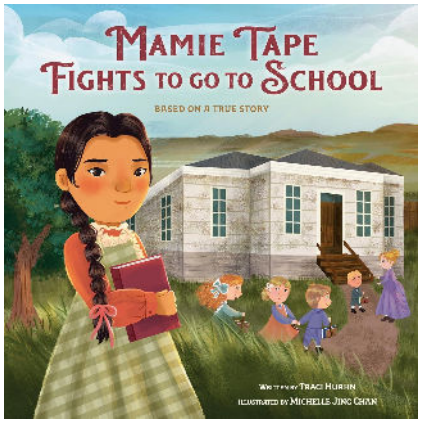
Third Grade Lesson
Learning about Three Branches of Government Through the Story of Mamie Tape
created by Sohyun An

GA Social Studies Standards
SS3CG1 Describe the elements of representative democracy/republic in the United States.
c. State the main responsibility of each branch: executive (enforcing laws), legislative (making laws), judicial (determining if laws are fair).

Imagine walking up to your school's front doors on the first day of class, backpack on and excited to see your friends, only for the principal to block the entrance and tell you that you aren't allowed inside—simply because of what you look like or where your parents immigrated from.



That is exactly what happened to eight-year-old Mamie Tape in San Francisco in 1884. While many students learn about brave civil rights figures like Ruby Bridges, few have heard the incredible story of Mamie Tape, a Chinese American girl whose family refused to accept discrimination. By exploring her historical journey through Traci Huahn's beautifully illustrated picture book, *Mamie Tape Fights to Go to School*, third graders can look past abstract definitions and see exactly how the three branches of government function, collide, and shape everyday lives in a representative democracy.

Background Information



Despite being hardly known, Asian Americans were not strangers to the history of school (de)segregation. Mamie Tape and her fight to go to school via Tape v. Hurley of 1885 is part of the rarely known but critical part of school (de)segregation history.

Mamie's parents, Joseph and Mary Tape, immigrated from China in the mid-1800s and had a successful business in California. In 1884, they tried to enroll their 8-year-old U.S.-born daughter Mamie in Spring Valley Primary School, an all-white school in their neighborhood. The school principal Jennie Hurley refused to admit Mamie because of her Chinese descent. California's school law at that time guaranteed "all children" admission to public schools. Yet the city of San Francisco

had been excluding Chinese American children from public schools.

The Judicial Branch Step-In

Believing this exclusion was fundamentally unfair, the Tapes turned to the **Judicial Branch** to seek justice. They sued the school board, and the local Superior Court ruled in their favor. The school board appealed, taking the case all the way to the California Supreme Court. In 1885, the Supreme Court upheld the lower court's verdict. The justices interpreted the existing law objectively, declaring that the public school system must accommodate all children, regardless of ancestry.

The Legislative and Executive Pivot

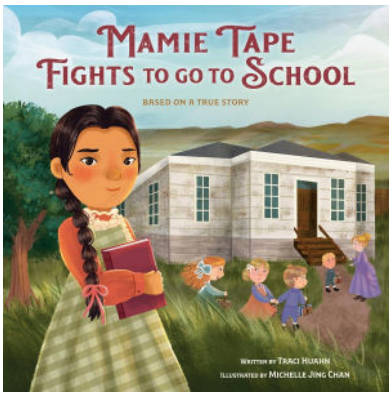
Unhappy with the court's judicial ruling, San Francisco School Superintendent Andrew Moulder successfully lobbied the California **Legislative Branch** (the state legislature) to rewrite the law. State lawmakers quickly passed an amendment giving school trustees the power to establish "separate schools for children of Mongolian or Chinese descent" and banned those children from attending white schools.

The local school board (**Executive actions/administrative enforcement**) then used this brand-new loophole to delay Mamie's enrollment at Spring Valley, manufacturing excuses such as falsely claiming the classrooms were full and requiring specific medical vaccinations. Meanwhile, they rushed to open a separate, segregated "Oriental School."

Mary Tape fiercely protested this systemic runaround in a powerful open letter to the *Daily Alta California*:

> 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 governed by the race of prejudiced men! Just because she is of Chinese descent, not because she doesn't dress like you because she does. Just because she is descended from Chinese parents. I guess she is more of an American than a good many of you that is going to prevent her being educated.

Regardless, the school board quickly opened a Chinese primary school in San Francisco and ordered Mamie and other Chinese American children to attend the segregated school. Ultimately, *Tape v. Hurley* is a poignant historical paradox: a case that was **won judicially** (the courts deemed the exclusion unfair under current law) but **lost legislatively** (the lawmakers changed the rules to sustain segregation).



Suggested Teaching Activity

Written by Traci Huahn and illustrated by Michelle Jing Chan, *Mamie Tape Fights to Go to School* can be a good instructional tool

to engage students in learning of Mamie Tape and her fight to go to school. The storyline includes what the state legislature, state supreme court, and school council did with regard to this legal case and further how racism shaped their actions.

So, after reading the book as a class, teachers can guide students to discuss the case of Tape v. Hurley as well as the role and responsibility of branches of government.

Step 1: The Three Branches Graphic Organizer

Before starting the discussion, draw three columns on the board labeled Legislative (Makes Laws), Executive (Enforces/Runs Things), and Judicial (Decides if Fair). As you read or recap the story, have students help you place the historical actors into their correct branches:

- The Courts / California Supreme Court: *Judicial Branch* (Ruled that turning Mamie away was illegal).
- The State Legislature / Lawmakers: *Legislative Branch* (Changed the law to allow "separate but equal" schools).
- The School Board / Superintendent / Principal: *Executive/Administrative Function* (Enforced school rules, blocked the door, and carried out the new segregation law).

Step 2: Differentiated Discussion Questions

Group your questions into clear thematic pathways to scaffold comprehension, build empathy, and explicitly connect the history back to the Georgia Civics Standard.

Pathway A: Connecting to the Civics Standard (The Three Branches)

- When the Principal blocked Mamie from entering the school, which branch did her parents turn to for help? Why did they choose that branch? (Focuses on the Judicial Branch determining if an action/law is fair).
- The Supreme Court ruled that Mamie had the right to go to school. How did the Legislative branch (the lawmakers) change things after that ruling? What is the main job of the legislative branch? (Focuses on the Legislative Branch making/changing laws).
- The School Board and Superintendent are responsible for running the schools and making sure school rules are followed. Which branch of government is most like their job? (Focuses on the Executive Branch enforcing rules/laws).

Pathway B: Building Historical Context & Empathy

- Why was it so difficult for Mamie to go to school? How do you think Mamie and her mother felt when the school rules kept changing?
- Mary Tape wrote that her daughter was "more of an American" than the people keeping her out of school. What do you think she meant by that? What does it mean to act like a good citizen?

Pathway C: Drawing Text-to-Text and Present-Day Connections

- How is Mamie's fight to go to school similar to or different from Ruby Bridges' story? How did the laws or courts play a role in both of their lives?
- Why is it important that we have a Judicial Branch (courts) to look at laws and decide if they are truly fair to everyone? What might happen if we only had lawmakers and no courts?

Images Used:

1. Huahn, Traci. Mamie Tape Fights to Go to School: Based on a True Story. New York: Crown Books for Young Readers, 2024.
2. Studio Portrait of the Tape Family, Unknown Author, via Smithsonian Institute https://americanhistory.si.edu/brown/history/2-battleground/detail/tape-family.html