Teaching history from
DIVERSE PERSPECTIVES

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Asian American Voices for Education

3rd Grade Lesson Plan on
Learning about Three Branches of Government Through the Story of Mamie Tape

Georgia 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).

Background Information

Mamie Tape and her fight to go to school is part of a rarely known but critical part of school (de)segregation history. By exploring her journey through Traci Huahn's *Mamie Tape Fights to Go to School* (2024), third graders can see exactly how the three branches of government function, collide, and shape everyday lives.

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





CHINESE IN OUR SCHOOLS.

Judge Maguire Says They Have Same Rights as Others.

CONTRIBUTIONS BY FORCE.

The Court Holds That it Has No Power to Avert a Danger Which Springs From the Absence of Necessary Laws—Right of Appeal.

The Judicial Branch Step-In

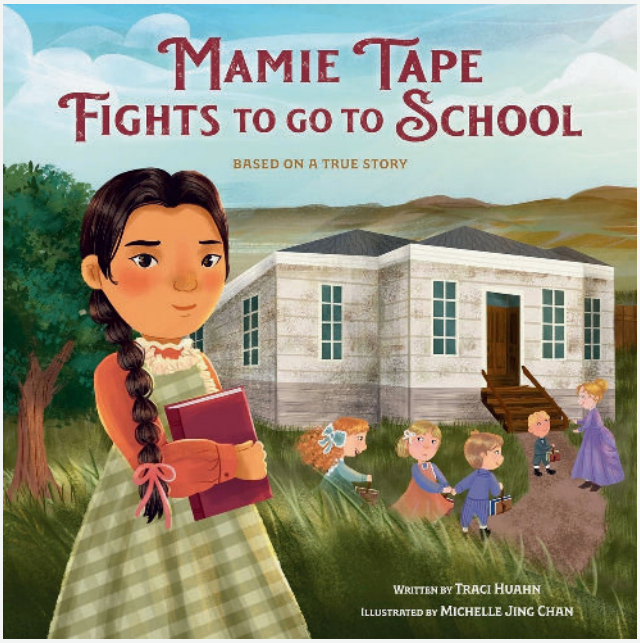
The Tapes turned to the **Judicial Branch** to seek justice. They sued the school board, and the local Superior Court ruled in their favor. The school board appealed, taking the case to the California Supreme Court. In 1885, the Supreme Court upheld the lower court's verdict. The justices declared that the public school system must accommodate all children, regardless of ancestry.



The Legislative and Executive Pivot

Unhappy with the court's judicial ruling, the superintendent lobbied the California **Legislative Branch** 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 then used this new loophole to delay Mamie's enrollment, falsely claiming the classrooms were full, and requiring specific medical vaccinations. Meanwhile, they rushed to open a separate, segregated "Oriental School."



Mary Tape protested this systemic runaround in a powerful open letter to the newspaper:

> *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… 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.

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).

Complete Article and Lesson Plan

Photo Credit:
(Top to Bottom, Left to Right)

1. Studio Portrait of the Tape Family, Unknown Author, via Smithsonian Institute
2. From the Daily Alta California, January 10, 1885.
3. Huahn, Traci. Mamie Tape Fights to Go to School: Based on a True Story. New York: Crown Books for Young Readers, 2024.

Contact us at info@aaved.org

History is the context of "**now**", "**why**", and "**how**".
Teach interwoven history.



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