



LESSON 4

Analyzing Changing Societies Due to the Cow Creek Umpqua Tribe Treaty of 1853

LEARNING OUTCOMES

- Students will understand how to use claims and evidence to develop multiple perspectives on the impact of the Cow Creek Treaty of 1853.
- Students will understand how to participate in a panel discussion.
- Students will be prepared to participate in a panel discussion about the Cow Creek Treaty of 1853 and its impact on the present day.

ESSENTIAL QUESTIONS

- How do broken promises affect groups of people?
- How do historical events affect the present?

LOGISTICS

- Where does the activity take place?
Classroom
- How are the students organized?
 - Whole class
 - Teams: 2 – 4
 - Pairs
 - Individually

TIME REQUIRED

1 – 1.5 hours

Overview

As part of a unit to understand the government-to-government relationship between the United States and the Cow Creek Umpqua Tribe of Indians, this lesson supports students' developing knowledge of the details and continuing impact of the Cow Creek Treaty of 1853. In previous lessons students learned key unit terminology and gained an understanding of why and how governments work through treaties. Students also analyzed the Cow Creek Umpqua Tribe Treaty of 1853 using a close reading protocol. This lesson focuses on independent research to build evidence for claims regarding the impact of the treaty on the present day. In the final lesson of this unit, students will be asked to defend these claims as part of a panel discussion.

Background for teachers

As noted in previous lessons, the United States initially developed treaties with tribal nations in order to establish its own status as an independent sovereign nation. Early in the history of the United States that status was still very much in doubt. By establishing formal treaties, the United States hoped to impress upon France, Great Britain, and other world powers that it was an independent nation that had the right and the capability to



negotiate with other governments. In effect, the early negotiations with tribes on the east coast of North America helped establish the nationhood of the United States.

Based on the historical record, however, the United States did not negotiate with tribes in good faith. With tribe after tribe, the U.S. government failed to live up to the terms of the treaties almost as soon as it had signed them. The treaties served their purpose of allowing the U.S. government to appear to be a “civilized” nation that negotiated with other sovereign nations and offered legal justification and compensation for the land it obtained. In reality, the treaties were an attempt to justify the removal of Indigenous people from their ancestral territory, by whatever means necessary.

When studying treaties between the U.S. government and American Indian tribes, it is essential to consider the underlying context. Tribes were at an extreme disadvantage in the treaty-negotiating process. First, the negotiations were conducted in English (or in some cases English and a trade language such as Chinook Jargon). Second, tribes had already been decimated by disease and, in many cases, starvation caused by the disruption of their traditional lifeways and the destruction or despoliation of critical elements of their food sources. Third, tribes were often faced with total annihilation—in many cases to be backed by U.S. military force—if they refused to accept the terms of the treaty.

STANDARDS

Oregon social studies standards¹

Civics and Government

8.8 Analyze important political and ethical values such as freedom, democracy, equality, equity, and justice embodied in documents such as the Declaration of Independence, the United States Constitution, and the Bill of Rights.

8.9 Analyze the effect of historical and contemporary means of changing societies and promoting the common good.

Multicultural Studies

8.31 Analyze intersecting identities and relationships within the living histories of racial/ethnic groups, religious groups, and other traditionally marginalized groups (women, people with disabilities, immigrants, refugees, and individuals who are lesbian, gay, bisexual, or transgender) in the United States.

Historical Knowledge

8.22 Evaluating continuity and change over the course of U.S. history by analyzing examples of conflict, compromise, cooperation, interdependence, and social justice from multiple perspectives.

8.23 Evaluate continuity and change over the course of U.S. history by analyzing the key people and events from the 1780s through Reconstruction.

8.24 Evaluate the cause and effect of social, political, and economic factors that motivated westward expansion, the invasion of indigenous peoples, and the resulting impacts.

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¹ Oregon is in the process of revising its social studies standards. This document references the draft 2018 standards for grade 8.



