

<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9A	<b>GRADE</b> 4-5	<b>SCHEMA</b> TRUST
<b>TITLE</b> TRUST RESPONSIBILITY		<b>TIME NEEDED:</b> 30 MINUTES

**DESCRIPTION** The US Constitution outlines individual rights in the Bill of Rights. It also divides the federal government rights, across three co-equal branches. Privileges not stated go to the states. Still, 574 Native nations exist within the U.S. Where do they fit in?

**LESSON FOCUS & GOALS** The focus of this lesson is to explore the historical context of the 1864 Sand Creek Massacre. The goal of this lesson is to put the US Trust Responsibility into fuller context, including rights and responsibilities, suggesting federal Indian law may be as fragile as it is binding.

#### MATERIALS NEEDED

Print enough copies of T3.9A so each student has (1) role to play. Note, there are (4) roles/packet; if there are 20 students in class, print (5) copies. For extensions T3.9B-G, print 1 copy/student. Pencils.

#### VOCABULARY

**integrity** adherence to moral and ethical principles; soundness of moral characters

**grit** firmness of character; indomitable spirit

**sovereign** all powerful

#### HOOK POST OR READ ALOUD

“Because you believed I was capable of behaving decently, I did.” **Paulo Coelho**

#### DIRECTIONS

Divide your class into groups of 4. For each group, print and deliver enough copies of this packet, giving one role/position to each student/group. **2)** Working in small groups, give individuals 10 minutes to read, annotate and complete prompts at the bottom of each page. **3)** Gathering as a class, take 10 minutes to work through as many GUIDING QUESTIONS as possible. **4)** Return to small groups and give students 10 minutes to collaborate on the EXIT TICKET found on the following page. \*With any JAM, students are tasked with diagnosing the embedded conflict. The purpose of taking a role, therefore, isn't to empathize too deeply, just enough to rationalize with the assigned viewpoint.

## TEACHER NOTES

Each JAM package is structured identically, 16 pages, including five (5) extensions, B-G, to deepen comprehension & expand writing skills. *Tip: co-create a visual timeline (p.9) to illustrate scope & scale.*

**T3.JAM.9A**

### GUIDING QUESTIONS

CLASS DISCUSSION

1. Name the three branches of the federal government. What is the **Separation of Powers**? Did you play JAM 4? If so, explain where this concept originated. Explain why separation is important; what does it have to do with the rule of law?
2. Which branch makes treaties? Approves treaties? Makes laws? Has “power of the purse” to pay bills? Which branch reviews laws to make sure they’re legal?
3. How long have Native nations lived across North America? Are Native nations **sovereign**? [on their land, yes] What are **Tribal treaties**? [treaties between US and Native nations, negotiated by the Executive branch, and ratified by Congress, administered by Executive branch/Interior Department/Bureau of Indian Affairs.]
4. The Supreme Court refers to the federal government’s responsibility to uphold all aspects of Tribal treaty law as the **Trust Responsibility**, including holding Native nation land held in trust—preserving and protecting that land on behalf of Native nations. In the case of the 1864 Sand Creek Massacre, was “trust” held or broken?
5. What’s the embedded conflict that did the most damage in this JAM?

**T3.JAM.9B**

### FROM CONFUSION TO CLARITY

PARTNER/INDIVIDUAL

This written re-tell incorporates 1) **retrieval practice** and 2) **complex syntax**

**T3.JAM.9C**

### STRUCTURED JOURNAL

INDIVIDUAL WORK

This exercise uses **meta-cognition** to help students identify what they’re thinking. Gaps in comprehension related to the JAM will reveal themselves; prepare to guide/clarify

**T3.JAM.9D**

### FROM CLARITY TO COMPLEXITY

PARTNER/INDIVIDUAL

This graphic organizer will help students transfer acquired knowledge from long-term memory back into working memory by 1) **retrieval practice** 2) **elaborating** ideas & details, 3) **analyzing** acquired knowledge by comparing & contrasting viewpoints

