

"Injustice anywhere is a threat to justice everywhere"

By Cassandra Alexander James Martin Middle School 8th Grade Social Studies USA/NC History

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Teaching Standard: See Appendix 1 for teaching standards addressed in this unit

Synopsis: Students will examine the roots of social injustice through the eyes and experiences of minority youth whose lives have become examples of disparity in America. Students will be able to evaluate the role children and young people played in the Civil Rights Movement as well as determine how their actions and sacrifice affect Modern Society today. Students will be able to answer the Essential questions for this unit as follows:

- What differing roles did children and young people play during the Civil Rights Movement as victims and activists?
- How did their actions and sacrifices effect changes in society then and today?
- Why does child activism still matter today?

I plan to teach this unit during the coming year to 8th *Grade Social Studies.*

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We will begin the curriculum unit by examining the Plessy vs Ferguson landmark case. The purpose of introducing this case is to provide students with the foundations of "separate but equal" This law set the precedents of how African Americans were treated "lawfully" in the south. Students will gain insight into the context of the period of Jim Crow laws in the south. This will lead our discussion into Jim Crow. We will define the term Jim Crow and how these laws were written specifically to keep African Americans oppressed in the south. Students will analyze pictures and view documentaries that captured what it meant to be a minority living in the south during the Civil Rights Era. Next, we will compare "separate but equal" doctrine to Modern Day Era. Students will answer on an exit ticket, "Is there any evidence that "separate but equal" still exists in our society today."

The next day we will discuss the legacy of Emmitt Till. Many historians believe that his tragic death started the Civil Rights Movement. We will analyze his role in the Civil Rights Movement and students will determine if his death have any impact of the Civil Rights Movement. How did his actions and sacrifice affect changes in society today? Moreover, why does Emmitt Till's life still matter today? In addition, we will compare and contrast Emmitt Till's death to the tragic death of Trayvon Martin. Student will evaluate if Emmitt Till and Trayvon Martin's death were both the result of social injustice. We will examine the lives of Emmitt Till, The Little Rock Nine, Brown vs Board of Education and "The Four Little Girls" just to name a few minority youths, who were instrumental during the Civil Rights Movement to evaluate how their actions and sacrifices affect changes in our society today.

For my student's final project, students will choose an African American whose life should be memorialize due to social injustice. Imagine, students have been assigned a space inside the African American Smithsonian dedicated exclusively to honor the young lives of individual or group that have been influential towards the struggle of African Americans obtaining social justice and equality. This expedition will be called "Fight the Power" Students will then design a memorial of that person or a particular group of people as a way of honoring them for our continual fight for equality and justice. Students will visually display their memorials around the room for everyone to participate in a gallery crawl.

Introduction

As a Middle School Social Studies Teacher, I have the opportunity to introduce to students, information about the past and demonstrate how historical events influences their lives today. Two of my most passionate subjects are the Jim Crow Era and the Civil Rights Movement, because I want my students to understand the roots of oppression that loomed over African American lives and empower them to know that young African American like themselves were influential in bringing social injustice to the consciousness of America.

Laws that govern our society today were written over 200 years ago. When the Declaration of Independence was written in 1776, it set the precedent to make laws equal and undeniable for all men. The founding fathers wrote, "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable rights, that among these are Life, Liberty and the pursuit of Happiness," The Declaration of Independence did not exclude the rights of African American, Native Americans and Latino Americans from these rights. However, in practice, "all men" is too often applied only to a specific group while it has continually oppressed others. For example, African Americans make up 13% of the population. Yet, they make up the majority of innocent defendants wrongfully accused of a crime and later exonerated.

A year ago, this country commemorated the 150th year anniversary of the Fourteenth Amendment. The Fourteenth Amendment states, "No state shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any state 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." This amendment was ratified on July 9, 1868 to assist newly freed slaves in guaranteeing them equal opportunity and eliminate oppression during the Reconstruction Era. Nonetheless, it did very little to protect the rights of African Americans until around the 1950s. Even today, this right that is guaranteed under the protection of Constitution is still being discarded for African Americans. The Central Park Five case where the rights of five African American boys were denied and were publicly incriminated by our now President of the USA, demonstrates the abuse of power in our government and the intentional denial of due process when it comes to African Americans.

Through this unit on Civil Rights, students will learn the sacrifices many minority youths made in showing the patterns of social injustice in this country and determine if social injustice for African Americans is still an issue in today's society. I am anticipating that students will also understand that there is still evidence of social injustice that exists today and how they are impacted by it.

School/Student Demographics

I am an 8th grade Social Studies Teacher at James Martin Middle School. James Martin Middle School is a Title 1 school, located in University Area on 6301 University Pointe Blvd. It has a population of 1,017 students. Our student demographics consists of 61% Black, 28% Hispanics, 4% Asian, and 4% white. James Martin continues to work towards improving academic achievement in the areas of Math and ELA. Last year's 8th grade Math EOG Scores, only 32.4% of students were on grade level compared to 58.3% in the district. Our 8th grade EOG reading scores were even lower. 27.8% were on grade level compared to 54.45% within the district. James Martin Middle School is faced with other challenges, as well that are common throughout the district, such as high teacher turnover and an increasing number of students that have limited English speaking homes. One of the goals at James Martin Middle School is to continue to build a strong community with outside organizations such as Chick-Fil-A and Elevation Church in University City. James Martin Middle is also working toward improving their relationship between teachers and parents, by establishing a PTA.

Rationale

Twice since Donald Trump's election as President of the United States I have been asked, wholeheartedly, by my students, "Can Donald Trump bring back slavery?" Instantly, my answer was 'no'. Still, it left me feeling that my students are experiencing a level of fear and intimidation solely based on their race. Pew Research Center recently conducted a survey where they found six out ten Americans believe that race relations in this country are bad. Fifty-eight percent of Americans believe that President Trumps handling of issue have intensified race relations in the United States. Even though I honestly do not believe that slavery would ever be legalized in the USA again, the abuse of power demonstrated by the police in relations to African Americans lately has had some effect on my students questioning their freedom as citizens in this country.

