

Dan Thele

## Lesson Plan: The Arizona Ethnic Studies Controversy

**DURATION:** Approximately three 45 minute periods

**CLASS:** US Government/Civics

**GRADE LEVEL:** 12<sup>th</sup> (Seniors)

**NUMBER OF STUDENTS:** Approximately 20

**LOCATION:** Classroom and Computer Lab (or classroom with technology for each student)

**KEY VOCABULARY:** ethnic, curriculum, superintendent, caucus, chamber, conference committee, ballot initiative

### **INSTRUCTIONAL MATERIALS:**

1. News article
2. Power Point Slides from the League of Cities and Counties
3. Arizona Legal Process Graphic Organizer
4. Gallery Walk Station Materials
5. Gallery Walk Process Sheet
6. Ballot Initiative Handout
7. Ballot Initiative Graphic Organizer
8. Assessment Rubric

### **ENDURING UNDERSTANDING:**

Students will understand how the Arizona Constitution gives citizens of differing perspectives the opportunity affect the laws governing them through the legislative process and through ballot initiatives.

### **ESSENTIAL QUESTIONS:**

How can citizens affect policy at the state level?

Why is it important to understand the different ways laws are created within a state?

What leads people to have different perspectives on policy issues?

### **LEARNING OBJECTIVE**

Students will be able to construct strategies for engaging the political process in the state of Arizona.

### **STANDARDS**

State of Arizona High School Social Studies Standards, Strand 3, Concept 2, PO8

Analyze the structure, power, and organization of Arizona's government as expressed in the Arizona Constitution:

- a. direct democracy by initiative, referendum, and recall processes
- b. election process such as redistricting, (e.g., gerrymandering, clean elections), voter registration, and primaries
- c. the structure and processes of Arizona's legislature
- d. the roles of the Governor, Secretary of State, Treasurer, Attorney General, and Superintendent of Public Instruction

## BACKGROUND

The teacher should be familiar with:

- How laws are passed in Arizona's legislature
- The text of HB 2281 and the controversy surrounding it
- Key players in the bill's passage and the controversy in Tucson
- How ballot initiatives work in Arizona
- Common techniques employed by citizen advocates

The students should already be familiar with:

- The separation of powers and checks and balances
- The difference between direct democracy and a democratic republic
- How the US Congress passes laws

## SUGGESTED PROCEDURE

Time	Student Learning Task or Activity	METHOD/Teacher Activity
5 minutes	Students will read a news article providing background on House Bill 2281 (ban on ethnic studies classes) and describe the pros and cons of the legislation.	Bell Work
2 minutes	Students share their answers and explain why they think certain parts of the bill are good and why certain parts might be a mistake.	Pair Share
5 minutes	Fill out pros/cons graphic organizer on board.	Chalk Talk
5 minutes	Transition to computer lab.	Explain directions for when we get to the computer lab (go to AZ legislature website).
10 minutes	Fill out graphic organizer showing how a bill becomes law in the AZ state legislature, using the AZ Cities and Towns Power Point as a guide.	Pair Work
15 minutes	Write a brief narrative of how HB 2281 was passed by the legislative branch, noting bill sponsors, votes in relevant committees and chambers, and any amendments. Use the Sandra Day O'Connor school of law website and the state legislature's website.	Individual Work
3 minutes	Discuss with a partner somewhere else in the room how you might have tried to affect the outcome of the bill. Explain one part you might have tried to alter or promote and how you would have tried to affect the outcome for that portion of the bill within the legislative process.	Stretch and Share
5 minutes	Discuss why this issue might have national relevance.	Teacher Led Discussion
15 minutes	Students should be broken up into groups of four. As each group walks through the gallery of materials, each member should be assigned one question for each of the stations. After rotating through all of the stations, students should share their answers with their fellow group members, so that students can get all of the answers.	Gallery Walk
5 minutes	Find groups that are lobbying on the issue and brainstorm and research methods for advocacy.	Group Work
10 minutes	Students should read the handout on ballot initiatives and referendums in AZ as students fill out flow chart.	Individual Work
10 minutes	Create a press release calling on citizens to take a particular action either for or against a ballot proposition to strike down HB 2281.	Exit Card

## ASSESSMENT:

Students will create a press release calling on fellow Arizonans to engage civically regarding a particular issue.

## EXTENSIONS

1. Students could write a letter to a state legislator or the Superintendent of Public Instruction in support of or in opposition to HB 2281 and its enforcement or for an issue of their choice.
2. Students could work in groups to develop and advertising campaign to influence public opinion on this issue or an issue of the students' choice.

