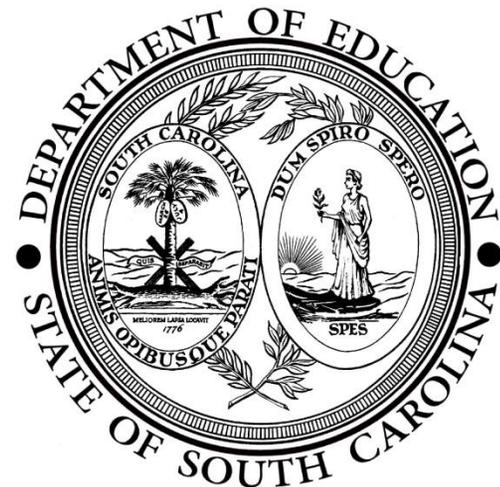


Grade 8

Nathaniel Frederick: “The 14th Amendment
and the Struggle for Due Process”

Instructional Resource for the
South Carolina Social Studies Academic Standards

South Carolina Department of Education
Office of Standards and Learning
June 2017



8th Grade SC History: Nathaniel Frederick: “The 14th Amendment and the Struggle for Due Process”

This social studies unit develops the historical thinking skills of continuity and change and comparison. It also addresses ELA skills of students systematically accessing informational text in order to develop a written argument that includes evidence across multiple texts. This lesson illustrates to students that de jure law sometime requires time, people willing to sacrifice their prosperity and lives to a greater good, and perseverance within the legal system to make the law become de facto. The South Carolina Graduate must be able to think critically by considering change over time. This lesson requires students to examine multiple documents and come to evidence based conclusions. This lesson is estimated for 2 days of 55 minute instruction.

Standard(s) and/or Indicator(s)

There are two types of standards/indicators for each instructional plan. Targeted standards are standards/indicators that will be taught and assessed throughout the unit while embedded standards are those that have been spiraled through the curriculum and will be present, but not all will be formally “taught.” ELA standards can be listed as embedded standards in addition to other Social Studies standards being spiraled. Assessment of these indicators/descriptors (as applicable) will be included in both summative and formative assessments as they have been previously taught.

Targeted:

Standard 8-5 The student will understand the impact of Reconstruction, industrialization, and Progressivism on society and politics in South Carolina in the late nineteenth and early twentieth centuries.

Indicator 8-5.1 Analyze the development of Reconstruction policy and its impact in South Carolina, including the presidential and the congressional reconstruction plans, the role of black codes, and the Freedmen’s Bureau.

Indicator 8-5.5 Summarize the policies and actions of South Carolina’s political leadership in implementing discriminatory laws that established a system of racial segregation, intimidation, and violence.

Indicator 8-5.8 Compare the Progressive movement in South Carolina with the national Progressive movement, including the impact on temperance; women’s suffrage; labor laws; and educational, agricultural, health, and governmental reform.

Embedded:

Standard 4 The student will demonstrate an understanding of the multiple events that led to the Civil War.

Indicator 8-4.3 Analyze key issues that led to South Carolina’s secession from the Union, including the nullification controversy and John C. Calhoun, the extension of slavery and the compromises over westward expansion, the Kansas-Nebraska Act, the Dred Scott decision, and the election of 1860.

Indicator 8-4.4 Evaluate the arguments of unionists, cooperationists, and secessionists on the issues of states’ rights and slavery and the ways that these arguments contributed to South Carolina’s secession.

Standard 5 (ELA Grade 8: Reading) Determine meaning and develop logical interpretations by making predictions, inferring, drawing conclusions, analyzing, synthesizing, providing evidence, and investigating multiple interpretations.

Indicator 5.1 (ELA Grade 8: Reading) Cite the evidence that most strongly supports an analysis of what the text says explicitly as well as inferences drawn from the text.

Standard 6 (ELA Grade 8: Reading) Summarize key details and ideas to support analysis of central ideas.