The founding principles of freedom and equality contradicts the reality in which most minorities live by in this country. Many laws and policies in this country were designed to serve a specific group and exclude others. Long before the Jim Crow era, minorities or people of color have been challenging laws that have become evidently not favorable to them. For example, innocent minorities are 7 times more likely to be wrongfully convicted of crimes than innocent white people. ⁱⁱ

Today, African American boys face the highest rate of being killed by the police at a rate of 96 out of 100,000 deaths. iii Michael Siegel conducted a research study on fatal police shootings between 2013 and 2017, using five key indicators to measure systemic racism in determining police violence: racial segregation, incarceration rate gaps educational attainment gaps, the economic disparity index, and employment disparity gaps for each state. He found that the higher the state's score, the more likely structural racism exists within the police force in that state. States like Illinois, Wisconsin, and Minnesota were the highest. iv These states have some of the highest unarmed African American shootings by police compared to the rest of the nation. Remember Philando Castile in 2016? He was unarmed when police shot him in an area outside of St. Paul Minnesota while his girlfriend aired it on Facebook Live. It's becoming far too common to turn on the news and watch the headline read of another young African American male life has been lost and no one is held accountable. The message that this translates to in the consciousness of society is that minorities are expendable. For this reason and many others, I believe that minorities have to continuously build ourselves up and create social movements like "Black Lives Matter." This curriculum was designed to engage the learner in understanding the historical context of the Civil Rights Movement and bring the awareness of social of injustice that still plagues our society today.

My students probably have heard of Mike Brown, Tamir Rice, and even Jamar Clark. It is unlikely if they have ever learned about Claudette Covin, Elizabeth Eckfords or even the Children's Crusade. Their names are synonymous to courage and determination and should be remembered because of their sacrifices to gain equality. I have a strong responsibility to educate, engage and encourage all of my students to examine these case studies and in hopes of bringing about a change in society.

It is historically noted that Civil Rights Era were between 1954- 1970s. Even before the marches of Martin Luther King Jr and the protest of Rosa Parks, African Americans have had to prove to the government why they were worthy of rights that were already granted in our constitution. In fact, the first documented case that legally challenged segregated schools actually happened in 1849 with the Roberts v. City of Boston case, which argued that legalized segregation psychologically damaged black students. The roots of the modern civil rights era began with the desire to be free, to be equal, and to be unrestricted in movement and opportunity. As a result, African Americans have to work through the legal system to gain, maintain, and in many cases regain, their rights.

Unit Goals

This curriculum unit will be taught during late winter during the Reconstruction and NC Unit and the Turn of the Century Unit; and extend into the Civil Rights and the Post War Era Unit. The goal of this unit is for students to make a connection with learning about the past and discovering how relevant it is in the present. Students will compare key individuals and events during the Civil Rights Movement to modern issues to determine if social injustice is still an issue in the African American community.

Beginning with the Jim Crow era, I will introduce students to laws that were written to maintain oppression against freed slaves in the south. Students will be given a quick lesson on Jim Crow laws that entail images of what Jim Crow actually meant to southern minorities. After our open discussion about Jim Crow, we will do a quick write as a reflection. Reflection questions will begin with;

- I feel...
- I think...
- This reminds of...
- I wonder...
- This is like...

I will guide students through most of the content through notetaking. Students will use Cornell Notes as a standard for all notetaking. As an exit ticket after each lesson, I will give students a sticky note for them to reflect, "Why does it still matter?"

The Civil Rights Era has been well documented on film. Documentaries such as "Eyes on the Prize," "Four Little Girls" just to name a few, will serve as video resources for students to fully witness what it was like during this period. These stories are rich with information and primary accounts of these events happening and how the law unfairly represented the outcome in most of these cases. These documentaries are powerful but necessary to explain show how unjust our judicial system is.

- Students will be able to see first-hand account of what it was like for African Americans in the south.
- Student will be able to compare young minorities during the Civil Rights Movement to modern day African American issues of social injustice.

- Students will be able to analyze pictures during the Civil Rights Movement as well as African Americans during modern times and respond with quick writes (Reflections) using I feel...I think...This reminds of...I wonder...This is like...
- Students will be able to answer/reflect on daily "Why does it matter?"
- Students will be able to explain what Jim Crow laws are and how it affected the way African Americans lived in the south.
- Students will be able to compare and contrast the Civil Rights Movement to modern times activism like Black Lives Matter.

Content Research

Injustice for African Americans has a long history in this country. However, the landmark case Plessy vs Ferguson was the beginning of African Americans fight for change. In 1892, the state of Louisiana had a law called the Separate Car Act. Under this law, conductors were trained to ask passengers riding in the first-class train car, "Are you colored?" On June 7th, 1892, Homer Plessy who was ½ black answered proudly, "yes" which lead to his arrest when he refused to move to the "colored" section of the train car. Plessy's arrest eventually led him to jail and eventually to the state court to challenge the Separate Car Act. John Howard Ferguson was the presiding judge over the state case and ruled that the state of Louisiana had the right to regulate railroad companies. Ferguson's ruling over Plessy's case went all the way to the Supreme Court. The Supreme Court ruled that facilities for black and whites could remain separate as long as they were "equal." The "separate but equal" doctrine was quickly extended to cover many areas such as restaurants, theaters, restrooms and public schools all over the south. The Supreme Court of the United States determined that if legislation makes distinctions based on race, but does not deprive anyone of rights and privileges, then it is constitutional. This catapulted the Jim Crow Era."

Who or what was Jim Crow? Jim Crow was a slang term for a black man in the south. It meant that any southern state could legally establish laws that segregated one group of people from another based on race. After the Civil War, the Reconstruction Era afforded blacks many opportunities that they had been denied for so long as slaves. Black towns sprang up over the south where they began to make political and economic advancement by registering to vote. Black own businesses were established. Even some blacks held political office, like Edward G Walker and Charles Lewis Mitchell who were elected state legislator or Massachusetts. Some southern whites felt that freed blacks were getting away with too much freedom and needed to be controlled. They (southern whites) were becoming increasingly uncomfortable with freed black political and social advancement. Because of this fear, laws were created to keep African Americans "in their place."

