

# California's Diversity: Past and Present

## *Lessons for the Fair Education Act of 2011*



# **California's Diversity: Past and Present** ***Lessons for the Fair Education Act of 2011***

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# **California's Diversity: Past and Present**

## ***Lessons for the Fair Education Act of 2011***

### **Lesson 1: Diversity in California**

#### **Overview**

In this lesson, students examine the history of diversity in California. First, students read and discuss an introduction to the major groups that make up California's cultural diversity. They then examine case studies of instances when California's public policy was changed to accommodate an ever more diverse society: the Eliezer Williams case, the Sylvia Méndez case, and the case of the SB 48 law itself. Finally, they role-play a state legislative committee that will make recommendations about the need for new civil-rights law.

#### **Time**

One to two class periods

#### **Objectives**

Students will be able to:

- Define diversity.
- Examine the array of cultures that make up contemporary California society.
- Express reasoned opinions on the benefits and challenges of diversity.
- Evaluate important historic public policies that addressed challenges brought about by California's diversity.

#### **Compliance With the Fair Education Act**

This lesson was designed to comply with requirements under California Senate Bill 48 ("SB 48"), signed into law as the Fair Education Act in 2011. The act amended California Education Code Section 51204.5 to read as follows:

Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

The act also amended California Education Code Section 60040 to direct governing boards to "include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society...."

#### **Common Core State Standards for English Language Arts**

**RI.8.1.** Cite the textual evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.

**RI.8.4. Determine** the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings....

**SL.8.1.** Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on *grade 8 topics, texts, and issues*, building on others' ideas and expressing their own clearly.

**SL.8.4.** Present claims and findings, emphasizing salient points in a focused, coherent manner with relevant evidence, sound valid reasoning, and well-chosen details; use appropriate eye contact, adequate volume, and clear pronunciation.

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

**RL.6-8.4.** Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

**RI.11-12.1.** Cite strong and thorough textual evidence to support analysis of what the text says explicitly as well as inferences drawn from the text, including determining where the text leaves matters uncertain.

**RI.11-12.4.** Determine the meaning of words and phrases as they are used in a text, including figurative, connotative, and technical meanings....

**SL.11-12.1.** Initiate and participate effectively in a range of collaborative discussions (one on- one, in groups, and teacher-led) with diverse partners on *grades 11-12 topics, texts, and issues*, building on others' ideas and expressing their own clearly and persuasively.

**SL.11-12.4.** Present information, findings, and supporting evidence, conveying a clear and distinct perspective, such that listeners can follow the line of reasoning, alternative or opposing perspectives are addressed, and the organization, development, substance, and style are appropriate to purpose, audience, and a range of formal and informal tasks.

**RL.11-12.2.** Determine two or more themes or central ideas of a text and analyze their development over the course of the text....

**RL.11-12.4.** Determine the meaning of words and phrases as they are used in the text, including figurative and connotative meanings....

### **Materials and Preparation**

- Handout A: Cultural Diversity in California (one for each student)
- Handout B: The Méndez Case (one for each group member)
- Handout C: The Williams Case (one for each group member)
- Handout D: The Case of SB 48 (one for each group member)

## Procedure

### A. Reading and Discussion: Cultural Diversity in California

1. Focus Discussion. Write the word “diversity” on the board. Ask students what the word means to them. Accept reasonable responses. (Students should generally understand that diversity refers to a society in which the people come from many different backgrounds. For example, people have diverse religious, political, ethnic, and racial backgrounds.)

2. Distribute **Cultural Diversity in California**. Explain that it describes the ways in which California is diverse today. It will also show them how California’s diverse groups have a history in the state. The reading should take approximately ten minutes.

3. After they have finished reading, hold a discussion using the **For Discussion and Writing** questions.

- How has California always been a diverse society? Explain.

*Look for examples from the reading of early contact between Spanish and Native Americans, Mexican American cultural heritage, Asian Americans, Gold rush migrants, and others.*

- What do you think are the benefits of a diverse society? What are the challenges?

*Accept reasonable responses.*

- In 1965, U.S. immigration law changed. Specific quotas, or maximum limits, on immigration from many Latin American and Asian countries ended. In your experience, do you think that has had a big effect on California’s society? Why or why not?

*Accept reasonable responses. Look for: There has been an increase in Latin American and Asian immigration, along with more widespread contact with the cultures of those regions.*

4. Then discuss the following with students:

With California’s diversity, majority and minority groups live side-by-side. A majority is a group that is greater than half. A minority is less than half. What if the majority has a negative opinion of a minority? Or what if the majority ignores the needs of a minority?

When there is discrimination (unfair bias) against a minority, lawmakers often make new policy to address the problem. It can be a new law or a court’s judgment.

## **B. Activity: Civil Rights Committee**

1. Tell students that in this activity, they will role play state lawmakers gathering facts for a new California civil rights law. The law's purpose is to strengthen civil rights in California.
2. Divide students into small groups. Distribute to each group one of the three handouts (A, B, or C). It is fine if more than one group uses the same case study, provided that each case study is used by at least one group.
3. Review with students what each group will do. Each group will role play a committee of lawmakers charged with examining the history of California's civil rights. Each group should:
  - a. Read one of the three case studies: the Méndez case, the Williams case, and the SB 48 case.
  - b. Discuss the problem in each case study. (What unfairness or discrimination was happening?)
  - c. Decide what the policy was in each case study. (Remind them that the policy is the official decision about what should happen.)
  - d. Recommend what additional policies, if any, might be necessary to achieve equal protection for all under the law. If no recommendation is made, explain why not.
  - e. Be prepared to report its recommendations and reasons for them.
4. Have the committees report their recommendations, discuss them, and hold a vote as the class on what additional policies to adopt.

## **C. Debriefing**

Debrief the activity. Questions to ask:

- Was there anything surprising to you in what you learned today?  
*Accept reasoned responses. Students may say that they did not know that school desegregation in America began in California.*
- Why is it important to know about the cultural and political contributions of diverse groups?  
*Accept reasoned responses. For example, students may say that they have learned to appreciate people who are different than they are. Students may also say that knowing about diverse contributions helps explain the present-day world.*
- How can public policy address issues of diversity?  
*Accept reasoned responses. Students may say that law (or policy) can be used to outlaw discrimination.*

## Diversity in California

Chinese, Italian, Mexican, and Thai foods are popular in California. So are Ethiopian, Japanese, and Peruvian foods. Diverse restaurants are commonplace. What does that tell us about our state?

California has always been diverse. Every group that settles here is unique. Each contributes to our history and culture.

### Native American and Spanish Origins

Europeans came to the New World in 1492. Many scholars estimate that about 300,000 Native Americans lived in California when Columbus first landed in America. (Of course, they did not call it "California," yet.) They spoke 135 languages. Each tribe had its own culture.

Today, the state has 115 Native American tribes. In the south, there are Chumash and Gabrielino. Farther north are the Pomo and Yurok. Lucy Thompson was a famous writer of the Yurok tribe. Her writings showed many Americans the native California culture.

These tribes contributed numerous place names that are still used today. Some of these places are Malibu, Lake Tahoe, Yuba County, Yolo County, and Simi Valley.

The Spanish were the first Europeans in California. In the 1500s, Hernan Cortez and Juan de Cabrillo were key explorers. Later, settlers built *pueblos* (towns). Spanish-style buildings in California are still common.

The Spanish developed cattle ranching. In fact, "ranch" comes from the word *rancho*. American cowboy culture has its roots in the ranchos.

In the 1700s, many Spanish wanted to bring the Roman Catholic religion to Native Americans. They built missions. A mission was a church with a farm and work areas. Today, the missions are historic sites.

Countless places in California have Spanish names. Think of San Jose, San Diego, and Sacramento. Big cities, like Los Angeles, began as Spanish pueblos.

### Vocabulary

**diversity** – the presence of many cultures within one society.

**philanthropist** – a person who donates money to good causes.

**pueblo** – town; a word of Spanish origin.

**rancho** – ranch; a word of Spanish origin.



Basket weaving has traditionally been an important craft for the Yurok people of northern California. (National Park Service, Wikimedia Commons.)

Today, almost 40 percent of Californians are Hispanic. Hispanics include people of Latin American, Mexican, and Spanish ancestry.

### **Mexican Heritage**

Mexico became free from Spain in 1821. For 27 years, California was then part of Mexico. The U.S. got California after a war with Mexico in 1848.

The *Californios* were Mexicans born here before 1848. Californio families owned much land. Today, many Californians are descended from these families. Many more people in California came from Mexico and settled here after 1848.

Mexican heritage is part of California's tradition. Cesar Chavez and Dolores Huerta began the non-violent movement for farm workers' rights in central California. March 31 is Cesar Chavez Day, a state holiday.

Judy Baca and Rupert Garcia are painters who have enriched the visual arts. Both Luis Valdez and Richard Rodriguez are famous California writers whose parents migrated from Mexico.

### **"The World Rushed In"**

The Gold Rush made California more diverse. One historian said, "the world rushed in." People came from Italy, Russia, Ireland, and England. They came from Mexico, China, and Australia.

Americans of European descent immigrated here in great numbers after the war with Mexico. According to the U.S. Census, 74 percent of today's state population is white. Many of these people descended from Europeans who came in the 1840s and after.

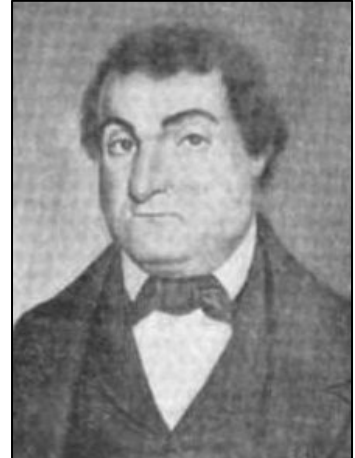
### **African Americans**

Free blacks came in the 1840s, too. William Leidesdorff, a free black man, built the first hotel in San Francisco in 1846. About 20 years later, Mary E. Pleasant, a former slave, sued a San Francisco streetcar company. It had refused her a seat. She won at trial.

