



## LESSON 5

# Panel Discussion of the Cow Creek Umpqua Tribe Treaty of 1853

### LEARNING OUTCOMES

- Students will identify and state claims and counterclaims from the perspective of the Cow Creek Tribe as it relates to treaty development and the impact of U.S. government policies and actions.
- Students participate in a panel discussion to state given opinions and evidence they discovered from the Cow Creek Tribe.
- Students observe and give feedback to panel discussion participants.

### ESSENTIAL QUESTIONS

- How do formal government-to-government documents attempt to embody the common good?
- Who gets to decide what is part of the common good?

### 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

This is the culminating lesson for this unit, which has focused on the government-to-government relationship between the Cow Creek Umpqua Tribe of Indians and the U.S. government, with specific emphasis on the historical and contemporary impact of the Cow Creek Treaty of 1853. In this lesson students are asked to actively participate in a panel discussion in which they must defend a claim by providing evidence from their previous reading and research. By participating in the panel discussion, students will begin to synthesize the history, terminology, context, and underlying issues presented by this unit. To facilitate this, the lesson also includes metacognitive strategies that encourage students to think not only about what they have learned but how they have learned it and how those strategies can be applied to future learning.

### Background for teachers

This unit has dealt with difficult and challenging subject matter. The history of the government-to-government relationship between the Cow Creek Umpqua Tribe of Indians and the U.S. government has rarely been told from the tribal perspective. From that perspective, it is a history



marked by violence, deceit, and broken promises on the part of the U.S. government and by tragedy, persistence, and survivance on the part of the Tribe.

This perspective is backed up by a wealth of evidence, including many primary documents from the 1840s and 1850s that show the U.S. government knew exactly what it was doing and that at least some white observers at the time questioned the moral and ethical nature of the government's actions, as well as the actions of many white settlers and gold miners. This unit has asked students to engage with some of those primary documents and with documents that represent the contemporary perspective of the Tribe.

Many students—and indeed many teachers—are unlikely to have been asked to question the moral, ethical, and legal ramifications of U.S. government actions toward Indigenous people in the way this unit requires them to do. For that reason, this unit has sought to model a process for how to approach such difficult issues. It is a process that is focused on the use of evidence—drawn from both the historical and contemporary record—to support a claim or argument. This process is central to all social studies and to all public discourse. As the culminating activity for this unit, students are asked to “close the loop” of this process by participating in a simplified example of such a public discourse.

## STANDARDS

### Oregon social studies standards<sup>1</sup>

#### 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

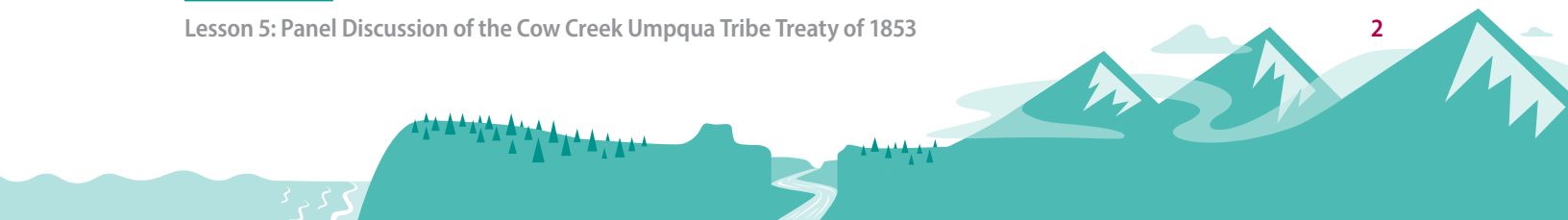
8.22 Evaluating continuity and change over the course of U.S. history by analyzing examples of conflict, compromise, cooperation, interdependence, and social justice from multiple perspectives.

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



This final lesson asks students to defend claims they might not personally agree with, so it is especially important for teachers to help students understand the importance of having multiple perspectives. This lesson also provides an opportunity to discuss how the reexamination of historical evidence can support new understanding and change opinions over time.

More than 150 years ago, the Cow Creek Treaty was an attempt by the U.S. government to take the ancestral territory and destroy the way of life of the Cow Creek people. In that century and a half, the Tribe has never lost its sense of identity and resiliency and has never quit fighting for recognition, restoration, and the right to hold the U.S. government accountable. It is also important for student to understand that instead of retaliation, the Cow Creek Tribe continues to focus on taking care of its people and its ancestral territory and on sharing its generosity with others—a cultural value that is deeply embedded in the Tribe’s past and present.