Jim Crow or segregation became the way of everyday life in the south. It became legal to serve blacks from the side entry of a restaurant rather than to sit at the counter. It was legal for blacks to walk for miles to attend underprivileged schools while whites attended schools with better resources for learning. It was also legal for a black person to unquestionably, offer their seat to a white person, if there were no more seats for them to sit in. These are some examples oppressed laws that divided society and placed restraints on only one particular group of people.

Segregation laws were not the only means that white southerners used to exert their superiority over blacks. White southerners also used the lynching as means executing blacks, whom they felt were not abiding to their rules of social control. Since 1880, white southerners relentlessly used lynching as an act of terror to spread fear into Blacks. It was also used for the purpose of allowing whites to demonstrate their control over the social, economic and political aspects in the south.

According to an article titled, "*History of Lynching*" from the NAACP website, "4,743 lynching occurred in the United States between1882 to 1968." vi On record, 3,446 were black. While blacks make up the minority in population, they made up 72.7% of people that were lynched. Only 1,297 white people were documented to be lynched. Whites were lynched for reasons like, helping a black person or being anti lynching and even for domestic crimes. "Mississippi had the highest number of lynching from 1882-1968 with 581. Georgia was second with 531, and Texas was third with 493. 79% of lynching happened in the South", the *History of Lynching* noted. vii

The most horrific lynching story that has been told repeatedly is the lynching of Emmitt Till. He was just a 14-year-old African American boy visiting his family in Money, Mississippi from Chicago, Illinois when he was dragged out his uncle's home and murdered in the middle of the night. His alleged crime was the unthinkable to any black man in the south. Carolyn Bryant, the white woman working at the store register, accused Till of touching her right hand and asking her out on a date. When Bryant pulled her hand free, Till allegedly said to her, "You needn't be afraid of me, baby I've slept with white women before." When her husband Roy Bryant became aware of the incident, he immediately rallied up a few other men, including his half-brother, John W. Milam and kidnapped Till in the middle of the night. What happened next was a gruesome lynching a young black boy that created a pouring of outcry across the nation. For African Americans living in the south, it manifested a feeling of helplessness. Cleveland Sanders remembers, "I was devastated. Emmitt Till could have been me or any other black kid my age." "iii

Emmitt Till's murder demonstrated on a world stage the brutal and realization of Jim Crow in the south. His trial brought reporters as far as London to Sumner, Mississippi. Every lawyer in the county donated their services and collected \$10,000 the defense lawyers of J. W Milam and Roy Bryant. The all-white and all-male jury were carefully selected with the help of the county sheriff to select jurors who were "safe." District Attorney Gerald Chatam, gave a moving closing argument to the jury citing, "They murdered that boy and to hide that dastardly cowardly at, they tied a barbed wire to his neck and a heavy gin fan and dumped him into the rivers for the turtle and the fish." He concluded that the two defendants, Roy Bryant and J.W. Milam, "were dripping with the blood of Emmitt Till." As a rebuttal, the defense attorneys told the jury, "Every last Anglo-Saxon one of you has the courage to set these men free." After a sixty-seven minute deliberation, that included laughter and enjoying a coke, to make themselves appear as if they are taking their time, the jury returned a 'not guilty' verdict. African Americans, particularly in the south immediately called for the federal legislation to protect their civil rights.

How can the death of a young African American male that happened over 64 years ago remained as hurtful, impactful as the day it happened? Because it is still happening today. Young African American males are being innocently killed at the hands of authority and little or nothing is being done about it. Emmitt Till's story is a story that shows how African Americans lives are devalued and how the justice system has allowed the ranks of privilege and power to create a social pattern of injustice towards a specific group of people. Emmitt Till's forward mannerism towards a white woman in the south was unthinkable during the Jim Crow Era. However, his murder was not just about him. "It was and is about every black kid, like him expanding from the Mississippi Delta all the way to a gated community in Florida 57 years later. Emmitt Till is to America what Anne Frank is to Germany, a child martyr to a national evil. His torture and murder symbolize the regime that brutalized his people for decades. Like Anne Frank, he was an innocent, destroyed by "adult" hatreds and institutions."xi

The death of Trayvon Martin brought to the surface a nationwide outcry of racism, racial profiling, implicit bias and police brutality among the African American community. Martin's death also sparked painful remembrances of racial subordination and oppression against African Americans through senseless killings. On the night of February 26, 2012, seventeen-year-old Trayvon Martin was walking home from the store when he was trailed by his killer George Zimmerman. It was not until the following day of his murder, that his father identified his body and began to seek information regarding the death of his son. His killer George Zimmerman was brought in to the police department, the night of the murder, only for questioning. He was later released. No formal charges were brought against him initially because Zimmerman claimed self-defense and was protected under Florida's 'Stand Your Ground Law.' It was not until Tracy Martin's (Trayvon Martin's father) lawyer began to issue press conferences that Trayvon Martin's death became a part of the consciousness of society. After national attention and continual press from the media, and 1.3 million signatures to petition the arrest of Zimmerman, the Sanford police finally brought formal charges against him. Yet again, this begins another case that divides society along the lines of race.

Trayvon Martin's murder drastically happened at a time when this nation had elected its first African American President, Barack Obama. The black middle class was making strides and prospering. Immediately, his death sent shock waves through the African American community, noting the fact that his killer was not in custody for his murder. For a brief moment, after his arrest there was a sign of hope and restorative confidence in the judicial system. That only lasted until the verdict of Zimmerman was returned: 'not guilty.'