All of these factors were in play when the U.S. government and the Cow Creek Band of Umpqua negotiated the Cow Creek Treaty of 1853. The treaty was written with the express purpose of removing tribal members from their ancestral territory in order to give that territory to white settlers. The U.S. government was under pressure from settlers and miners who felt they had already been promised the land due to legislation that promoted westward expansion and settlement, such as the Oregon Land Claim Act of 1850. When settlers and miners were refused access to land or when tribal members sought to resist encroachment on their ancestral territory—or simply to continue the seasonal rounds they had practiced since time immemorial—whites responded with violence. This violence was often perpetrated by volunteer “militia” who conducted massacres of Native women, children, and elders, from the Cow Creek Band and other tribes of the Rogue River region. The U.S. government then used this escalating conflict as justification for the need to remove tribal members and relocate them on a reservation “for their own good.”

As with previous treaties, the U.S. government failed to uphold the terms of the Cow Creek Treaty of 1853. Ultimately, just over a century after it was signed, the U.S. Congress unilaterally passed the Western Oregon Termination Act on August 23, 1954, suspending recognition of tribal status. In the process, it delegitimized the very sovereignty the United States had used to benefit itself.

STANDARDS *(Continued)*

Oregon English language arts standards

6-8.RH.4 Determine the meaning of words and phrases as they are used in a text, including vocabulary specific to domains related to history/social studies

6-8.WHST.10 Write routinely over extended time frames (time for reflection and revision) and shorter time frames (a single sitting or a day or two) for a range of discipline-specific tasks, purposes, and audiences.

6-8.WHST.1 Write arguments focused on discipline-specific content.

MATERIALS

What materials are needed for students to engage in this activity?

Previous Chalk Talk posters; additional poster paper

Cow Creek Story Worksheet

Claim Worksheet

Treaty with the Umpqua Claims and Evidence Sheet

Computer Access or printouts of resources from listing of resource links

Panel Discussion Rubric



In 1980, Public Law 96-251 passed, allowing the Tribe to sue for lands that had been taken and for the failure of the U.S. government to live up to its treaty obligations. The Tribe also sought the restoration of its tribal status and its government-to-government relationship with the United States. In 1987 the Tribe received a judgment of \$1.5 million for the land that had been taken. The Tribe created an endowment and used the interest to support tribal growth, education, economic development, land management, and social services for tribal members. The Tribe had also bought back some of its ancestral territory, which served as the basis for supporting tribal unity and identity and for restoring and promoting the Takelma language and traditional lifeways and cultural values. Currently, the Cow Creek Band of Umpqua Tribe of Indians employs and provides services to the greater community of southern Oregon through jobs, foundation grants, and the Umpqua Indian Utility Cooperative. The Tribe's story is one of persistence and survivance in the face of unbelievable odds.

Additional reading

Adams, J. (2006). Awful hard time when I'm baby, 1855. In S. D. Beckham (Ed.), *Oregon Indians: Voices from two centuries* (pp. 151–155). Corvallis, OR: Oregon State University Press.

Beckham, S. D. (Ed.). (2006). Imprisonment at Alcatraz: Chief John of the Rogue Rivers. In *Oregon Indians: Voices from two centuries* (pp.183–188). Corvallis, OR: Oregon State University Press.

VOCABULARY

This unit has four key vocabulary terms that will be used in all lessons.

Unit vocabulary

Treaty – Formal (written) agreement between independent governments that have been ratified. An exchange of promises between governments.

Ratify – Approval by all parties to the treaty before the treaty can take effect.

Sovereignty – A type of political power, exercised through a form of government over people, land and resources.

Governance – To have the authority to make decisions for a larger group of people, land or resources.

Lesson vocabulary

Claim – An assertion that is open to challenge; an opinion.

Counter claim – An opposing claim; an opposite opinion.

Evidence – Something that gives proof to support a claim.

Cite (verb); citation (noun) – To give credit to the original source of evidence (*verb*); the documentation of each source you have cited (*noun*)

Norms – An agreed upon set of expectations and behaviors in a group



Beckham, S. D. (Ed.). (2006). Lands worth only 2 1/3 cents per acre, 1979. In *Oregon Indians: Voices from two centuries* (pp 517–530). Corvallis, OR: Oregon State University Press.

