



POST-EXHIBIT LEARNING: EXTENSION ACTIVITIES FOR THE CLASSROOM

Long Road to Justice

The African American Experience in the Massachusetts Courts

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➔ Post-Exhibit Extension Activity #1

WRITING ACTIVITIES

1) Reflective Writing

What did students learn in the **Long Road to Justice** exhibit? How might this knowledge be helpful or relevant for their understanding of society today? How might it apply to their own lives? Have students write a reflective essay based on notes they took from the exhibit and/or discussions they had about it.

Students may choose one of these questions/themes as a writing prompt or identify their own:

- To what extent are issues of racial discrimination or inequitable education still present in Massachusetts (or the U.S.) today? What was the strongest evidence the exhibit presented of progress on these issues? What equality issues that you care about were not addressed?
- What are the risks and benefits of living the life of a political reformer or activist? Who is an activist or changemaker in the exhibit who inspired you, and why?
- Imagine you are writing to the administrator in your school district who approves academic field trips. Explain why this is an important exhibit for students to see; include several specific reasons in your memo.

2) Persuasive Writing

Have students write a persuasive essay on this topic:

- Is using the courts and legal system an effective route to attaining equal justice in our society?

Ask them to cite several points of evidence from the exhibit; they may also draw upon their knowledge of U.S. history and current issues as they assemble their argument.

Modification: Your class can brainstorm points of evidence together, classifying them as support for a negative or affirmative response to the question. Choosing a position, students may craft a persuasive paragraph for homework and share with peers the next class.



➔ Post-Exhibit Extension Activity #2

CHALLENGING DISCRIMINATION IN TWO CENTURIES: A PRIMARY DOCUMENT COMPARISON

Students can deepen their understanding of equal protection under the law and its evolving history and application by comparing two incidents of racial discrimination in Massachusetts. The first is from 1885; the second is from the present. Both stories are vividly conveyed in contemporary newspaper accounts. The issues at play in both incidents are concrete and relevant to young people—equal access to a recreational facility in the 19th century [www.longroadtojustice.org/topics/participation/landmark-cases.php] and school dress codes and disciplinary processes in the 21st. Finally, both highlight the many ordinary actors who instigate social change—students, parents, consumers, lawyers, advocates, and others—and the ways they sometimes use the law to challenge injustice.

In this activity students undertake close analysis of two primary documents, then compare and contrast their findings to make a statement about change and continuity in the quest for equality.

Primary Sources:

- “The Color Line” from *The Evening Globe Supplement*, January 16, 1885.
- “ACLU Files Complaint over Malden Charter School’s Policy on Braids” from *The Boston Globe*, May 16, 2017. https://www.bostonglobe.com/metro/2017/05/15/aclu-files-complaint-with-state-against-malden-school-hair-policy/POv5PhqHZ6SioL211q8YqI/story.html?s_campaign=bdc:article:stub

Direct students to read both articles closely, utilizing a source analysis routine already familiar to them, or this National Archives worksheet to analyze a written document:

<https://www.archives.gov/education/lessons/worksheets>

Modification: The teacher can read the articles aloud while students take notes; or students can read the article out loud in the style of “readers’ theater” with assigned parts for the quotes. (This strategy underscores the varied players involved in each incident.)

The National Archives has modified analysis worksheets for younger students and/or those learning English: <https://www.archives.gov/education/lessons/worksheets>

Discussion Questions:

- What important issues are central to each of these incidents? How are the issues similar? How are they different? Chart the differences and similarities.
- Who are the individuals or groups who chose to challenge discrimination in each situation? What triggered their actions? What tools or strategies did they employ?
- In these situations would you have taken the same steps? Why or why not?
- What point-of-view or bias do you discern in each article? Is the coverage sympathetic or unsympathetic? On what basis do you draw these inferences? What might be significant about the points-of-view in each article?
- Consider the role of the law in each of these incidents. In this situation does it serve to advance or suppress equality? What do you learn from that?