Once again, for African Americans, it felt like we had been here before. And we had been, fifty-eight years earlier with the murder of Emmitt Till. There are some obvious parallels between the death of Martin and Till. Both went to a store the night of their death. Both did something that could be deemed as wrong in society. For Till, his mannerism was out of place. For Martin, he was 'out of place' in reference to living in a gated community. Both of their killers were found not guilty. "Zimmerman's not guilty verdict reminds us of an era that we hoped was over," xii stated Nicolaus Miller, in a Blog for Huff post. Notably, media mogul Oprah Winfrey remarked on the 'Today Show' that Martin's death reminded her of the horrific murder, or rather lynching of 14-year-old Emmitt Till in 1955. She proclaimed, "Trayvon Martin,

parallel to Emmett Till. Let me just tell you, in my mind, same thing." She also added, "But you can get stuck in that and not allow yourself to move forward to see how far we've come." xiii

Even though Till's and Martin's death happened in two different eras, pre-Civil Rights and post-Civil Rights, "they both were the results of the same "race-based forces and the same racist tropes that worked in the past—a past that we do not and cannot deny was steeped in the ugliest forms of race hatred—are still operating in today's society." xiv The death of Till and Martin demonstrate a pattern and practice of racism that continue to plague society's responsibility to exercise social justice for African Americans. "It details the role that space and Whites' desire to remain physically separate from Blacks plays in current practices of racism and the maintenance of white racial domination."xv

A year before the death of Emmitt Till, the Supreme Court overturned the 'separate but equal' doctrine that was the ruling of Plessy vs Ferguson case, in a new landmark case known as Brown vs Board of Education. Brown vs Board of Education established racial segregation in public schools were unconstitutional. It would be three years after this ruling that nine African American teens from Little Rock Arkansas would make their own attempt to integrate an all-white high school in Little Rock Arkansas. In September, 1957, Thelma Mothershed Wair, Minnijean Brown Trickey, Jefferson Thomas, Terrence Roberts, Carlotta Walls LaNier, Gloria Ray Karlmark, Ernest Green, Elizabeth Eckford, and Melba Pattillo Beals started their day typically like any other teenager. They were excited to wear their new clothes and be surrounded by their friends and hopeful of attending a new school. Little did they know that they would be greeted by an angry mob, that were willing to do whatever they felt necessary to keep these nine African American students from integrating their school. Governor Orval Faubus of Arkansas, at the time used every leverage of power that he had to block their entrance into Central High School that morning and many mornings to follow. He and many of his white supporters were not willing to accept the Supreme Court ruling and continued to defy the constitutional law.

From that day, 65 years ago, how far has this country moved towards fully integrated all schools? Not far at all. In fact, it appears that schools are becoming increasingly re-segregated. "The share of 'intensely segregated' black schools has trebled over the past 25 years, according to research by the Civil Rights Project at the University of California, Los Angeles (UCLA), which warns of a "resegregation" taking hold."^{xvi}

Today, eight out of the nine Little Rock Nine are still alive today. When asked how the Little Rock 9 would feel about their courageous efforts to integrate schools has not left a significant change in our educational system today. Justin Reid, director of African American programmes at the Virginia Foundation for the Humanities, says: "I think the Little Rock Nine would have to be disappointed. We're regressing. The peak time for integration was the 70s and 80s. We now live in a society where there is more segregation than ever before." "The US is still segregated by housing and employment, which are the two pillars we still have to struggle with," "xvii he says.

In 1965, an attorney named Julius Chambers filed a lawsuit on behalf of six years old, James Swann to desegregate schools in Charlotte Mecklenburg Schools. During this time, CMS was one of the largest and most diverse school districts in the country. Yet, with 24,000 African Americans students, 14,000 attended schools that were at least ninety-nine percent African American. The school assignment plan that they were using was still racially biased. It did very little to eliminate educational inequities for their students. The school board created a plan to make school assignments based on geographic basis. Chambers and ten pairs of parents that sued the district still were not satisfied. It was not until CMS sought outside help from a Rhodes candidate that idea of busing would be fully utilized throughout the district.

In 1971, Charlotte became the national leader in school integration when the Supreme Court ruled in favor of James Swann in the landmark Swann v. Charlotte-Mecklenburg Board of Education case. The ruling of this case ordered the district to use student assignment and busing to integrate its schools. Busing became the most effective means of illuminating predominately African American schools. White students strongly protest the practice of busing in the beginning. It was not until 1975 that all schools within the district were desegregated. By the 1990s, the district introduced an option to busing when they established magnet schools.

School integration for CMS took a huge step backwards when a federal appeals court declared Charlotte-Mecklenburg's racial integration plan illegal in 2001. "Today, Charlotte-Mecklenburg school are the most racially segregated in North Carolina"xviii according writer, Bruce Henderson, contributing editor of the Charlotte Observer. In this article Bruce pointed out a report from the liberal NC Justice Center's Education and Law Project stating that, "the state's public schools remains an 'unfinished act' since the Supreme Court's 1954 Brown v. Board of Education ruling, which prohibited racial segregation in school"xix. Charlotte-Mecklenburg is among six large systems – including Wake, Pitt, Nash-Rocky Mount, Guilford and Harnett – that have become increasingly segregated, it says. A "racial dissimilarity index" the report calculates, shows that Charlotte-Mecklenburg would need to reassign 55 percent of its students to achieve racial parity across its schools; making it "by far the most racially segregated district in the state,"xxx the report says.

Charlotte-Mecklenburg is also among the state's school districts that have the largest increases in income-based segregation. Demographic shifts, residential segregation patterns and changing political attitudes have all affected the extent of integration in schools. More school are now racially and economically "isolated," than before. CMS school board have a huge challenge to create a racially and economically balanced school plan that closes the achievement gap. Unfortunately, the results of the school district's school assignment plan have shown that white students in the district's low-poverty schools have the best shot by far at getting top-notch teachers and graduating ready for college, while black and Hispanic students in high-poverty schools are left behind. "A major focus of Charlotte-Mecklenburg School's new plan will be breaking the link between poverty and academic achievement to close gaps and reach educational equity in our community," CMS spokesman Brian Hacker said.