Beckham, S. D. (Ed.). (2006). The importance of congressional leadership, 1983. In *Oregon Indians: Voices from two centuries* (pp.531–532). Corvallis, OR: Oregon State University Press.

Beckham, S. D., & Rondeau, M. (2007). Patience and persistence: The Cow Creek Band of Umpqua Tribe of Indians. In L. Berg (Ed.), *The first Oregonians* (2nd ed., pp. 105–119). Portland, Or: Oregon Council for the Humanities.

Whittlesey, D. J. (2006). The importance of congressional leadership, 1983. In S. D. Beckham (Ed.), *Oregon Indians: Voices from two centuries* (pp. 531–532). Corvallis, OR: Oregon State University Press.

Additional resources for teachers

This lesson includes a mini-lesson on citing text evidence. For a classroom example of how to incorporate this technique in a social studies classroom, please review <https://www.teachingchannel.org/video/teaching-about-textual-evidence>

It may also be helpful to review the following:

- **Prove It!: A Citation Scavenger Hunt (Read Write Think)**
<http://www.readwritethink.org/classroom-resources/lesson-plans/prove-citation-scavenger-hunt-30899.html?tab=4>
- **Middle School Fish Bowl Discussion**
<https://www.youtube.com/watch?v=RwxnBv-dNBI>
- **Fish Bowl Strategy**
<https://www.facinghistory.org/resource-library/teaching-strategies/fish-bowl>

Considerations for teachers

Assessment

Formative: Teachers should review the Claims Worksheet or the completed Claims and Evidence Sheet for completion and correctness.

Practices (group roles, classroom routines)

- *Dot voting* – Dot voting is a way to make collective decisions or prioritize ideas. Students are given a set of dot stickers (or any sticker shape is acceptable). Each sticker is equal to one vote, and students have a determined number of votes. Students then make the rounds, looking at each option (typically written on a poster or sheet paper) and making their votes. The options with the most dots are the most preferred by the group.
- *Vocabulary routine* – For this lesson, students are expected to know, understand, and use five key vocabulary terms and to recall the four key unit terms. A vocabulary routine ensures that students have a guided definition and examples and the opportunity to use them in multiple contexts. Students should have ample practice in using the terms in context through speaking, listening, and writing, but this lesson will not cover them in as much depth as lesson 1 of this unit.
- *Roles in group work* – Part of a collaborative learning strategy to support quality and focused interactions to stay engaged and on task with clear and distinct roles to support the team’s final product. All are expected to read the text and contribute to finding and citing the evidence for the claims plus their role for the group. The three roles for this lesson are:
 - *Facilitator:* Ensures all team members are clear about the task, stay focused, and have an equal opportunity to participate.
 - *Recorder:* Enters the team’s findings and evidence on a worksheet.
 - *Spokesperson:* Shares the team’s findings with the whole group and is prepared to answer questions and provide detail about the evidence base for the findings.
- *Chalk talk* – As described in lesson 3 of this unit.

Learning targets

- I can identify and cite evidence in a claim.
- I can evaluate classroom discussions based on a rubric.
- I can analyze the effect of historical and contemporary means of changing societies and promoting the common good from multiple perspectives.

Reflection/closure

Students should write a quick reflection about something they learned from a peer (for a example, a tip, piece of evidence, or strategy) that will help them during the panel discussion in lesson 5.

Appendix

Materials included in the electronic folder that support this lesson are:

- Cow Creek Story Worksheet
- Claim Worksheet
- Treaty with the Umpqua Claims and Evidence Sheet
- List of resource links
- Panel Discussion Rubric

Activity 1

Revisit Chalk Talk

Time: 5 to 10 minutes

1. Display the Chalk Talk posters from lesson 3 of this unit and have students review additional lines of thought, questions, or new information they have discovered.
2. Add an additional poster with the question: "What is most important in a discussion?"