California's African Americans have contributed to modern literature. Octavia E. Butler from Los Angeles was the first science fiction writer to win a MacArthur "genius" grant of \$500,000. Walter Mosley is a best-selling mystery writer, also from Los Angeles.

### **Asian Americans and Pacific Islanders**

By 1870, over 100,000 Chinese lived in California. By 1910, most of the United States' 70,000 people of Japanese ancestry lived in California. Korean immigrants



Jose Antonio Carrillo (1796-1862) was a rancher and politician in the Mexican territory of Alta California. He served as mayor of Los Angeles between 1826 and 1834. (Wikimedia Commons.)



began to arrive in the 1880s. Today, Asians make up over 13 percent of the state population.

They have contributed to California industry. Chinese people reclaimed swamps for farming near Sacramento. They fished for shrimp and squid along the coast. Japanese people developed the farms and vineyards of central California.

Well-known Chinese-American authors from California are Amy Tan and Maxine Hong Kingston. Korean-American Nam June Paik pioneered video art. Younghee Kang was a major 20<sup>th</sup> century Korean-American novelist.

Native Hawaiians and Pacific Islanders are a small group in California. But they outnumber the Native Hawaiians and Pacific Islanders in Hawaii. Samoans in Southern California have contributed to art and music there.

### **Growing Diversity**

Modern diversity includes persons who are lesbian, gay, bisexual, and transgendered ("LGBT"). Del Martin and Phyllis Lyon met in 1949 in San Francisco. They created the first social group for lesbians. Harvey Milk later became the first openly gay man in public office in California.

Many LGBT persons have contributed to the arts here. Well-known California LGBT writers are Christopher Isherwood, Joseph Hansen, and June Jordan. David Geffen is a successful music and film producer. He is also a philanthropist.

Persons with disabilities have also added to California's history. Edward Roberts had polio as a child. As an adult, he had to use a wheelchair. In the 1960s, he began the independent living movement. This enabled persons with disabilities to care for themselves. Roberts helped make these persons more visible in society.



Science fiction author Octavia Butler signing a book in 2005. (Nikolas Coukouma, Wikimedia Commons.)

Today, there are about 37 million people in California. No state has a bigger population. Perhaps none is more diverse, either.

### **For Discussion and Writing**

1. How has California always been a diverse society? Explain.
2. What do you think are the benefits of a diverse society? What are the challenges?
3. In 1965, U.S. immigration law changed. Specific quotas, or maximum limits, on immigration from many Latin American and Asian countries ended. Do you think that has had a big effect on California's society? Why or why not?

## The Williams Case

In 2000, a San Francisco middle-school student named Eliezer Williams noticed problems in his school. There were not enough textbooks for students. Classrooms were crowded. Toilets did not work. Bathrooms and other areas were unclean and had rodents. Many teachers were temporary employees.

Williams and his father thought the school lacked the basic educational resources for students' learning. Williams sued the State of California, arguing that schools without basic resources were almost always schools attended by poor and non-white students as well as English-language learners. Privileged students in most public schools, however, had all the basic resources they needed. This, argued Williams, showed unequal treatment under the law.

One-hundred other families joined Eliezer Williams in his lawsuit. When they sued the state, it was also the 46<sup>th</sup> anniversary of *Brown v. Board of Education*, the landmark Supreme Court case ending segregated schools.

The governor of California negotiated (tried to reach agreement) with the students and their parents. Finally, in 2004, the students and their parents settled their case. The State of California reached an agreement with them.

The settlement set up ways for local governments to keep track of school conditions. It also gave \$1 billion to school districts to fix the problems. It created a way for parents and students to complain to education officials about new problems.

### Activity: The Committee on Civil Rights

You are part of a committee of state lawmakers gathering facts for a new California civil rights law. The law's purpose is to strengthen civil rights in California.

Your committee should:

- a. Read the **The Williams Case**.
- b. Discuss the problem in the case study. (What unfairness or discrimination was happening? Why was it a problem?)
- c. Decide what the policy was in each case study. (Remember that policy is the official way of dealing with a problem.)
- d. Recommend what additional policies, if any, might be necessary to achieve equal protection for all under the law. If no recommendation is made, explain why not.
- e. Be prepared to report your recommendations and reasons for them.

## The Méndez Case

In 1944, Orange County schools were segregated. There were schools for white students and separate schools for Hispanic students. Sylvia Méndez was an 8-year-old girl, and her aunt tried to enroll her for elementary school in Westminster, California.

School officials told the aunt that they would enroll Sylvia's cousins who had light skin and eyes. But the school turned away Sylvia and her brothers.

Officials said that they had dark skin and a "Mexican" last name. They sent the Méndez children to a school for Mexican children.

In 1945, Sylvia's parents and four other families sued school districts in Orange County. They demanded an end to segregated schools.

Almost a year later, Judge Paul McCormick ruled that segregation of children of "Mexican or Latin descent" violated the 14<sup>th</sup> Amendment to the U.S. Constitution. That amendment ensures that all persons will be protected equally under the law.

Judge McCormick's ruling was upheld. The case of *Méndez v. Westminster School District* ended segregation in California. Because of the case, California passed the Anderson Bill in 1947. It removed segregation from all California schools.

Seven years later, the U.S. Supreme Court made a landmark decision in *Brown v. Board of Education*. That case ended school-segregation throughout the nation. The lawyers who brought that case used the Méndez case as a model.

### Activity: The Committee on Civil Rights

You are part of a committee of state lawmakers gathering facts for a new California civil rights law. The law's purpose is to strengthen civil rights in California.

Your committee should:

- a. Read the **The Méndez Case**.
- b. Discuss the problem in the case study. (What unfairness or discrimination was happening? Why was it a problem?)
- c. Decide what the policy was in each case study. (Remember that policy is the official way of dealing with a problem.)
- d. Recommend what additional policies, if any, might be necessary to achieve equal protection for all under the law. If no recommendation is made, explain why not.
- e. Be prepared to report your recommendations and reasons for them.

## The Case of SB 48

People who are LGBT have often had a key role in the history of the state. In 1975, for example, a woman tried to shoot President Gerald Ford in San Francisco. A man grabbed her arm and stopped her. His name was Oliver W. "Bill" Sipple. He was a gay man. Newspapers called him a "homosexual hero." But Bill wanted his life to be private.

Sometimes LGBT students today want privacy, too. Other times, they "come out" to their friends and family. Coming out can be risky because of bullying. Below are two bullying stories that changed California law.

In Ventura County, 10-year-old Lawrence King came out as gay. Five years later in 2008, his classmate shot him and killed him at their junior high school. His classmate said King was "too girly."

Seth Walsh was a student in Tehachapi, Calif. In middle school, he came out as gay. He then was a victim of repeated anti-gay bullying. In 2010, Seth committed suicide.

California lawmakers reacted to these tragedies. In 2011, they passed a law called SB 48 (or the "FAIR Education Act"). The law prohibited textbooks from discriminating against LGBT persons and persons with disabilities. It also required schools to teach about the contributions of LGBT persons in the state's history.

The lawmaker who introduced SB 48 said, "We are failing our students when we don't better inform them, and there are tragic consequences."

### Activity: The Committee on Civil Rights

You are part of a committee of state lawmakers gathering facts for a new California civil rights law. The law's purpose is to strengthen civil rights in California.

Your committee should:

- a. Read the **The Case of SB 48**.
- b. Discuss the problem in the case study. (What unfairness or discrimination was happening? Why was it a problem?)
- c. Decide what the policy was in each case study. (Remember that policy is the official way of dealing with a problem.)
- d. Recommend what additional policies, if any, might be necessary to achieve equal protection for all under the law. If no recommendation is made, explain why not.
- e. Be prepared to report your recommendations and reasons for them.

# **California's Diversity: Past and Present**

## ***Lessons for the Fair Education Act of 2011***

### **Lesson 2: Discrimination and Civil Rights in California**

#### **Overview**

In this lesson, students examine the history of discrimination in the state of California. First, they read about and discuss social changes in California that have led to the development of civil rights in the state and nation. Then in a jigsaw activity, they examine four case studies of individual Californians who contributed to those social changes: Clara Shortridge Foltz, Yick Wo, W. Byron Rumford, and Harvey Milk. Finally, students debrief the activity with an emphasis on understanding the meaning of civil rights.

#### **Time**

One class period.

#### **Objectives**

Students will be able to:

- Define *equal protection* and *due process*.
- Examine social changes in California's history and the development of civil rights.
- Evaluate the contributions of diverse individuals to the development of social change and civil rights in the state and nation.

#### **Compliance With the Fair Education Act**

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

**RL.6-8.4.** Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

### Materials and Preparation

- Handout A: Discrimination and Civil Rights in California (one for each student)
- Handout B: Clara Shortridge Foltz and The Woman Lawyer's Bill (one for each group member)
- Handout C: Yick Wo and the right to Due Process (one for each group member)
- Handout D: W. Byron Rumford and Fair Housing (one for each group member)
- Handout E: Harvey Milk and Proposition 6 (one for each group member)

### Procedure

#### A. Reading and Discussion: Discrimination and Civil Rights in California

1. Focus Discussion. Assess prior knowledge about the concept of "civil rights." Ask students what they know about the Civil Rights Movement.

*Look for: The Civil Rights Movement was led by Martin Luther King Jr. and others to end segregation in America. It meant schools and other services, even businesses, could not segregate persons on the basis of race or color.*

Ask: What does "civil rights" mean?

*Look for: These are the rights that we all have just by being members of this society. They are basic rights, mostly to be free from segregation or discrimination on the basis of race, color, or creed. Other forms of discrimination might be based on gender or sexual orientation.*

2. Distribute **Discrimination and Civil Rights in California**. Explain that it will describe the ways in which California has dealt with issues of discrimination. The reading should take approximately 10 minutes.