In April 1989, five African American teens ranging from the ages 14-16 were arrested and coerced by NYC detectives, to confess to a crime they did not commit. Steve Lopez, Antron McCray, Kevin Richardson, Yusef Salaam, Raymond Santana, and Korey Wise became publicly known as the 'Central Park Five'. These five teens had three things going against them the night Trisha Meili, a twenty-eight-year-old white woman jogging in Central Park was raped. The five teens were black. They were young. Moreover, they were at the wrong place at the wrong time. There was no other shred of evidence to have convicted them of this heinous crime. When the media became knowledgeable of their arrest, it created a frenzy, citing a word like 'Wilding' on the front page of every newspaper to imply the perpetrators were violent and uncontrollable. Even our now president, took the liberties of a buying a full-page ad in the newspaper calling for their execution. Without the presences of their parents, these teens were psychologically pressured and aggressively interrogated, at the hands of homicide detectives for a confession.

Because of the seriousness of the crime, the Central Park Five were tried as adults. Despite the inconsistency and inaccuracy of their testimonies, no eyewitnesses or DNA found, they were convicted of rape and jailed from five to fifteen years. Carl Suddler, an assistant professor at Emory University and author of *Presumed Criminal: Black Youth and the Justice System in Postwar New York* wrote in his article in the Washington Post "unfortunately, the story of the Central Park Five was not exceptional. It fits a historical pattern of unjust arrests and wrongful convictions of black and Latino young men in the United States, one that even DuVernay's series cannot fully address." ^{xxii}

On December 19, 2002, Justice Charles J Tejada vacated the thirteen-year-old conviction against the Central Park Five when new evidence was admitted in their case. Serial rapist Matias Reyes confessed to the crime of raping Trisha Meili in addition to his DNA matched the crime scene. The now men have been exonerated from this case. They are no longer noted as the Central Park Five. Today, they are referred to as the Exonerated Five. Since 1989, more than 2,425 wrongfully convicted people have spent more than 21,000 years behind bars according the National Registry of Exoneration. *xxiii*

A similar incident happened over 58 years ago. Before the Central Park Five, there was the Scottsboro Boys. Who were the Scottsboro Boys? During the Great Depression, many Americans, black and white, moved from place to place by means of hitching rides aboard freight trains in search of work. On March 25, 1931, a group of nine Black teenagers ranging in age from 13 to 19 aboard one of those trains got into a fight with a group of white male youths onboard the same train as them. When the train stopped in Scottsboro, Alabama and the black teenagers as well as the white males they fought were kicked off the train. To everyone's surprise, two young white women also emerged off the train with them. In order for the women not to be looked down upon, they accused the nine Black boys of raping them. The women, named Ruby Bates and Victoria Price, convinced the police and the jury that all nine black boys allegedly raped them. Only four of them had known each other before their arrest. As news spread of the alleged rape (a highly inflammatory charge given the Jim Crow laws in the South), an angry white mob surrounded the jail, leading the local sheriff to call in the Alabama National Guard to prevent a lynching. **xiv**

In the first set of trials in April 1931, an all-white, all-male jury quickly convicted the Scottsboro Boys and sentenced eight of them to death. The trial of the youngest, 13-year-old Leroy Wright ended in a hung jury when one juror favored life imprisonment rather than death. A mistrial was declared, and Leroy Wright would remain in prison until 1937 awaiting the final verdict on his co-defendant.xxv

The experiences of African Americans murdered and terrorized by mob violence for generations between Emancipation and the struggle for civil rights, alongside the virtual inaction of local and federal law enforcement and lawmakers, lay the groundwork for the inequality and injustice we face today. Understanding the current system's roots in racism and dehumanization is critical to extracting the problem and creating changes that would serve the African American community.

The report *On Views of Race and Inequality, Blacks and Whites Are Worlds Apart* states that 88% of African Americans believe that this country needs to continue to make changes for blacks to have equal rights with whites. However, only 43% actually believe that those changes will ever occur. Four out of 10 whites believe the country will eventually make the changes needed for blacks to have equal rights, and about the same share (38%) say enough changes have already been made. This renewed focus of race and inequality has come about due to the increasing number of deaths of unarmed African Americans during encounters with the police as well as racially motivated shooting that killed nine African Americans at church in Charleston SC in 2015. 84% of African Americans say that people of color in this country are treated less fairly than whites in dealing with the police, and three-quarters say blacks are treated less fairly in the courts. **xvi**

The persistent presumption of guilt and dangerousness assigned to African Americans has made minority communities particularly susceptible to the unfair administration of criminal justice. Research demonstrates that implicit bias impacts policing—marking young men of color for disparately frequent stops, searches, and violence—and all aspects of the criminal justice system, leading to higher rates of childhood suspension, expulsion, and arrest at school; disproportionate contact with the juvenile justice system; harsher charging decisions and disadvantaged plea negotiations; a greater likelihood of being denied bail and diversion; an increased risk of wrongful convictions and unfair sentences; and higher rates of probation and parole revocation. xxvii

Research has shown that racial prejudice is directly related to public support for "tough on crime" laws that lead to long sentences and mass incarceration. It has become deeply entrenched in our society the presumption that people of color are dangerous and guilty. According to a 2014 study, informing white Americans' about racial disparities in incarceration rates led to *more* fear of crime and *more* support for punitive criminal justice policies.

Law enforcement officials often try to rule out racism, when black people were killed by police. However, a team of researchers at the Boston University School of Public Health recently found a correlation between structural racism and black white disparities in fatal police shooting. For every ten-point increase in the state racism index there's a corresponding 24 percent increase in unarmed black people killed by police compared to white people killed in the same conditions.

This means the more racist a state is found to be based on the indicators, the higher the rate of unarmed minorities are killed by police officers. Black men 2.5 times are more likely than white men to be killed by police research estimates. Young adults are more likely than older people to be kill by police. **xxviii*

Teaching Strategies

Day 1 SWBAT examine the "separate but equal" doctrine ruling delivered from the Plessy vs Ferguson Case.

Does separate facilities actually mean equal?