Indicator 6.1 (ELA Grade 8: Reading) Provide an objective summary of a text with two or more central ideas; cite key supporting details to analyze their development.

Standard 1 (ELA Grade 8: Writing) Write arguments that support claims with clear reasons and relevant evidence.

Indicator 1.1 b & c (ELA Grade 8: Writing) Write arguments that: use relevant information from multiple print and multimedia sources and support claims using valid reasoning and a variety of relevant evidence from accurate, verifiable sources.

“I Can” Statements

“I Can” statements are learning targets of what students need to know and be able to do as it relates to the standard/indicator(s).

- *Day 1: I can summarize the life of Nathaniel Frederick and place it in the greater historical context of the post-Reconstruction South. (8-5.1).*
- *Day 2: I can show historical evidence of Nathaniel Frederick’s attempts through the legal system to challenge the system of black codes and Jim Crow laws in South Carolina (8-5.5 and 8-5.8).*

Essential Question(s)

This is a **suggested** essential question that will help guide student inquiry.

- Should citizens guarantee the law is enforced?
- How can citizens guarantee the law is enforced?

Academic Vocabulary

Some students may need extra support with the following academic vocabulary in order to understand what they are being asked to do. Teaching these terms in an instructional context is recommended rather than teaching the words in isolation. An appropriate time to deliver explicit instruction for the terms is during the modeling process. Ultimately, the student should be able to use the academic vocabulary in conversation with peers and teachers.

- Judicial Review
- De Jure
- De Facto
- Segregation

- Jim Crow
- Black Codes
- Due Process
- Equality
- Federalism

Prior Knowledge

In grade 3 students learned about the effects of Reconstruction in South Carolina (3-4.6). In grade 5 students learned about the goals and processes of Reconstruction (5-1.1). Students also learned about the new rights that were created under the 13th, 14th and 15th, Amendments to the Constitution (5-1.2). In grade 5 students also learned about the various groups that sought to subvert the new rights of African Americans when federal troops were withdrawn from the south (5-1.3). In grade 8, students learned about the concepts of federalism, separation of powers, and the role of judicial review while studying the establishment of the new government under the Constitution of the United States (8-3.3 & 8-3.4).

Subsequent Knowledge

Later instruction in grade 8 South Carolina history students will examine the modern Civil Rights Movement in South Carolina, including the use of the court system as a mechanism to guarantee the due process of equality under the law including integration of public places throughout the south (8-7.2). In the high school years, students will examine the impact of Reconstruction on the South and the role of the federal government. They will also examine the role of African-Americans during the Post Reconstruction Era (USHC-3.3 & 3.4). Students will analyze the roles of key African-American leaders and their reactions to Post Reconstruction restrictions for African-Americans (USHC 3.5). Students will examine the civil rights movement and its attempt to secure the rights of African-Americans as promised in the Post Reconstruction Amendments (USHC 8.1). Finally, through a study of the U.S. Government and Constitution students will analyze the role of federalism and the rights protected under the Constitution (USG 3.4 and 4.5).

Potential Instructional Strategies

Day 1: “I Can” Statement: I can summarize the life of Nathaniel Frederick and place it in the greater historical context of the post-Reconstruction South. (8-5.1).

Hook: As students enter the room, project an image like the one below from the Library of Congress on the screen asking students to complete a list of “What surprises you about the picture?”



