

## **Day 1 Materials:**

Presentation Guidelines for groups (4 to 5 students per group—one slide per student—some slides will have 2 presenters and content divided)

### **Suggested Structure of Group Presentations:**

1. Brief background and context: What is the context and other key events that are taking place around your particular event in history? What events have recently taken place that might impact the social, economic, and political standing of different minority groups in these cases?
2. Incorporation of primary sources (consider newspaper articles about anti-Mexican sentiment and treaty documents for Treaty of Guadalupe Hidalgo, newspaper articles on the Bracero program and its details, Constitutional Amendment, or Plessy v. Ferguson ruling): What are primary source excerpts that others can note down as examples of the sentiment towards these minority groups through the 19<sup>th</sup> and 20<sup>th</sup> century? How do these sources provide insight into either the positive or negative experiences of Hispanics or African-Americans during the time period?
3. Significance for development of civil rights: How did this event impact the opportunities for certain groups in the United States at the time period? What were the implications? How did this either expand or limit social, political, educational, or economic horizons for different groups?

## **Day 2 Materials:**

### **A) Historian Role:**

Background to Mendez v. Westminster (From the United States' National Archives):

In the Fall of 1944, Gonzalo and Felicitia Mendez tried to enroll their children in the Main Street School, which Gonzola had attended as a child. However, the school district had redrawn boundary lines that excluded the Mexican neighborhoods. (The school district also segregated Japanese American children. However, it passed a resolution in January 1945 allowing these children to attend the Main Street School.) The Mendez children were assigned to Hoover Elementary School, which was established for Mexican children. Other Orange County Latino parents faced similar situations with their children. With the help of the United Latin American Citizens (LUCAC), they joined with the Mendez family and sued four local school districts, including Westminster and Santa Ana, for segregating their children and 5,000 others. This suit was heard in both state and federal courts.

### **B) Plaintiff Role:**

Argument and Methods Used by Mendez against Westminster (Texas Bar Association):

The plaintiffs argued that their children had been arbitrarily assigned to attend schools "reserved for and attended solely and exclusively by children ... of Mexican and Latin descent" while other schools in the same system were "reserved solely and exclusively for children known as white or Anglo-Saxon children." When there was no state law mandating their segregation, they argued that segregating children of Mexican ancestry was a violation of the equal protection of the law clause of the Fourteenth Amendment. The attorney did not argue that the school districts were segregating on the basis of race. In fact, he argued, there was no "racial" segregation because "Mexicans were members of the white race."

### **C) Judge Role:**

California District Court Decision on Mendez v. Westminster (From Texas Bar Association):

Judge Paul McCormick of the U.S. District Court, Southern District of California, Central Division ruled first that the segregation violated California's own laws, but then he went on... "to suggest a new interpretation of the federal equal protection clause." McCormick wrote: "A paramount requisite in the American system of public education is social equality. It must be open to all children by unified school association regardless of lineage." As Professor Strum notes, "That, simply stated, was a declaration that 'separate but equal' was not equal."

Before Judge McCormick's decision was appealed to the U.S. Court of Appeals for the 9th Circuit in San Francisco, the different school districts involved in the litigation reacted in different ways. Westminster integrated its elementary schools for the 1946-1947 school year by placing grades 1-4 in Westminster Main and grades 5-8 in Hoover. Finally, the Mendez children were able to attend Westminster Main.

Two months later, California's Governor Earl Warren signed a bill ending school segregation in California, making it the first state to officially desegregate in public schools.

### **A) Historian Role:**

Background of Brown v. Board (From Streetlaw.com)

In Topeka, Kansas in the 1950s, schools were segregated by race. Each day, Linda Brown and her sister, Terry Lynn, had to walk through a dangerous railroad switchyard to get to the bus stop for the ride to their all-black elementary school. There was a school closer to the Brown's house, but it was only for white students.

However, the Browns disagreed. Linda Brown and her family believed that the segregated school system did violate the Constitution. In particular, they believed that the system violated the Fourteenth Amendment guaranteeing that people will be treated equally under the law.

The case was first heard in a federal district court, the lowest court in the federal system. The federal district court decided that segregation in public education was harmful to black children.

However, the court said that the all-black schools were equal to the all-white schools because the buildings, transportation, curricula, and educational qualifications of the teachers were similar; therefore the segregation was legal.

The Browns, however, believed that even if the facilities were similar, segregated schools could never be equal to one another. They appealed their case to the Supreme Court of the United States. The Court combined the Brown's case with other cases from South Carolina, Virginia, and Delaware. The ruling in the *Brown v. Board of Education* case came in 1954.