I will separate students according their cellphone brands. I will have students that have IPhone sit in the front of the room, whereas students that have an Android sit in the back of the room. Next, students that have IPhone will be given new textbooks to use for class. Students who have Androids will used copied pages from the textbook. Students with IPhone will also be allowed to line up first in front of the students with androids. After these demonstrations, I will ask students if "separate but equal" fair? Students will then reflect on the experience. I feel, I think, this reminds me of... I wonder.

Next, I will guide students through reading and examining the Plessy vs Ferguson landmark case.

Under the laws of the time, many public facilities were segregated by race. The precedent-setting Plessy v. Ferguson case, which was decided by the Supreme Court of the United States in 1896, allowed for such segregation. In that case, a black man, Homer Plessy, challenged a Louisiana law that required railroad companies to provide equal, but separate, accommodations for the white and African American races. He claimed that the Louisiana law violated the 14th Amendment, which demands that states provide "equal protection of the laws." However, the Supreme Court of the United States held that as long as segregated facilities were qualitatively equal, segregation did not violate the 14th Amendment. In doing so, the Court classified segregation as a matter of social equality, out of the control of the justice system concerned with maintaining legal equality. The Court stated, "If one race be inferior to the other socially, the constitution of the United States cannot put them on the same plane."

Students will work within a group of four to discuss the following questions regarding the Plessy vs Ferguson case.

Describe New Orleans during the Reconstruction period.	
• What were the facts and the central issue of <i>Plessy v. Ferguson</i> ?	
What was the impact of <i>Plessy v. Ferguson</i> on American society?	
What happened to the civil liberties of people of color after the verdict in <i>Plessy v. Ferguson</i> ?	

Conclusion: Student will be given a sticky note to respond to the question," Can Separate Ever be Equal?' Student will post their answer on a poster sheet that displays the question.

Day 2 Objective: Students will create a tri-foldable reflecting the dangers, images of Jim Crow had on African Americans as well as White Americans.

Students will be asked to predict, "Who was Jim Crow?" Teacher will guide students through images that gives representation of what/who "Jim Crow" was.



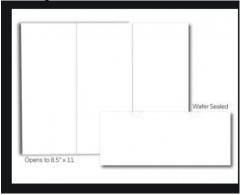




After students have viewed images that represents the way of life in the south "separate but equal", students will respond with a quick write...

- I feel...
- I think...
- This reminds of...
- I wonder...
- This is like

Teacher will guide students through notes for a further understanding of the name "Jim Crow came from and how these laws were used to justify the oppression of African Americans. Students will be prompted to fold a paper like a brochure (tri- fold) In the center of the tri-fold, students will title "Jim Crow". Underneath the word Jim Crow, students will write the definition of Jim Crow. Students will then label one side African Americans and the opposite fold, White Americans. Students will then draw an image that best represents Jim Crow. They can research an image or choose one that was shown in class. Then students will respond to this statement "The Dangers of Jim Crow and write down 5 thoughtful responses to explain how these images had impacted the lives of African Americans as well as White Americans.



Day 3 Objective: Students examine the death of Emmitt Till's Death and create (design) a memorial that represents his legacy."

Teacher will introduce students to the legacy of Emmitt Till by first showing them a video clip from, Eyes on the Prize.

Students will reflect on the video by answering these questions;

- What role did he play in Civil Rights Movement?
- How did his actions and sacrifices affect changes in society today?
- And why does it still matter today?

Does Emmitt Till deserve a memorial?

Teacher will open the lesson with listening an NPR story, "Why Don't Y'all Let That Die?' Telling The Emmett Till Story In Mississippi https://www.youtube.com/watch?v=NpY2NVcO17U (Eyes on the Prize; Awakening 1954-1956.



https://www.npr.org/2019/08/28/755024458/why-don-t-y-all-let-that-die-telling-the-emmett-till-story-in-mississippi

While listening to the NPR, students will take notes about the life of Emmitt Till and opinions of that believe his legacy should be memorialized.

I will show students the memorial of Emmitt Till and ask students if this memorial is well deserved of his legacy.

Teacher will show video/documentary clip about Emmitt Till's murder "why do you think 65 years later, there is a need for the Emmitt Till memorial to be vandal-proof?' Students will engage in a Think-Pair-Share before presenting their responses to the whole class.

In conclusion, students will create a memorial (illustration) that they believe is well suitable for the legacy of Emmitt Till.





Day 4 Objective: Students will compare and contrast the legacy of Emmitt Till to Trayvon Martin. Students will write an essay reflecting, "Should Trayvon Martin's Life be Memorialized?"

Teacher will review the previous lesson on Emmitt Till. Students will identify specific characteristics relevant to Emmitt Till.

Teacher will ask students if they have ever heard of Trayvon Martin. Students will complete a KWL on Trayvon Martin.

Teacher will lead a discussion on Trayvon Martin's case. Teacher will use notes as well as clips from the documentary such as Rest in Power: The Trayvon Martin Story - Season 1 - TV ...

Teacher will guide students through identifying the similarities and differences between Emmitt Till's life and Trayvon Martin through use of a Venn diagram.

Students will use their Venn Diagram to write an essay answering, "Should Trayvon Martin's Legacy be memorialized?"

Day 5

Objective: Students will understand the history of lynching and the role it has played on injustice for African Americans in modern society.

Teacher will instruct students on the definition of lynching. Student will witness images of lynching in the south.





Teacher will ask students should there be a memorial to remember the thousands of African Americans lives that were lost due to lynching? Where would it be and what would it look like?

Teacher will introduce students to the lynching memorial by showing them a virtual tour of the actual Lynching Memorial in Montgomery Alabama.

https://www.washingtonpost.com/video/editorial/take-a-virtual-tour-of-the-lynching-monument/2018/04/24/02bd35a0-4806-11e8-8082-105a446d19b8 video.html

Students will reflect on the video by answering the following question. I feel...I think...This reminds of...I wonder...This is like...