**T3.JAM.9E**

### BECAUSE, BUT, SO

INDIVIDUAL WORK

Three sentence stems invite students to 1) **elaborate** details & ideas, 2) grapple with **complex syntax**, 3) manage **sequence**, flow & logic through conjunctions

**T3.JAM.9F**

### CIRCLING THE TRUTH

GROUP WORK

This graphic organizer asks students to **interleave** schema, themes & details as they synthesize information into an elaborate re-tell. Great prep work for summary essay

**T3.JAM.9G**

### LISTEN

CLASS DISCUSSION

Students complete three sentence stems to prepare for class-wide debrief

## PUTTING SCIENCE INTO THE SOCIAL SCIENCES

Science isn't just knowledge, it's a process. The scientific method is a step-by-step process that humans use to study phenomena. For our purposes, we'll use a 7-step process to run a JAM from start to finish. Use this template to help you organize a JAM.

### BEFORE A JAM

- 1. OBSERVATION** Engage with HOOK
- 2. QUESTION** What do you find intriguing about this HOOK? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- 3. HYPOTHESIS** Based on the HOOK we predict this JAM is going to address  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_.

### DURING A JAM

- 4. EXPERIMENT** Divide your class into groups of four (4) students. If there are more than 4/group, that's fine! Some students can share a role. Next, run the JAM! Note, half-way through the JAM, re-convene small groups into one large group for a few minutes to answer GUIDING QUESTIONS found on next page.
- 5. ANALYZE DATA** Organize data by using extensions B-F.

### AFTER A JAM

- 6. SHARE RESULTS** List the embedded conflict(s) here \_\_\_\_\_.  
 \_\_\_\_\_.  
 What could historical figures have done to prevent injustice, violence & instability?  
 \_\_\_\_\_  
 \_\_\_\_\_
- 7. NOTES** To prepare for the next JAM, list what students/players could do to maximize time, trust & creativity \_\_\_\_\_.  
 \_\_\_\_\_.

## HELPFUL HINTS

Conflict is inevitable, yet humans have the capacity to choose how they engage. In that sense, managing conflict is an artform we could strive to master. JAMs are “task conflicts” based on historical records that position students to practice conflict by wrestling with multiple viewpoints in dynamic situations. The goal is to practice feeling uncomfortable so as to create a habit of invoking **metacognition**, thinking about what we’re feeling and thinking, before engaging in conflict. If so, we might be more apt to think before we speak, analyze seemingly opposite viewpoints, and find common ground. This includes identifying affect from cognition, keeping competing thoughts top of mind, and sequencing events into one timeline.

Rooted in rigor, JAMs aren’t easy. Competing data sets are discovered through skilled reading, healthy dialogue, and **phenomena**, occurrences or circumstances observed in real time. Taken together, students in a JAM are creating a living model of the past! At that rate, they’re facing a golden opportunity to practice the scientific method! See: **PUTTING SCIENCE INTO THE SOCIAL SCIENCES**. This includes following a step-by-step process whereby they’re thinking and behaving like scientists as they record, organize and analyze all data sets.

Anticipate confusion but be prepared for your students to grow and shine as they adapt and outwit history through this new learning strategy. These one-liners might help steady ‘em.

- *You are not the center of the universe.*
- *No person, no role, has all the answers; each role is merely one piece of the puzzle.*
- *If each role only presents a sliver of the world, what potential problem(s) does your group risk facing when trying to make sense of reality?*
- *What’s the wrinkle? What’s the embedded conflict? What’s the JAM?*
- *Can you name the “elephant in the room” without losing anyone’s confidence?*
- *Emotions are neither good nor bad; they’re merely signposts that offer guidance as we try to navigate learning.*
- *The trick is learning how to get out of a JAM without creating a bigger mess.*

Name \_\_\_\_\_

L 750

### 1. US President

The US President leads the **Executive branch** of the US federal government and is largely responsible for enforcing laws, unless a law is vetoed or cancelled. The President's day-to-day role is wide ranging, from managing international diplomacy, ensuring the Armed Services are prepared for war to overseeing federal land, ensuring income taxes are collected, regulating nationwide transportation, and more! It's a massive job but the President team appoints a team of experts, his **Cabinet**, to provide knowledge, guidance and counsel so the President can do his job wisely.