## RESOURCES

1. Medrano, Lourdes. "Ethnic studies classes illegal in Arizona public schools as of Jan. 1" *Christian Science Monitor*. December 31, 2010.
2. "Arizona Legislature 101" League of Arizona Cities and Towns. <http://az-lact.civicplus.com/DocumentCenter/Home/View/92>
3. Arizona State Legislature Website: <http://www.azleg.gov/>
4. "Arizona Bills and Proposed Legislation" Sandra Day O'Connor College of Law. *Arizona State University*. <http://www.law.asu.edu/library/RossBlakleyLawLibrary/ResearchNow/ResearchGuides/ArizonaBillsandProposedLegislation.aspx>
5. Posted by Mathews, Harry. "Race-based studies can't be justified students must be seen as individuals, not as groups" *The Education Action Network*. August 14, 2012. <http://teach1776.ning.com/group/ehtnicandotherpcstudies/forum/topics/race-based-studies-can-t-be-justified-students-must-be-seen-as-in>
6. Rodriguez, Roberto. "Arizona's cultural genocide law" *The Guardian*. January 31, 2011. <http://www.guardian.co.uk/commentisfree/cifamerica/2011/jan/31/arizona-mexico>
7. RaulGrijalvaAZ07. (May 11, 2011) *Rep. Grijalva Speaks on The Need to Protect the TUSD Ethnic Studies Program Feb. 5*. Retrieved August 3, 2013. [http://www.youtube.com/watch?feature=player\\_embedded&v=zbw3\\_PiRmsQ](http://www.youtube.com/watch?feature=player_embedded&v=zbw3_PiRmsQ)
8. AZPBS. (January 13, 2012) *Tucson School District Ethnic Studies*. Retrieved August 3, 2012. [http://www.youtube.com/watch?feature=player\\_embedded&v=zbw3\\_PiRmsQ](http://www.youtube.com/watch?feature=player_embedded&v=zbw3_PiRmsQ)
9. "House of Representatives HB 2281" Arizona State Legislature. [http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2281\\_03-18-10\\_houseengrossed.doc.htm&Session\\_ID=93](http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2281_03-18-10_houseengrossed.doc.htm&Session_ID=93)
10. "A guide to Arizona Propositions ~ Initiative and Referendum Measures" Arizona Secretary of State. [http://www.azsos.gov/election/2010/info/pubpamphlet/Sun\\_Sounds/english/page15.htm](http://www.azsos.gov/election/2010/info/pubpamphlet/Sun_Sounds/english/page15.htm)

Dan Thele

## 1. News Article:



Ethnic studies classes illegal in Arizona public schools as of Jan. 1

**Much of the controversial Arizona immigration law remains tied up in court, but a law banning ethnic studies in Arizona is set to take effect Saturday. A Tucson school district vows to fight it.**

By Lourdes Medrano, *Correspondent* / December 31, 2010

### TUCSON, ARIZ.

A controversial [Arizona](#) law [targeting ethnic studies](#) in public schools will take effect come midnight.

Like the state's [tough immigration law](#) – which a federal judge put [mostly on hold](#) last summer – the new measure that [Gov. Jan Brewer](#) signed in May has sparked protests and legal action, as well as concerns about the future of education.

The law bans classes that promote the overthrow of the [United States](#) government and resentment toward a race or class of people. Also outlawed are courses designed primarily for students of a particular ethnic group and those that advocate ethnic solidarity rather than treat students as individuals.

In Arizona, critics claim that the law – along with the partially suspended immigration law – threatens to make the state a "[new South](#)" of discrimination against minorities. Meanwhile, educators in states such as [California](#) worry that the law could become a model for other states to follow.

For his part, [Tom Horne](#), the force behind the Arizona law, says ethnic studies serve to divide rather than unite. "Fundamentally, I think it's wrong to divide students by race," says Mr. Horne, the outgoing Arizona schools superintendent, who was elected state attorney general in November.

The program teaches "one-sided propoganda" and is inconsistent with American values, he adds

Horne helped draft the law in response to complaints about a program that teaches Mexican-American history and culture in the Tucson Unified School District, the city's largest with more than 50,000 students. He plans to announce Monday the district is in violation of the law. It will be his last day in that office.

### District defends program

Opponents of the law say Horne's actions are politically motivated, and they point out he has never attended a class to learn first-hand about a program that is offered to all students, not just those of Mexican heritage.