Teacher will inform students about the deaths of unarmed African Americans in modern society. Are there any similarities between this phenomenon and lynching during the Civil Rights Movement?

Day 6 Objective: Students will analyze the factors that led to desegregation and determine if those factors have succeeded or failed over time.

Teacher will introduce key terms such as busing, controversial, diversity and segregation and Brown vs Board of Education, desegregation

Class will open with the viewing of the "Little Rock Nine" https://www.youtube.com/watch?v=oodolEmUg2g



Teacher will lead a discussion/notes that lead to the end of "separate but equal." Students will analyze the Brown vs Board of Education landmark case.

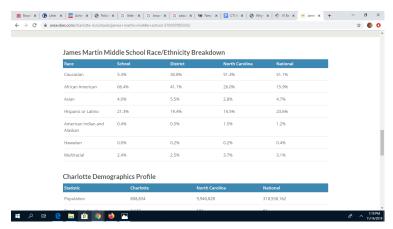
"_____In the early 1950s, Linda Brown was a young African American student in the Topeka, Kansas school district. Every day she and her sister, Terry Lynn, had to walk through the Rock Island Railroad Switchyard to get to the bus stop for the ride to the all-black Monroe School. Linda Brown tried to gain admission to the Sumner School, which was closer to her house, but her application was denied by the Board of Education of Topeka because of her race. The Sumner School was for white children only. https://www.landmarkcases.org/brown-v-board-of-education/brown-v-board-background-summary-3

Students will work in groups to answer the following questions from the landmark case (Brown vs Board of Education)

Describe Topeka Kansas during this time	
• What were the facts and the central issue of <i>Brown vs Board of Education?</i>	
• What was the impact of <i>Brown vs Board</i> of <i>Education have</i> on American society?	
How did the ruling on Brown vs Board of Education impact African American lives moving forward?	

Essential Question: Why are schools still segregated? What factors led to school desegregation, as well as to school re-segregation, in many areas? How does school segregation or integration affect student achievement?

Teacher will display an image of the school's demographics. Students will determine if our school is considered, segregated or integrated. What are some of the positive and negative factors that results from segregated schools based on the demographics chart?



Teacher will deliver background information about segregation

"To integrate or Not," students will turn and talk if schools should be integrated or segregated.

In conclusion, students will reflect if the factors of desegregation have failed or succeeded over time.

Day 7 Objective: Students will compare the "Scottsboro Boys" to the "Central Park 5".

Class will open with the teacher taking a poll asking the class, "How many of you all have seen "When They See US?' Class discussion about the video.

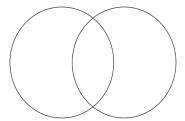
Next, I will show students the trailer to the show "When They See Us"?

"When They See Us." https://www.youtube.com/watch?v=u3F9n smGWY



Students will record some important details from the video on a Venn Diagram. Students will be given a Venn Diagram. Students will title their paper, "What went wrong." Students will label one side of the Venn Diagram (Central Park 5). Students will label on the other side of the Venn Diagram (Scottsboro Boys).

Students will then ask students if they have heard of the "Scottsboro Boys?" Teacher will then show a clip from the Scottsboro Boys. Students will take notes on the opposite side of the Venn Diagram.



https://www.youtube.com/watch?v=L0NWwKwNG10



Students will share in a discussion, "What went wrong with both cases?"

Students will then identify what were the similarities between the two cases.

In conclusion, students will answer, what role did social injustice have on African American? How did their actions and sacrifices affect our society today? And why does it matter?

Day 8 Memorial Project

Task: Imagine, students have been assigned a space inside the African American Smithsonian dedicated exclusively to honor the young lives of individual or group that have been influential towards the struggle of African Americans obtaining social justice and equality. This expedition will be called "Fight the Power"

Objectives:

- Students will create a visually powerful memorial/monument that honors a group or an individual for their courage and sacrifice towards the advancement of African Americans.
- Their chosen person or group may be from the Civil Rights Era or the post-Civil Rights Era
- Students will research their life and write an essay on how their life represents the theme "Fight the Power"
- Student will use a poster board and images to reflect the life of their historical figure.
- Their poster will also include one main iconic image or picture that best signifies their courage and sacrifice. For example: Harriet Tubman's iconic scarf is on display at the museum as well as Oprah's sofa from the Oprah Winfrey Show.
- Next to their image, students will include the following information.

OWNER	
TYPE (define the iconic item)	
PLACE (where was it found)	
DATE (it was used)	
SIGNIFICANCE (importance)	
TOPIC (school, police brutality)	
EXHIBITION – FIGHT THE	
POWER	

Assessment (Rubric)

ASSESSING THE MEMORIAL

	OUTSTANDING	VERY GOOD	SATISFACTORY	UNSATISFACTORY
Important features about the injustice	The most important aspects associated with the event, its causes, consequences and the lessons learned are thoroughly represented in the memorial with powerful features	The most important aspects associated with the event, its causes, consequences and the lessons learned, are represented in the memorial with meaningful features	Some, but not all, of the important aspects associated with the event are represented in the memorial with appropriate items	Very few of the important aspects associated with the event are represented in the memorial with relevant items, and other key aspects are omitted all together
Visually appealing with appropriate symbols	The design is arranged in an especially effective and visually appealing manner and the symbols chosen capture the significance of the event	The design is competently arranged and generally appealing. For the most part, the symbols chosen capture the significance of the event	Most of the design is competently arranged and somewhat appealing Most, but not all, of the symbols chosen symbols capture the significance of the event	A few aspects of the design are arranged in an interesting and appealing way; but other aspects disrupt the effect. A few of the symbols chosen capture the significance of the event
Powerful feelings	The memorial vividly recreates the significance of the event through powerful visual and textual messages	The memorial recreates the significance of the event through effective visual and textual messages	Some parts of the memorial recreate the significance of the event through adequate visual and textual messages	Few parts of the memorial recreate the significance of the event, and key aspects are not represented with relevant visual and textual messages

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The United States Department of Justice Trayvon Martin https://www.justice.gov/opa/pr/federal-officials-close-investigation-death-trayvon-martin