The US federal government is comprised of THREE branches—Executive, Legislation, and Judicial—each one playing a unique role but having assigned tasks that overlap the other two branches. This political system, called **Separation of Powers**, is designed to ensure independence and oversight in equal measure.

The catch is making sure the President abides by the rule of law. So, for example, in 1803, US President Thomas Jefferson (TJ) believed the nation's success depended on expanding the nation's boundaries. However, he knew Native nations had lived across North America for tens of thousands of years, and they might not want to relinquish their land. He also knew the Constitution did not give the Executive branch explicit power to acquire new land. This worried TJ because he knew monarchies had a long and painful history of taking land by right of conquest, war, and he didn't want the US to be associated with that style of governing. Dedicated to the rule of law, whereby nobody is above the law, TJ, devised a plan to use Tribal treaties to put Native nation land in trust with the government. Because treaty making is the job of the Executive branch. Then, in the treaty process, if Native nations wanted to sell some land...

Who? \_\_\_\_\_

Where? \_\_\_\_\_

When? \_\_\_\_\_

What's the dream? \_\_\_\_\_

What's the plan? \_\_\_\_\_

Name \_\_\_\_\_

L 850

## 2. US Supreme Court

The Supreme Court leads the **Judicial branch** of the US federal government and is largely responsible for reviewing laws to ensure they're consistent with the Constitution.

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By 1832, US Supreme Court (SC) was in the final stages of defining its role as the “interpreter” of laws. For example, it was interpreting the Constitution to clarify the relationship between the government and Native nations. Using the Doctrine of Discovery to guide his understanding, as well as recent Tribal treaties, Chief Justice John Marshall ruled Native nations are semi-sovereign. Meaning the US has certain but limited powers over them. Outlining Tribal sovereignty, he said,

*The Indian nations had always been considered as distinct, independent political communities retaining their original natural rights as undisputed possessors of the soil, from time immemorial, with the single exception of that imposed by irresistible power, which excluded them from intercourse with any other European potentate ... The very term "nation," so generally applied to them, means "a people distinct from others." The words "treaty" and "nation" are words of our own language, selected in our diplomatic and legislative proceedings by ourselves, having each a definite and well understood meaning. We have applied them to Indians as we have applied them to the other nations of the earth. They are applied to all in the same sense."*

Who? \_\_\_\_\_

When? \_\_\_\_\_

What happened? \_\_\_\_\_

How? \_\_\_\_\_

Why? What was his intention? \_\_\_\_\_

Name \_\_\_\_\_

L 850

### 3. US Congress

The US Congress is the **Legislative branch** of the US federal government, and is comprised of two bodies, the Senate and House of Representatives. These two “houses” work independently and in co-ordination to produce one outcome. Together, they perform many tasks, including conducting fact-finding missions, writing laws, and ratifying treaties negotiated by the Executive branch. Plus, Congress manages the nation’s finances, its income and purchases, through the **“power of the purse.”**

The US federal government is comprised of THREE branches—Executive, Legislation, and Judicial—each one playing a unique role but having assigned tasks that overlap the other two branches. This political system, called **Separation of Powers**, is designed to ensure independence and oversight in equal measure.

Consider the window of time between 1800 and 1876. In addition to financing the Civil War, the Congress was responsible for paying costs incurred by the Executive branch for the treaties it signed—international treaties and Tribal treaties—including a \$15 million treaty with Spain to buy its claim to Florida, a \$15 million treaty with France for its claim to Louisiana Territory, and \$15 million treaty with Mexico for its claim to the American West. Note, these payments didn’t give the US deeded title, paper rights, to that land because Native nations lived in those places, communally, based on aboriginal claims. Moving forward, Tribal treaties, nation-to-nation treaties, put those lands “into trust” with the government for safekeeping.

In time, Tribal treaties and holding land in Trust gave way to the concept of the **Trust Responsibility**, whereby the US has a legal obligation to do what it must to protect Native nations’ lands, people and resources as if they were its own. The question is, if Native nations lose trust in the Congress, what can they do to protect themselves?

Who? \_\_\_\_\_

How? \_\_\_\_\_

What is the intention? \_\_\_\_\_

What is the larger purpose? \_\_\_\_\_

Name \_\_\_\_\_

**L 950****4. Northern Arapaho, Northern Cheyenne**

In 1851, nine (9) Northern Plains Native nations gathered with the Great Father's representatives in present-day Wyoming to sign a Tribal treaty that outlined each nation's political boundaries. Treaty making seemed wise, since this serious and solemn occasion marked everyone's sworn commitment peace, while also acknowledging other nations' sovereignty. For example, the **1851 Treaty of Fort Laramie** marked Arapaho and Cheyenne aboriginal land—including the Rocky Mountains "Front Range," stretching from the top of Arkansas River to the top of North Platte.

Yet word was spreading that people of European descent found yellow rock in the same mountains [Pike's Peak]. Soon, a hundred thousand desperate looking people flooded into the region in hopes of taking the rock and selling it for money. Still, the Arapaho and Cheyenne people continued living on their land for another decade hoping to co-exist while these people took what they wanted and left. True, young warriors hassled people on the Oregon Trail, but that never did stop the flood of people moving from coming.

That's why, in 1864, these two Native nations left their treaty land and started heading east. One night they stopped to rest, and raised two flags over their camp: a US flag, and white flag of peace. However, the next morning a Denver-based militia who'd been following their trail attacked the camp, killing hundreds of women, children, and elders who lay asleep in their lodges. Some survivors of the **1864 Sand Creek Massacre** fled south, while others ran north. Both were now landless people. In the north, the Northern Arapaho and Northern Cheyenne warned their allies, the Lakota, that they shouldn't anticipate the U.S. honoring their 1851 treaty, or any Tribal treaty.

