of students at Overbrook Elementary. Students will again use the key words as they apply to these pictures.

I will briefly explain Philadelphia's desegregation lawsuit (1970) to increase racial diversity in the district's schools through busing and other desegregation plans, and the settlement via Dr. Ackerman's Promise Academies. (See above)

Students will then use their unit blog to reflect on population of Overbrook Elementary.

- Should things stay the way they are; neighborhood schools with racial *de facto* segregation? *Parents Involved in Community Schools v. Seattle School District No. 1*
- Should schools be mandated to bus students to other neighborhoods for desegregation?
- In what kind of school would you learn best?

#### Lesson 5: Putting It All Together

Objective: To demonstrate understanding of content and mastery of skills relevant to the unit.

Duration: Time will vary

Procedure: Students will chose from a variety of activities to demonstrate learning. They will have time in computer room and in the classroom to bring project to completion. Below is a list of possible choices. Students will select one from the first three choices. All will participate in the final project listed.

#### Readers' Theater:

From the trial homepage *Brown et al. v. Board of Education Topeka*, students can access scripts of trial witnesses. These are very reader friendly and will give the students a sense of court proceedings as well as personal histories of the plaintiffs. They may choose to perform directly from script or record their reading to replay as a podcast.

### Newspaper – Segregation Then and Now (and Beyond)

Students work together to create a Newspaper using an Interactive Printing Press from [ReadWriteThink Printing Press](#).<sup>xxvi</sup> They can choose from several layout options to plan for news article, photographs, editorial, cartoon, and advertisements. Content from previous lessons, blog entries and Internet research will provide material for newspaper.

### Book Trailer using Photo Booth

Photo Booth is an application on the Mac computers allowing students to make movies with a touch of a button. Students will use this to make book trailer from will record their script (1-3 minutes) targeting a specific audience, and “selling the book” for its importance to the topic.

### Dramatic Reading: Freedom and Justice for All

Using the Text, *This is the Dream*<sup>xxvii</sup>, students will practice and perform a dramatic reading accompanied by illustrations from the book projected on screen. There are 30 ages of text so each student will be responsible for a page. We will ask our music teacher to provide some soft background music when the students perform. The book ends with the words “...with courage they rallied and answered the call...dreaming of freedom and justice for all.”

Final projects will be used during celebration of Black History Month.

## Bibliography

### Teacher Resources

---“Brown v. Board of Education.” Case Summaries. Congress of Racial Equality (CORE)

<[http://www.core-online.org/History/brown\\_vs\\_board.htm](http://www.core-online.org/History/brown_vs_board.htm)> (accessed June 8, 2012).

This is a website is dedicated to civil rights and includes updated resources on issues of segregation and equality.

---Brown v. Board of Education of Topeka, Kansas." West's Encyclopedia of American Law. 2005. Encyclopedia.com.

<<http://www.encyclopedia.com/doc/1G2-3437700637.html>> (June 6. 2012).

The article included here provides a good summary of the case and a bibliography of extended readings.

---“Court Cases in Prelude to Brown, 1849-1949.” *Brown Foundation For Educational Equity, Excellence and Research* <<http://brownvboard.org/content/court-cases-prelude-brown-1849-1949>> (accessed June 5, 2012).

This site serves as a living tribute to the attorneys, community organizers and plaintiffs in the landmark *Brown v. the Board of Education*. Of particular interest

are the educational resources with materials geared for elementary, middle and high school students.

Countryman, Matthew J. *Up South: Civil Rights and Black Power in Philadelphia*. Philadelphia: University of Pennsylvania Press, 2006.

This book is a good read for the history of Civil Rights in the urban North, and particularly in Philadelphia highlighting how black leaders focused on civil rights issues and power in Philadelphia. Philadelphia: University of Pennsylvania Press, 2006.

--- "Desegregating Philadelphia Schools." Public Interest Law Center of Philadelphia.

<<http://pilcop.org/desegregation-case>> (accessed June 9, 2012).

As part of its Education-past cases, the PILCOP hosts archives of the history, outcomes and documents of this and other lawsuits.

Jackson, Barbara Loomis. *Race, Education, and the Politics of Fear*.

Educational Policy; Jan2008, Vol. 22 Issue 1, p130-154, 25p

The author draws attention to the strategies (litigation, community protest, and electoral politics) used to bring *Brown v. Board* to the Supreme Court. While exploring the past, the author also points to the future and the fears we must overcome in order to move toward a more integrated society.