"The state has no business telling the local school board what to teach," says [Roberto Rodriguez](#), a professor at the [University of Arizona](#) and member of the district's Mexican-American studies advisory board. "The state superintendent is overreaching – meddling, literally."

Mexican-American studies has evolved over several years and has had "some pretty significant achievement results," says [John Pedicone](#), the district's newly-hired superintendent. "It's done

some very important things, we believe, for an underserved population. The students that go through the program seem to do very well.”

Mr. Pedicone says district data shows that about 70 to 75 percent of the students that go through the program go on to college, compared with 20 to 25 percent of a similar demographic group.

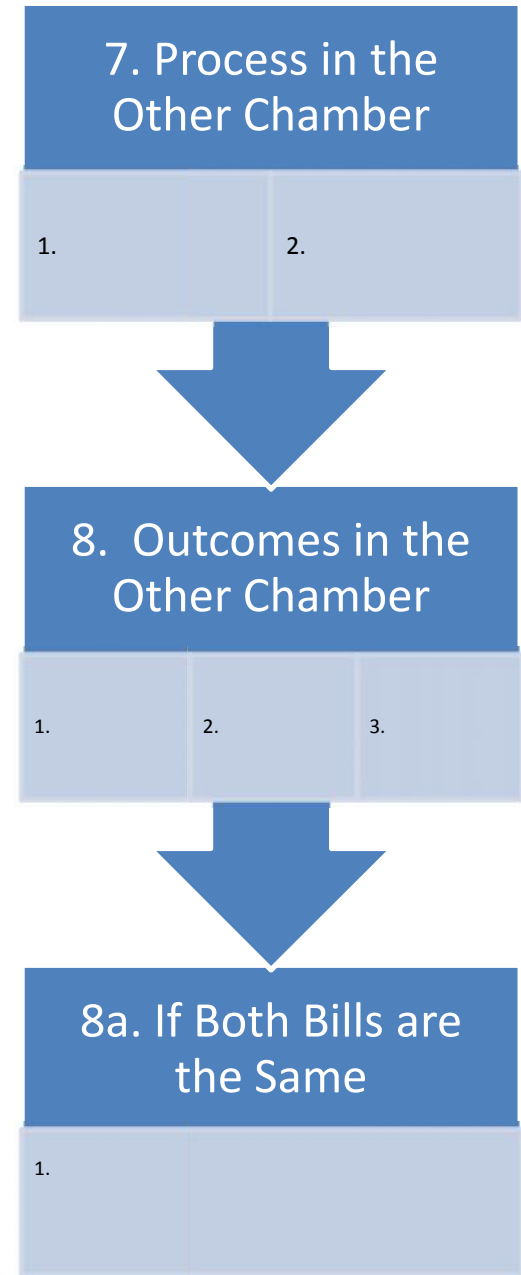
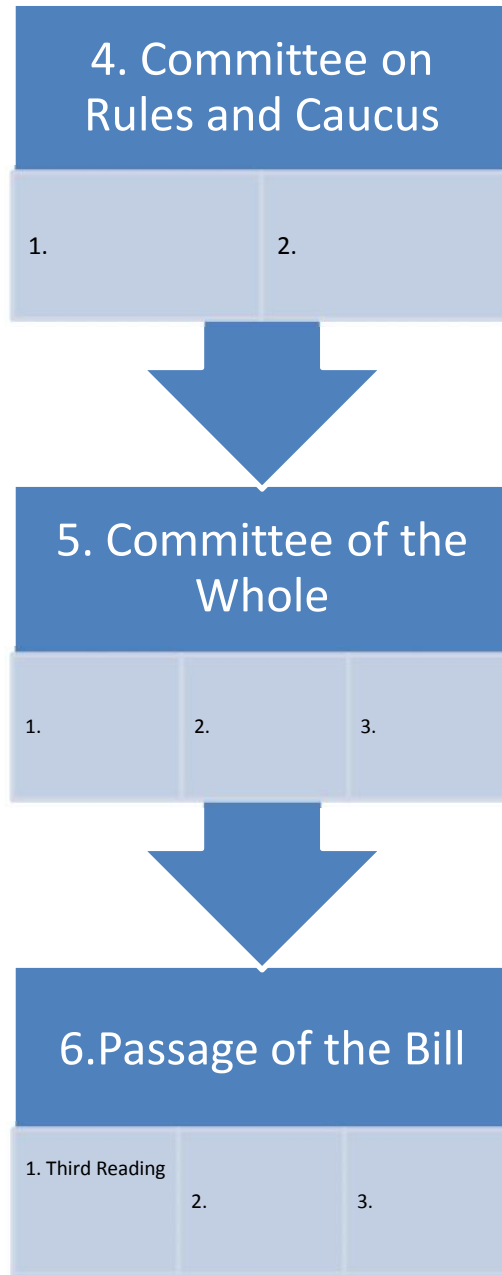
Despite the risk of losing state funds, the district plans to keep its program. Officials believe it is in compliance with the law. “The law was created listing the things that a course of studies cannot do, and the district’s position all along has been that this course of studies does not do that,” says Pedicone.