Who? \_\_\_\_\_

Where? \_\_\_\_\_

When? \_\_\_\_\_

What happened first? \_\_\_\_\_

What happened next? \_\_\_\_\_

Why? What was their intention? \_\_\_\_\_

1521

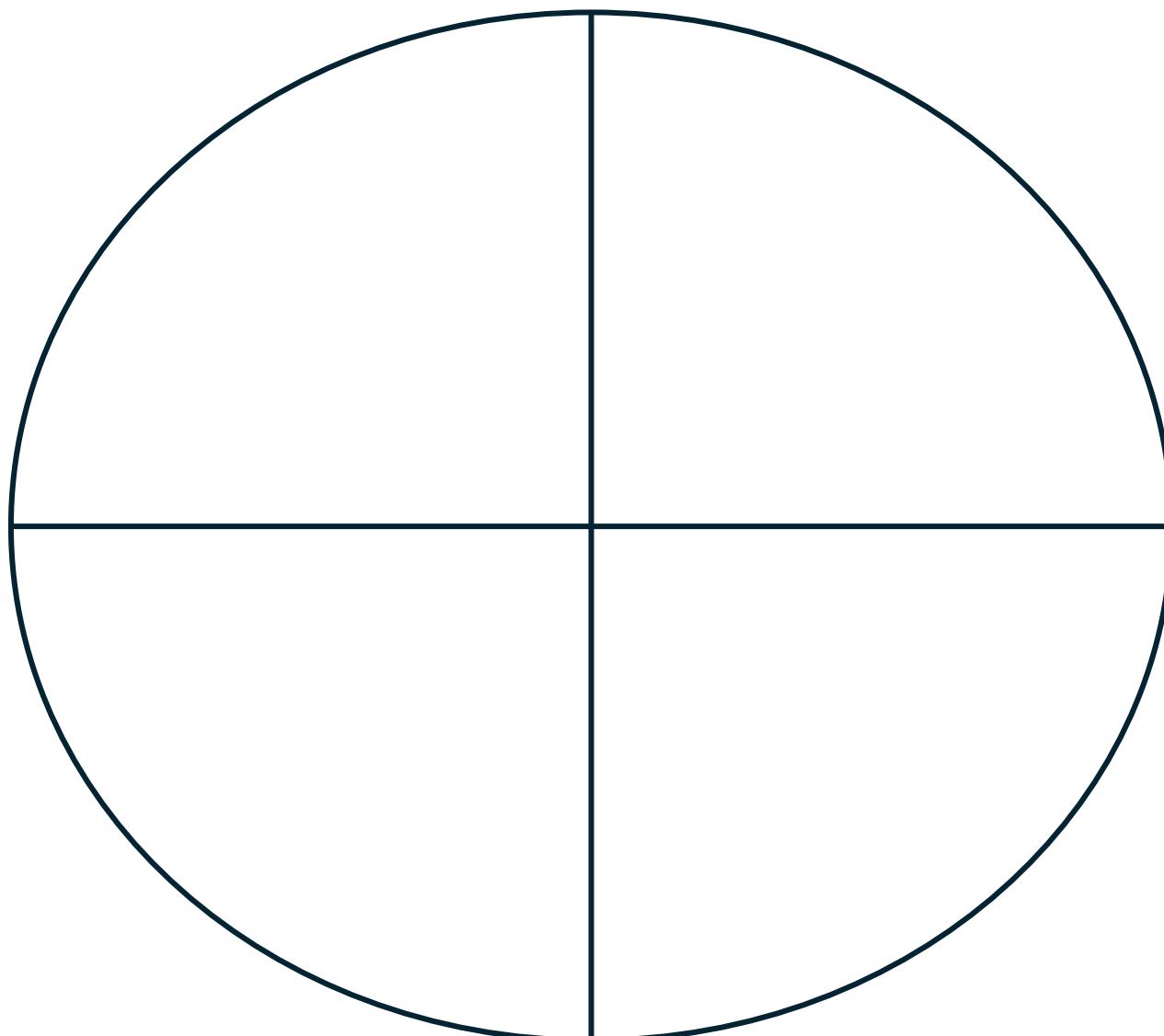


Names \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

**EXIT TICKET WHAT'S THE JAM?**

The JAM refers to the thread that connects the (4) viewpoints, the underlying issue few people say aloud. It's the sticky bit; the embedded conflict. *Delicate, nuanced & complex.*

**DIRECTIONS** 1) Label each quadrant: one role/quadrant. 2) Detail each quadrant with key events, players, including cause and effect—use your notes! 3) Gather as a class to answer GUIDING QUESTIONS. 4) Return to small groups to discuss/identify the wrinkle, aka, the “embedded conflict,” aka the JAM. 5) Name the JAM below.



The root cause of the JAM is \_\_\_\_\_.

<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9B	<b>GRADE</b> 4-5	<b>SCHEMA</b> TRUST
<b>EXTENSION FROM CONFUSION TO CLARITY</b>		

It might seem strange that a “nation of laws,” is bound by something as abstract as trust, since trust is fleeting but laws are rigid and predictable. Similarly, the human body is shaped by bones, set and stable, yet capable of infinite moves provided different parts work in coordination . For example, the federal government is shaped by the Separation of \_\_\_\_\_, whereby the federal government is divided into \_\_\_\_\_, with each one being responsible for fulfilling \_\_\_\_\_roles and overlapping \_\_\_\_\_. The idea is that we trust this system will position us to achieve unimaginable heights based on natural law, that all people have a right to life, liberty and the pursuit of happiness.

There's just one twist: 574 Native nations exist under the umbrella of the federal government, but/and, each one is a nation unto itself. So when nine (9) Native nations gathered with U.S. government representatives in present-day Wyoming to sign the \_\_\_\_\_Treaty of \_\_\_\_\_, the people were hopeful! The treaty had several objectives, including 1) to acknowledge all nations' sovereignty; 2) to establish political \_\_\_\_\_, while allowing the U.S. to protect all lands by holding them “in trust” for each Native nation; 3) to allow safe passage on the Oregon Trail; 4) peace. Could every person, and therefore every nation, be trusted to honor treaty law?

The first sign trust appeared compromised was when settlers moved into present-day \_\_\_\_\_, treaty land ascribed to the Cheyenne and Arapaho, to mine \_\_\_\_\_. Later, trust appeared broken when the Arapaho and Cheyenne, unable to co-exist with miners, left the region. No sooner, a Denver-based militia shattered trust when it attacked these two nations, asleep in their lodges, as they were fleeing Colorado's Front Range in what we call the 1864 \_\_\_\_\_.