### Additional resources

#### Middle School Fish Bowl Discussion

<https://www.youtube.com/watch?v=RwxnBv-dNBI>

#### Fish Bowl Strategy

<https://www.facinghistory.org/resource-library/teaching-strategies/fishbowl>

### 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

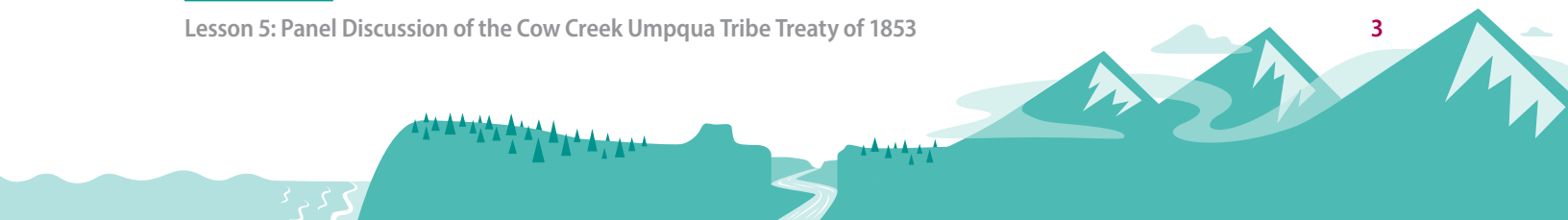
#### What materials are needed for students to engage in this activity?

Close Reading Annotation Symbols

Close Reading Cow Creek Treaty

Ancestral Territory Map

Large chart paper



## Considerations for teachers

### Assessment: How will you know if students are learning?

Teachers can use the Panel Discussion Rubric and Teacher Panel Discussion Score card for summative assessment.

### Practices (group roles, classroom routines)

- *Chalk Talk* – As described in lesson 3 of this unit.
- *Panel discussion* – The panel discussion is a variation on a “fishbowl” discussion (see additional resources, above) or a Socratic circle. The process is described in detail in activity 2.

### Learning targets

- I can identify ways to thinking about how I learn.
- I can actively participate in a panel discussion by stating claims and evidence and conversing with other panel members with other viewpoints.
- I can observe and give feedback on classmates’ performance during a panel discussion.
- I can explain the viewpoint of the Cow Creek Tribe of the importance to uphold treaty obligations.

## VOCABULARY

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

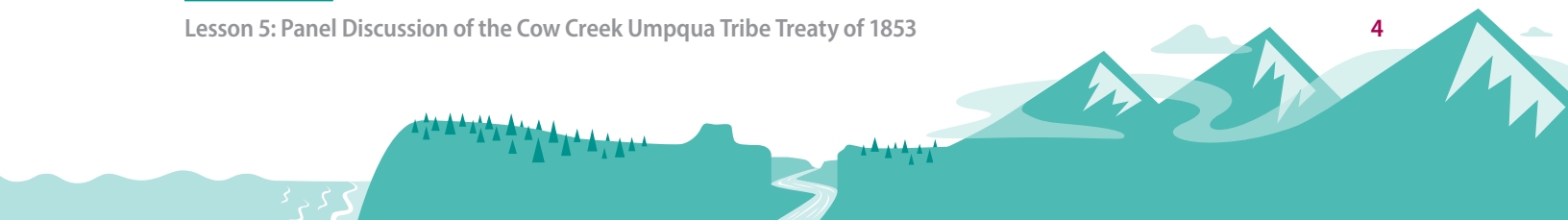
### *Unit vocabulary*

**Treaty** – A formal, legal, ratified agreement between two independent governments. An exchange of promises between governments.

**Ratify** – Approved by all of the 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.



## Reflection/closure

- Students can use the questions and suggestions from the Chalk Talk to develop topics for future panel discussions.
- Students can reflect on which lessons or activities from this unit they enjoyed or found most engaging.

## Appendix

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

- Table Plate\_be disastrous the Cow Creek Nation
- Table Plate\_be disastrous the US government
- Table Plate\_benefits the Cow Creek Nation
- Table Plate\_benefits the US government
- Panel Discussion Rubric
- Teacher Panel Discussion Score Card

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## Activity 1

### Chalk Talk

*Time: 10 to 15 minutes*

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1. On three different sheets of large paper, display these prompts and have students silently write to the prompt in order to react, connect, ask questions, or clarify understandings.
  - Prompt 1: What would you say is important to know about the Cow Creek Tribe, the U.S. government, and the treaty of 1853 and its impact today?
  - Prompt 2: What are some issues that people or governments might have about entering into a treaty?
  - Prompt 3: What are some lingering thoughts or questions you may have about Oregon tribes or treaties?
2. Debrief the process by allowing students to identify themes, common issues, and reactions that emerged from the prompts.