Once Horne declares the district is breaking the new law, school officials have 60 days to present evidence of compliance at a hearing, Pedicone says. The ultimate decision rests with Horne’s successor, [John Huppenthal](#), a Republican senator from the [Phoenix](#) area who also has been critical of ethnic studies both at the [Tucson](#) district and at the University of Arizona.

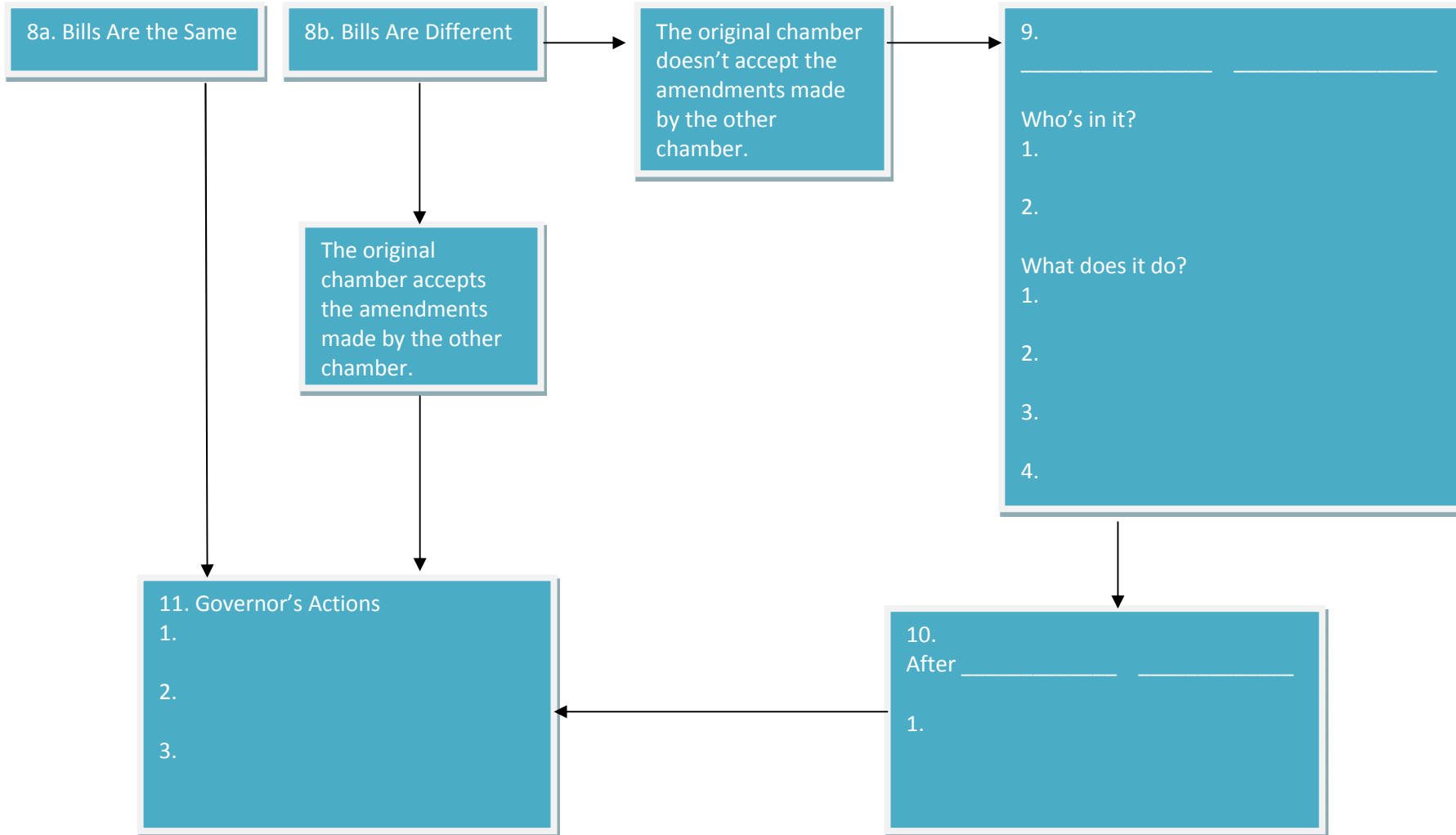
## **2. Power Point Slides from the League of Cities and Counties (Legislative Process)**