The Color Line

*From The Evening (Boston) Globe Supplement,
January 16, 1885*

Separating Admission Tickets From Skate Checks

A Colored Lawyer and the Public Statutes at a Skating Rink

The Rollers Discussed by the School Board of Cambridge

Two prominent colored gentlemen of this city, one of whom is a member of the bar, agreed a few evenings since, that as the duties and cares of the day were over, they would pay a visit to the Highland skating rink and spend an hour or two on the rollers. The gentlemen in question were Edward Everett Brown, whose form is daily seen among the legal fraternity in the city's courts, and George F. Freeman, one of the managers of the extensive furniture salesrooms at 96 Washington Street.

Entering the rink and approaching the office they called for two admission tickets which were promptly handed out by the dexterous agent within. Messrs. Brown and Freeman presented the pasteboards [tickets] to the doorkeeper, who readily allowed the new arrivals to pass in.

After we got inside, said Mr. Brown, we went up to the window of the skate check room. As we approached the window, I saw D. H. McKay, the manager of the rink, and thought I saw him wink at the man inside. I didn't pay any particular attention to the incident at the time, not knowing until afterward just who McKay was and not suspecting that we were to be insulted. I asked for two checks, at the same time laying down the money. The employee promptly informed me that he could not let us have any checks, and when we insisted on knowing the reason he said that those were his orders and referred us to Mr. McKay, at the same time indicating where the latter was to be found. Going up to Mr. McKay with my friend I inquired:

Is this Mr. McKay?

'It is' was the reply.

Are you the manager of this rink? was my next query.

'Yes sir,' he answered.

Well then, I continued, we applied for skate checks just now and were refused. Is such a refusal in accordance with your orders?

'I have given orders to that effect; yes sir,' replied McKay.

On what grounds?

'It seems to me the grounds are plain enough,' said he; 'but in order that you may not misunderstand me, I will say that I do not allow colored people of either sex to skate in my rink, as I propose to run it in my own way.'

I was so astonished at this outrageous reply that I asked him the same question three times over so that he would not by any possibility misunderstand me or I him.

Then, continued I, the only reason why you refuse to allow us to skate is because we are colored?

'That is the only reason, gentlemen,' was his reply in an ill-tempered tone.

Then sir, I continued, I shall take legal action against you, and fight you till the bitter end. In refusing to sell us skate checks simply because we are colored, you are guilty of an offence against section 69 of chapter 207 of the Public Statutes, which provides that there shall be no distinction or discrimination on account of color or race. As a member of the bar I shall push this matter through, and we will see if you will be allowed to run your rink in direct violation of the law.

Mr. Brown further stated that when Mr. McKay learned that he was a lawyer he offered to return the money which had been paid for admission, but the offer was refused, and the two colored gentlemen immediately left the premises.

Yesterday they applied to Associate Justice Fuller of the Roxbury Municipal Court for a warrant of arrest against Mr. McKay, which was granted. The papers were served last night and the matter will come up in court tomorrow. The statement made by Mr. Freeman is substantially the same as that made by Mr. Brown.

The section of the Public Statutes under which the question comes is to be found on page 1175, and reads as follows:

Section 69. Whoever makes any distinction, discrimination or restriction on account of color or race or, except for good cause, in respect to the admission of any person to, or his treatment, in a public place of amusement, public conveyance, public meeting or licensed inn, shall be punished by a fine not exceeding \$50.

Manager McKay was seen at the rink last night, and he admitted that Messrs. Brown and Freeman had been refused skate checks.

‘It is an invariable rule of my rink,’ said he, ‘that no colored people shall be allowed on the skating area. If they desire to buy tickets simply admitting them as spectators there is no objection, but they cannot skate here.’

Did these two gentlemen behave properly, and were they suitably dressed? queried the writer.

‘I have nothing to say,’ replied the manager, ‘against their behavior or their dress. They were colored: that was my objection. I would not break the rule even for Fred Douglass.’

What do you propose to do regarding the legal complication that has arisen?