We might continue studying these historical events, detailing cause & effect and event sequencing. Instead, let's examine the concept that connects Native nations to the U.S. In contrast to Tribal treaties that outline specific conditions and behaviors each nation must meet to fulfill treaty laws, the **Trust** \_\_\_\_\_ implies the federal government must do whatever it takes to protect Native nations' land, resources, and people, as if they were its own.

<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9C	<b>GRADE</b> 4-5	<b>SCHEMA</b> TRUST
<b>EXTENSION</b> STRUCTURED JOURNALING		

1. What are the most important ideas in this JAM? \_\_\_\_\_

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2. This is what I don't completely understand ...\_\_\_\_\_

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3. This JAM connects to my reality in that ...\_\_\_\_\_

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4. I wonder... \_\_\_\_\_

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5. I also wonder... \_\_\_\_\_

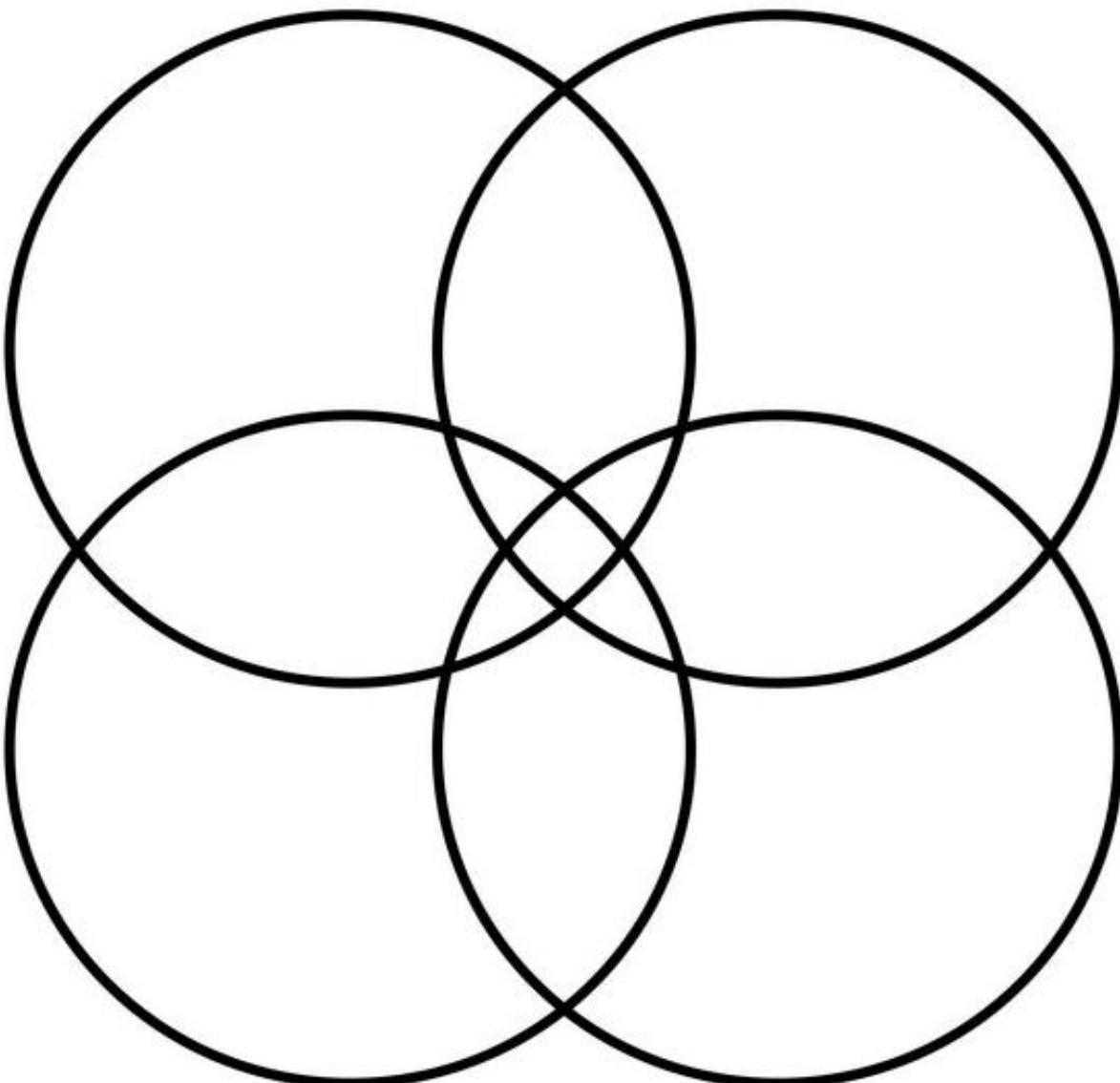
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<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9D	<b>GRADE</b> 4-5	<b>SCHEMA</b> TRUST
<b>EXTENSION FROM CLARITY TO COMPLEXITY</b>		