<http://az-lact.civicplus.com/DocumentCenter/Home/View/92>

### 3. Arizona Legislative Process



### 3. Arizona Legislative Process



## 4. Gallery Walk Station Materials

### Station 1

Attorney General Tom Horne

Jun. 10, 2012 Professor Roberto Rodriguez should get the Hypocrisy of the Year Award for his column "Demonizing Mexican-American studies is unjust" (Opinions, May 28). MAS used to be called "Raza" studies ("la raza" means "the race" in Spanish). It was found by an objective administrative judge to be in violation of Arizona's law prohibiting dividing students by race, teaching ethnic chauvinism, or teaching resentment toward other races, and was then canceled by the Tucson Unified School District governing board.

This law was written to affirm the fundamental American value that we are all individuals, that what is important is our knowledge and character, and not what race we were born into, and that students should be taught to treat each other as individuals, rather than based on race. The designer of MAS wrote that it is based on the Marxist philosophy of Paolo Freire, which looks at all of history as the oppression of one class by another. He "racimized" (his term) this philosophy, so that all of history is viewed as the oppression of one race by another. The course questions the legitimacy of the Southwest being part of the U.S., because it was taken from Mexico in 1848. Teachers with firsthand knowledge testified that students in this class underwent a change -- becoming angry, distrustful of teachers, negative toward Western civilization and the U.S., and disrespectful of authority of non-Latinos. The administrative judge found that the course was taught in a "biased, political, and emotionally charged manner."

One result was ostracism of non-Latino students. A parent testified that her non-Latina daughter expressed distress over the fact that the Latino students would not talk to her by the end of the MAS class semester. And another parent testified that her daughter wanted to withdraw from MAS because she did not want to learn to hate her White mother and love only her Latino father. Arizona's history standards require, in considerable detail, that all students be taught about the contributions of different groups. But they should not be divided by race and taught only about their own group. School is a place to broaden horizons, not narrow them. And students should be taught to treat others as individuals, and not on the basis of race. Attorney General Tom Horne was previously the state's superintendent of public instruction.

<http://teach1776.ning.com/group/ethnicandotherpcstudies/forum/topics/race-based-studies-can-t-be-justified-students-must-be-seen-as-in>



## Station 2

Professor Roberto Rodriguez

The most onerous and under-reported of all of these bills has been HB 2281; its key component is thought control and the enforced teaching of a master narrative. The former state superintendent of schools, [Tom Horne](#), [crafted an Inquisition-style law in 2010](#) that forces Arizona school districts to eliminate their ethnic studies departments. Despite the rhetoric of claiming that these programmes teach hate, racial separation and the overthrow of the US government, the actual target is the highly successful [Mexican American studies K-12 programme](#) in Tucson because its philosophical foundation is a 7,000-year maíz-based curriculum. Students are taught indigenous [Mayan] concepts such as: In Lak Ech (you are my other self); Panche Be (to seek the root of the truth) and Hunab Ku (we are all part of creation). Students are taught to see themselves in all human beings, to be critical thinkers, and that they are all equal to other human beings. Not coincidentally, this programme boasts a 97.5% high school graduation rate.

Horne, whom is now attorney general and so in charge of determining the legitimacy of the law he wrote, believes that such indigenous concepts are unAmerican and anti-western civilisation. Instead, he believes that only Greco-Roman concepts should be the basis for Arizona schools and that the nation's narrative should begin with the pilgrim fathers.

And so the civilisational clash.

As a result, a 2010 lawsuit by 11 educators against the state charges that HB 2281 interferes with their ability to teach. There is also a strong possibility of filing a court case with the Organisation of American States (OAS) and/or with the UN, charging Arizona with attempted cultural genocide. All these bills violate virtually every international human rights treaty and covenant, all of which protect the rights of peoples from discriminatory treatment and forced assimilation, and their rights to education, history, language and culture.