Linder, Douglas. "Brown v. Board of Education of Topeka Et Al." Exploring Constitutional Law. <<http://law2.umkc.edu/faculty/projects/ftrials/conlaw/brown.html>> (accessed June 5, 2012).

This site explores some of the great issues and controversies that surround our Nation's founding document and issues and opinions of Constitutional law.

King, Jr., Martin Luther quoted in "Speech before the Youth March for Integrated Schools," in James B., Washington, ed., *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, San Francisco: Harper San Francisco: 1991, p 118.

This informative text contains writings, historical context and commentary of significant quotes and speeches of Rev. Martin Luther King, Jr.

Lockette, Tim. "The New Racial Segregation at Public Schools," *Teaching Tolerance* Posted on February 4, 2010, Printed on February 26, 2012. Accessed at <[http://www.alternet.org/rights/145553/the\\_new\\_racial\\_segregation\\_at\\_public\\_schools](http://www.alternet.org/rights/145553/the_new_racial_segregation_at_public_schools)> accessed May 29, 2012.

In this article, the author explores the re-segregation of American schools and urges us to radically rethink the meaning of school choice that is not a violation of civil rights.

Love, Nicole. "Parents Involved in Community Schools v. Seattle School District No. 1: the Application of Strict Scrutiny to Race-conscious Student Assignment Policies in K-12 Public Schools," 29 Boston College Third World Law Journal 115-149, 115-121, 148-

149 (2009) accessed at < <http://academic.udayton.edu/race/04needs/affirm26.htm>> accessed April 25, 2012.

The author gives a clear analysis of the case details, rulings and the resulting setbacks of this legal dilemma.

Orfield, Gary. "BROWN V. BOARD: Where Are We Now?" *Teaching Tolerance* Number 25: Spring 2004

The article argues against the perils of resegregation that produced minority and poor inner-city school systems. He calls for teachers, students, and policy makers to create positive environments to help us cross our nation's long-standing racial and ethnic divide.

---PBS American Experience. "Eyes on the Prize."

This is a comprehensive site with teaching resources and classroom activities for all grade levels dealing with Civil Rights history in this country. It contains video clips from the PBS series, an image gallery, and primary documents related to Civil Rights. The DVD can also be ordered.

<<http://www.pbs.org/wgbh/amex/eyesontheprize/tguide/index.html>> accessed on 5 May 28, 2012.

---Smithsonian Museum of American History. "Separate Is Not Equal: Brown v. Board of Education." <<http://americanhistory.si.edu/brown/history/index.html>> (accessed June 1, 2012).

This section of the Smithsonian offers an extensive collection of materials for both teachers and students including photographs, lesson plans and bibliographies.

---Street Law <http://www.streetlaw.org/en/landmark/home>

Among its online resources are classroom programs to educate students about law, democracy, and human rights. The Landmark Cases section is cosponsored with the Supreme Court Historical Society and contains featured cases along with teaching strategies.

## **Student Resources**

---"Affirmative Action." The New York Times.

<[http://www.nytimes.com/ref/washington/scotuscases\\_AFFIRMATIVEACTION.html](http://www.nytimes.com/ref/washington/scotuscases_AFFIRMATIVEACTION.html)> accessed 6/7/12.

The audio resource from *Parents v. Seattle* and *Meredith v. Jefferson* is an excellent source for understanding the legal process and issues of school segregation and desegregation plans.

---"Brown v. Board of Education of Topeka, Kansas." West's Encyclopedia of American Law. 2005. Encyclopedia.com.

<<http://www.encyclopedia.com/doc/1G2-3437700637.html>> (accessed June 10, 2012).



The article included here provides a good summary of the case and a bibliography of extended readings.

---"Brown v. Board: Timeline of School Integration in US." *Teaching Tolerance*. <<http://www.tolerance.org/magazine/number-25-spring-2004>> (accessed May 5, 2012).

This excellent resource includes short summaries of the key moments in the journey of school integration.

---Congress for Kids

<[http://www.congressforkids.net/Judicialbranch\\_segregation.htm](http://www.congressforkids.net/Judicialbranch_segregation.htm)> (accessed May 5, 2012).

This site explains the role of the Supreme Court and the judicial branch of the government. It also includes information about the Court's rulings on segregation.