**DIRECTIONS** How is this graphic organizer different from the first one? 1) In the margin of this 4-Way Venn Diagram, label each circle with the JAM's (4) viewpoints. 2) Consider how some viewpoints' characteristics overlap, or share intentions, goals or actions. 3) In the shapes don't overlap with others, list what makes that viewpoint unique from all others.



<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9E	<b>GRADE</b> 4-5	<b>SCHEMA</b> TRUST
<b>ASSESSMENT</b> BECAUSE, BUT, SO		

**DIRECTIONS** Complete the sentence stems below.

1. The US federal government acknowledges Native nations as

sovereign **because** \_\_\_\_\_  
\_\_\_\_\_.

2. The US federal government acknowledges Native nations as

sovereign **but** \_\_\_\_\_  
\_\_\_\_\_.

3. The US federal government acknowledges Native nations as

sovereign **so** \_\_\_\_\_  
\_\_\_\_\_.

## BONUS

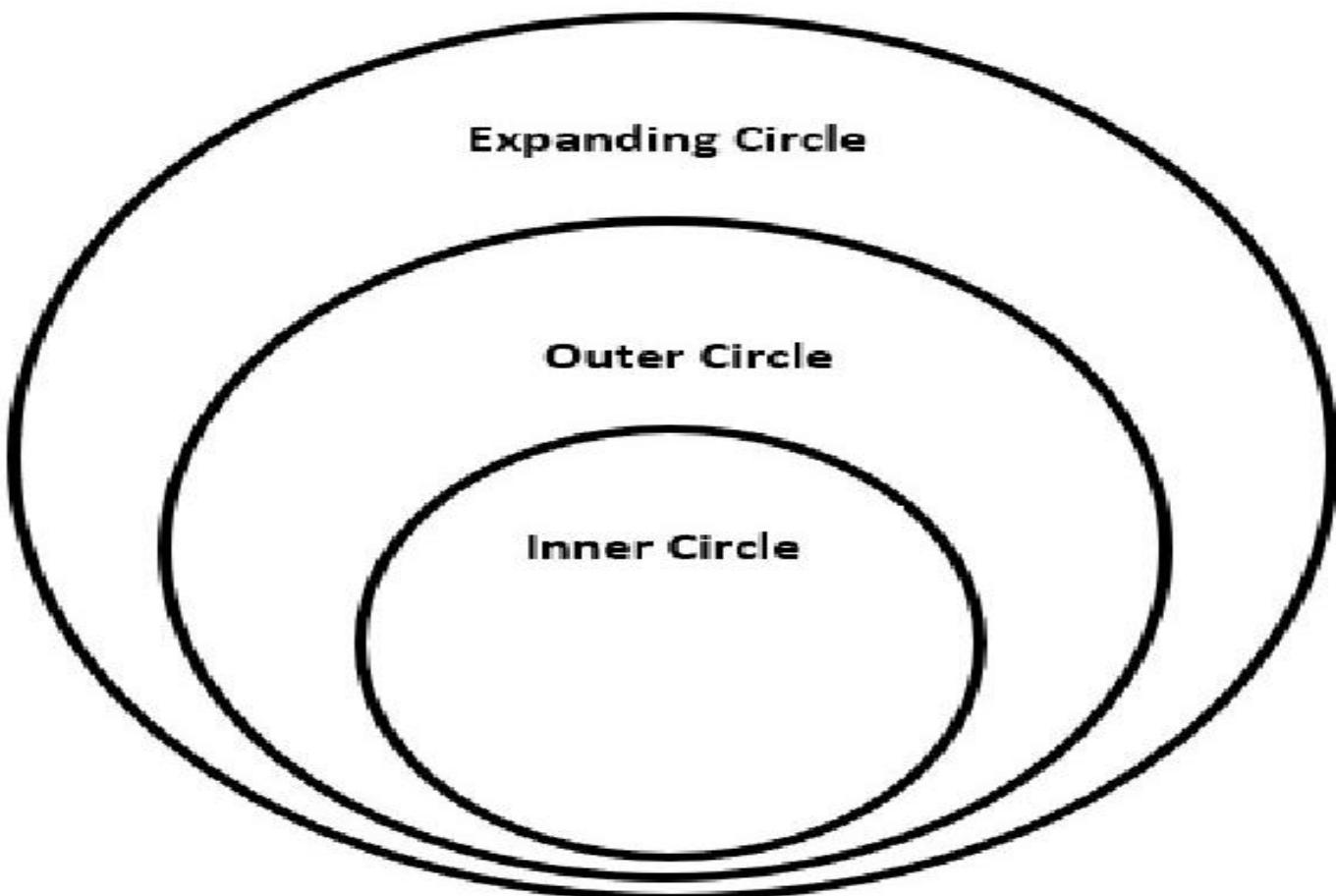
4. The US federal government acknowledges Native nations as