<http://www.guardian.co.uk/commentisfree/cifamerica/2011/jan/31/arizona-mexico>

### **Station 3**

Video with Congressman Raul Grijalva

[http://www.youtube.com/watch?feature=player\\_embedded&v=zbw3\\_PiRmsQ](http://www.youtube.com/watch?feature=player_embedded&v=zbw3_PiRmsQ)

### **Station 4**

Video of AZ Superintendent of Public Instruction John Huppenthal

<http://www.youtube.com/watch?v=n72YH11e9fg>

## Station 5

HB 2281 Excerpts

[http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2281\\_03-18-10\\_houseengrossed.doc.htm&Session\\_ID=93](http://www.azleg.gov//FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2281_03-18-10_houseengrossed.doc.htm&Session_ID=93)

HB 2281 prohibits a school district or charter school from including courses or classes that either promote the overthrow of the United States government or promote resentment toward a race or class of people.

### History

The State Board of Education (SBE) must prescribe a minimum course of study, incorporating Arizona's academic standards, to be taught in Arizona public schools (Arizona Revised Statutes (A.R.S.) § 15-701). School district governing boards must approve the course of study, including the basic textbook for each approved course and all other units recommended for credit before implementing each course in both elementary and high schools. Pursuant to A.R.S. § 15-701.01, a governing board may adopt courses of study that are in addition to or higher than that prescribed by the SBE.

Current law requires the principal of each school to ensure that all rules pertaining to the discipline, suspension, and expulsion of pupils are communicated to students at the beginning of each school year. All cases of suspension must be for good cause and must be reported within five days to the governing board by the superintendent or person imposing the suspension. The school district governing board is required to post regular notices and take minutes of any hearing concerning the discipline, suspension, or expulsion of a pupil (A.R.S § 15-843).

### Provisions

- States that the Legislature finds and declares that public school pupils should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people.
- Prohibits a school district or charter school from including in its program of instruction any courses or classes that:
  - Promote the overthrow of the United States government.
  - Promote resentment toward a race or class of people.
  - Are designed primarily for pupils of a particular ethnic group.
  - Advocate ethnic solidarity instead of the treatment of pupils as individuals.
- Stipulates that if the SBE determines that the school district or charter school has failed to comply within 60 days after a notice has been issued by the Superintendent, the SBE may direct the ADE to withhold up to 10% of the monthly apportionment of state aid that would otherwise be due to the school district or charter school and requires ADE to adjust the school district or charter school's apportionment accordingly.
- States that this act cannot be construed to restrict or prohibit:
  - Courses or classes for Native American pupils that are required to comply with federal law.
  - The grouping of pupils according to academic performance, including capability in the English language, that may result in a disparate impact by ethnicity.
  - Courses or classes that include the history of any ethnic group and that are open to all students, unless the course or class violates this act.
- Prohibits rules pertaining to the discipline, suspension, and expulsion of pupils from being based on race, color, religion, sex, national origin, or ancestry.

## 5. Gallery Walk Process Sheet

Name: \_\_\_\_\_

Period: \_\_\_\_\_

### Ethnic Studies in Arizona

Fill in the objective for today's lesson:

SWBAT \_\_\_\_\_

#### **Bell Work**

Read the news article providing background on House Bill 2281 (a ban on ethnic studies classes) and describe the pros and cons of the legislation.

Pros: \_\_\_\_\_

\_\_\_\_\_

Cons: \_\_\_\_\_

\_\_\_\_\_

#### **Gallery Walk Process Sheet**

Tom Horne

1. What is his job? \_\_\_\_\_

2. Why does he care about the ban on ethnic studies classes? \_\_\_\_\_

\_\_\_\_\_

3. Does he believe the ban is a good idea? Why? \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

4. Describe the evidence he uses to support his position. \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Roberto Rodriguez

1. What is his job? \_\_\_\_\_

2. Why does he care about the ban on ethic studies classes? \_\_\_\_\_

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3. Does he believe the ban is a good idea? Why? \_\_\_\_\_

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4. Describe the evidence he uses to support his position. \_\_\_\_\_

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Raul Grijalva

1. What is his job? \_\_\_\_\_

2. Why does he care about the ban on ethic studies classes? \_\_\_\_\_

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3. Does he believe the ban is a good idea? Why? \_\_\_\_\_

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4. Describe the evidence he uses to support his position. \_\_\_\_\_

