

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 the FAIR Education Act of 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.

RI.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.

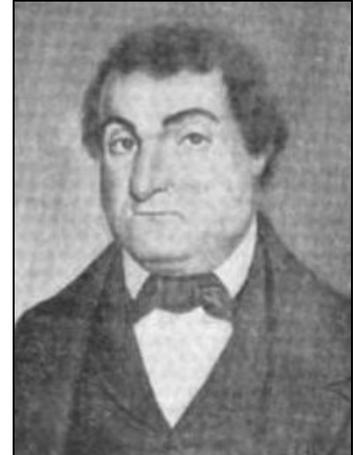
Mexican Heritage

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.



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.)

"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 black people 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 enslaved person, 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

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. Younghill Kang was a major 20th 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. Though the science fiction writer Octavia Butler did not speak publicly about being a lesbian, after her death, friends revealed that she was.

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.

In 1977, Judy Heumann led a 28-day sit-in of 150 people at a federal office in San Francisco. This action helped persuade U.S. Secretary of Health, Education, and Welfare Joseph Califano to enact civil rights protections for people with disabilities nationwide.

Today, there are almost 40 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?



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

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 46th 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 14th 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.

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- 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.)
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- 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.
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