- Student observation have 3 minutes to generate lists of “surprises” from the photo.
 - 30 seconds students look at image silently
 - 30 seconds students write down what they observed
 - 30 seconds students share with peer their observations
 - 60 seconds students collaboratively create written summarizing statement
 - 30 seconds students share out pair summary statements
 - Finally identify commonalities among summary statements on chart paper in front of room
- Introduce the South Carolina African American history calendar

Mini-Lecture (Teacher direct / students should take notes during mini-lecture):

Teacher introduces the idea of de facto vs. de jure law in consideration of the 13th, 14th and 15th Amendment

- 13th Amendment eliminated slavery.
- 14th Amendment provides citizenship, equal protection (due process) under the law, and bars states from denying the rights of a citizen to anyone that is a citizen.
- 15th Amendment guaranteed voting rights to African-American males.
- Under the letter of the law (de jure) all men were equal according to the 14th Amendment
- The realities of the law (de facto) for African-Americans was different
- Introduce essential question:
 - Should / How can citizens guarantee that the law is enforced?
 - Allow time for students to share with a partner their thoughts.
- Introduce Nathaniel Frederick as evidence of a South Carolinian answering the essential question.
 - Distribute a copy of *Palmetto Leader* from September 10, 1938
 - Available as a PDF from the University of South Carolina’s Digital Collections, Historic Newspapers of South Carolina (<http://historicnewspapers.sc.edu/lccn/sn93067919/1938-09-10/ed-1/seq-1/#index=3&rows=20&proxtext=Nathaniel+Frederick&sequence=0&words=Frederick+Nathaniel&page=1>)
 - Teacher should read the article aloud to the students as they follow along on their copies
 - Guiding questions: How did Frederick fight for equal treatment under the law? What was unusual about his life? What do you think motivated him?

Group Practice (students work in pairs to complete the exercise below):

- Teacher should provide students with biography of Nathaniel Frederick provided by the University of South Carolina Law Library (<http://guides.law.sc.edu/EqualRights/FrederickNathanielJ>)
- Working with their partner students should create a timeline of Nathaniel Frederick’s life that includes key professional events.
 - Students use the *Palmetto Leader* (1938) and the “*All we ask is equal rights*” as sources.
 - Students should be encouraged to cite where each piece of information is from using parenthetical citation.

Independent Practice (students complete activity independent of peers):

- Students will complete the Graphic Organizer 1: “Really???”

- Teacher reviews as a formative assessment.

Day 2: “I can” statement: I can show historical evidence of Nathaniel Frederick’s attempts through the legal system to challenge the system of black codes and Jim Crow laws in South Carolina (8-5.5 and 8-5.8).

Mini-Lecture (Teacher direct instruction):

- Teacher reviews the process of judicial review and federalism (state versus national government) (South Carolina Department of Education, 2012)
 - *Marbury v. Madison* established idea of Supreme Court ruling on constitutionality of laws.
 - *Plessy v. Ferguson* legitimized social segregation of whites and blacks.
 - Federalism—South Carolina is subject to federal laws and U.S. Constitution-14th amendment applies to all people of S.C.
 - Cases brought before S.C. Supreme Court for appeal

Guided Practice (students work in pairs to complete the exercise below):

- Teachers should provide students with a summary of trial proceedings of *State v. Sanders* with a focus on the 1916 appeal by Nathaniel Frederick to the S.C. Supreme Court on the grounds that African-Americans should be allowed to serve on juries (Gary, n.d.)
 - Accessible: <https://www.courtlistener.com/opinion/4124633/state-v-sanders/>
- In pairs, students will closely read the entry from South Carolina Encyclopedia entry *Lowman Lynching’s*
- Follow this link for article: <http://www.scencyclopedia.org/sce/entries/lowman-lynchings/>
- Students should answer the following guided questions to aid in comprehension of “What does the text say?”
 - What events are being described in the first 2 paragraphs?
 - Take note of the sequence of events. Do the events of the 3rd paragraph occur before or after the events of the 1st and 2nd paragraphs?
 - What events are described in paragraph 4? Who are the main characters in paragraph 4? What was the expected result of the court cases?
 - How does paragraph 5 describe the community where the events occurred?