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John Huppenthal

1. What is his job? \_\_\_\_\_

2. Why does he care about the ban on ethic studies classes? \_\_\_\_\_

3. Does he believe the ban is a good idea? Why? \_\_\_\_\_

4. Describe the evidence he uses to support his position. \_\_\_\_\_

HB 2281 Excerpts

1. What is prohibited by HB2281? \_\_\_\_\_

2. What did the writers of HB 2281 want to be sure wasn't prohibited by their bill?

3. What enforcement tool did the writers of HB 2281 use? \_\_\_\_\_

4. Do you think this enforcement mechanism would work? Why or why not?

## Exit Card

### **Take Action!**

Write a press release calling on your fellow citizens to take action for or against a proposed ballot referendum to overturn HB 2281. Your press release should include the following:

1. A brief explanation of HB2281 and why citizens should care about it.
2. An explanation of what the ballot referendum would do to change HB 2281's effects on education in Arizona- You'll need to be creative to develop this explanation yourself.
3. Three steps your fellow citizens can take to influence the outcome of the ballot referendum.

## **6. Ballot Initiative and Referendum Handout**

A guide to Arizona Propositions ~ Initiative and Referendum Measures

### **A Progressive Era**

At the time Arizona became a state in 1912, a political movement to put citizens in greater control of the law-making process was taking place.

As a result of that Progressive Movement, unlike many eastern states that formed earlier in our nation's history, Arizona's Constitution puts legislative power not only in a House of Representatives and Senate, but in the people themselves.

### **Initiative**

This means that Arizona voters have the ability to propose laws or constitutional amendments or changes to laws or the Constitution through the initiative process.

To propose such changes, the proponents must file an application with the Secretary of State, including a summary of the measure and the complete text that is proposed to be submitted to a vote of the people.

If sufficient signatures are gathered, the Proposition will be placed on the next general election ballot, just as voters will do at this year's election on November 2, 2010.

### **Referendum**

Not only do Arizona voters have the ability to propose laws, they may also circulate a petition against a measure or part of a measure approved by the Legislature.

As with initiative measures, to propose such changes, the proponents must file an application with the Secretary of State, including a summary of the proposal and the text of the measure or portion of the measure that is proposed to be submitted to a vote of the people.

If sufficient signatures are gathered, the Proposition will be placed on the next general election ballot.

### **Making Sense of Ballot Measure Numbering**

State law requires that ballot measures be numbered according to four criteria:

#### **100**

Constitutional amendments, whether initiated by the people or referred by the Legislature, are numbered in the 100s.

#### **200**

Citizen initiatives to create new or amend current state laws (statutes) are numbered in the 200s.

#### **300**

Legislative referrals to create new or amend current statutes are numbered in the 300s.