3. After they have finished reading, hold a discussion using the **For Discussion and Writing** questions:

- The 13<sup>th</sup> Amendment ended slavery. Why was the 14<sup>th</sup> Amendment also necessary after the Civil War? *Even though slavery had ended, state governments passed so-called Black Codes that re-introduced slavery-like conditions on former slaves.*
- What are some examples of discrimination in California's history? How is California different today? *Accept reasoned responses. Examples from the reading include discrimination in the state constitution, People v. Hall, the actions of Dennis Kearney, and the forced removal of citizens of Japanese ancestry.*
- Do you think the Supreme Court's decision in the *Bakke* case was important. Why or why not? *Accept reasoned responses.*

4. Then tell students that in their discussion earlier about the Civil Rights Movement, they recalled the name of Martin Luther King Jr. We associate his famous name with civil rights. Often, social change is made by people who are less well-known, too. They are about to learn about four individuals who made such a difference in history.

## **B. Activity: Civil Rights Jigsaw**

1. Divide the class into groups of four. These are the students' *home groups*. Distribute to each member of the group a copy of *one* of the Civil Rights Jigsaw Handouts, A–D. Each handout presents a case study on civil rights from California's history. If some groups have five, two students will have the same handout.

2. Have students meet in *expert groups*. Each expert group is made up of all the students with the same handouts — B, C, D, or E. Experts should take a few minutes to read and discuss their handout with each other.

Explain to students that the experts should be able to:

- Describe the problem or issue happening in California.
- Explain how the person in the case study helped to change a policy in order to solve the problem or issue.

3. Ask students to return to their home groups and present their case studies to the home group. All students should actively listen by taking notes and asking clarifying questions.

### C. Debriefing

Debrief the activity. Questions to ask:

- Why is it important for us to know about these case studies in civil rights?  
*Accept reasoned responses. Students may say that the case studies give a more realistic view of the state's history. Or they might say one or more case studies give them inspiration.*
- Which of the case studies do you think has had the longest-lasting impact on our society? Why?  
*Accept reasoned responses. Students need not compare the worth or value of the case studies. Assume they all had great impact. The key for discussion is which has had the longest-lasting impact.*
- What are other important issues today that might require actions like those we saw in the case studies?  
*Accept reasoned responses. Students may refer to issues from **Lesson 1: Diversity in California**. They may also refer to issues they see in their communities.*



## Discrimination and Civil Rights in California

In 1850, California became a state. A major question was whether California would be free of slavery. At the California constitutional convention in 1849, about half the delegates were pro-slavery. But the convention decided that California would be free.

The new state constitution, however, only allowed white males to vote. That included white-male citizens of Mexico who chose to become U.S. citizens. But some Californios (former Mexican citizens) were African or Native American. They did not have the right to vote.

At the same time, California passed a law called the Act Concerning Civil Cases. It prohibited black people or American Indians from testifying in a court case where a white person was a party.

Asian Americans were also affected. In 1854, a white man was convicted for murder. One witness against him was Chinese. In *People v. Hall* the California Supreme Court overturned the conviction. The court ruled that the Chinese witness was not "white" and should not have testified.

### The 14<sup>th</sup> Amendment and the States

The Civil War prompted major civil rights changes in all the states. The federal government created the Freedmen's Bureau before the end of the war to help emancipated (newly free) slaves. The bureau helped ensure they were paid fairly and could freely choose their employers.

The war ended in April 1865. In December, the states ratified (approved) the 13<sup>th</sup> Amendment to the U.S. Constitution that ended slavery. Four million black Southerners were now free.

But many former slave states resented the Freedmen's Bureau and the end of slavery. They passed strict laws called Black Codes. The Black Codes took away free blacks' right to vote. Free blacks also were forced to sign work contracts with white employers. The codes even allowed employers to whip employees. These conditions were similar to slavery.

Congress responded with the 14<sup>th</sup> Amendment. In 1868, it was added to the Constitution. The 14<sup>th</sup> Amendment says:

*No State shall make or enforce any law which shall...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.*

It laid out basic rights for all. We now call these our civil rights. One important civil right is the guarantee that all persons are protected equally under the law. Skin color does not matter. All persons are equal.

Another important civil right is the guarantee of something called due process of law. That means that everyone gets fair treatment under the law.

The key phrase in the 14<sup>th</sup> Amendment is “no state shall make or enforce any law” that deprives anyone of civil rights. California, like other states, could not discriminate unfairly against anyone.

Even after 1868, there were extreme social tensions in California. San Francisco Irish immigrant and labor leader Dennis Kearney ridiculed Chinese language, religions, and customs in his speeches. Japanese students in San Francisco were segregated in the early 20<sup>th</sup> century, too.

### **Equal Protection in the 20<sup>th</sup> Century**

In California, the advance of civil rights was not immediate. During World War II, the U.S. was at war with Japan. The U.S. government forced thousands of U.S. citizens of Japanese ancestry to go to remote camps. Fred T. Korematsu was from California. He challenged this incarceration, arguing it violated his 14<sup>th</sup> Amendment right to due process. The Supreme Court, however, allowed the practice to continue.

California would play an important role in later civil rights actions. One example is the Supreme Court’s decision in *Regents of the University of California v. Bakke*. The case dealt with admissions to higher education (after high school). In 1977, the Court decided that racial quotas (fixed numbers) for admissions violated the 14<sup>th</sup> Amendment.

The court also decided, however, that race can be a factor in admissions. This became the basis for affirmative action. It was a lasting change to public policy on civil rights. Californians’ actions have made other long-term changes to policy.

### **For Discussion and Writing**

1. The 13<sup>th</sup> Amendment ended slavery. Why was the 14<sup>th</sup> Amendment also necessary after the Civil War?
2. What are some examples of discrimination in California’s history? How is California different today?
3. Do you think the Supreme Court’s decision in the *Bakke* case was important. Why or why not?

## Clara Shortridge Foltz and The Woman Lawyer's Bill

Clara Shortridge Foltz was born in 1849 in Indiana. Later, she settled in San Jose, Calif., with her husband and five small children. The year was 1874.

Soon after, Foltz and her husband divorced. She had to support her family. She wanted to become a lawyer. But she was told, "A woman's place is in the home."

Foltz did not take "no" for an answer. California law, however, only allowed white males to practice law. Foltz wrote a bill that replaced the term "white male" with "any citizen or person."

With help from a state senator, she got her bill into the California legislature. It was called the Woman Lawyer's Bill. Senators debated it. Foltz wrote that opponents of her bill "grew red as turkey gobblers mouthing their ignorance."

In 1878, Foltz won. The state Senate passed the bill. Then the state Assembly passed it. The governor needed to sign it. Foltz pushed her way into his office to persuade him to sign it. And he did. Now women could become lawyers in California.

Her work was not done. One year later, she sued the University of California to allow women to study law there. In 1910, she became the state's first female district attorney.

In 1911, she helped change California's Constitution to give women the right to vote — nine years before women won the right to vote nationally.



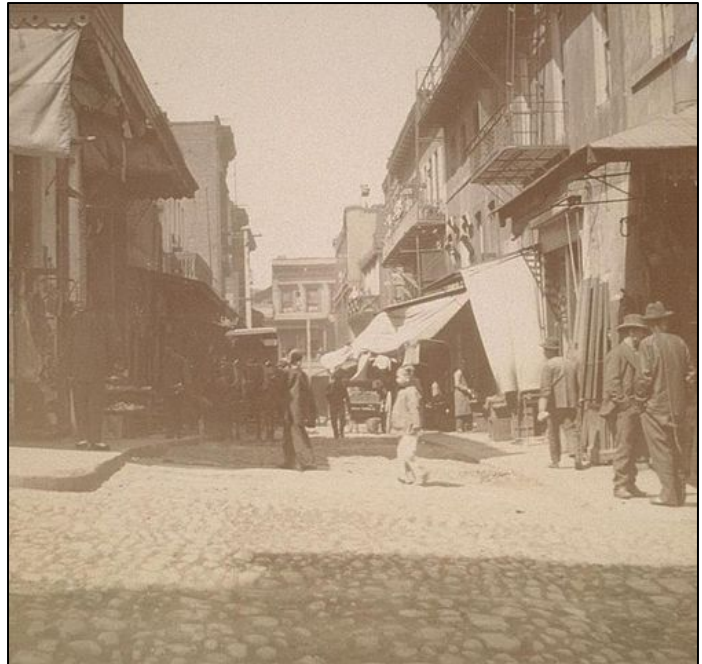
Clara Shortridge Foltz was the first female lawyer in California.  
(Wikimedia Commons.)

## Yick Wo and the Right to Due Process

Yick Wo was born in China. In 1861, he immigrated to San Francisco, Calif. He began a laundry business in a wooden building. He ran it for over 20 years. The city fire wardens (fire chiefs) had always given him a license to run his laundry.

In 1880, the city of San Francisco passed an ordinance (a local law). The ordinance stated that no one could run a laundry in a wooden building without a permit from the city supervisors. The city said the permit was for safety. Anyone without a permit had to pay a fine.

Yick Wo applied for a permit under the new ordinance. He did not receive it. He was not alone. Chinese immigrants ran about 200 laundries in San Francisco. That was 89 percent of the laundries. None of these Chinese laundries received a permit. All but one non-Chinese laundry received the permit.



Chinese immigrants to San Francisco concentrated in an area known as Chinatown. (Wikimedia Commons.)

Yick Wo and others thought this was unjust. He kept running his business. But he refused to pay the fine. He ended up in jail and brought his case to court. In 1886, it made its way to the U.S. Supreme Court, the highest court in the nation.

Yick Wo argued that the way in which the law was carried out violated the 14<sup>th</sup> Amendment. Under that amendment, all persons within a state are entitled to due process of law.

The Supreme Court agreed. Yick Wo won his case. The court ruled that the city of San Francisco had deprived Yick Wo of due process of law based on his Chinese national origin. The 14<sup>th</sup> Amendment did not allow such discrimination.

## W. Byron Rumford and Fair Housing

William Byron Rumford, an African American, was born in Arizona in 1908. When he was young, Arizona schools were segregated. A high-school teacher encouraged him to go to California. He went to college in Sacramento and San Francisco. He became a pharmacist.

Later, he opened his own pharmacy. But politics interested him. In 1948, voters in Berkeley elected him to the state assembly. He was the first African American to be elected to office in Northern California.

He noticed problems in California's housing while he was in office. Too often, real-estate agents excluded African Americans from buying or renting homes in certain neighborhoods.

In 1963, Rumford wrote a law against the discrimination. It passed in the assembly. It passed in the senate. The governor signed it into law. It was called the Rumford Fair Housing Act.

But opponents of the Fair Housing Act fought against Rumford's success. They sponsored Proposition 14. This proposed law would reverse the Fair Housing Act. Voters approved Prop. 14 in 1964.

African-American renters challenged Prop. 14. They argued that the law allowed racial discrimination and violated the 14<sup>th</sup> Amendment. In 1967, their case made it to the U.S. Supreme Court, the highest court in the nation.

The Supreme Court agreed with them. The renters won their case. The Supreme Court ruled that Prop. 14 denied African Americans equal protection under the law. It was based on racial discrimination and unconstitutional. Rumford's fight for fair housing was won.



Byron Rumford helped to outlaw employment and housing discrimination in California. (Courtesy of UC Berkeley, Bancroft Library.)

## Harvey Milk and Proposition 6

Harvey Milk was born in New York in 1930. When he grew up, he worked on Wall Street. He was also gay. For most of his adult life, Milk was "closeted." That meant he was private about being gay.

By 1972, he had "come out" (became public about being gay). He moved to San Francisco, Calif. He opened a camera store. In 1973, he became interested in politics.

Milk ran for the San Francisco Board of Supervisors. He lost. But in 1975, the mayor appointed him to be part of city government. In 1977, Milk ran again for the Board of Supervisors. This time, he won.



Harvey Milk, seen here in 1978, was the first openly gay man to be elected to public office in California. (Daniel Nicoletta, Wikimedia Commons.)

Milk was the first openly gay politician elected in California. In a speech during his campaign, he spoke about young gay people. He said, "The only thing they have to look forward to is hope. And you have to give them hope."

In 1978, Californians had to vote on Proposition 6. This was a proposed law that would ban gay and lesbian teachers from working in public schools. It would also ban school employees from supporting gay rights.

Milk thought it was unfair discrimination against gays. He debated the sponsor of Proposition 6 and helped persuade Californians against it. Governor Jerry Brown and former governor Ronald Reagan also opposed Proposition 6. Most voters voted against it, and it was defeated.

Harvey Milk became a powerful politician in San Francisco. He was also known nationwide. Sadly, Milk and the mayor were killed when a former supervisor shot them in 1978. Milk has remained a civil rights icon.

# **California's Diversity: Past and Present Lessons for the Fair Education Act of 2011**

## **Lesson 3: Religious Diversity in California**

### **Overview**

In this lesson, students focus on one specific facet of California's diversity: religious diversity. First, they engage in a focus discussion of the meaning of freedom of religion. Then they read a profile of religious diversity in California, focusing on a few examples of the variety of religious expression in the state. Finally, students learn about deliberation as a form of discussion and take part in a deliberation on the issue of whether schools should allow *kirpans* (symbolic blades sacred to Sikhs) in school as part of religious freedom.

### **Time**

One to two class periods.

### **Objectives**

Students will be able to:

- Explain the difference between *establishment of religion* and *free exercise of religion* in the First Amendment.
- Explain reasons for religious diversity in California.
- Deliberate about a controversial issue of religious freedom on a school campus.
- Present reasons either for or against a school policy that affects religious freedom.

### **Compliance With the Fair Education Act**

This lesson is designed to comply with requirements under California Senate Bill 48 ("SB 48"), signed into law as the Fair Education Act in 2011. The act amended California Education Code Section 51204.5 to read as follows:

Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

The act also amended California Education Code Section 60040 to direct governing boards to "include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society...."

## Common Core State Standards Addressed

**SL.8.1.** Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on *grade 8 topics, texts, and issues*, building on others' ideas and expressing their own clearly.

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

**RH.6-8.4.** Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

## Materials and Preparation

- Handout A: Religious Diversity in California (one for each student)
- Handout B: Should Knives Ever Be Allowed at School? (one for each student)
- Handout C: Deliberation Steps (one for each student)

## Procedure

### A. Reading and Discussion: Religious Diversity in California

1. Focus Discussion. Ask students: What does it mean to have freedom of religion?

*Accept reasoned responses. Look for: Freedom of religion means the freedom to believe what you want and to respect others' beliefs at the same time. It could also mean the freedom to have faith in something (e.g., a higher power) and to respect others' faith, even if they are different from your own.*

2. Tell students that today they will be reading about freedom of religion in California. Assuming they have already done Lessons 1 and 2 from this series, they will know about cultural diversity in California. Religious diversity is a part of cultural diversity. There are many religions represented in California. There are also those who are non-religious.

3. Distribute **Religious Diversity in California**. Explain that it describes examples of diverse religions in the state and also conflicts that had to be solved in courts of law. The reading should take approximately 10 minutes.

4. After they finish reading, hold a discussion using the **For Discussion and Writing** questions:

- What is the difference between the words about "establishment" and the words about "free exercise" in the First Amendment? Why do you think it is necessary to have both? *The words about "establishment" mean that the government cannot create an official religion. The words about "free exercise" mean that the government cannot interfere with each of our religious beliefs. It is necessary to have both to protect individual rights of citizens from intrusions by the government.*
- What are some of the reasons for religious diversity in California? *Diverse migrations of people have come to California from Asia, Latin*



- Do you think these legal cases described in the reading deal with free exercise or with establishment? Why?
- ***Gabrielli v. Knickerbocker.***  
*Accept reasoned responses. Gabrielli claimed her right to free exercise was infringed.*
- ***Lyng v. Northwest Indian Cemetery.***  
*Accept reasoned responses. The Native Americans claimed their right to free exercise was infringed.*

5. Tell the students:

Now that we have looked at different examples of religious diversity and conflict, we are going to take a look at one conflict that happened at a school.

## **B. Activity: Deliberation: Should Knives Ever Be Allowed at School?**

1. IMPORTANT NOTE BEFORE BEGINNING: In this deliberation activity, students will learn a little about Sikhism and about kirpans. The kirpan is a bladed instrument and a sacred symbol in the Sikh faith. A Sikh student may be sensitive to having the kirpan referred to as a “knife” or a “weapon.” It may be necessary in your class to remind students beforehand that in this deliberation the kirpan is only referred to as a “knife” because that is what the principal thought it was. No offense is intended. (See Mayled, John. *Sikhism*. Oxford: Heinemann Educational Publishers, 2002. Print.)

2. Remind students of their Focus Discussion. Ask: What is a discussion?

*Look for: A discussion is when a group of people talk and share ideas.*

Write the term *deliberation* on the board. Explain that today students will do a special kind of discussion called deliberation. Explain that a deliberation is a discussion that leads students to make a decision in answering a yes-or-no question. It is not a debate with winners or losers. It is a way for everyone to understand different sides to an issue.

3. Organize the students into groups of four, with each group divided into two pairs.

4. It will be helpful to have the following steps written on a poster or projected large enough for the whole class to see throughout the activity. NOTE: The steps here are a simplified version of “Deliberation Procedures” available at *Deliberating in a Democracy in the Americas* ([dda.deliberating.org](http://dda.deliberating.org)).

### **Deliberation Steps**

1. Learn about the topic.
2. Form “Yes” and “No” groups.
3. Share and listen.
4. Switch.
5. What do you think?

5. Review the steps before starting the deliberation.

1) Learn about the topic.

Students should read the text carefully and underline interesting facts or ideas.

2) Form "Yes" and "No" groups.

Working with a partner, students should discuss the reading and make sure they understand it. Together, each pair will list the reasons to answer the Question for Deliberation either "yes" or "no," depending on how they were assigned. They will put a check next to their best (most compelling) reasons.

3) Share and listen.

Starting with the Yes Groups, each pair will take turns explaining to the opposing side their best reasons. While the Yes Group speaks, the No Group listens carefully. There is space on the Deliberation Steps Handout Step #4 ("Switch") to take notes while listening.

IMPORTANT NOTE: Remind students this is not a debate. Therefore, they are not trying to win an argument, but just to understand both sides of an issue.

4) Switch.

Again starting with the Yes Groups, each pair will take turns explaining the best reasons of the opposing side that they heard. This will show that they were listening and understanding.

5) What do you think?

In this step, each group of four tries to reach an agreement. Students may express what they really think the answer to the Question for Deliberation should be, even if it is different from what they were assigned to do before. It is okay if a group cannot reach a final agreement on the answer to the question, as long as everyone in each group has a chance to express their own reasons.

IMPORTANT NOTE: Students may draw from the information in the reading as well as their own prior knowledge to do this step.

6. Follow Steps 1 – 5 above, beginning by distributing **Handout A: Should Knives Ever Be Allowed At School?** and having students read it (5 minutes). Check for understanding, especially of the Question for Deliberation: *Should the principal allow Rajinder to wear his kirpan?*

7. Follow the remainder of the steps, giving students about 2 – 3 minutes each to complete Steps 2, 3, and 4.

8. Allow students 5 minutes to complete Step 5.

### C. Debrief

1. Debrief the activity. This may be done with students sitting in their groups of four. Another effective way to do this is to have the whole class rearrange their seats into a large circle. Questions to ask:
  - What was the issue that had to be solved at Rajinder Singh's school? (His last name is pronounced the same as the word "sing.")  
*Rajinder's religion is Sikhism. One requirement for Sikh males is to carry a symbolic dagger called a "kirpan" with them at all times. Rajinder had a short, round-edged kirpan on campus, but the school policy was: No weapons allowed at school.*
  - Did any groups reach an agreement? If so, what was your agreement?  
*Accept reasoned responses.*
  - Did any groups find it hard to reach agreement? Why or why not?  
*Accept reasoned responses.*
  - Were there any reasons you heard in your deliberation that sounded particularly persuasive to you?  
*Accept reasoned responses.*
2. Inform students that this comes from an actual case in California from 1994. The court ruled that Rajinder had the right to wear the kirpan, provided it did not endanger anyone at school. In other cases, school districts have allowed students to wear kirpans to school. One school district insisted that the kirpan be put in its jacket so that it couldn't be removed. Many kirpans are stitched tightly into closed cases and have dull edges, to show schools that they are only ceremonial blades, not weapons.

## **Religious Diversity in California**

The first words of the First Amendment to the U.S. Constitution protect our religious freedom. Those words are:

Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof....

What do these words mean? The words about “establishment” mean that the government cannot create an official religion. The words about “free exercise” mean that the government cannot interfere with each of our religious beliefs.

These words originally only applied to the federal government. Like equal protection and due process, they now apply to state governments, too. California and all the other states must respect the First Amendment.

Today, one-third of California’s believers are Roman Catholic. Many others are Protestant Christian, Buddhist, Jewish, Mormon, Hindu, Sikh, and Muslim. One-fifth of Californians have no religion at all. How did the state come to be so religiously diverse?

### **Early Religious History**

From north to south, some of California’s religious buildings give clues to this past. Diverse people have come and settled, bringing their cultures and religious traditions.



In Trinity County you can find the Joss House, the oldest Taoist temple in the state. Taoism is a traditional Chinese faith in “The Way,” or Tao. Chinese immigrants came to work on the railroads and settled in northern California in the 1800s. They built the temple in 1874.

The Joss House is located in Weaverville in Northern California. (National Park Service.)

Further south in Stockton you can find Temple Israel, the state’s oldest Jewish congregation. It was built in 1854. Many Jews immigrated to the state during the Gold Rush, including Levi Strauss, the creator of Levi’s blue jeans. They formed Jewish communities and built places of worship.

Even further south, you can find the Mission Basilica San Diego de Alcalá, the oldest Spanish Catholic mission. It was first built in 1769. San Diego County gets its name from this mission. Missionaries from Spain built 21 missions in California. The last one was built in 1823 in Sonoma County.

Diverse migrations of people came in the 20<sup>th</sup> century from Asia, Latin America, and Europe. They came from elsewhere within the U.S., too. That is why today different religious cultures live side-by-side.

### Challenges to Religious Freedom

Sometimes the rights of California religious groups conflict with each other. Minority groups' rights to practice their religions have been challenged. There were several examples of this in the twentieth century.

In 1933, male students at the University of California had to take part in military training. It was called the Reserve Officers Training Corps (ROTC). A group of male students requested not to participate in ROTC. They were members of a Christian church called the Methodist Episcopal Church. That church opposed all war.

The university denied their request. The students sued the university. Eventually, the U.S. Supreme Court heard their case. In the case of *Hamilton v. Regents of University of California* the young men argued that they were conscientious objectors (people who object to war on moral grounds). In 1934, however, the U.S. Supreme Court decided that the university did not have to exempt these students from ROTC training.

Two years later, a girl named from Sacramento refused to say the Pledge of Allegiance with her elementary school class. Her name was Charlotte Gabrielli. She belonged to the Jehovah's Witnesses, a Christian religion. Jehovah's Witnesses believed saluting the flag was a form of idolatry (worship of idols).

Her school suspended her because she refused to say the Pledge. Her parents sued the school and won at trial. In the 1938 decision in *Gabrielli v.*

*Knickerbocker*, however, the California Supreme Court upheld the mandatory



The Mission San Diego de Alcala is a National Historic Landmark.



Children saying the Pledge of Allegiance in a San Francisco school in 1942. (National Archives.)

flag salute. The court decided that the “training of school children in good citizenship, patriotism, and loyalty to state and nation” were too important to allow exceptions to reciting the Pledge. Therefore, the school could suspend Charlotte.

Many suspensions of Jehovah’s Witnesses occurred in California. In 1943, the U.S. Supreme Court held that Jehovah’s Witnesses did not have to go against their religion and say the Pledge in school.

Decades later, another California case affected religious freedom. In 1982, the U.S. Forest Service planned to build a logging road in Northern California. A six-mile paved road would cut through land that Native Americans used for religious rituals. Karuk, Yurok, and other tribes believed this land was sacred.

Native American individuals and groups sued the Forest Service. The case made its way to the U.S. Supreme Court as *Lyng v. Northwest Indian Cemetery*. The court held that the paved road through sacred land did not harm the religious freedom of the tribes.

Even today, minority and majority religious groups find ways to live together. Often, their conflicts lead to changes in the law. In all cases, however, laws must comply with the First Amendment. Each person’s freedom depends on it.

### **For Discussion and Writing**

1. What is the difference between the words about “establishment” and the words about “free exercise” in the First Amendment? Why do you think it is necessary to have both?
2. What are some of the reasons for such religious diversity in California?
3. Do you think these legal cases described in the reading deal with free exercise or with establishment? Why?
  - *Gabrielli v. Knickerbocker*.
  - *Lyng v. Northwest Indian Cemetery*.

## Should Knives Ever Be Allowed at School?

Fifth grader Rajinder Singh Cheema was playing basketball on the school playground. He had the ball and jumped up toward the hoop. His shirt lifted briefly. Under his shirt was a small “knife” strapped to his chest in its case. The school in California had a rule that said: **No weapons allowed at school.**

When the principal asked him why he brought the knife to school, Rajinder explained that it was not really a knife. It was a part of his religion.

Rajinder is a Sikh. Sikhism is a religion founded in India about 500 years ago. There are about 200,000 Sikhs in the United States. The knife (called a *kirpan*) symbolizes the religious duty to help people in need. It's a sacred symbol. In the Sikh religion, males wear the kirpan and are expected only to use it in a life or death matter. To Sikhs, wearing the kirpan at all times is very important. Here are some of the things that the kirpan stands for:

- coming to the aid of a person who needs help.
- preventing violence from being done to a defenseless person.
- the power of truth.

Rajinder's kirpan had a curved, rounded edge. He wore it in a case. It hung around Rajinder's neck under his clothing.

At Rajinder's school there was a very strict rule about weapons. No weapons of any kind were allowed at school. The principal was in charge of enforcing this rule. The purpose of the rule was to keep the students safe. Rajinder was not allowed to come to school with his kirpan because:

- no student can have any kind of knife, even a toy knife, at school.
- all of the students should feel safe while they are at school.
- students and parents need to feel sure that there are never any weapons on the school grounds.

**Question for Deliberation:** Should the principal allow Rajinder to wear his kirpan?

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## Deliberation Steps



Handout C

### 1. Learn about the topic.

Carefully read everything your teacher gave you to learn about the topic.

Write the Question for Deliberation here: \_\_\_\_\_

### 2. Form “Yes” groups and “No” groups.

Now you will get to work with a partner.  
You and your partner will be a “Yes” Group  
or you will be a “No” Group:

*Yes Group* – Make a list of all the reasons  
the answer to the question should be YES.

*No Group* – Make a list of all the reasons  
the answer to the question should be NO.

Make your list here:

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✓ *Put a check next to your very best reasons.*

### 3. Share and listen.

The Yes Group will share its best reasons first. The No Group will listen.  
Then the No group will share its best reasons, and the Yes group will listen.

### 4. Switch.

*Yes Group* — Write down the best reasons you heard from the No Group:

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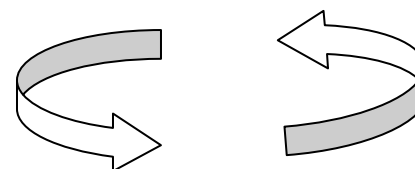
*No Group* — Write down the best reasons you heard from the Yes Group:

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Yes Group: Tell the students in the No Group what their best reasons were.

No Group: Tell the students in the Yes Group what their best reasons were.



### 5. What do you think?

Look at the best points in Step 4.

What do you think about the question?

You may answer “Yes” or “No” as you wish.

Share your own reasons.



# **California's Diversity: Past and Present**

## ***Lessons for the Fair Education Act of 2011***

### **Lesson 4: California Heroes Presentation**

#### **Overview**

In this lesson, students synthesize information they have learned about California's diverse cultural history into a presentation on someone they consider a hero from the state. First, they briefly review some of the names they have learned in previous lessons on diversity and civil rights in California. Then they engage in a research and role-play activity on someone from California whom they consider to be a hero.

#### **Time**

One to two class periods.

#### **Objectives**

Students will be able to:

- Create a presentation on a notable person from California's history.
- Enact their presentation in the role of the notable person.
- Outline and organize a bibliography.

#### **Compliance With the Fair Education Act**

This lesson is designed to comply with requirements under California Senate Bill 48 ("SB 48"), signed into law as the Fair Education Act in 2011. The act amended California Education Code Section 51204.5 to read as follows:

Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

The act also amended California Education Code Section 60040 to direct governing boards to "include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society...."

#### **Common Core State Standards Addressed**

**SL.8.1.** Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on *grade 8 topics, texts, and issues*, building on others' ideas and expressing their own clearly.

**SL.8.4.** Present claims and findings, emphasizing salient points in a focused, coherent manner with relevant evidence, sound valid reasoning, and well-chosen details; use appropriate eye contact, adequate volume, and clear pronunciation. (6) Adapt speech to a variety of contexts and tasks, demonstrating command of formal English when indicated or appropriate. (See grade 8 Language standards 1 and 3 on page 52 for specific expectations.)

**L.8.3.** Use knowledge of language and its conventions when writing, speaking, reading, or listening.

**WHST.8.7.** Conduct short research projects to answer a question (including a self-generated question), drawing on several sources and generating additional related, focused questions that allow for multiple avenues of exploration.

### **Materials and Preparation**

- Handout A: Who Is Your California Hero? (one for each student)
- Handout B: List of Notable People From California's History (one for each student)
- Handout C: Create a Bibliography (one for each student)

### **Procedure**

#### **A. Research Activity: Who is Your California Hero?**

1. Focus Discussion. Ask students: In what ways have we seen conflicts over civil rights take place in California?

*Look for: Examples from Lessons 1-3, such as racial conflicts (e.g., the Mendez Case and Byron Rumford), women's conflicts (e.g., Clara Shortridge Foltz), LGBT conflicts (e.g., Harvey Milk), and religious conflicts (e.g., Rajinder Singh).*

Tell students that since they have now seen a variety of conflicts over civil rights, they seen the importance that individuals can have in resolving these conflicts. They will learn more about important individuals through an interactive research project.

2. Distribute the **Handout A: Who is Your California Hero?** and **Handout B: List of Notable People From California's History**. Assign or have students select a hero to role play. Review the instructions with students. Check for understanding on the instructions and examples. Remind them that they must research and think about the following:

- The historical setting in which the hero lived.
- The hero's contribution to California's history, diversity, or civil rights.
- Important challenges the hero had to face.
- The hero's character, actions, and values or principles, especially those expressed in personal writings and speeches.

3. Distribute the **Handout C: Create a Bibliography** handout. Explain that all good historians cite the sources for all of their important statements, and that they will need to do the same. Explain that a bibliography is a list of sources, and review the instructions for creating a bibliography.

4. Allow time for students to research and prepare their presentations. If students are working in pairs, they should plan to introduce the hero to the class by creating an interview format for their role play. One student will play the role of the hero, and the other will play the role of interviewer. They should both do the research and know the answers to the questions. During the forum, one student will participate as the hero and the other as the interviewer.

### **B. Individual or Paired Activity — Presentation**

1. Call upon an individual or pair to present. Remind students that their Presentation should be no longer than three minutes.

2. Consider having the rest of the class write a question for the heroes while the next individual or pair prepares to “take the stage.” Some of these questions could be given to the students who portrayed the hero to select from to answer in a written assignment. The questions themselves could be used as a demonstration of students’ ability to frame relevant questions that can be answered by historical study and research.

### **C. Debriefing**

Debrief the activity by engaging students in a discussion using questions such as:

- Which heroes did you gain new respect for? Why?
- What was the most difficult part of the role play?
- What new knowledge did you gain about the heroes?
- What was the most important or valuable information source you used in your research? Why?
- Is there anything about the hero you studied that you did not know and wish you would have known before the presentations today? Was there any part of the hero’s life you wish you would have learned about in your research, but didn’t?

## Who is Your California Hero?

Imagine you could become a hero from California's history. A hero is someone who has contributed to the culture, politics, history, or economy of the state in a unique way. A hero can also be someone who has fought for civil rights in the state or nation.

Who would you want to be? What would you be like? You are going to get the chance to choose someone you consider a hero and play the role of that person in class.

You are going to prepare for a **Three-Minute Presentation**. This will be your chance to become the historic hero and introduce yourself to the rest of the class. The class should learn about your life during this presentation.

Follow these steps to prepare:

### Step 1. Choose a hero you will portray.

### Step 2. Research your hero to learn:

- The historical setting (what life was like at the time the hero lived).
- The hero's contributions to California's culture, politics, history, or economy.
- Important challenges (problems, obstacles, enemies) the hero had to face.
- The hero's character, style, actions, and values or principles, especially those expressed in personal writings and speeches.

### Step 3. Create a bibliography.

All good historians keep track of their information sources. You will need to create a bibliography showing the sources you used in your research. (Turn this in when you give your hero's presentation.) See the handout **Create a Bibliography** for details on creating the bibliography.

### Step 4. Prepare your Three-Minute Presentation.

Using your research as a guide, create a three-minute presentation to introduce your hero to the class. You may memorize your part or use notes. (If you use notes, only glance at them. Try to keep eye contact with the audience.)

Your presentation should help the audience understand:

- Where and how you (the hero) grew up.
- Challenges you faced.
- Why you are remembered today. What made you important.
- Important contributions you made.

### Telling the Story

It is important to use different information sources in your research. What one person says about the hero, another may disagree with. Good historical research is balanced and based on the most factual information the historian can find. Historians value sources that were written at the time and place they are studying. They also use the hero's actual words from speeches, letters, and other documents to tell the story accurately.

Consider...

- Using quotes from speeches or writings.
- Describing what you looked like.
- Using visuals to make your presentation more informative or interesting. (Pictures of your home or family, of a historical event you participated in, etc.)

**[CRF's Research Links](http://www.crf-usa.org/research-links/links.html)**

[www.crf-usa.org/research-links/links.html](http://www.crf-usa.org/research-links/links.html)

**List of Notable People From California's History**

You may choose someone from this list or find a name on your own.

Ansel Adams (photographer)	Archy Lee (historic litigant)
Luis Walter Alvarez (physicist)	William Leidesdorff (businessman)
Albert Armendariz (lawyer)	Jack London (author)
Gertrude Atherton (writer)	Theodore Harold Maiman (inventor)
Judy Baca (artist)	David Marcus (attorney)
David Belasco (playwright and director)	Aimee Semple McPherson (evangelist)
Shirley Temple Black (actress)	Harvey Milk (politician and LGBT activist)
Robert Bower (physicist)	Armando Torres Morales (psychiatrist)
Dave Brubeck (jazz musician)	Emma Nevada (operatic soprano)
Octavia E. Butler (science fiction writer)	Richard M. Nixon (U.S. president)
César Chávez (labor and peace activist)	Isamu Noguchi (artist/architect)
Julia Child (chef)	Nam June Paik (video artist)
Frederick G. Cottrell (chemist)	Harry Partch (composer)
James deAnda (federal judge)	Linus Pauling (scientist)
Marshall Diaz (activist)	Mary Ellen Pleasant (businesswoman)
Joe DiMaggio (baseball player)	Ronald Reagan (U.S. president)
Walt Disney (animator)	Sally K. Ride (astronaut)
Isadora Duncan (dancer)	W. Byron Rumford (politician)
Clara Shortridge Foltz (attorney)	William Saroyan (author)
John C. Frémont (explorer)	John Serrano, Jr. (historic litigant)
Robert Frost (poet)	Lincoln Steffens (reporter)
Charles P. Ginsburg (inventor)	John Steinbeck (author)
Reuben Lucius "Rube" Goldberg (cartoonist)	Mariano Guadalupe Vallejo (military commander and rancher)
Richard Pancho Gonzales (tennis player)	Earl Warren (U.S. chief justice)
Rodolfo Gonzales (boxer)	Yick Wo (historic litigant)
Vincent Anthony "Vince" Guaraldi (jazz musician)	Beatrice Wood (sculptor)
Lou Harrison (composer)	
Sidney Howard (playwright and screenwriter)	
June Jordan (poet and civil rights activist)	
Younghill Kang (author)	
Fred T. Korematsu (activist)	

## Create a Bibliography

Where did you get your information? This is a question that historians must answer. Since you will be acting as a historian on your project, keep track of your sources and create a bibliography. A bibliography is a list of the sources you used.

The sources may be books, periodicals (magazines and newspapers), Internet sites, films or videos, digital sources and CD-ROMs, and other materials.

It is important to use a variety of sources when you research. One source may say something that another source disagrees with. Historians are like detectives. They have to search for clues that lead them to the truth. Historians also have to pay attention to the kind of sources they use. They have to ask questions like:

- Is this source based on fact or fiction?
- Is the person who said this qualified?
- Do other historians seem to agree with what this source says?

You will only need to include the sources you actually used in your bibliography. Sources that turned out not to be useful, you do not have to include.

To create a bibliography, do the following:

1. List every source as you do your project.
2. When you finish, type or carefully write your bibliography. The title should be "California Hero Project Bibliography." List your sources by category. For example, books, Internet sites, etc. Use the form shown below for each category.
3. Put the items in alphabetical order by author's last name. (If you don't know the name of the author, put it in alphabetical order by its title.)

### Books

You need (1) the name of the author or editor or group that wrote the book, (2) its title, (3) city of publication, (4) publisher's name, and (5) date of publication.

Example:

Foner, Eric, *Story of American Freedom*, New York, W.W. Norton & Company, 1998.

## **Periodicals**

You need the (1) name of the author, (2) title of the article, (3) name of the periodical, (4) date of the periodical, (5) volume number of the periodical (if it has one), and (6) the pages the article is on.

Examples:

Martz, Carlton, "John Adams and the Boston Massacre Trials," *Bill of Rights in Action*, Winter 1999, Volume 16, No. 1, pp. 1-4.

Tamaki, Julie, "Saving Japanese American History," *Los Angeles Times*, Nov. 11, 2002, pp. B1 and B6.

## **Internet Sites**

If available, you need the (1) name of the author, (2) title of the work or the title shown at the top of your browser, (3) date the work was created, (4) name of the individual or group that owns the web site, (5) date you viewed the site, and (6) URL.

Example:

Martz, Carl, "FDR Tries to 'Pack' the Supreme Court," July 2000, Constitutional Rights Foundation, viewed Nov. 18, 2002, [http://www.crf-usa.org/bria/bria10\\_4.html](http://www.crf-usa.org/bria/bria10_4.html).

## **Films and Videos**

You need the (1) title of the work, (2) name of the distributor, and (3) date it was made.

Example:

*Eyes on the Prize*, PBS Films, 1987.

## **Digital Sources and CD-ROMs**

You need the (1) name of the author or group that created the work, (2) title of the work, (3) title of the source or CD-ROM, and (4) date it was published.

Example:

Constitutional Rights Foundation, "Coming to California," *MyTown*, 2011.



# **California's Diversity: Past and Present**

## ***Lessons for the Fair Education Act of 2011***

### **Lesson 5: Schools and Bullying**

#### **Overview**

In this lesson, students learn about bullying and cyberbullying in schools. First, they read and discuss a brief article about the causes and effects of bullying and cyberbullying, with a special emphasis on anti-gay bullying. Then, working in structured small groups, they will be provided scenarios of possible bullying. In these groups, they will evaluate each scenario to determine whether it is a case of bullying and what the policy should be to address the bullying.

#### **Time**

One to two class periods.

#### **Objectives**

Students will be able to:

- Define bullying and cyberbullying.
- Examine the causes and effects of bullying and cyberbullying.
- Explain the particular problem faced by schools in preventing and punishing bullying.
- Evaluate hypothetical scenarios of possible bullying.

#### **Compliance With the Fair Education Act**

This lesson is designed to comply with requirements under California Senate Bill 48 ("SB 48"), signed into law as the Fair Education Act in 2011. The act amended California Education Code Section 51204.5 to read as follows:

Instruction in social sciences shall include the early history of California and a study of the role and contributions of both men and women, Native Americans, African Americans, Mexican Americans, Asian Americans, Pacific Islanders, European Americans, lesbian, gay, bisexual, and transgender Americans, persons with disabilities, and members of other ethnic and cultural groups, to the economic, political, and social development of California and the United States of America, with particular emphasis on portraying the role of these groups in contemporary society.

The act also amended California Education Code Section 60040 to direct governing boards to "include only instructional materials which, in their determination, accurately portray the cultural and racial diversity of our society...."

#### **Common Core State Standards Addressed**

**SL.8.1.** Engage effectively in a range of collaborative discussions (one-on-one, in groups, and teacher-led) with diverse partners on *grade 8 topics, texts, and issues*, building on others' ideas and expressing their own clearly.

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

**RH.6-8.4.** Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies.

**WHST.8.1.** Write arguments focused on *discipline-specific content*.

- a. Introduce claim(s) about a topic or issue, acknowledge and distinguish the claim(s) from alternate or opposing claims, and organize the reasons and evidence logically.
- b. Support claim(s) with logical reasoning and relevant, accurate data and evidence that demonstrate an understanding of the topic or text, using credible sources.
- c. Use words, phrases, and clauses to create cohesion and clarify the relationships among claim(s), counterclaims, reasons, and evidence.
- d. Establish and maintain a formal style.
- e. Provide a concluding statement or section that follows from and supports the argument presented.

### **Materials and Preparation**

- Handout A: Schools and Bullying (one for each student)
- Handout B: A School Takes On Bullying (one for each student)

### **Procedure**

#### **A. Reading: Schools and Bullying**

1. Focus Discussion. Assess prior knowledge of the students about bullying. Ask students: What does it mean to bully somebody?

*Look for: It means to use force against somebody in a cruel way or to hurt somebody with words or actions for no reason, and to do it repeatedly.*

Ask students: How many of you think you have witnessed bullying happen at school or away from school this year? *Keep a tally of the responses.*

2. Tell students: Today you are going to learn about the problem of bullying, how to recognize it, and what schools can do to prevent and punish bullying.

3. Distribute **Handout A: Schools and Bullying**. The reading should take approximately ten minutes.

4. After they have read, you may want to discuss the **For Discussion and Writing** questions:

- What is bullying? Why is it a problem? *Accept reasoned responses. Look for: victims suffer depression, anxiety, problems at school, and sometimes suicide. Bullies are more likely to drop out of school and commit crimes in adulthood.*
- Many believe that the Internet has made the problem of bullying worse. Do you agree? Why or why not? *Accept reasoned responses.*

- Why do schools face a dilemma about punishing a bully when the cyberbullying occurs or originates off campus? *Look for: Schools are only responsible for discipline of students on campus or at school-sponsored events. The question for schools is how to address off-campus behavior that might affect the school environment.*

5. Tell students that they will now look at examples of possible bullying and how a school can address them.

## **B. Activity: A School Takes On Bullying**

1. Divide students into groups of four. Unless you have your own collaborative-learning practice in your class, each group should choose one person in each of the following roles for effective discussion:

**Spokesperson:** presents the results of the group's discussion to the class.

**Recorder:** takes notes of the discussion and prepares a summary of the main points of discussion to review with the Spokesperson.

**Timekeeper:** monitors the time available for discussion; keeps the group informed of time.

**Facilitator:** keeps the group on-task.

2. Distribute **Handout B: A School Takes On Bullying**. Read the instructions out loud with them, including the school's bullying policy. (NOTE: The policy is based on the California Department of Education's model school-policy on bullying.)

3. Instruct students that in their group, they will examine all ten scenarios and answer two questions for each:

- (1) Is this an example of bullying? Why or why not?
- (2) If so, what discipline should the school impose? Why?

4. Do not tell groups in advance which of the ten scenarios they will be responsible for reporting on.

5. Allow 10–15 minutes for discussion.

6. After discussion, have each Spokesperson share their group's answers for one or two of the scenarios. Depending on your class size, each group may share more than two scenarios. It is all right if some groups report on the same scenarios as other groups.

### **Notes for the Teacher on the Scenarios**

#### **1. Aldo and Max.**

(1) Is this an example of bullying? Why or why not? *Shoving and name-calling are bullying.*

(2) If so, what discipline should the school impose? Why? *Accept reasoned responses.*

## **2. Aldo and Max (Part 2).**

- (1) Is this an example of bullying? Why or why not? Aldo's threat to punch Max is probably bullying.
- (2) If so, what discipline should the school impose? Why? *Accept reasoned responses. Max's kick is not bullying but may be punishable under rules against fighting if it was not proportionate to Aldo's threat.*

## **3. Penelope and Rosetta.**

- (1) Is this an example of bullying? Why or why not? *Expressions of frustration or anger are not inherently bullying.*
- (2) If so, what discipline should the school impose? Why? *Most likely not.*

## **4. Marla and William.**

- (1) Is this an example of bullying? Why or why not? *The use of the Internet makes this an example of cyberbullying.*
- (2) If so, what discipline should the school impose? Why? *Accept reasoned responses. It happened on-campus, so the school may discipline William and others.*

## **5. Herman and Stevie.**

- (1) Is this an example of bullying? Why or why not? *The use of the Internet makes this an example of cyberbullying. It is social manipulation and therefore bullying under the school policy.*
- (2) If so, what discipline should the school impose? Why? *Accept reasoned responses. It happened off-campus, but the violence against Alex may connect Herman and Stevie's actions to a disruptive school environment.*

## **6. Ben and Teresa.**

- (1) Is this an example of bullying? Why or why not? *The use of the phrase "That's so gay!" is probably an example of bullying behavior based on sexual orientation, especially considering how it affected Ben.*
- (2) If so, what discipline should the school impose? Why? *Accept reasoned responses. It depends on Teresa's knowledge of past harassment of Ben and on her intent in using the phrase.*

## **7. Teresa and Giovanni.**

- (1) Is this an example of bullying? Why or why not? *Giovanni's deliberate attention toward Ben was taunting and is an example of social isolation.*
- (2) If so, what discipline should the school impose? Why? *Accept reasoned responses.*

## **8. Robert.**

- (1) Is this an example of bullying? Why or why not? Robert's use of the word "lesbians" to tease others is name-calling and social isolation.
- (2) If so, what discipline should the school impose? Why? *Accept reasoned responses.*

### **9. Arnie and Edwin.**

(1) Is this an example of bullying? Why or why not? *Arnie's e-mail is a direct threat to Edwin. The use of the phrase "bullet in you" is particularly disturbing.*

(2) If so, what discipline should the school impose? Why? *Accept reasoned responses. Remember the threat occurred off-campus on a Sunday.*

### **10. Lucy.**

(1) Is this an example of bullying? Why or why not? *Because the shirt has a message that singles out "homosexuals," it is probably bullying under the school policy against social isolation.*

(2) If so, what discipline should the school impose? Why? *Accept reasoned responses. Keep in mind school dress codes in addition to the anti-bullying policy.*

## **C. Debrief**

1. Debrief the activity. Questions to ask:

- Why is it important for schools to have anti-bullying policies?  
*Accept reasoned responses. Students may point to the cases of suicide or attempted suicide described in the reading. The model policy in the activity addresses the need for a "safe and healthy learning environment."*
- Was it difficult for your group to agree on any of the scenarios? If so, why?  
*Accept reasoned responses.*
- Do you think there is any amount of teasing that is acceptable at school? If so, what should the limit be?  
*Accept reasoned responses. Look for: "Teasing" that occurs between friends who are not likely to be offended by each other is probably good-natured or well-intentioned. However, if even that teasing involves anti-gay or other discriminatory language, it might be offensive or socially isolating to bystanders.*

## **D. Reflection Activity (Optional)**

1. Have students write a short essay answering the following question:

**What should schools, parents, and communities do to prevent bullying?**

2. Students may use information they learned in this lesson, from the activity, their own experience, and outside research. If they use outside research, they must provide citations to their sources.

## Schools and Bullying

**We often think schoolyard teasing is a normal part of growing up. Everyone seems to have experienced it or witnessed it in childhood. A good-natured joke between friends is one thing. Behavior that threatens students' safety and well-being is something else. We call such behavior bullying.**

Bullying is a type of unwanted aggressive behavior by one student or students against others who are victims. The behavior is repeated, or has the potential to be repeated. It also involves an imbalance of power. This means that the victim is weaker or more vulnerable than the bully.