### **B) Plaintiff Role:**

Argument and Method Used by Plaintiffs in *Brown v. Board* (From Streetlaw.com)

The National Association for the Advancement of Colored People (NAACP) helped the Browns.

Thurgood Marshall was the attorney who argued the case for the Browns. He would later become a Supreme Court justice.

With education, this Court has made segregation and inequality equivalent concepts. They have equal rating, equal footing, and if segregation thus necessarily imports inequality, it makes no great difference whether we say that the Negro is wronged because he is segregated, or that he is wronged because he received unequal treatment...

I got the feeling on hearing the discussion yesterday that when you put a white child in a school with a whole lot of colored children, the child would fall apart or something. Everybody knows that is not true.

### **C) Judge Role:**

Decision by United States Supreme Court (From Streetlaw.com)

The decision was unanimous. Chief Justice Earl Warren delivered the opinion of the Court.

... Here ... there are findings below that the Negro and white schools involved have been equalized, or are being equalized, with respect to buildings, curricula, qualifications, and salaries of teachers, and other "tangible" factors. Our decision, therefore, cannot turn on merely a comparison of these tangible factors in the Negro and white schools involved in each of these cases. We must look instead to the effect of segregation itself on public education. ... Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms. ... To separate them [children in grade and high schools] from others of similar age and qualifications solely because of their race 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. ... Whatever may have been the extent of psychological knowledge at the time of *Plessy v. Ferguson*, this finding is amply supported by modern authority. ...

We conclude that in the field of public education the doctrine of "separate but equal" has no place. Separate educational facilities are inherently unequal. Therefore, we hold that the plaintiffs and other similarly situated ... are ... deprived of the equal protection of the laws guaranteed by the Fourteenth Amendment.

## Assessment Materials

Name:

Date:

Period:

**Prompt:** *You have recently accepted a position to work as a History textbook editor and writer. Your first task is to focus on the American civil rights movement and write a 2-3 paragraph excerpt that must:*

- 1) Examine the case of *Mendez v. Westminster*—Its key details, background, ruling, and significance.
- 2) Explain the connections between the *Mendez v. Westminster* and *Brown v. Board*—What were the historical backgrounds of the groups most affected by these cases (thinking all the way back to the 1800s, too)? How did California play a significant role in the civil rights movement through *Mendez*? How was California able to play such a significant role in the advancement of educational opportunities and horizons for all students across the country, including through *Brown*?
- 3) Compare and contrast the development of civil rights through *Westminster v. Mendez* to *Brown v. Board*. How are they similar? How did they differ? Be sure to include the differences in context, findings of the cases, and scope of the consequences of each ruling.

**Assessment Rubric (1-5 scale, 5 being the highest score)**

Category	Exceptional (5)	Admirable (4-3)	Satisfactory (2)	Inadequate (1)
Judicial Case Content and Context Knowledge (X 2)	Student incorporates numerous details regarding Mendez and Brown cases as well as the larger historical context and background, information is entirely historically accurate	Student incorporates numerous details regarding Mendez and Brown cases and the historical context and background, information is mostly historically accurate	Student incorporates a few details regarding Mendez and Brown cases and/or historical context and background, and/or information is primarily historically inaccurate regarding cases	Student incorporates few details regarding Mendez and Brown cases and/or the historical context and background, and information is primarily historically inaccurate
Writing and Language	Student writes the textbook passage with clarity, appropriate transitions, and eloquent style.	Student writes the textbook passage with clarity, transitions, grade appropriate style.	Student writes the textbook passage in a fashion that sometimes lacks clarity, does not always have appropriate transitions, but often lacks style.	Student writes the textbook passage in a fashion that frequently lacks clarity, does not have appropriate transitions, lacking style.
Overall Analytical Quality (X 2)	Student shows exceptional historical quality and analysis in writing textbook passage. Student shows historical accuracy, a variety of arguments, and brings arguments together into an insightful, new argument comparing and connecting Mendez and Brown	Student shows historical quality and analysis in writing textbook passage. Student shows historical accuracy, a variety of arguments, and brings arguments together into a new argument comparing and connecting Mendez and Brown	Student shows historical quality and analysis in writing textbook passage. Student shows some historical accuracy, a few arguments, and brings arguments together at times linking Mendez and Brown, but not drawing full connection or comparison	Student does not show historical quality and analysis in writing textbook passage. Student lacks historical accuracy, produces few if any arguments in passage, and fails to link Mendez and Brown cases or draw connections or comparison

Total: \_\_\_\_\_/20

Comments: