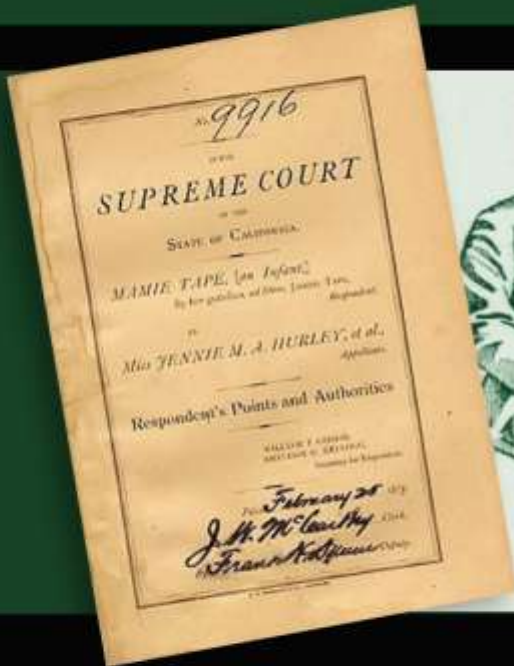


I Want to Go to School

The Case of Tape vs. Hurley



THE TAPE FAMILY.

Curriculum Guide

Suggested for Grades 3-12

**CHINESE
HISTORICAL
SOCIETY OF
AMERICA**



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Cover image designed by Amy Lam

Left image: "Respondents Points and Authorities" Tape v. Hurley, (1885) California Supreme Court, WPA 18443, California State Archives. Right image: "Tape Family", The Morning Call, November 23, 1892.



Dear Educator,

Thank you for your interest in *I Want to Go to school: The Case of Tape v. Hurley* project. This curriculum is designed to supplement the *History Alive* performance that covers topics of Chinese Exclusion, immigration, citizenship, and race issues in America. These lessons may be used individually or as a unit. It would be helpful in reviewing the packet prior to attending the performance. The lessons may be used as pre or post visit activities.

Performances last approximately one-hour and include 1) dramatic dialogue 2) a Question and Answer session where students are invited to speak with the performers who remain in character, and 3) students may converse with the actors to answer any questions Mamie Tape would not have been able to answer.

These lessons meet the California History-Social Science and National Council for the Social Studies (NCSS) Standards.

Items in this packet will:

- Familiarize educators about Chinese immigration to America in the late 19th century.
- Provide activities for students to learn about Chinese American history.
- Present additional resources for in-depth learning.

We hope this is a useful resource for you. Please let us know if you have any questions about this guide or the Chinese Historical Society of America.

Sincerely,

Pam Wong
Programs Coordinator

January 2014

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Performances of *I Want to Go to School: The Case of Tape v. Hurley*

History Alive performances bring history to life. Performances last approximately one-hour. Performers of Reverend Ng Poon Chew and Mamie Tape are engaged in an interview. The audience learns about the history Mamie Tape's account of discrimination and segregation through their dialog.

In the second portion of the program, a Question and Answer session takes place. Audience members are invited to speak with the characters, Reverend Ng Poon Chew and Mamie Tape.

Lastly, the actors step out of character discussing their research for the project and to answer any questions that Reverend Ng Poon Chew and Mamie Tape would not have been able to answer.

Because the dialogue is only one-third of the program, conversation with the actors is an important part of the learning experience. Below are a few questions you may ask during the 2nd and 3rd part of the presentation. It would also be a good idea for your class to brainstorm some of their own questions before the show.

Questions to ask:

- Reverend Ng Poon Chew
 - When did you first learn about the Tape family?
 - Have you ever met Joseph Tape or any of the family members besides Mamie?
- Mamie Tape
 - Do you have a Chinese name? What is it?
 - What was it like to attend the Chinese Primary School?
 - Did you like your teacher?
- The Performers
 - How did you prepare for the roles?
 - What books or research materials did you use?
 - What part of today's performance is true?
 - Growing up, did you experience segregation/discrimination?

Historical Background

Chinese Immigration

When gold was discovered in California, Chinese among other groups immigrated to the United States. Chinese immigrants came primarily from the southeastern coastal area in China, Guangdong Province from districts in or near the Pearl River Delta, with many coming from the district of Toisan. Political unrest, economic hardships, and natural disasters were all factors that pushed Chinese to seek for better opportunities abroad. Chinese were a major source of labor for the Transcontinental Railroad and farming industry in the 1860s and the manufacturing industry in the 1870s.

Chinese Exclusion

Laws against the Chinese emerged soon after their arrival to the United States. Taxes, penalties and ordinances were specifically targeted at the Chinese. Starting in 1850s, anti-Chinese sentiment grew in San Francisco, in response to the displacement of a large workforce of both white and Chinese after the completion of the transcontinental railroad in 1869. The railroad brought new migrants from the east, and connected the West Coast to the East Coast. Due to high unemployment in America, violence against Chinese was common. There were anti-Chinese demonstrations, lynchings, burnings and stonings. The 1875 Page Act was the first federal law that restricted undesirable persons from immigrating to the United States. In 1882, under pressure from powerful labor unions, Congress decided that Chinese immigration must be further restricted and passed the Chinese Exclusion Act.

The Exclusion Act of 1882 prevented Chinese laborers from coming into the United States. The only Chinese who could come were students, merchants and diplomats. It was the nation's only immigration law that was ever based solely on race. This law stood in place until it was repealed in 1943 when United States and China became allies in World War II.

Tape Family

Jeu Dip (Joseph Tape) born in 1852, traveled to San Francisco in 1864. Mary McGladery was born in 1857. In 1868, McGladery arrived to the United States. She lived in Ladies' Protection and Relief Society. In 1875, Jeu Dip and Mary McGladery married. Jeu Dip adopted the name of Joseph Tape perhaps "Joe Tape" resembled "Jeu Dip".

Joseph Tape had limited work opportunities as an immigrant from China. He found work as a houseboy for a prestigious San Francisco family, running errands and doing household chores. He later started his own business as a drayman, dealing with baggage handling, transportation of goods for merchants, ceremonies of burial and return of remains to ancestral village business for Chinese immigrants and merchants.

Mamie Tape is the eldest daughter of Joseph and Mary Tape. She was born in 1876.

Enrolling Mamie Tape in School

In 1884, during the month of September, Chinese immigrants Joseph and Mary Tape tried to enroll their 8-year-old U.S.-born daughter in San Francisco's all-white Spring Valley Primary School. Jenny Hurley, the principal, refused to admit Mamie Tape citing school board policy barring Chinese children from

attending the city's public schools. The Tape family sued the principal and took the case to the California Supreme Court in 1885. School officials defended their position by arguing that the California constitution declared Chinese to be "dangerous to the well-being of the state," and thus the city had no obligation to educate Chinese students. In January 1885, the court decided in favor of the Tape family, creating one of the pioneering decisions in the fight for equality in education.

A Superior Court judge ruled that "To deny a child, born of Chinese parents in this State, entrance to the public schools would be a violation of the law of the State and the Constitution of the United States." Because of this favorable ruling, the Tapes tried to take Mamie to Spring Valley School again in April 7, 1885. However, Mamie was denied admission again; this time because the school was at capacity and Mamie lacked a certificate of vaccination.

In order to avoid integrating its public schools, San Francisco Board of Education passed a special provision to "establish separate schools for children of Mongolian or Chinese descent. When such separate schools are established Chinese or Mongolian children must not be admitted into any other schools." Though the Tapes had won their case, the provision prevented Mamie from attending Spring Valley, and in April 13, 1885, she and her brother Frank became the first students of San Francisco's Chinese Primary School.

Though Mamie Tape never attended Spring Valley Primary School, the case was a victory. *Tape v. Hurley* was one of the most important civil rights decisions in American history. This decision came before the more celebrated Supreme Court decision of *Brown v. Board of Education* in 1954 that desegregated schools.

Lesson	CA History-Social Science Content Standards
Lesson 1 Immigration Red Light/Green Light	4.4.3 Discuss immigration and migration to California between 1850 and 1900, including the diverse composition of those who came; the countries of origin and their relative locations; and conflicts and accords among the diverse groups.
Lesson 2 Packing Our Bags	4.4.3 Discuss immigration and migration to California between 1850 and 1900, including the diverse composition of those who came; the countries of origin and their relative locations; and conflicts and accords among the diverse groups.
Lesson 3 Racist Cartoons	4.4.3 Discuss immigration and migration to California between 1850 and 1900, including the diverse composition of those who came; the countries of origin and their relative locations; and conflicts and accords among the diverse groups.
Lesson 6 Joseph Tape	4.4.3 Discuss immigration and migration to California between 1850 and 1900, including the diverse composition of those who came; the countries of origin and their relative locations; and conflicts and accords among the diverse groups.
Lesson 7 Mamie’s Struggles to Go to School	4.4.8 Describe the history and development of California’s public education system, including universities and community colleges.
Lesson 8 Mamie Tape and Segregated Schools	4.4.8 Describe the history and development of California’s public education system, including universities and community colleges. 12.5.4 Explain the controversies that have resulted over changing interpretations of civil rights, including those in <i>Plessy v Ferguson</i> , <i>Brown v Board of Education</i> , <i>Miranda v. Arizona</i> , <i>Regents of the University of California v Bakke</i> , <i>Adarand Constructors, Inc, v Pena</i> , and <i>United States v. Virginia</i> (VMI).

Lesson	CA Visual and Performing Arts Content Standards Visual Arts
Lesson 3 Racist Cartoons	Grade 3 Visual Literacy 5.3 Look at images in figurative works of art and predict what might happen next, telling what clues in the work support their ideas. Grade 4 Role and Development of the Visual Arts

	<p>3.1 Describe how art plays a role in reflecting life (e.g., in photography, quilts, architecture). Make Informed Judgments</p> <p>4.5 Describe how the individual experiences of an artist may influence the development of specific works of art.</p> <p>Grade 6 Make Informed Judgments</p> <p>4.1 Construct and describe plausible interpretations of what they perceive in works of art. 4.2 Identify and describe ways in which their culture is being reflected in current works of art.</p> <p>Visual Literacy Grade 8 Role and Development of the Visual Arts</p> <p>3.1 Examine and describe or report on the role of a work of art created to make a social comment or protest social conditions. Derive Meaning</p> <p>4.2 Develop a theory about the artist’s intent in a series of works of art, using reasoned statements to support personal opinions.</p>
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Lesson	Common Core State Standards English Language Arts
Lesson 1	CCSS.ELA-Literacy.W.4.8 Recall relevant information from experiences or gather relevant information from print and digital sources, take notes, and categorize information, and provide a list of sources.
Lesson 2	CCSS.ELA-Literacy.SL.41c Pose and respond to specific questions to clarify or follow on information, and make comments that contribute to the discussion and link to the remarks of others.
Lesson 3	<p>CCSS.ELA-Literacy.W.3.1 Write opinion pieces on topics or texts, supporting a point of view with reasons.</p> <p>CCSS.ELA-Literacy.W.4.1 Write opinion pieces on topics or texts, supporting a point of view with reasons and information.</p> <p>CCSS.ELA-Literacy.W.5.1b Provide logically ordered reasons that are supported by facts and details.</p> <p>CCSS.ELA-Literacy.W.6.1 Write arguments to support claims with clear reasons and relevant evidence.</p> <p>CCSS.ELA-Literacy.W.7.1 Write arguments to support claims with clear reasons and relevant evidence.</p> <p>CCSS.ELA-Literacy.W.8.1 Write arguments to support claims with clear reasons and relevant evidence.</p>

Standards

<p>Lesson 4 Recognizing Stereotypes</p>	<p>CCSS.ELA-Literacy.SL.6.1 Engage effectively in a range of collaborative discussions with diverse partners on grade 6 topics, text, and issues, building on others’ ideas and expressing their own clearly.</p> <p>CCSS.ELA-Literacy.SL.6.6 Adapt speech to a variety of contexts and tasks, demonstrating command of formal English when indicated or appropriate.</p> <p>CCSS.ELA-Literacy.SL.7.1 Engage effectively in a range of collaborative discussions with diverse partners on grade 7 topics, text, and issues, building on others’ ideas and expressing their own clearly.</p> <p>CCSS.ELA-Literacy.SL.7.1d Acknowledge new information expressed by others and, when warranted, modify their own views.</p> <p>CCSS.ELA-Literacy.SL.8.1 Engage effectively in a range of collaborative discussions with diverse partners on grade 8 topics, text, and issues, building on others’ ideas and expressing their own clearly.</p> <p>CCSS.ELA-Literacy.SL.8.1d Acknowledge new information expressed by others, and when warranted, qualify or justify their own views in light of the evidence presented.</p>
<p>Lesson 5 Racial Stereotypes</p>	<p>CCSS.ELA-Literacy.SL.6.1 Engage effectively in a range of collaborative discussions with diverse partners on grade 6 topics, text, and issues, building on others’ ideas and expressing their own clearly.</p>
<p>Lesson 6 Joseph Tape</p>	<p>CCSS.ELA-Literacy.RL 3.1 Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.</p>
<p>Lesson 7 Mamie Struggles to Go to School</p>	<p>CCSS.ELA-Literacy.RL 3.1 Ask and answer questions to demonstrate understanding of a text, referring explicitly to the text as the basis for the answers.</p>
<p>Lesson 8 Mamie Tape and Segregated Schools</p>	<p>CCSS.ELA-Literacy.RI.6.3 Analyze in detail how a key individual, event, or idea is introduced, illustrated, and elaborated in a text</p>

Immigration

Red Light/Green Light

Grades 3-5

Objective: Students will discuss reasons why people wanted to come to the United States, as well as possible obstacles on their journey.

Materials:

- Large “Red Light” butcher paper
- Large “Green Light” butcher paper
- Large “Yellow Light” butcher paper
- “Immigrant” definition paper
- “red light” terms (with pictures):
 - Disease
 - No paperwork
- “yellow light” terms (with pictures):
 - Racism
 - Language barriers
- “green light” terms (with pictures):
 - finding work for family
 - religious freedom
 - escaping war or poverty
 - finding riches or adventure
- blank papers (so students can add other terms and ideas to red, yellow, or green)
- tape
- large open space
- *note: it’s OK for students’ categorization to not match this one; their discussion may lead them to different conclusions. Be prepared to be flexible and leave room for agreements/disagreements.*

Activity:

- Have students sit in the space in front of the three poster papers. Go over the ideas of red, yellow, and green lights. Give an example of a “green light” (from above) and tape it onto the green light paper. Tell students that they are about to play a game in which they will talk about the reasons *why* people may have wanted to come to America (the green lights), as well as things that may have made it hard (yellow lights) or impossible (red lights). Explain what the term **immigrant** means. (Optional: Have students pair/share any personal connections they have to this word.)
- As a group, sort out the different terms onto the red, yellow, and green papers. This may be challenging, so be ready to help them and give them some ideas. Harder terms can be explained to them. (If students have any other terms they want to add, give them the opportunity now. Personal anecdotes and memories should be encouraged.)
- Once all of the terms have been sorted, go over the rules of “Red Light, Green Light.” Explain to them that instead of shouting out “red light,” “yellow light” or “green light,” you will be shouting out the different terms they have sorted. Once the rules have been explained, have the students line up on a line far away from you.
- Begin the game, using the terms on the red, yellow, and green posters. After each one, you can give a brief reminder of why that may have been the color it was. Once a student has made it to the predetermined finish line, they have “made it” to America. They can sit on a line with you and wait for the rest of the students to “make it.” Ultimately, some students will not cross the finish line, or may make it only after many setbacks.
- After the game, have a circle discussion:
 - Pair share: What did you notice?
 - Were you able to come without any problems?
 - What made your journey difficult?
 - What did you find surprising?
 - Why did some people not “make it” to “America”?
 - How did this game remind you of your family?

(Modifications: if space is small, have "green light" be students placing their feet one in front of the other and "yellow light" placing their feet one in front of the other as slowly as possible.)

Optional Extension: After the circle discussion, students will individually write/journal/illustrate reflections answering the questions. Teachers can collect these reflections, referring to them as necessary through the unit (Suggestion: Hang these reflections up for the duration of the unit so that students can reflect more deeply on the experiences in the room).

Packing Our Bags

Grades 3-5

Objective: Students will quickly pick items to “bring” to a new country. Students will discuss what was easy or hard about their choices.

Materials:

Students will need pencils/index cards

At least 30 random objects, including items such as:

- Family photos, stationery supplies, food, toothbrush, shampoo, socks, clothing, hat, grandmother’s necklace, kitchen supplies, pretend currency, a passport, etc.
- Modification: If physical objects are hard to gather, you can write the name of each object on an index card, or use the list provided, Handout PB1.

Activity:

Put all of the items out on the floor and have students make a circle around them. Tell the students that they have just been told that they are leaving for the new country and have to pack immediately. Out of everything in their “house,” they can each only pack 3 things in their suitcase. They have only 3 minutes to decide. Give students 3 minutes to go through and choose. Have students record their 3 choices on an index card or other paper. After 3 minutes, students will stop, look and discuss. Have students pair-share why they picked what they picked, and then lead the class in a whole-group discussion (suggested questions below).

Modification: For very large or space-limited classes, a suggested modification would be to print copies of the list provided for small groups (4-6) and conduct the activity in small groups before having a whole-class discussion.

Questions:

- Why did you pick what you picked?
- Was it easy? Difficult?
- How did it feel to have so little time and to only get to pick three items?

* After, talk to students about the time constraints and difficult decisions many families have to make when they immigrate. Have students share personal anecdotes/stories/memories.

Packing List

family photos
stationery supplies
non-perishable food
toothbrush
shampoo
socks
warm clothing
wool hat
paper
kitchen supplies
currency (money)
passport
blanket
antique vase
stuffed animal
grandmother's necklace
family tree
gold earrings
glasses
baby clothes
1st aid kit
duct tape
childhood diary
address book
book of poetry
family's jade bracelets
camping tent
sleeping bag

Racist Cartoons

Grades 3-8

Objective: Using a modified version of Visual Thinking Strategies (VTS) students will observe the images in worksheets and identify racism in published cartoons during the Chinese Exclusion Era of 1882-1943.

Procedure:

1. Distribute Handouts CT 1-4. Students can work individually or in pairs/small groups on all 4 worksheets.
2. Students will observe and cartoon images and complete the questions on the worksheet. Before working, students should do a "picture walk of all 4 images as a whole class, and discuss what they observe.
3. Discuss students' findings.
4. Define sinophobia: the fear or dislike of Chinese people or its culture.
5. Discuss how racist images fueled the Chinese Exclusion Act.
6. Have a class discussion of their findings and have them brainstorm answers the following questions.
 1. Who is the audience?
 2. Why were these created?
 3. What did these images have to do with the Chinese Exclusion Act?

Extension/Homework

1. Students complete Handout CT5. Share and discuss students' work.
2. Define sinophobia: the fear or dislike of Chinese people or its culture.
3. Discuss how racist images fueled the Chinese Exclusion Act.
4. Have a class discussion of their findings and have them brainstorm answers the following questions.
 1. Who is the audience?
 2. Why were these created?
 3. What did these images have to do with the Chinese Exclusion Act?

Note to Educators: Prior to this lesson, students should have a basic understanding of the 1882 Chinese Exclusion Act.



Observe the cartoon and answer the following questions.

What's going on in this picture?

What do you see that makes you say that?

What more can you find?



Observe the cartoon and answer the following questions.

What's going on in this picture?

What do you see that makes you say that?

What more can you find?



Observe the cartoon and answer the following questions.

What's going on in this picture?

What do you see that makes you say that?

What more can you find?

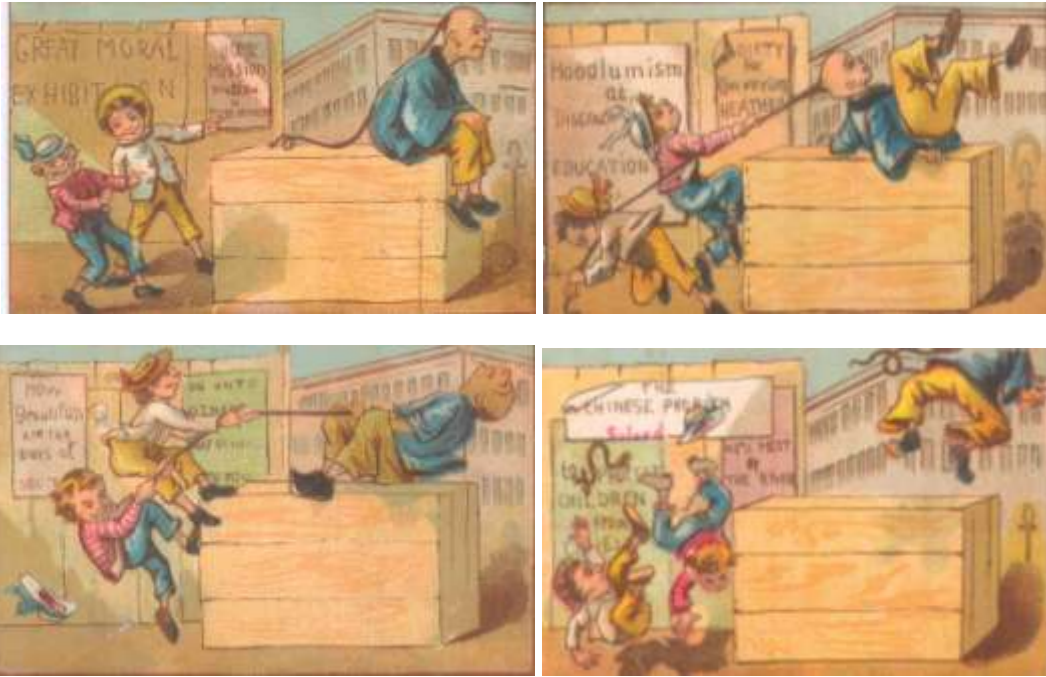


Observe the cartoon and answer the following questions.

What's going on in this picture?

What do you see that makes you say that?

What more can you find?



Answer the following questions.

1. Write 10 adjectives that come to mind as observe the cartoons.

2. How true/realistic are the pictures? Explain.

3. What stereotypes do these cartoons portray? Give examples.

4. How might these cartoons affect/reflect how Chinese were/are treated?

Recognizing Stereotypes

Grades 3-8

Objectives

Students will

- learn the meaning of the word *stereotype*.
- work as a group to come up with stereotype statements.
- discuss whether stereotypical statements are fair or right

Keywords

stereotype, fairness, prejudice, racism, race, judgment, Asian, assumption, assume, generalize,

Activity

1. To begin the lesson, write the words *man* and *woman* side-by-side at the top of the board. Draw a vertical line between the two words to create a two-column chart. Ask students to contribute words or phrases that describe the qualities or characteristics of the nouns under each column.

Then ask the following questions:

- Are you happy with the lists you have created? Do you see any changes you would like to make to them?
- Are there terms that do not belong under the heading they're under? Are there terms that might fit under both headings?
- Is it fair to say that *all* men _____ or that *all* women _____?
- Are these statements always true?
- How do these lists make you feel? Why?

2. Define the word *stereotype*: a widely held but fixed and oversimplified image or idea of a particular type of person or thing. Students can also generate a definition using their own words.

Extension for 6-8 grades

Write on the chalkboard or chart the following phrases:

Lesson 4 Recognizing Stereotypes

All old people are forgetful.
Boys are better at videogames than girls are.
African-American men are the best basketball players.
Asians are good at math.

Give students a few moments to consider those phrases. Then ask them to share their reactions. Help students make the connection between the phrases and the terms:

stereotype, racism, assumption, generalize, opinion and judgment.

Ask students to share how they felt about the lesson. What did they learn? Were there times during the lesson when they felt angry or sad?

Students will write a paragraph or two explaining what they learned from the activity. They should include specific examples of stereotypes and explain why they believe those stereotypes are wrong. Teachers can refer to these writings for future discussions.

Racial Stereotypes

Grades 6-12

Objectives

Students will discover

- Assumptions can lead to stereotypes and unfair judgments about individuals and groups.
- Stereotypes and biases affect our lives

Procedure

Begin a discussion on the concepts of race and ethnicity. Write each word on the board or on a flip chart and ask students to list the attributes that define the terms "race" and "ethnicity". Record their ideas.

Discuss with students how people often use labels or categories to describe racial groups others and how these labels can be based on such characteristics as looks, the way a person talks or the groups to which he or she belongs. Explain that categorizing things or people is a natural human inclination; however, people often make assumptions about groups of people they don't even know. Ask Students to come up with a list of adjectives for the groups American, Chinese, Chinese Americans.

When they are finished, ask students to take a moment and look at the adjectives that the class has generated under each group heading. Use the following questions to lead a discussion about what they recorded:

- Do assumptions apply to everyone in the group?
- Do most people hold the same assumptions about a group? Why or why not?
- Do assumptions tell us anything definite about a categorized individual?
- How do assumptions affect your behavior toward others?

Now ask students to help define the word "stereotype." Explain that when we make assumptions about an entire group of people, those assumptions are referred to as stereotypes. When assumptions and stereotypes influence our attitudes, we may find that making a fair judgment about someone or something is difficult. This influence on judgment is called a "bias."

Joseph Tape

Grades 3-5

Objective:

Students will

- Learn about the life of Chinese immigrant Joseph Tape.
- Learn about the history of his/her community.

Materials:

- Joseph Tape biography Handout JT 1-2

Activity:

Students will read and answer questions about the biography of Joseph Tape. They will learn about his life as an immigrant in San Francisco. Students will learn the different industries from past communities.

Joseph Tape



Jeu Dip was born in 1852. Jeu later changed his name to Joseph, perhaps because “Joe Tape” sounded like Jeu Dip.

In 1864, when he was twelve years old, he left his home in Skipping Stone Village, of Guangdong Province, China for the United States. He landed in San Francisco, California. San Francisco was a city where immigrants went to look for work. Chinese immigrants who arrived before him worked in the gold and silver mines. Immigrants, who arrived to the United States after 1864, came to work on the Transcontinental Railroad, farming, fishing and shrimp industries.

Joseph found work as a houseboy, working for a dairy rancher, Matthew Sterling. For his job, Joseph woke up early every morning to do chores around the house. He hauled water, prepared food, emptied slop buckets, cleaned silver, washed windows, and cut kindling for fire. He also had to sweep, wash and iron clothes and run errands.

Joseph Tape later became a drayman, a person who drove a cart or wagon to transport rice, tea, silk, porcelain and other imported goods from China. His business expanded to include expressing or carrying immigrants’ baggage from the docks.

In 1875, he married Mary McGladery. They had four children: Mamie, Frank, Emily, and Gertrude. Mamie Tape became the most well known of the four children.

After reading the passage on Joseph Tape, answer the following questions.

- True False Joseph Tape was born in San Francisco.
- True False Joseph Tape worked in the Gold Mines.
- True False Joseph Tape had a houseboy.
- True False Joseph Tape married Mary McGladery.
- True False Joseph Tape became a drayman to transport exports to China.

Match the following words to their definitions

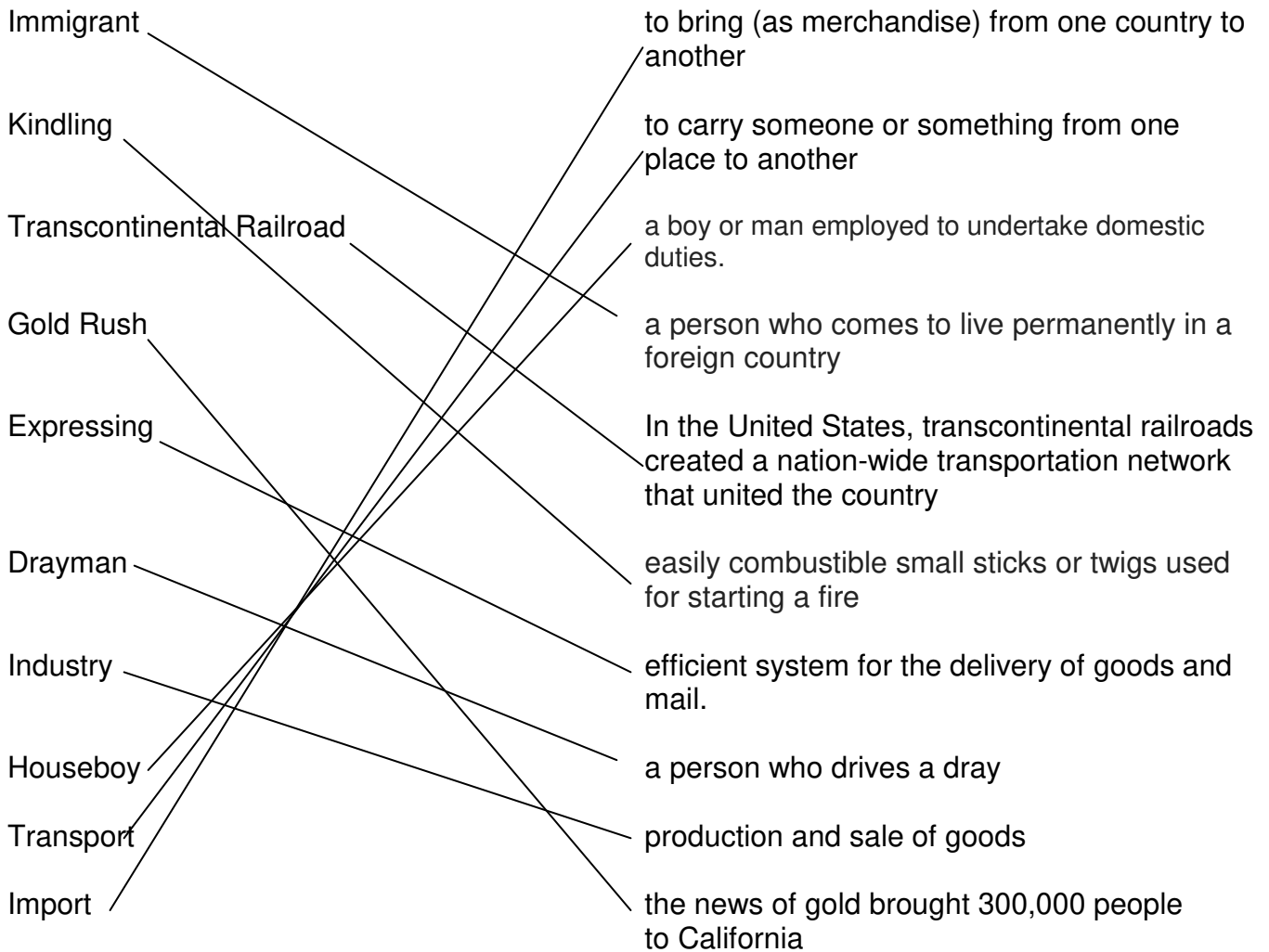
Immigrant	to bring (as merchandise) from one country to another
Kindling	to carry someone or something from one place to another
Transcontinental Railroad	a boy or man employed to undertake domestic duties.
Gold Rush	a person who comes to live permanently in a foreign country
Expressing	In the United States, transcontinental railroads created a nation-wide transportation network that united the country
Drayman	easily combustible small sticks or twigs used for starting a fire
Industry	efficient system for the delivery of goods and mail.
Houseboy	a person who drives a dray
Transport	production and sale of goods
Import	the news of gold brought 300,000 people to California

Use the vocabulary words to write a paragraph about Joseph Tape and his family.

After reading the passage on Joseph Tape, answer the following questions.

- True False Joseph Tape was born in San Francisco.
- True False Joseph Tape worked in the Gold Mines.
- True False Joseph Tape had a houseboy.
- True False Joseph Tape married Mary McGladery.
- True False Joseph Tape became a drayman to transport exports to China.

Match the following words to their definitions



Use the vocabulary words to write a paragraph about Joseph Tape and his family.

Mamie Goes to School

Grades 3-5

Objective:

Students will

- Learn about the effects of the Chinese Exclusion Act on those of Chinese descent living in the United States.
- Learn about the history of segregation of public schools in San Francisco.

Materials:

- Mamie Tape's biography Handout MS 1-2

Activity:

Students will read and answer questions about the biography of Mamie Tape. They will learn about her struggles getting into a public school in San Francisco in 1875.

Mamie Goes to School



Mamie Tape was born in 1876. When she was eight years old, she became famous because she was not allowed to attend school. Her name was printed in newspapers throughout the United States because Mamie and her parents fought for her right to attend school.

In 1884, Mamie's parents tried to take her to Spring Valley Primary School, a public school in San Francisco. However, the Principal Hurley told them that because Mamie was Chinese, Mamie was not allowed to attend the school. School authorities believed that the California constitution declared Chinese to be "dangerous to the well-being of the state," and thus the city had no obligation to educate Chinese students. Principal Hurley could have lost her job if Mamie was allowed to go to school.

Mamie grew up during the Chinese Exclusion Era, a time when it was common to treat Chinese poorly. Even so, Mamie's mother, Mary Tape, did not understand why Mamie was not allowed to go to school. She did not feel that it was wrong to be Chinese. She wrote an angry letter sharing her feelings about segregation and it was printed in the local newspaper.

By April 1885, Mamie was finally allowed to go to school, but not Spring Valley. Mamie was only allowed to go to Chinese Primary School, a school formed to segregate Chinese students. Today, that school is known as Gordon J. Lau Elementary School.

After reading about Mamie Tape, answer the following questions.

- | | | |
|------|-------|---|
| True | False | Principal Hurley of Spring Valley Primary School welcomed Mamie to attend her school. |
| True | False | School Administrators felt it was wrong to treat Chinese poorly. |
| True | False | In 1885, Mamie was finally allowed to attend Spring Valley Primary School. |
| True | False | Chinese Primary School allowed all students to attend. |
| True | False | Mamie Tape is famous because she was white. |
| True | False | Chinese have been treated well throughout history. |
| True | False | Children of all ethnicities have always been allowed to attend school. |

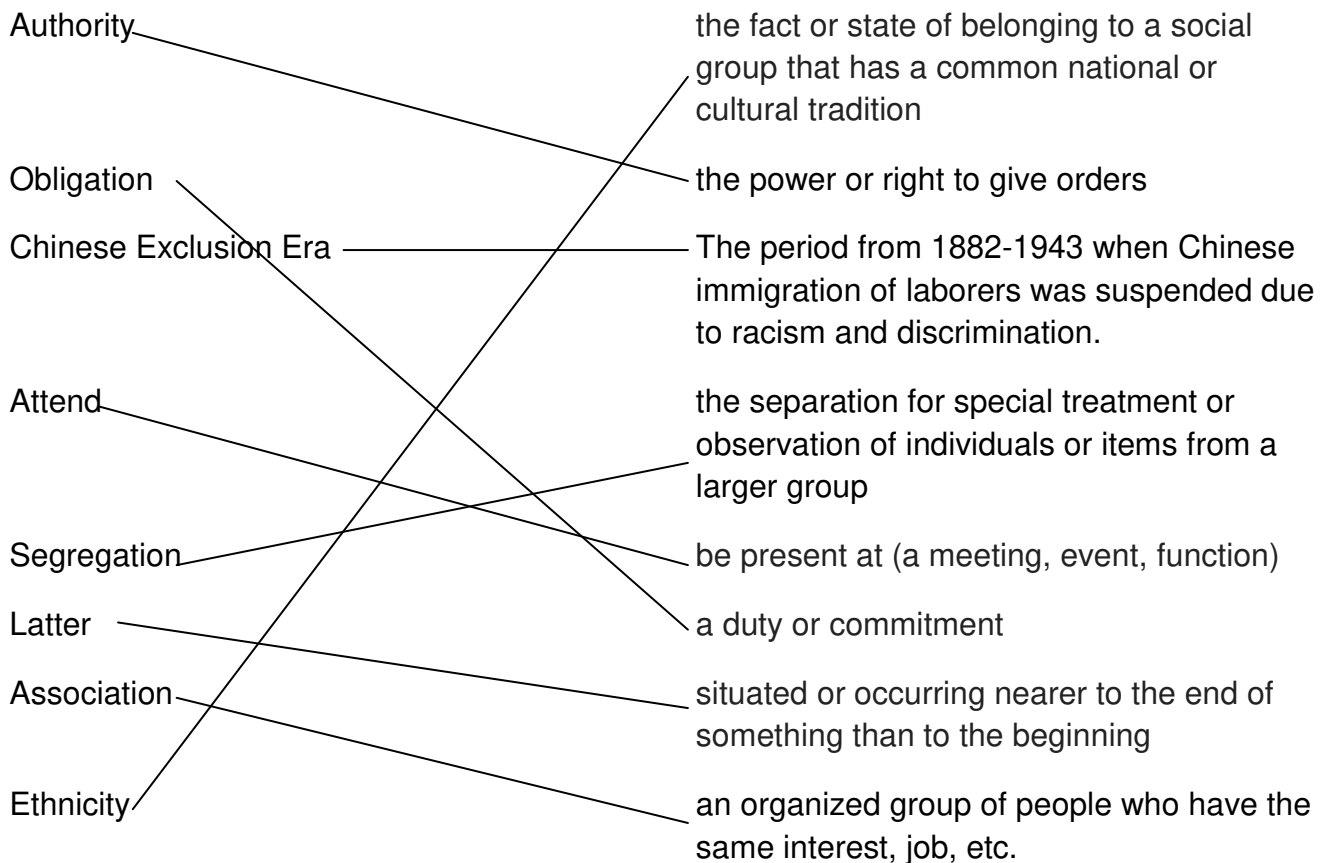
Match the term to its definition.

Authority	the fact or state of belonging to a social group that has a common national or cultural tradition
Obligation	the power or right to give orders
Chinese Exclusion Era	The period from 1882-1943 when Chinese immigration of laborers was suspended due to racism and discrimination.
Attend	the separation for special treatment or observation of individuals or items from a larger group
Segregation	be present at (a meeting, event, function)
Latter	a duty or commitment
Association	situated or occurring nearer to the end of something than to the beginning
Ethnicity	an organized group of people who have the same interest, job, etc.

After reading about Mamie Tape, answer the following questions.

- True False Principal Hurley of Spring Valley Primary School welcomed Mamie to attend her school.
- True False School Administrators felt it was wrong to treat Chinese poorly.
- True False In 1885, Mamie was finally allowed to attend Spring Valley Primary School.
- True False Chinese Primary School allowed all students to attend.
- True False Mamie Tape is famous because she was white.
- True False Chinese have been treated well throughout history.
- True False Children of all ethnicities have always been allowed to attend school.

Match the term to its definition.



Mamie Tape and Segregated Schools

Grades 6-8

Objective:

Students will

- learn about the life chronology of events that led to the legalized discrimination of Chinese in America
- learn that segregated schools in California started in 1885
- Learn about the history of his/her community.

Materials:

- Handout of Mamie Tape and Segregated Schools MTSS 1-4

Activity:

Students will read through the timeline of events of the Tape v. Hurley case and answer the questions in Handout MTSS 4.

Mamie Tape and Segregated Schools

1876

Mamie Tape was born.

May 1882

Passage of the Chinese Exclusion Act. This law prohibited all immigration of Chinese laborers.

Fall of 1884

Joseph and Mary Tape tried to enroll their daughter Mamie into Spring Valley Primary School and were denied.

October 4, 1884

Joseph Tape filed a complaint of San Francisco Board of Education regarding Principal Hurley's refusal to admit his daughter to Spring Valley Primary School.

October 21, 1884

San Francisco Board of Education decreed that all principals are prohibited from admitting Mongolian (Chinese) Children into San Francisco schools or classes.

November 12, 1884

San Francisco Board of Education members summoned to appear before Judge Maguire to show cause why Mamie Tape should not be allowed to enter the public schools. Board of Education members quoted from the California Constitution that presence of Chinese is to be considered "dangerous to the well-being of the State".

January 9, 1885

Tape v. Hurley was a landmark court case. Superior Court of California, Judge Maguire decided in favor of the Tape family based on the 14th Amendment that protects the rights and privileges of all born within the United States. Mamie Tape was a citizen of the United States and therefore had the right to attend school.

January 14, 1885

Tape family petitioned to the Board of Education to rescind decision on October 21, 1884 and to direct Spring Valley Principal Jennie Hurley to admit Mamie Tape.

Board of Education decided to appeal the Supreme Court decision.

January 23, 1885

Assemblyman W. S. May introduced Assembly Bill 268 for the creation of separate schools for children of Mongolian or Chinese descent. When such schools exist, Chinese children must not be admitted into any other schools.

March 3, 1885

California Supreme Court confirmed decision that Mamie Tape had the legal rights to attend public school.

March 18, 1885

California Assembly Bill 268 was passed. Establishment of separate schools would now be an option for school districts to educate children of Mongolian or Chinese descent. When such separate schools are established, Chinese or Mongolian children must not be admitted into any other schools.

April 7, 1885

Tape family lawyers went to Spring Valley Primary School with Mamie Tape and asked Principal Hurley to admit Mamie in accordance with the Supreme Court decision.

Principal Hurley again refused based on two reasons:

- 1) Mamie was missing her vaccination certificate
- 2) There was no room in the classes

San Francisco School Board met and decided to establish a school for Chinese children. They decided to rent a building on the corner of Jackson and Stone streets in Chinatown. They hired Miss Rose Thayer to teach at the newly established Chinese Primary School.

April 13, 1885

Chinese Primary School, the first public school for segregating Chinese children, opened.

April 14, 1885

Evening Bulletin article published on the first day of school for the six children at the school.

“The first pupils to appear yesterday morning were Frank and Mamie Tape, whose cases were taken before the Courts, resulting in the establishment of a public school for Chinese. The boy is six years old and the girl eight. Both children are bright, and talk English as well as most pupils at the public schools. They are dressed neatly in clothes like those worn by American children, and have none of the Chinese peculiarities in regard to the manner of wearing the hair. Frank has no queue, his black hair being allowed to grow as it was meant to do, and neatly trimmed. Mamie has the traditional braid of American children hanging down her back and tied with a ribbon.”

1896

Plessy v. Ferguson is a landmark United States Supreme Court decision. The decision defended the constitutionality of state laws requiring racial segregation in public facilities under the doctrine of separate but equal.

1943

The Magnusson Act repealed Chinese Exclusion Act of 1882.

1954

Brown v. Board of Education was a landmark United States Supreme Court case which the Court declared state laws establishing separate public schools for black and white students unconstitutional. The decision overturned the *Plessy v. Ferguson* decision of 1896.

Lessons for Upper Grades

Primary sources related to the Tape v. Hurley court case are provided as the Appendices. Students will learn about the significance of this historic court case through careful examination of these documents.

Some questions to consider when examining the documents:

- What is this document?
- What is the date of this document?
- Who is the author/creator of this document?
- Who is the audience of this document?
- What is the Tape v. Hurley case about?
- Who are the key people involved in the Tape v Hurley case?
- What can you learn from this document?

Chinese Exclusion Act

Excerpt of Chinese Exclusion Act (1882) approved May 6, 1882¹:

An Act to execute certain treaty stipulations relating to Chinese.

Whereas in the opinion of the Government of the United States the coming of Chinese laborers to this country endangers the good order of certain localities within the territory thereof: Therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That from and after the expiration of ninety days next after the passage of this act, and until the expiration of ten years next after the passage of this act, the coming of Chinese laborers to the United State be, and the same is hereby, suspended; and during such suspension it shall not be lawful for any Chinese laborer to come, or having so come after the expiration of said ninety days to remain within the United States.

SEC. 2. That the master of any vessel who shall knowingly bring within the United States on such vessel, and land or permit to be landed, any Chinese laborer, from any foreign port of place shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by a fine of not more than five hundred dollars for each and every such Chinese laborer so brought, and maybe also imprisoned for a term not exceeding one year.

¹"Chinese Exclusion Act of 1882" Our Documents, accessed January 22, 2014, <http://www.ourdocuments.gov/>

Tape v. Hurley

SUPREME COURT OF CALIFORNIA

March 1885

Tape v. Hurley

66 Cal. 473 (1885)

Decision

MAMIE TAPE, an Infant, by her Guardian ad Litem,
JOSEPH TAPE, Respondent, v. JENNIE M. A. HURLEY et al., Appellants

SHARPSTEIN, J.—The main question in this case is whether a child "between six and twenty-one years of age, of Chinese parentage, but who was born and has always lived in the city and county of San Francisco," is entitled to admission in the public school of the district in which she resides.

The language of the code is as follows:

"Every school, unless otherwise provided by law, must be open for the admission of all children between six and twenty-one years of age residing in the district; and the board of trustees, or city board of education, have power to admit adults and children not residing in the district, whenever good reasons exist therefor. Trustees shall have the power to exclude children of filthy or vicious habits, or children suffering from contagious or infectious diseases." (Political Code, § 1667.) That is the latest legislative expression on the subject, and was passed as late as 1880. Prior to that time the first clause of the section read, "Every school, unless otherwise provided by special statute, must be open for the admission of all *white* children between five and twenty-one years of age, residing in the district."

As amended, the clause is broad enough to include all children who are not precluded from entering a public school by some provision of law; and we are not aware of any law which forbids the entrance of children of any race or nationality. The legislature not only declares who shall be admitted, but also who may be excluded, and it does not authorize the exclusion of any one on the ground upon which alone the exclusion of the respondent here is sought to be justified. The vicious, the filthy, and those having contagious or infectious diseases, may be excluded, without regard to their race, color or nationality.

This law must be construed as any other would be construed. "Where a law is plain and unambiguous, whether it be expressed in general or limited terms, *the legislature should be intended to mean what they have plainly expressed*, and consequently, no room is left for construction." (*Fisher v. Blight*, 2 Cranch, 358, 399.) "When the law is clear and explicit, and its provisions are susceptible of but one interpretation, its consequences, if evil, can only be avoided by a change of the law itself, to be effected by legislative and not judicial action." (*Bosley v. Mattingly*, 14 B. Mon. 73.) This rule is never controverted or doubted, although perhaps sometimes lost sight of. In this case, if effect be given to the intention of the legislature, as indicated by the clear and unambiguous language used by them, respondent here has the same right to enter a public school that any other child has. It is not alleged that she is vicious, or filthy, or that she has a contagious or infectious disease. As the legislature has not denied to the children of any race or nationality the right to enter our public schools, the question whether it might have done so does not arise in this case.

We think the superintendent of schools was improperly joined as a defendant in this action, and that the court properly dismissed the action as to the board of education. In *Ward v. Flood*, 48 Cal. 36, the action was against the teacher alone. That it was properly brought, seems to have been conceded.

The board of education has power "to make, establish, and enforce all necessary and proper rules and regulations *not contrary to law*," and none other. (Stats. 1871-2, p. 846.) Teachers cannot justify a violation of law, on the ground that a resolution of the board of education required them to do so. The judgment must be modified, so as to make the writ run against the defendant Hurley alone.

In other respects it is affirmed.

THORNTON, J., MYRICK, J., McKEE, J., McKINSTRY, J., ROSS, J., and MORRISON, C. J., concurred.²

² "*Tape v. Hurley*, 66 Cal. 473, 6 P. 12 (1885)," Asian American Legal Foundation, accessed January 22, 2014, http://www.asianamericanlegal.com/index.php?option=com_content&task=view&id=27&Itemid=36.

A Letter from Mrs. Tape

1769 Green Street

San Francisco, April 8, 1885

To the Board of Education - DEAR SIR: I see that you are going to make all sorts of excuses to keep my child out off the Public schools. Dear sirs, Will you please to tell me! Is it a disgrace to be Board a Chinese? Didn't God make us all!!! What right have you to bar my children out of the school because she is a chinese Decend. They is no other worldly reason that you could keep her out, except that. I suppose, you all goes to churches on Sundays! Do you call that a Christian act to compel my little children to go so far to a school that is made in purpose for them. My children don't dress like the other Chinese. They look just as phunny amongst them as the Chinese dress in Chinese look amongst you Caucasians. Besides, if I had any wish to send them to a chinese school I could have sent them two years ago without going to all this trouble. You have expended a lot of the Public money foolishly, all because of a one poor little Child. Her playmates is all Caucasians ever since she could toddle around. If she is good enough to play with them! Then is she not good enough to be in the same room and studie with them? You had better come and see for yourselves. See if the Tape's is not same as other Caucasians, except in features. It seems no matter how a Chinese may live and dress so long as you know they Chinese. Then they are hated as one. There is not any right or justice for them.

You have seen my husband and child. You told him it wasn't Mamie Tape you object to. If it were not Mamie Tape you object to, then why didn't you let her attend the school nearest her home! Instead of first making one pretense Then another pretense of some kind to keep her out? It seems to me Mr. Moulder has a grudge against this Eight-year-old Mamie Tape. I know they is no other child I mean Chinese child! Care to go to your public Chinese school. May you Mr. Moulder, never be persecuted like the way you have persecuted little Mamie Tape. Mamie Tape will never attend any of the Chinese schools of your making! Never!!! I will let the world see sir What justice there is When it is govern by the Race prejudice men! Just because she is of the Chinese decend, not because she don't dress like you because she does. Just because she is decended of Chinese parents I guess she is more of a American then a good may of you that is going to prewent her being Educated.

Mrs. M. Tape³

³ Chinese Mother's Letter," Daily Alta California, April 14, 1885.

Additional Resources

Books

Low, Victor. The unimpressible race: A century of educational struggle by the Chinese in San Francisco.
San Francisco: East/West Pub. Co., 1982.

Videos

Mamie Tape: The fight for equality in education (1885-1995).
<http://www.cetel.org/mamietape.html>

Websites

“Chinese Exclusion Act of 1882” Our Documents. Accessed 16 Jan. 2014

<http://www.ourdocuments.gov/doc.php?flash=true&doc=47&page=transcript>

"Tape v. Hurley." Asian American Legal Foundation. Accessed 22 January 2014,
[http://www.asianamericanlegal.com/index.php?option=com_content&task=view
&id=27&Itemid=36](http://www.asianamericanlegal.com/index.php?option=com_content&task=view&id=27&Itemid=36).

“What a Chinese Girl Did”, The morning call. (San Francisco [Calif.]) 1878-1895, November 23, 1892,
Page 12, Image 12, Accessed 22 January 2014
<http://chroniclingamerica.loc.gov/lccn/sn94052989/1892-11-23/ed-1/seq-12/>.

Visit the Chinese Historical Society of America

The Chinese Historical Society of America, was incorporated as a not-for-profit organization on January 5, 1963. Its mission is: 1) to establish, maintain, and operate a scientific, literary, and educational organization; 2) to study, record, acquire, and preserve all suitable artifacts and such cultural items as manuscripts, books, and works of art or their facsimiles which have a bearing on the history of the Chinese living in the United States of America; 3) to establish a headquarters to enable the display of such items as are acquired; 4) to issue papers and publicity pertaining to the findings of the Society; and 5) to promote the contributions that Chinese Americans living in this country have made to the United States of America. To accommodate its expanding programs and exhibitions, CHSA opened the Chinese Historical Society of America Museum and Learning Center in the historic Julia Morgan Chinese YWCA building in November 2001.

We offer school programs throughout the school year for Elementary, Middle and High School students. We offer a wide range of group programs:

- Dr. Yee: California Pioneer
- Hugh Liang: Witness to San Francisco's 1906 Earthquake and Fire
- I Want to Go to School: The Case of Tape v. Hurley
- Ng Poon Chew: Chinese Activist
- Uncle Toisan
- Sun Yat-Sen: The Three People's Republic, China's revolutionary leader
- Folktales
- Docent tours of our galleries
- Walking tours of Chinatown

Rates for museum programs start at \$2.50 for K-12 students and \$4.00 for adults. Museum theater capacity: 50. Recommended group size for docent or walking tours: 20.

If you have any questions or would like to book a visit to CHSA, please reserve a visit, please call (415) 391-1188, go to our website <http://www.chsa.org>, or email: info@chsa.org.

CHSA Museum
965 Clay Street
San Francisco, CA 94108