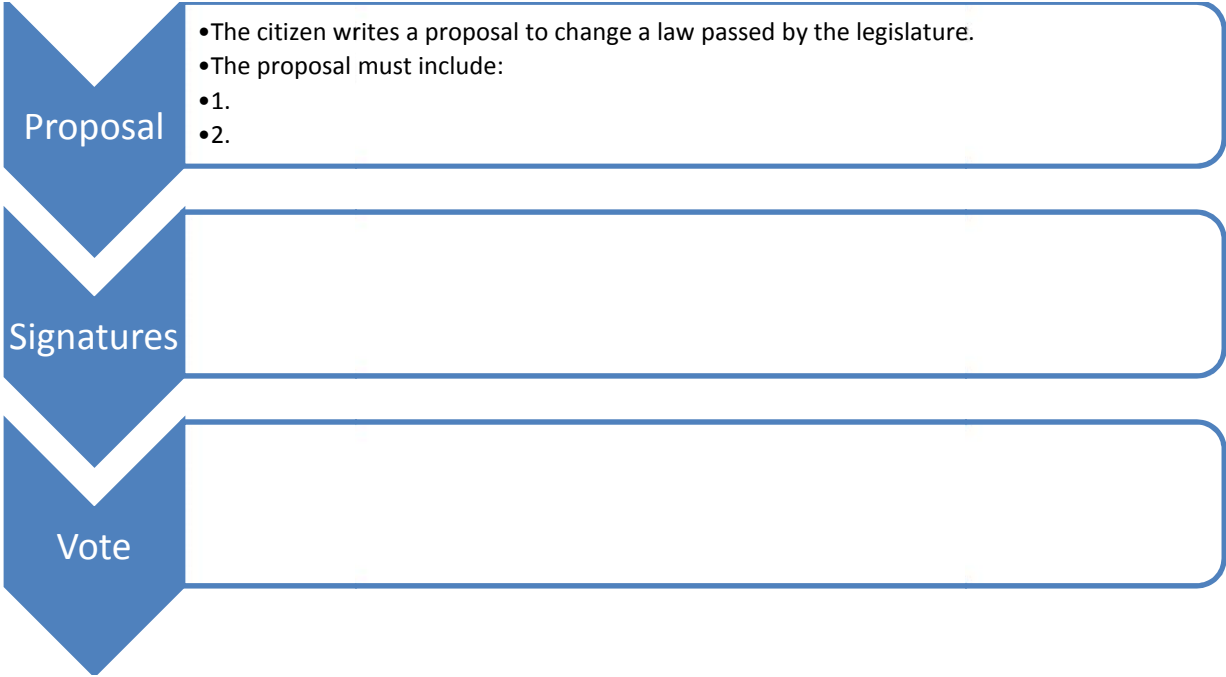
#### **400**

Local matters are numbered in the 400s.

[http://www.azsos.gov/election/2010/info/pubpamphlet/Sun\\_Sounds/english/page15.htm](http://www.azsos.gov/election/2010/info/pubpamphlet/Sun_Sounds/english/page15.htm)



# 7. Ballot Referendum Flow Chart



## 8. Assessment Rubric

### Ethnic Studies Lesson Assessment Rubric

Teacher Name: **D Thele**

Student Name: \_\_\_\_\_

CATEGORY	Above Standards	Meets Standards	Approaching Standards	Below Standards	Score
Explanation of HB 2281	The author's explanation of HB 2281 gives the reader a clear idea of how the bill intends to create it's desired outcome through its provisions.	The author's explanation summarizes the provision of the bill.	The author's explanation correctly summarizes one or more provisions of the bill.	The author's explanation is too confusing or incomplete to give the reader an understanding of the bill.	
Explanation of Referendum	The author's explanation of HB 2281 gives the reader a clear idea of how the referendum will affect the desired outcome of perspective being represented.	The explanation gives the reader an idea of how the referendum might affect instruction, but doesn't assess that outcome from any perspective.	The explanation tells the reader that the referendum will repeal HB 2281.	The author's explanation is too confusing or incomplete to give the reader an understanding of the referendum.	
Advocacy Steps	The author explains 3 steps citizens could take to influence the outcome of the referendum in a way that would require no additional research for the reader.	The author provides three steps for advocacy that could influence the outcome of the referendum, but the reader would have to do more research to figure out how to get involved.	The author provides one or two steps for advocacy and little explanation is given.	The author's explanation is too confusing or incomplete to give the reader an understanding of how to influence the outcome of the referendum.	

Attention Grabber	The introductory paragraph has a strong hook or attention grabber that is appropriate for the audience. This could be a strong statement, a relevant quotation, statistic, or question addressed to the reader.	The introductory paragraph has a hook or attention grabber, but it is weak, rambling or inappropriate for the audience.	The author has an interesting introductory paragraph but the connection to the topic is not clear.	The introductory paragraph is not interesting AND is not relevant to the topic.	
Focus or Thesis Statement	The thesis statement names the topic of the essay and outlines the main points to be discussed.	The thesis statement names the topic of the essay.	The thesis statement outlines some or all of the main points to be discussed but does not name the topic.	The thesis statement does not name the topic AND does not preview what will be discussed.	
Evidence and Examples	All of the evidence and examples are specific, relevant and explanations are given that show how each piece of evidence supports the author's position.	Most of the evidence and examples are specific, relevant and explanations are given that show how each piece of evidence supports the author's position.	At least one of the pieces of evidence and examples is relevant and has an explanation that shows how that piece of evidence supports the author's position.	Evidence and examples are NOT relevant AND/OR are not explained.	
Closing paragraph	The conclusion is strong and leaves the reader solidly understanding the writer's position. Effective restatement of the position statement begins the closing paragraph.	The conclusion is recognizable. The author's position is restated within the first two sentences of the closing paragraph.	The author's position is restated within the closing paragraph, but not near the beginning.	There is no conclusion - the paper just ends.	
Grammar & Spelling	Author makes no errors in grammar or spelling that distract the reader from the content.	Author makes 1-2 errors in grammar or spelling that distract the reader from the content.	Author makes 3-4 errors in grammar or spelling that distract the reader from the content.	Author makes more than 4 errors in grammar or spelling that distract the reader from the content.	