---Dipity. < <http://www.dipity.com>> accessed June 11, 2012.

This free digital timeline website (registration required) enables students to collaborate as they add entries integrating dates, images, video, audio, text, and links.

Good, Diane. *Brown v. Board of Education*. Connecticut: Children's Press, 2007.

This book is part of the Cornerstone of Freedom Series. It explains history of segregation and cases leading up to Brown v. Board.

Haskins, James. *Separate but not Equal: The Dream and the Struggle*. Scholastic Paperback (2002)

This book tells the struggle of African-Americans for equal education rights from colonial times to the present.

Morrison, Toni. *Remember: The Journey to School Integration*. New York: Houghton Mifflin, 2004.

This book brings together historical background and archival photographs. While referencing the leadership of these key events, Morrison includes reflective interpretations through eyes and ears of young people.

---National Archives and Records Administration.

<<http://www.archives.gov/education/lessons/brown-v-board/timeline.html>> (accessed June 6, 2012).

Among its many resources is an annotated Timeline of Events Leading to the Brown v. Board of Education Decision from 1857 – 1955.

---National Park Service. "The Road to Justice." Brown v. Board.

<<http://mms.nps.gov/ram/mwr/road3.swf>> (accessed June 7, 2012).

An interactive web resource providing students with historical context, legal strategies, and the personal and communal struggles on the road to overturn "separate but equal."

ReadWriteThink <<http://www.readwritethink.org>> (accessed on June 1, 2012).

This website is sponsored by International Reading Association and National Council Teachers of English. It contains lesson plans, interactive tools and professional development opportunities. The Printing Press is part of Student interactive tools.

Shapiro, Alan. "Race, the 14th Amendment & Our Schools: The Supreme Court Rules." Morningside Center for Teaching Social Responsibility  
<http://www.teachablemoment.org/high/integration.html> (accessed on 6/4/12).

Materials found here are arranged by grade level and accompanied by ideas for lesson plans dealing with racial equality.

Shore, Diane and Alexander, Jessica. New York: Harper Collins (Amistad), 2005.  
This rhythmic text of this book is accompanied by striking illustrations by James Ransome. The pictures are framed with collage borders incorporating powerful historical photographs, reminiscent of Romare Bearden's work. (Topic of a 2010 TIP unit: [Commemorating the Centennial Birthday of the Man of Many Parts.](#))

---Student Response System for K12 Poll Everywhere.

<<http://www.poll Everywhere.com/k12-student-response-system>> (accessed June 9, 2012).

This free online audience response system is easily set up and keeps students engaged in lesson content.

Today'sMeet <<http://todaysmeet.com/>> accessed on June 5, 2012.

This chat space is a free controlled online environment for students to connect and share thoughts and insights.

## **Appendix**

*Pennsylvania Academic Standards for Reading, Writing, Speaking, and Listening*  
Students will have opportunities to read and understand essential content of informational texts and documents; use, understand and evaluate a variety of media; and use spoken, written, and visual language to accomplish their own purposes

- 1.1 Learning to Read Independently (A, B)
- 1.2 Reading Critically in all Content Areas (A, B, C)
- 1.3 Types of Writing (A, B, C)
- 1.6 Speaking and Listening

*PA Academic Standards for History*

Students will engage in a variety of activities to understand, explore and explain historical context for events and various aspects of change and continuity.

- 8.1 Historical Analysis and Skills Development
- 8.3 United States History
- 5.3 How Government Works

*Pennsylvania Academic Standards for Science and Technology*

Students will use a variety of technological and information resources to gather and synthesize information, and to create and communicate knowledge

3.6 Technology Education (B)

3.7 Technological Devices (C, D, E)

3.8 Science, Technology and Human Endeavors (A, C)

**Endnotes**

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<sup>ii</sup> "Brown v. Board of Education." Home Page. <[http://www.core-online.org/History/brown\\_vs\\_board.htm](http://www.core-online.org/History/brown_vs_board.htm)> (accessed June 5, 2012).

<sup>iii</sup> "Smithsonian Museum of American History." Separate Is Not Equal: Brown v. Board of Education. <<http://americanhistory.si.edu/brown/history/index.html>> (accessed June 1, 2012).

<sup>iv</sup> *Ibid*

<sup>v</sup> "Court Cases in Prelude to Brown, 1849-1949.

<sup>vi</sup> "Brown v. Board of Education Timeline." National Archives and Records Administration. <http://www.archives.gov/education/lessons/brown-v-board/timeline.html> (accessed June 6, 2012).

<sup>vii</sup> *Ibid*

<sup>viii</sup> "How the Case Moved through the Court System | [www.streetlaw.org](http://www.streetlaw.org)." Home | [www.streetlaw.org](http://www.streetlaw.org).

<sup>ix</sup> Linder, Douglas. "Brown v. Board of Education of Topeka Et Al." Exploring Constitutional Law. <http://law2.umkc.edu/faculty/projects/ftrials/conlaw/brown.html> (accessed June 5, 2012).

<sup>x</sup> *Ibid*

<sup>xi</sup> "Brown v. Board of Education of Topeka, Kansas." West's Encyclopedia of American Law. 2005. Encyclopedia.com. (June 10, 2012). <http://www.encyclopedia.com/doc/1G2-3437700637.html>

<sup>xii</sup> Nicole Love, Parents Involved in Community Schools v. Seattle School District No. 1: the Application of Strict Scrutiny to Race-conscious Student Assignment Policies in K-12 Public Schools 29 Boston College Third World Law Journal 115-149, 115-121, 148-149 (2009) accessed at < <http://academic.udayton.edu/race/04needs/affirm26.htm>> on 4/25/12

<sup>xiii</sup> *Ibid*

<sup>xiv</sup> *Ibid*

<sup>xv</sup> *Ibid*

<sup>xvi</sup> Farley, Barbara. News Release July 13, 2009 #086-09.

<[www.phila.k12.pa.us/desegregation/rel-deseg-case-7-09.pdf](http://www.phila.k12.pa.us/desegregation/rel-deseg-case-7-09.pdf)> accessed on July 9, 2012.

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- <sup>xvii</sup> Orfield, Gary. "BROWN V. BOARD: Where Are We Now? | Teaching Tolerance." Teaching Tolerance. <http://www.tolerance.org/magazine/number-25-spring-2004/brown-v-board-where-are-we-now> (accessed June 9, 2012).
- <sup>xviii</sup> "Speech before the Youth March for Integrated Schools," in James B. Washington, ed., *A Testament of Hope: The Essential Writings and Speeches of Martin Luther King, Jr.*, San Francisco: Harper San Francisco: 1991, p 118.
- <sup>xix</sup> Street Law Teacher Resources  
[http://www.streetlaw.org/en/Page/497/Important\\_Vocabulary](http://www.streetlaw.org/en/Page/497/Important_Vocabulary)
- <sup>xx</sup> Dipity Timeline Tool < <http://www.dipity.com> > accessed 6/11/12.
- <sup>xxi</sup> "The Road to Justice." Brown v. Board. National Park Service.  
<<http://mms.nps.gov/ram/mwr/road3.swf> >(accessed June 7, 2012).
- <sup>xxii</sup> "Student Response System for K12 | Poll Everywhere." Text Message (SMS) Polls and Voting, Audience Response System | Poll Everywhere.  
<http://www.polleverywhere.com/k12-student-response-system> (accessed June 9, 2012).
- <sup>xxiii</sup> "Shapiro, Alan. "Race, the 14th Amendment & Our Schools: The Supreme Court Rules." Morningside Center for Teaching Social Responsibility  
<<http://www.teachablemoment.org/high/integration.html>> accessed on 6/4/12.
- <sup>xxiv</sup> Stout, David. "Supreme Court Cases and Decisions - Affirmative Action Cases and Rulings by the Supreme Court - New York Times." The New York Times - Breaking News, World News & Multimedia.  
[http://www.nytimes.com/ref/washington/scotuscases\\_AFFIRMATIVEACTION.html](http://www.nytimes.com/ref/washington/scotuscases_AFFIRMATIVEACTION.html) (accessed June 9, 2012).
- <sup>xxv</sup> TodaysMeet <<http://todaysmeet.com/>> accessed on June 5, 2012.
- <sup>xxvi</sup> ReadWriteThink. <http://www.readwritethink.org/classroom-resources/student-interactives/readwritethink-printing-press-30036.html> accessed on June 1, 2012.
- <sup>xxvii</sup> Shore, Diane and Alexander, Jessica. New York: Harper Collins (Amistad), 2005.