Appendix 1

North Carolina Essential Standards Used

- 8.C&G.1.4 Analyze access to democratic rights and freedoms among various groups in North Carolina and the United States
- 8.C&G.2 Understand the role that citizen participation plays in societal change.
- 8.C&G.2.1 Evaluate the effectiveness of various approaches used to effect change in North Carolina and the United States
- 8.C&G.2.2 Analyze issues pursued through active citizen campaigns for change
- 8.C&G.2.3 Explain the impact of human and civil rights issues throughout North Carolina and United States history

Endnotes

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ⁱⁱ Frank Edwards, Hedwig Lee, and Michael Esposito, "Risk of being killed by police use of force in the United States by age, race–ethnicity, and sex," *Proceedings of National Academy of Sciences of the United States of America*, (2019) 16793-16798

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iv Michael Siegel, "The Relationship Between Structural Racism and Black-White Disparities in Fatal Police Shootings at the State Level", *Boston, The Journal of the National Medical Association*, 9(2018) https://www.sciencedirect.com/science/article/abs/pii/S0027968417303206

v "Plessy v Ferguson", Teaching with Documents, (2002) pp.57-59

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viii Professor Douglas O. Linder, "The Emmitt Till Murder Trial; An Account", Famous Trials, https://www.famous-trials.com/emmetttill/1755-home (DL 2019)

ix Linder, "Till Murder Trial"

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xii Nicolaus Miller, "A Longer Look at the Emmett Till-Trayvon Martin Comparison," Huff post (Updated Sep 16, 2013)

xiii Angela Onwuachi Willig, "Policing the Boundaries of Whiteness: The Tragedy of Being "Out of Place" from Emmett Till to Trayvon Martin," *Iowa Law Review*, (2017) https://ilr.law.uiowa.edu/print/volume-102-issue-3/policing-the-boundaries-of-whiteness-the-tragedy-of-being-out-of-place-from-emmett-till-to-trayvon-martin/xiv Wiling, "Boundaries of Whiteness..."

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xv Wiling, "Boundaries of Whiteness..."

xvi David Smith, "Little Rock Nine; the day young students shattered racial segregation." *The Guardian*. https://www.theguardian.com/world/2017/sep/24/little-rock-arkansas-school-segregation-racism (2017)

xvii Smith, "Little Rock Nine...

xviii Bruce Henderson, "CMS Most Racially Segregated School District in NC," *The Charlotte Observer*, March 16, 2018 https://www.charlotteobserver.com/news/local/article205580044.html xix Henderson, "CMS Most Racially…

xx Henderson, "CMS Most Racially...

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https://www.washingtonpost.com/outlook/2019/06/12/how-central-park-five-expose-fundamental-injustice-our-legal-system/

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xxiv "Scottsboro: An American Tragedy. Who were the Scottsboro Boys?," PBS; An American Experience. https://www.pbs.org/wgbh/americanexperience/features/scottsboro-boys-who-were-the-boys/

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Resources for Students

- 1. <u>Warriors Don't Cry</u> by Melba Patillo Beals The author of the book was one of the Little Rock 9. Students will be able to read her story and first-hand account of what it was like when she and eight students integrated Central High School.
- 2. The Hate You Give by Angie Thomas The main character Starr is an African American student who goes to a suburban prep school yet lives in an urban poor neighborhood. One night while she was out with her childhood friend Khalil, she witnesses him being shot and killed by a police officer.
- 3. "Rest in Power; The Trayvon Martin Story" Paramount Films. This docuseries contains collectively information on the death and the trial of Trayvon Martin. It has actual police recordings and recordings of the trial of George Zimmerman
- 4. <u>Stella by Starlight</u> by Sharon M. Draper. Stella is a little girl living in the segregated south during the Civil Rights era when Ku Klux Klan make their presence.
- 5. "Eyes on the Prize", A 14- part docuseries that contains footage of the start of the Civil Rights Movement, beginning with Emmitt Till's death.
- 6. "When They See Us" by Ava Duvaney 4-part series on Netflix that depicts what led to the wrongful conviction of the Central Park 5.

Teacher Annotated Resources

- 1. "Pain and Terror: America remembers its past" The Guardian. https://www.youtube.com/watch?v=Zg1HvexuNKM Youtube Video (April 26, 2018)
- 2. Angela Onwuachi Willig, "Policing the Boundaries of Whiteness: The Tragedy of Being "Out of Place" from Emmett Till to Trayvon Martin, Iowa Law Review, 2017 https://ilr.law.uiowa.edu/print/volume-102-issue-3/policing-the-boundaries-of-whiteness-the-tragedy-of-being-out-of-place-from-emmett-till-to-trayvon-martin/
- 3. "Eyes on the Prize", A 14- part docuseries that contains footage of the start of the Civil Rights Movement, beginning with Emmitt Till's death.
- 4. "Little Rock Central: 50 Years Later" HBO. In this documentary, Minnijean Brown Trickey revisited Central High School in Little Rock Ak, 50 years later after she and 8 others desegregated the school in 2007. This video is important because it shows an update on the status on Central High and whether or not the school has remained desegregated.
- 5. Rubristar, http://rubistar.4teachers.org/index.php Allows you to generate your own specific rubric
- 6. Swann vs Charlotte Mecklenburg Board of Education
 http://northcarolinahistory.org/encyclopedia/swann-v-charlotte-mecklenburg-board-of-education/ This link provides background information about the Swann vs CMS Board of Education case and their suit to end segregation in Charlotte Mecklenburg Schools.
- 7. National Museum of African American Culture; Smithsonian.

 https://nmaahc.si.edu/about/museum This website will give you an general idea of some of the artifacts and historical collection of things that tells the story of honor, courage, and sacrifice contributed to this country by African Americans.
- 8. Landmark Cases of the U.S. Supreme Court, https://www.landmarkcases.org/cases/plessy-v-ferguson This website allows you to search any landmark case in the USA and provides free resources to teach each case.