‘I propose to see it through,’ said he, ‘and ascertain if a man cannot make and enforce rules for his own business undertaking. That is all I have to say.’

A case similar to this occurred in Cambridge last year, the authorities threatening to revoke the license granted to the managers of the rink if they persisted in excluding colored people. The result was the rink people quickly removed the restriction, and even went so far as to give a special entertainment to the aggrieved element.

From *The Evening (Boston) Globe Supplement*,
January 16, 1885

Reprinted courtesy of *The Boston Globe*

ACLU files complaint over Malden school's policy on braids

From *The Boston Globe*

May 17, 2017

The American Civil Liberties Union filed a complaint with the state education department Monday against a Malden charter school that has disciplined black and biracial students who wear hairstyles that violate the school's dress code. Separately, state officials expressed concern about the rule, pledging to meet with school administrators.

The hair policy at Mystic Valley Regional Charter School is discriminatory and "appears to be especially harmful to female students of color and it has been enforced in a disparate manner against them," according to the complaint filed by the ACLU with the state's Department of Elementary and Secondary Education.

A number of students who wear hair extensions woven into their braids recently were placed on detention or suspension because the school's dress code prohibits extensions, listing them as one example of a hairstyle that could be "distracting to other students." Their parents decried the crackdown as racist.

A Mystic Valley spokesman said the school had no comment on the ACLU filing.

The school's hair policy does not specifically mention race, gender, national origin, religion, or disability. Instead, the policy "advances a standard of appearance that is based on Caucasian, Christian, and Western norms," and makes no exceptions for ethnic, religious, or cultural practices, according to the ACLU.

The complaint asks the state to ensure a new policy is created and calls for an "immediate halt to disciplinary actions based on the existing policy."

Jacqueline Reis, spokeswoman for the state's Department of Elementary and Secondary Education, said the agency had not yet received the ACLU complaint, but is concerned about Mystic's policy. "We did not know about the hair extension policy at Mystic Valley until we read about it in the media," Reis said. "We do intend to meet with the school to talk about that."

The agency is in the process of scheduling that meeting, she said.

The ACLU is among several civil rights groups that have criticized Mystic for its hairstyle rules. Sarah Wunsch, deputy legal director of the American Civil Liberties Union Foundation of Massachusetts, said the groups will probably join forces if the school does not change course, and further legal action is needed. "This issue has led us all to the fore and led us to do something quickly because kids are suffering right now," Wunsch said.

The complaint was filed on behalf of Deanna and Mya Cook, 15-year-old twins who have been repeatedly disciplined and threatened with suspension for having hair extensions. "As a result of the discriminatory hair policy and its disparate enforcement, the Cook sisters have been removed from participating in after-school sports, banned from their school prom, and given numerous detentions," the complaint states.

The ACLU also has information suggesting at least one Muslim student at Mystic was disciplined for participating in a religious holiday practice. She was celebrating Eid al-Fitr — a holiday that marks the end of Ramadan, the Islamic holy month of fasting — by adding henna to her hair, which is a tradition in Islam, according to the complaint. She was ordered to remove henna coloring while “white students with hair coloring have been ignored,” the complaint states.

Parents of black and biracial students said Mystic Valley staff touched their daughters’ hair to check for extensions. The ACLU complaint notes that action was reserved for children of color.

This is the second time in two years Mystic Valley has faced complaints from the ACLU. In 2015, the ACLU said two signs the school prominently displayed under its logo — advertising God, religion, and worship times for a nearby Baptist church — sent the message that a public school was endorsing a church, which is prohibited under the Constitution. A day after the ACLU filed the complaint, Mystic Valley removed the messages.

“ACLU Files Complaint over Malden Charter School’s Policy on Braids” from *The Boston Globe*, May 16, 2017. https://www.bostonglobe.com/metro/2017/05/15/aclu-files-complaint-with-state-against-malden-school-hair-policy/POv5PhqHZ6SioL211q8YqI/story.html?s_campaign=bdc:article:stub

Reprinted courtesy of *The Boston Globe*



➔ Post-Exhibit Extension Activity #3

RACIAL JUSTICE TODAY: A NEWS MEDIA ANALYSIS

Conducting a scan of local or national news media can help students uncover the contours of race, power and access to justice in their own contemporary world. Doing so also provides an opportunity for students to compare and contrast the history of racial justice struggles past and present.

Working individually or in small teams, students can search for and select five recent news articles about racial justice issues.

Tips:

- As a class, brainstorm a list of relevant search terms (e.g. “racial justice,” “racial profiling,” “race discrimination,” “Black Lives Matter Movement,” “school segregation,” etc.).
- Select one term and model a search for news articles with the whole class using your computer projector.
- Consider recommending/requiring a student-focused search engine such as Sweet Search News <http://news.sweetsearch.com/> or NewELA.

Display the articles, headlines, or student-created summaries of the articles spread on desks or mounted on the classroom walls. Ask students to look for recurrent issues and trends. Invite them to organize the articles into topics or sub-topics as they see patterns emerge.

Discuss their findings as a class.

Questions for discussion:

- What issues of race and justice are covered vigorously in current news media? How do these topics compare/contrast with the racial justice concerns represented in the **Long Road to Justice** exhibit?
- Were there any articles that surprised you? Were there any topics you expected to find, but discovered to be missing?
- Did you notice any patterns in the coverage: which media outlets covered racial justice issues prominently and which did not? Did students notice any bias in the tone or nature of the coverage? Did media for black audiences come up in your searches? Why/why not?

Modification:

- The teacher can provide a selection of recent articles on racial justice topics from local and national news media. To control reading level for your students, use “Advanced Search” in Google or NewsELA.
- Ask students to read and annotate the articles, then categorize them by theme or topic.
- Discuss the racial justice issues students uncovered in their reading. How do these compare with the racial justice concerns represented in the **Long Road to Justice** exhibit?

➔ Post-Exhibit Extension Activity #4

LANDMARK CASES ON THE ROAD TO EQUAL SCHOOLING: A RESEARCH ACTIVITY

African Americans historically have struggled to gain equal educational opportunities. Yet with ongoing disagreement on the sources of and remedies for educational discrimination, the struggle is far from over. This struggle has unfolded in myriad schools and classrooms, in school committee hearings and protest marches, and in the courts. Several of the landmark cases regarding racial equality in education came out of Massachusetts courts.

Students can research landmark cases to create a digital timeline or classroom exhibition on the history of race discrimination in schools, or to prepare for mock trials. Set the scope and parameters of the assignment as appropriate for your own students. Assign roles and structure the activity in a way that suits their learning styles.

Court cases:

- *Roberts vs. City of Boston* (1849)
- *Brown vs. Board of Education* (1954)
- *Morgan vs. Hennigan* (1974)
- *Wessman vs. Boston School Committee* (1998)

The exhibit website is a good starting point for your students' scan of the topic. The bibliography for this teaching guide includes many relevant links and sources for further investigation. Digitized newspapers and newspaper databases can provide reporting and analysis for more recent cases and decisions. Historical websites address the older cases.

These organizations and websites can also support your students' research:

“Ask a Law Librarian” from the Massachusetts Court System, Mass.gov
<http://www.mass.gov/courts/case-legal-res/law-lib/libraries/services/ask.html>

Massachusetts Trial Court Law Libraries—open to the public
<http://www.mass.gov/courts/case-legal-res/law-lib/libraries/locations/>

National Archives at Boston--for federal court cases <https://www.archives.gov/boston>

Massachusetts Historical Society—collections online <https://www.masshist.org/collections/online>

CourtListener (from the non-profit Free Law Project)—transcripts of original court documents
<https://free.law/tag/courtlistener.html>



➔ Post-Exhibit Extension Activity #5

PORTRAITS IN LEADERSHIP – GOING DEEPER: A STUDENT WEBQUEST

In this webquest students learn more about the lives and accomplishments of some African American jurists and lawyers introduced in the exhibit.

Guiding Questions:

- What kind of leadership or influence have African Americans exerted in the 20th and 21st century Massachusetts courts and legal system?
- What difference have African American leaders made in the way that justice is carried out in our state and our nation?

In Step 1 of the webquest, students access a variety of biographical resources and weblinks to complete a biographical Profile Sheet for one of the figures below; all are African American jurists and lawyers featured in the **Long Road to Justice** exhibit. In Step 2, they pool their research findings to develop a shared understanding of the difference this group of jurists and lawyers has made. Finally, in Step 3, they compose a “Qualifications Statement” for a new hypothetical award to be given each year by an equal justice organization to a distinguished “Equal Justice Changemaker” reflecting the spirit of the leaders who came before.

Directions:

Guide your students through these three stages of the webquest process.

WebQuest Step 1: Ask them to choose a figure from the list below and utilize the weblinks to learn about this individual’s life and accomplishments. They will use questions from the Student Profile Sheet below to guide their research and notetaking.

WebQuest Step 2: Students pool information with classmates who profiled different featured leaders. The teacher may set this up as a “café conversation” (a role-play where students portray the leader they studied in a small group discussion), or a public “group interview” where all the Margaret Burnhams, etc. sit before the class and respond to the teacher as interviewer.

Students listening to their classmates take notes detailing the accomplishments and qualities of each leader.

You might ask them to return to these guiding questions:

- What kind of leadership or influence have African Americans exerted in the 20th and 21st century Massachusetts courts and legal system?
- What difference have African American leaders made in the way that justice is carried out in our state and our nation?

WebQuest Step 3: In this hypothetical scenario, an equal justice organization has decided to create a new award for a distinguished “Equal Justice Changemaker,” reflecting the spirit of the African American jurists and lawyers featured in this activity.

Students compose a “Qualifications Statement” for future recipients of this award. They will include the character traits, accomplishments, and areas of expertise that this individual’s life and career must embody. What makes someone worthy to be considered a distinguished “Equal Justice Changemaker”?

Roderick Ireland

www.longroadtojustice.org/people/judges.php

“Mass SJC Chief Roderick Ireland Set to Retire,” Boston Globe online

<https://www.bostonglobe.com/metro/2014/03/04/ireland/fhDnkV4PhaBoCf5DqNEHqL/story.html>

Biography from the Commonwealth of Massachusetts (mass.gov):

<http://www.mass.gov/courts/court-info/appealscourt/appeals-court-justices/justice-roderick-l-ireland.html>

“Chief Justice RI Reflects on 45-Year Legal Career,” Radio Boston/WBUR (audio interview and transcript excerpts) <http://www.wbur.org/radioboston/2014/10/08/roderick-ireland-profile>

Roderick Ireland, “Roxbury Defender’s Committee: Reflections on the Early Years,” Mass Law Review (June 2013) <https://www.massbar.org/media/1395387/mlrv95n1.pdf>

Edward W. Brooke

www.longroadtojustice.org/people/lawyers.php

Edward Brooke III, BlackPast.org (online encyclopedia entry)

<http://www.blackpast.org/aah/brooke-edward-1919>

The Honorable Edward Brooke, The HistoryMakers (biography) <https://www.bostonglobe.com/metro/2017/08/18/justice-geraldine-hines-retires-from-sjc/IGrCn0zOvdSJ6h9qnTxRSM/story.html>

“Edward W. Brooke III, 95, Senate Pioneer, Is Dead,” The New York Times (obituary) https://www.nytimes.com/2015/01/04/us/edward-brooke-pioneering-us-senator-in-massachusetts-dies-at-95.html?_r=0

“Edward Brooke receives Congressional Gold Medal,” CNN Politics (video speech, 2 minutes)

<http://www.cnn.com/2015/01/03/politics/edward-brooke-dies/index.html>

Edward William Brooke III, History, Art and Archives, US House of Representatives (detailed biography)

<http://history.house.gov/People/Detail/9905>

Deval Patrick

Deval Patrick, *Ballotpedia* entry https://ballotpedia.org/Deval_Patrick

The Honorable Deval L. Patrick, The HistoryMakers (biography)

<http://www.thehistorymakers.org/biography/honorable-deval-l-patrick>

Deval Patrick, National Governors Association (brief biography) https://www.nga.org/cms/home/governors/past-governors-bios/page_massachusetts/col2-content/main-content-list/deval-patrick.default.html

“Lessons from Deval Patrick: A (Not) Likely Story,” NPR News (interview and transcript highlights)

<https://www.npr.org/2011/04/12/135242435/lessons-from-deval-patrick-a-not-likely-story>

Harry Elam

“Harry J. Elam Sr., 90, pioneering black jurist,” Boston Globe online (obituary) <https://www.bostonglobe.com/metro/2012/08/22/harry-elam-pioneering-black-jurist-massachusetts/xpEOsNJRo6UsbJAKDp58XM/story.html>

Bay State Banner (obituary) <http://baystatebanner.com/news/2012/aug/22/obituary-judge-harry-j-elam-sr/>

The Honorable Harry Elam (biography) The HistoryMakers
<http://www.thehistorymakers.org/biography/honorable-harry-elam>

Geraldine Hines

www.longroadtojustice.org/people/lawyers.php

Biography from the Commonwealth of Massachusetts (mass.gov):
<https://www.mass.gov/service-details/associate-justice-geraldine-s-hines>

“Justice Geraldine Hines Retires from State’s Highest Court,” Radio Boston/WBUR (audio interview and transcript excerpts) <http://www.wbur.org/radioboston/2017/08/23/geraldine-hines-retires>

“Bail Reform and the Legacy of Justice Geraldine Hines,” WGBH News online (commentary article)
<https://news.wgbh.org/2017/08/28/news/bail-reform-and-legacy-justice-geraldine-hines>
Geraldine S. Hines, Ballotpedia entry https://ballotpedia.org/Geraldine_S._Hines

“Justice Geraldine S. Hines retires from SJC,” Boston Globe online <https://www.bostonglobe.com/metro/2017/08/18/justice-geraldine-hines-retires-from-sjc/IGrCn0zOvdSJ6h9qnTxRSM/story.html>

Margaret Burnham

www.longroadtojustice.org/people/judges.php

Margaret Burnham, faculty biography, Northeastern University School of Law
<http://www.northeastern.edu/law/faculty/directory/burnham.html>

“Restoring Justice in Civil Rights Cold Cases,” Radio Boston/WBUR (audio interview and transcript highlights)
<http://radioboston.legacy.wbur.org/2010/11/08/margaret-burnham>

Margaret Burnham, “Are we finally ready to bury racial injustice in our courts?” (blog article)
<http://www.wbur.org/cognoscenti/2014/03/04/jordan-davis-margaret-burnham>

“Judge Margaret Burnham,” Mississippi Civil Rights Veterans (detailed biography)
<http://mscivilrightsveterans.com/uploads/3/5/1/2/35128753/margaret-burnham.pdf>

“Professor Margaret Burnham Honoring Nelson Mandela,” (video speech, 9 minutes)
<https://www.youtube.com/watch?v=HXUAIjkC-yA>



➔ Student Profile Sheet

PORTRAITS IN LEADERSHIP

QUESTIONS:

1. What issues or causes were most important to the figure you researched?
2. What was the career highpoint for this individual, in your opinion? Explain your choice.
3. What was it like for him/her to be a pioneering leader?
4. What limitations or frustrations did he/she face? Did racial and/or gender bias shape his/her life or career? How?
5. What individuals, organizations, or movements helped to shape this individual's outlook? What historical events or developments had an influence on his/her life?
6. What was one surprising thing that you learned about this individual?
7. What is a quote from this figure that you appreciated? Discuss the reason you chose it.
8. What is a life lesson you learned from this individual, one that you would like to adopt for yourself?