### Types of Bullying

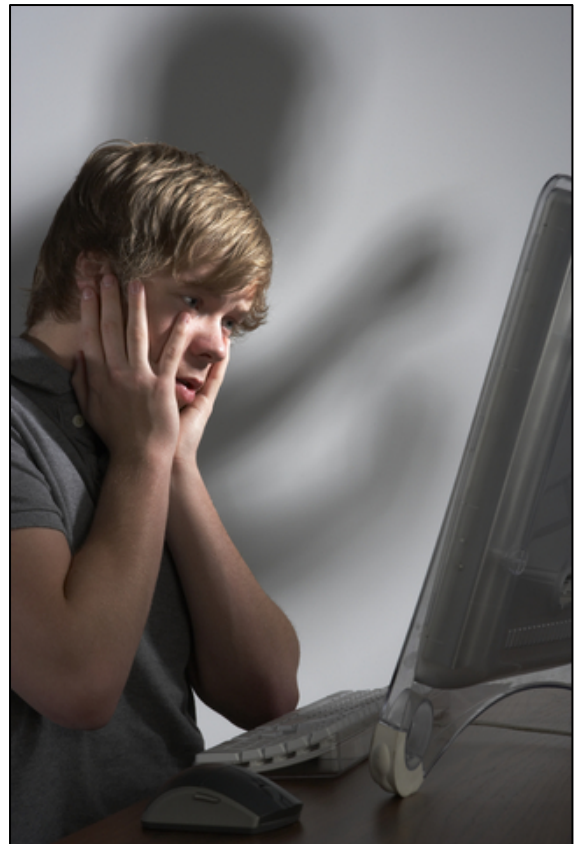
Bullying can be physical, verbal, or emotional abuse or harassment. In all cases, it involves a victim feeling intimidated. Physical bullying ranges from pushing and shoving to hitting and kicking, or worse.

Verbal and emotional bullying occur face-to-face or on the Internet. Bullying by electronic communication, like the Internet, is called "cyberbullying." Sometimes bullies reveal private information about people or spread rumors about them. Even verbal behavior can lead to emotional or physical harm. Bullying often involves discrimination, too, such as racism or "homophobia." Homophobia is prejudice against lesbian and gay persons.

### Effects Of Bullying

In 2010, a Massachusetts 15-year-old named Phoebe Prince committed suicide. She had suffered face-to-face bullying by other students. They called her a "whore" and a "slut." They wrote mean-spirited comments on Facebook. One student threw a drink can at her from a moving car.

After her suicide, several teens were charged with criminal harassment. This is a misdemeanor crime. This means it can have a sentence of up to one year in jail. Five teens were sentenced to probation and community service.



Bullies often feel more uninhibited online than face-to-face. Psychologists call this the "disinhibition effect" of cyberbullying.

Victims like Phoebe Prince may suffer depression. Depression is a state of mind that includes feelings of shame and hopelessness. Victims may also have anxiety and loss of self-esteem. They might develop relationship problems with parents and friends.

Bullying can also harm victims' school life. Many victims' grades fall. They also might stay home because of depression or fear of harassment. Severe bullying problems can cause dropout rates to rise.

Students who bully are more likely to get into fights, vandalize property, and drop out of school. Teenage bullies are more likely to be convicted of crimes in adulthood.

## **Anti-Gay Bullying**

Anti-gay bullying is directed at lesbian, gay, bisexual, or transgendered ("LGBT") students. In 2011, almost 82 percent of LGBT students experienced verbal harassment at school. Over 38 percent experienced physical harassment. The harassment was a result of bullies' homophobia.

In the 1990s, several students at a high school near San Jose, California taunted and harassed another student named Alana Flores. In her locker, Alana found threatening anti-lesbian messages, one of which stated, "We'll kill you."

Around the same time in that same school district, a student named Freddie Fuentes suffered physical and verbal abuse. Freddie was beaten by a group of boys in seventh grade at a bus stop in front of a school bus driver. There and in class bullies called him derogatory words for being gay.

Alana, Freddie, and other victims faced another problem. They complained to school officials but said they were ignored. Worse, Alana and Freddie said they were told their complaints were "too much of a fuss." Alana attempted suicide in her senior year.

These students sued the school district for not trying to stop the bullying. In the case, the federal court of appeals ruled that when school officials know about anti-gay harassment, they must take steps to protect students. The school district also began training employees and students about how to stop anti-gay bullying.

Sometimes a bully might perceive a heterosexual student as LGBT. It is important to remember that anti-gay harassment against heterosexual students is unwanted aggressive behavior. Therefore, it is still bullying.

## **Schools and Cyberbullying**

Cyberbullies might feel scared to say hurtful things in person. But on the Internet, they lose their fear. Social networks also allow cyberbullies to share hurtful messages with many others.

Schools face a dilemma about cyberbullying. Schools can punish bullying on campus. Much cyberbullying, however, starts off-campus. Cyberbullies might send messages from home computers or cell phones.

The California Education Code states that a student who engages in cyberbullying can be suspended or expelled. The code defines cyberbullying as “bullying committed by means of an electronic act...directed specifically toward a pupil or school personnel.” To be punishable the cyberbullying must be “related to school activity.”

In *Tinker v. Des Moines*, the U.S. Supreme Court held that schools could regulate student speech or expression that causes a “substantial interference” at the school. Sometimes, off-campus electronic acts interfere with school activity.

### **For Discussion and Writing**

1. What is bullying? Why is it a problem?
2. Many believe that the Internet has made the problem of bullying worse. Do you agree? Why or why not?
3. Why do schools face a dilemma about punishing a bully when the cyberbullying occurs or originates off campus?

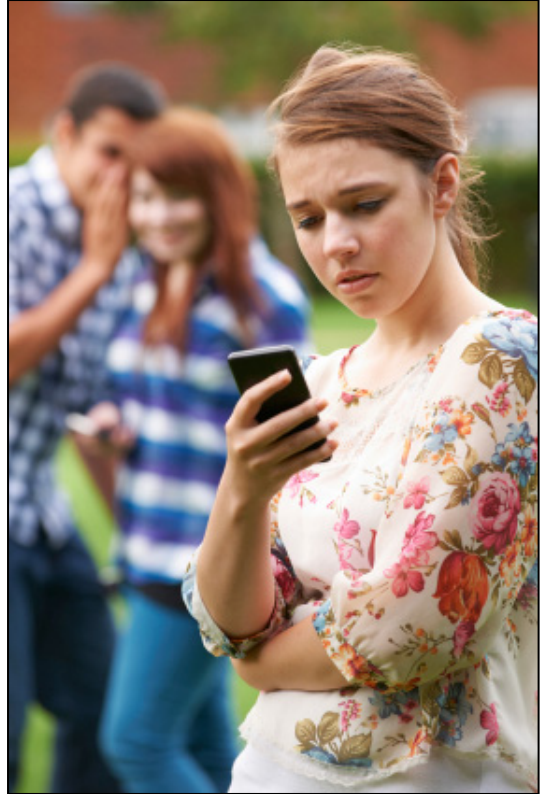


## A School Takes on Bullying

Each of the ten scenarios listed below involves an allegation of bullying at the hypothetical Fairville High School. The school has a policy on bullying:

The administration of Fairville High School believes that all students have a right to a safe and healthy school environment. The school will not tolerate behavior that infringes on the safety of any student. A student shall not intimidate or harass another student through words or actions. Such behavior includes: direct physical contact, such as hitting or shoving; verbal assaults, such as teasing or name-calling; and social isolation or manipulation. Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

This policy applies to students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.



In small groups, look at the scenarios and answer these questions:

- (1) Is this an example of bullying? Why or why not?
- (2) If so, what discipline should the school impose? Why?

1. Aldo is in 8<sup>th</sup> grade. Max is in 6<sup>th</sup> grade. In the school hallway during a passing period, Aldo shoves Max against a locker and says, "Step aside, punk!"
2. In Scenario #1 above, Aldo pulls his fist back, as if he is going to hit Max. In defense, Max kicks Aldo in the stomach.
3. Penelope and Rosetta work together on the Fairville High yearbook. They are usually friends, but have an argument over the artwork for the yearbook's cover. During lunch period, Penelope sends a text message to Rosetta. The message is "Don't talk to me today."
4. Marla is a new student at school. In the school computer lab, William sets up a page on Facebook called "Marla Go Home!" Several students post derogatory messages about Marla's appearance, calling her a "slob" and a "loser." Marla sees the page and leaves early. She stays at home for several days.

5. One Saturday, Herman and Stevie create a Facebook page impersonating Alex, a student they dislike. At Herman's home, the two use Alex's name and a photo of Alex to set up the page. In Alex's name, they post messages insulting other students. When Alex arrives at school on Monday, three students who believe they were insulted by Alex punch and kick him.
6. In a lesson in English class, the students are discussing a novel. Ben is in a group with Teresa. Many students have made fun of Ben before, believing he is gay. During the discussion, Teresa reads something in the novel she does not like and says, "That's so gay!" Ben stops discussing the novel and stays silent for the rest of the class.
7. In Scenario #4 above, Teresa's friend Giovanni looks over at Ben after Teresa says "That's so gay!" Giovanni points at Ben, laughs, and says, "Just like you, Ben!"
8. Robert is a popular "class clown" and often "roasts" other students by making fun of them in front of small audiences during passing periods and after school. One day, Robert sees two girls walking down the hallway side-by-side. He shouts, "Lesbians coming through!" Other students laugh.
9. Arnie and Edwin do not get along. One Sunday afternoon, Arnie sends threatening e-mails to Edwin. One e-mail reads, "I hate your guts! How about I put a bullet in you when I see you at school tomorrow? How do you like that?"
10. Lucy wears a t-shirt to school that has this message on it: "Homosexuals will burn in hell!"

NOTE: This lesson is adapted from the CRF lesson "Cyberbullying: Laws and Policies" included in the case materials for the 2010 mock trial *People v. Woodson*. The reading and activity has been modified.