## Activity 2

# Panel Discussion

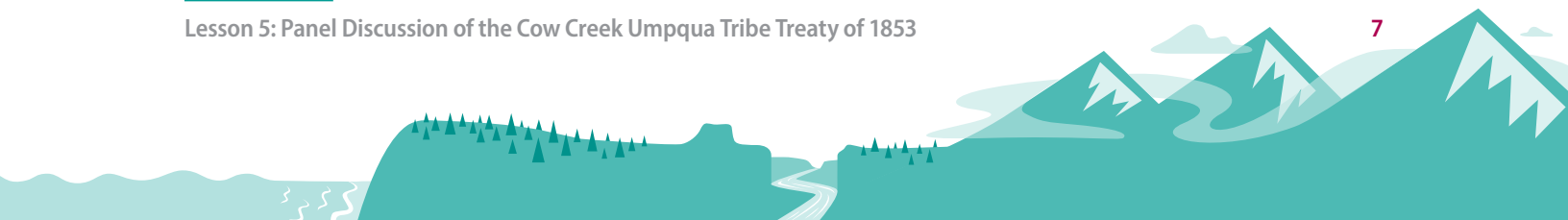
Time: 45 to 60 minutes

1. Prepare the room by placing four desks and four chairs in a prominent spot in the room. Have a chair to the side for the facilitator/teacher to observe and offer support. Arrange the rest of the room in a semi-circle around the desks. Place each of the table plates on a separate desk with the claim facing toward the semi-circle. Determine which students will observe other students for peer assessment.
2. Make sure each student has a copy of the Panel Discussion Rubric and understands which two students they will be observing. Teachers should assign students to observe classmates who are not supporting the same claim and are not participating in the same panel. Explain that there will be three rounds of discussion. (See the example of class distribution below.) Students in the audience will vote for which team had the strongest reasons and evidence, in addition to using the rubric to provide peer evaluations.

### Example of class distribution for the panel discussions

	Claim 1	Claim 2	Claim 3	Claim 4
Round 1	Students 1 & 2	Students 3 & 4	Students 5 & 6	Students 7 & 8
Round 2	Students 9 & 10	Students 11 & 12	Students 13 & 14	Students 15 & 16
Round 3	Students 17 & 18	Students 19 & 20	Students 21 & 22	Students 23 & 24

3. Invite the teams to sit/stand behind the desk with their assigned claim. Remind students of the norms that were developed in lesson 4. Have one member from each team sit down. Instruct the students that, for each team, one member should be sitting and facing the rest of the class and those on the panel and that only the person seated is allowed to contribute to the conversation. The other team member may choose



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## Activity 2 *(Continued)*

to join the conversation by ensuring the teammate seated has had a meaningful contribution to the discussion and by tapping lightly on the shoulder of the seated teammate. The seated teammate should then stand and switch positions.

4. Remind students that there are sentence stems to help facilitate discussion and that the teacher/facilitator will also help to move conversations forward and keep them on track, but it is ultimately a conversation between those on the panel. This is their opportunity to share their information and to make the strongest case of evidence to support their claim. Teachers should be cognizant and allow for wait time for students to begin speaking. Each round should be between 10-15 minutes, which allows students to engage in meaningful discussion. Teams should then be given a chance to give a concluding statement, and the audience should be given time to vote on the team that made the strongest argument and to fill out the rubric.
5. To vote on the team they feel has had the strongest argument, students can use either a dot graph (placing a sticker on a chart) or a written statement. Regardless of the method, votes should be counted and the results announced prior to the next round.
6. For any discussion round in which an individual student is not directly participating, they should use the Panel Discussion Rubric to monitor the performance of a classmate. Students should be assigned to evaluate two peers (total) who are not supporting the same claim as themselves. Teachers should use the rubric and student evaluations for a final determination of performance. Teachers can use the Teacher Panel Discussion Score card for assessment and tracking for teacher score and student peer observations.
7. The example of class distribution shows three rounds, but the panel discussion should be repeated as many times as necessary until all teams have had a chance to discuss their assigned claim and all students have had a chance to be observed by a peer.