Include this list:

- Getting to talk or getting to make meaningful contributions to the discussion.
 - Listening to hear the perspective of others or listening to find space to tell your own thoughts.
 - Being the person with the most information or being the person to gather the most information.
3. Have students participate in a dot-voting activity to choose one of the three options as most important.

Teachers should use this information to help guide norms for the student panel discussion.

Activity 2

Vocabulary Mini-Lesson and Review

Time: 10 to 15 minutes

For each term, introduce the word by displaying it and saying it aloud. If necessary, have students repeat the word several times. Survey the students on their experience with these terms. One of the terms is a homophone, which means it is pronounced the same as another word with a different spelling and a different meaning (cite, sight). Homophones can be challenging for students and particularly for English learner students. Several of the other terms are challenging because they have multiple meanings (claim, evidence, norms). It's important to explain the exact meaning that is being used in this context.

Say:

There are five key terms that we're going to use in this lesson, and we're also going to review the four key terms we've been using throughout this unit.

On a scale of 0 to 5, with 0 being "I've never heard of these words," a 3 being "I've heard of them, and I understand them well enough to talk about them," and a 5 being "I know them so well I can write a thesis statement combining all of them," hold up one hand and the amount of fingers for your current understating of these terms. This will help me know how to support you as you learn and use these terms.

After surveying the class on their experience with the term, review each term by stating the word, the brief definition, and the example sentence. Have students turn to a partner and quickly repeat the meaning and come up with a new sentence. Repeat with each word and definition.

For an extension: The teacher can provide definitions and examples or close sentences (i.e., sentences in which key words are deleted, covered up, or blocked out), and students can write the correct term on a white board to show their level of mastery.

Activity 3

Mini-Lesson: Citing Text Evidence

Time: 10 to 15 minutes

1. Begin the mini-lesson by asking students if they've ever had someone else take credit for a joke, idea, or piece of work that they actually created. How did it make them feel? Acknowledge that most people want credit for the good work they do and explain that this is one of the elements we will focus on today. Review the definition of a citation, as it relates to documenting information, and discuss the following four reasons that citations are important:
 - To document evidence
 - To support inferences, opinions, and claims
 - To give ownership to original thought or work
 - To review possible biases or to identify additional analysis that may be necessary to fully support a claim
2. Remind the class that most historical accounts are written many months or even years after an event took place, are often told from a single perspective, and may be misleading either because opinions are stated as facts or because the author has a particular bias. Ask students what might be gained by having only one perspective represented in a textbook. What might be lost?
3. Explain to the class that they will be finding evidence from multiple resources and that they will need to keep track of those sources and know how to cite them. Also explain that they will need to use them during the panel discussion to support their claim. Remind students that as they review some resources for their claim, not all resources are high quality or trustworthy. For this reason, it is necessary to combine close reading and the citing of evidence as you build a case for your claim.

Activity 3 *(Continued)*

4. Organize students into groups of two or three. Pass out a copy of The Cow Creek Story and the Claim worksheet for each group. Let students know this is from the Cow Creek tribal website. Point out text features such as the headings, paragraph indentions, and photos with captions. Model and allow students to number the paragraphs within each of the headings for easier reference, since this document does not have page numbers.
5. Let students know that in the first example, the claim has two pieces of evidence and therefore two locations. Give students a few minutes to scan the first heading of the reading and note the sample evidence and the location. Tell students to find another piece of evidence that can be used to support the claim. Allow time for students to identify their sample, then ask for volunteers to identify an appropriate sentence. Have students write correct examples on their worksheet.
6. Allow teams a few minutes to read the text and identify evidence for the claim “The Cow Creek Tribe was treated unfairly by the treaty process.” Then have them enter the evidence on their worksheet. Next, call for volunteers to share their findings and explain why they thought that piece of evidence supported the claim. Remind students that there may be multiple examples of evidence and that they must be able to justify why each one supports the claim.
7. Assign (or allow students to choose) the roles for group work: facilitator, recorder, or spokesperson. Make sure students understand that all group members are responsible for reading and responding to the text, regardless of their role. Have each group read the quotes from the worksheet and find the appropriate text. Ask them to identify what the claim might be. Ask each spokesperson to their group’s ideas with the whole class.
8. Have teams continue to complete the worksheet on their own while you monitor and provide support.