sovereign, **however**, \_\_\_\_\_  
\_\_\_\_\_.

<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9F	<b>GRADE</b> 4-5	<b>SCHEMA</b> TRUST
<b>EXTENSION</b> CIRCLING THE TRUTH		

**DIRECTIONS** 1) Select ONE theme (perhaps the embedded conflict you named at the end of the JAM) that you believe unites all (4) viewpoints. Write it down in the *Inner Circle*. 2) Choose any (3) of the “5 Strands” of Social Studies—**geography, history, government, culture, economics**—that you think demonstrate how and why different roles chose the paths or strategies they did. Write those words in the *Outer Circle*. 3) Use “Retrieval Practice” to list details that support the three strands you listed in the outer circle. **BONUS:** Use this graphic organizer to write a one-paragraph summary essay.

**POTENTIAL THEMES (CHOOSE ONE):** POWER, MONEY, DEMOCRACY, AUTHORITY, MONEY, BALANCE, KNOWLEDGE,



<b>NAME</b>	<b>DATE</b>	<b>SUBJECT</b> SOCIAL STUDIES
<b>LESSON #</b> T3.JAM.9G	<b>GRADE</b> 4-5	<b>SCHEMA</b> GAME THEORY
<b>EXTENSION</b> LISTEN: CLASS-WIDE DEBRIEF		

**DID YOU KNOW?** Oral storytelling is an integral component of Native nations culture that offers neurological and cognitive benefits. For example, storytelling supports resiliency by promoting early literacy through social cognition, language processing, and memory storage. This is evidenced by the fact that Native nation stories have been scientifically validated as reliable records of historical events going back thousands of years. In summary: *active listening is an unparalleled learning strategy.*

**DIRECTIONS** Complete these sentence stems to summarize your thoughts (5-7 minutes). Next, bring these pearls of wisdom to share in a class-wide debrief so you and your classmates can practice speaking & listening.

1. One historical event that happened during this JAM that the world needs to spend more time thinking about is \_\_\_\_\_

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2. One behavioral pattern that I noticed during the historical events of this JAM that could support sustainability in the world today is \_\_\_\_\_

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3. One thing my small group did well in this JAM, a behavioral pattern that I believe could make the world safer or more sustainable is \_\_\_\_\_

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