- According to the last paragraph how did the SC Governor react to the events?
- Students should discuss their answers with peers

Independent Practice (students complete activity independent of peers):

- Students create a writing product that explains through the use of historical evidence of Nathaniel Frederick’s attempts through the legal system to challenge the system of black codes and Jim Crow laws in South Carolina.
- This project should be an argumentative piece that provides reasons and evidence for Frederick begin called the “bravest man in South Carolina.”
 - Scaffolding: teachers instruct students to focus on his challenges to the system of black codes and Jim Crow laws in South Carolina as reasons for the claim and the potential personal danger as evidence.
- Used as summative or formative assessment. Teachers should use a grade/developmentally appropriate rubric to score writing project. It is further suggest that students should be provided with written feedback on their writing and time to revise their product based on teacher feedback. .

Note: The items provided are suggested resources and assessments.

Potential Assessment Task

Day 1: *Students will complete the Graphic Organizer 1: “Really???”*

Day 2: *Students create a writing product that explains through the use of historical evidence of Nathaniel Frederick’s attempts through the legal system to challenge the system of black codes and Jim Crow laws in South Carolina.*

Resources

- Beers, K., & Probst, R. (2015). *Reading nonfiction: Notice & note, stances, signposts, and strategies*. Portsmouth, NH: Heinemann Publishing.
- Burke, W. L. (2017, July 24). "All we ask is equal rights". Retrieved from University of South Carolina Law Library: African-American Congressmen, Judges & Lawmakers in South Carolina: <http://guides.law.sc.edu/EqualRights/FrederickNathanielJ>
- Fisher, D., & Frey, N. (2015). *Text dependent questions grades 6-12: Pathways to close and critical reading*. Thousand Oaks, California: Corwin.
- Gary, E. (n.d.). *State v. Sanders, 88 S.E. 10 (S.C. 1916)*. Retrieved from Court Listener: <https://www.courtlistener.com/opinion/4124633/state-v-sanders/>
- Library of Congress. (n.d.). *American Experience: Freedom Riders, Jim Crow Laws*. (WGBH, Producer, & Public Broadcasting Service) Retrieved from American Experience: <http://www.pbs.org/wgbh/americanexperience/features/freedom-riders-jim-crow-laws/>
- Robeson, E. (2016, June 8). *Lowman lynchings*. (B. Ellis, Ed.) Retrieved from South Carolina Encyclopedia: <http://www.scencyclopedia.org/sce/entries/lowman-lynchings/>
- SCASA Superintendents Roundtable. (2015). Retrieved from <http://ed.sc.gov/newsroom/profile-of-the-south-carolina-graduate/>
- South Carolina Department of Education. (2017). *South Carolian African American history calendar*. Columbia, SC: South Carolina Department of Education.
- South Carolina Department of Education. (2012, June 27). *Support documents and resources*. Retrieved from South Carolina Department of Education: <http://ed.sc.gov/instruction/standards-learning/social-studies/resources/>
- The Palmetto Leader. (1938, September 10). Atty. N.J. Frederick, A lawyer and newspaper editor passes. *The Palmetto Leader*, 13(37). Columbia, SC: The Palmetto Leader.

Graphic Organizer 1: “Really???”

Name: _____

Directions: As you read, look for things that surprise you. When you find something, ask yourself these questions:

1. Why did this surprise me?
2. What does this suggest?

Strategy: Really???

SOMETHING I FOUND INTERESTING OR SURPRISEING	ARTICLE	WHY DOES THIS SURPRISE ME?	WHAT DOES THIS SUGGEST?

SOMETHING I FOUND INTERESTING OR SURPRISING	Article	WHY DOES THIS SURPRISE ME?	WHAT DOES THIS SUGGEST?

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Scoring Guidelines Social Studies Essay Student Name: _____

4 – Demonstrates effective analysis of historical question and skillful writing	3 – Demonstrates adequate analysis of historical question and appropriate writing	2 – Demonstrates limited analysis of historical question and inconsistent writing	1 – Demonstrates minimal analysis of historical question and inadequate writing
<ul style="list-style-type: none"> <input type="checkbox"/> Effectively addresses all parts of the question and demonstrates an in-depth understanding of the historical content <input type="checkbox"/> Strong organizational structure and focus on the question with logically grouped and related ideas, including an effective introduction, development, and conclusion <input type="checkbox"/> Substantial, accurate, and direct reference to the historical events and principles with an effective combination of details, examples, quotes, and/or facts to support the claims of essay <input type="checkbox"/> Substantial reference to the main ideas and relevant key details surrounding the topic 	<ul style="list-style-type: none"> <input type="checkbox"/> Adequately addresses all parts of the question and demonstrates a sufficient depth understanding of the historical content <input type="checkbox"/> Appropriate organizational structure and focus on the task with logically grouped and related ideas, including a clear introduction, development, and conclusion <input type="checkbox"/> Sufficient, accurate, and direct reference to the historical events and principles with an effective combination of details, examples, quotes, and/or facts to support the claims of essay <input type="checkbox"/> Sufficient reference to the main ideas and relevant key details surrounding the topic <input type="checkbox"/> Appropriate use of 	<ul style="list-style-type: none"> <input type="checkbox"/> Inconsistently addresses some parts of the question and demonstrates a partial understanding of the historical content <input type="checkbox"/> Weak organizational structure and focus on the task with ineffectively grouped ideas, including a weak introduction, development, and/or conclusion <input type="checkbox"/> Limited and/or vague reference to the historical events and principles with minimal combination of details, examples, quotes, and/or facts to support the claims of essay <input type="checkbox"/> Limited reference to the main ideas and relevant details of the surrounding topic <input type="checkbox"/> Limited use of transitions to 	<ul style="list-style-type: none"> <input type="checkbox"/> Minimally addresses part(s) of the questions and demonstrate an inadequate understanding of the historical content <input type="checkbox"/> Minimal evidence of an organizational structure and focus on the task with arbitrarily grouped ideas that may or may not include an introduction, development, and/or conclusion <input type="checkbox"/> Insufficient reference to historical events and principles with few details, examples, quotes, and/or facts to support the claims of the essay <input type="checkbox"/> Minimal reference to the main ideas and relevant details of the text(s) <input type="checkbox"/> Few, if any, transitions to link ideas

<ul style="list-style-type: none"> <input type="checkbox"/> Skillful use of transitions to link ideas within categories supporting information <input type="checkbox"/> Effective use of precise language and domain-specific vocabulary <input type="checkbox"/> Few errors, if any, are present in sentence formation, grammar, usage, spelling, capitalization, and punctuation; errors present do not interfere with meaning 	<p>transitions to link ideas within supporting information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Appropriate use of precise language and domain-specific vocabulary drawn from the text(s) <input type="checkbox"/> Some errors may be present in sentence formation, grammar, usage, spelling, capitalization, and punctuation; errors present seldom interfere with meaning 	<p>link ideas within categories of textual and supporting information</p> <ul style="list-style-type: none"> <input type="checkbox"/> Inconsistent use of precise language and domain-specific vocabulary drawn from the text(s) <input type="checkbox"/> Errors may be present in sentence formation, grammar, usage, spelling, capitalization, and punctuation; errors present may interfere with meaning 	<ul style="list-style-type: none"> <input type="checkbox"/> Little or no use of precise language or domain-specific vocabulary drawn from the text(s) <input type="checkbox"/> Many errors may be present in sentence formation, grammar, usage, spelling, capitalization, and punctuation; errors present often interfere with meaning
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Non-scores:

Blank=0% (Redo); Unreadable=0% (redo); Insufficient=0% (redo); Refusal=0% (parent contact); Off Topic=0% (redo); Copied=0% (Parent Contact)

Score Conversion (your score will be the column where you get the majority of checks): 4 = A; 3 = B; 2 = C; 1 = D; Less than 1 = F