Activity 4

Preparing for Panel Discussion: Norms and Expectations

Time: 10 to 15 minutes

1. Set the expectation that all students will participate in the panel discussions. Norms should be framed in positive and active language, meaning they are encouraging and provide clear guidance but do not use words like “no,” “don’t,” and “never.” List four or five discussion norms to be honored by all participants, and include student considerations from the earlier Chalk Talk activity. Examples may include:

- *Listen actively to understand other viewpoints and evidence.*
- *Use body cues to know when to step up to speak and step back to listen.*
- *Take responsibility for ensuring that all panel members have the opportunity to participate.*
- *Ask questions to better understand someone’s thinking.*
- *Be prepared with more than just random notes.*
- *Discuss events and ideas to understand our complex world and neighbors.*

Review the norms and determine if there is a class consensus or understanding of them. Let students know they will be assigned a claim and that they will need to find evidence to support. Explain that there may be claims they do not agree with, but panel discussions should be civil and are meant to promote the sharing of ideas and information and to encourage open debate that is based on facts and evidence.

2. Let students know how the room will be arranged. The teacher may choose to prearrange the room, with four chairs in front and the tent labels (available in lesson 5) in place. Teachers may choose to have students practice how to indicate they would like to participate in the discussion. Have one student sit in the discussion chair and another

Activity 3 *(Continued)*

team member sit behind them. The student sitting behind should tap their teammate on the shoulder to indicate they would like to contribute to the discussion. The two then trade places.

3. Introduce the rubric to be used for the panel discussion. Review each of the elements (claim, evidence, convincing argument, and interaction with other panel members) and the scale for scoring. Let students know that you will use the rubric to grade their participation and that they will also use the rubric to provide feedback on the participation of two of their classmates from another team. Explain that the purpose is to ask questions and to offer suggestions and compliments that will help their classmates improve. Remind students that they should use the rubric to guide their work for the rest of the lesson.

Activity 5

Preparing for Panel Discussion: Research and Evidence

Time: 25 to 35 minutes

1. Organize students into pairs and assign one claim to each pair. Divide the class so there is equal distribution of claim statements. (See example of class distribution below.) Let students know they will continue to work with their partner to research evidence to support their assigned claim. They may not agree with the claim, but it is the job of the team to find and cite evidence to support it. They are expected to use at least two new resources, as well as any information gathered from the previous lessons. They will participate in a panel discussion based on the claim they were assigned and the evidence they find.

Example of class distribution

<p>Claim 1</p> <p>Students 1 and 2</p> <p>Students 9 and 10</p> <p>Students 17 and 18</p>	<p>Claim 2</p> <p>Students 3 and 4</p> <p>Students 11 and 12</p> <p>Students 19 and 20</p>
<p>Claim 3</p> <p>Students 5 and 6</p> <p>Students 13 and 14</p> <p>Students 21 and 22</p>	<p>Claim 4</p> <p>Students 7 and 8</p> <p>Students 15 and 16</p> <p>Students 23 and 24</p>



Activity 5 *(Continued)*

2. Pass out The Treaty with the Umpqua Claims and Evidence sheet for each student. Give students access to the list of resource links (or print them out) so that each team has access to at least three resources. Let students know they will be expected to use evidence drawn from these sources and that they will need to be able to cite exactly where they got the information. Despite the number of resources, encourage them to limit their evidence to two or three main resources, which can include information drawn from previous lessons resources.
3. Let students know they will need to look for counterclaims—something the opposing team might use to argue against their viewpoint. It is up to the team to anticipate what others with opposing viewpoints might say and to identify what evidence they might use to make their argument. They should be prepared to argue where their evidence is more compelling.
4. Have students read and conduct research to find evidence to support their claim.