

The Value of Law in Society

Marnita Chischilly

Diné Institute for Navajo Nation Educators (DINÉ)

2020

Author Note:

Marnita A. Chischilly, 2nd year DINÉ Institute Fellow, 7th and 8th grade math teacher at Wingate Elementary School under the Bureau of Indian Education.

Acknowledgements must be given to teacher fellows and the NAU faculty that participated in this year's DINÉ Institute Initiative during the hardship brought on by the Covid-19 pandemic. To Dr. Angelina Castagno for her leadership skills in providing the support and motivation we needed to complete the program. To Dr. Marianne October Nielsen for sharing her wisdom and knowledge of Native Law to include her engaging teaching strategies. To my friend Jolene Smith for her admirable leadership style that motivates us to strive to do more for our Native students.

Correspondence about this curriculum unit can be addressed to Marnita A. Chischilly, P.O. Box 735, Church Rock, NM 87311. Email contact: dineteachersinstitute@nau.edu

Introduction

Why do we have laws? It seems there are some people that don't like to follow established laws in society because they represent boundaries; however, realistically, life would be chaotic without set guidelines. These set guidelines, rules, policies and regulations are representations of what we call "laws". Without rules and regulations as we know them, modern society would definitely plunge itself into pandemonium. In other words, we have rules and laws to help us be safe, prevent chaos, create peace and maintain order in groups or in our communities. This also pertains to a school setting. For instance, in a school setting, if students could simply do what they want in a classroom, do you think much learning would be taking place? Learning, in a school setting, is the primary focus, so when the behavior of students becomes distracting, the school has set guidelines in place to alleviate the problem, to make sure students continue with their learning objectives. The set guidelines or laws (rules) of the school, therefore, are important in an educational community or society.

Another type of society is the Navajo (*Diné*) tribe. The Navajo (*Diné*) people governed their society through values called *Diné bi'i'ool'ijil* meaning "Diné Way of Life." The Diné Way of Life includes the Navajo (*Diné*) philosophy for language, culture, spirituality, and governance, which is the set guidelines for people in their society, though in the past, it was not written, but conveyed orally. This way of life system for the *Diné*, valued harmony and reciprocity for all members in the tribe. This system is still a part of the tribe today, but it is on the verge of losing value among our new generation. The Navajo (*Diné*) tribal leaders have expressed concern about this growing trend among the youth, of losing touch with the Diné Way of Life system. Educating our youth using meaningful cultural lessons as part of the curriculum is therefore an important part of supporting them in understanding the values of the Diné Way of Life system in our modern society. As a result, the purpose of this curriculum unit is to have students understand how laws in society support our school community in being safe and maintaining order. Students will learn why laws (rules) are important in our school and understand the relations of systems such as the Diné Way of Life to the written laws of western society. First, let me state that the terms Diné and Navajo are utilize interchangeably throughout the unit. The Navajo people call themselves Diné (The People) in their own language, which I use in this unit as well as recognizing the term Navajo, which is the well-known term for the name of the tribe.

Context

School Site Community History

Wingate Elementary School is a Bureau of Indian Education (BIE) school located in Fort Wingate, New Mexico. The school's surroundings are reminders of Fort Wingate's historical roots in the history of the United States, New Mexico, Zuni and Navajo (*Diné*) Nation. South of the school is the entry into the Cibola National Park. The old decommissioned Fort Wingate Army Depot is to the west and twelve (12) miles further west, is the nearest city, which is Gallup, New Mexico. The Zuni Mountains are situated southwest of the school and to the north is the neighboring Navajo (*Diné*) Nation communities. Interstate Highway I-40 lies three (3) miles north of the school, which makes it conveniently accessible.

Fort Wingate is historically known for its role in early American history, New Mexico history and Navajo (Diné) Nation History. In 1846, it was a stopping place for early American settlers as they travel to their destination west. At one point in history, Fort Wingate also served as a resting place for the Navajo people traveling on the Long Walk back from Fort Sumner in 1868. Another historical fact is Fort Wingate being the headquarters and outfitting post for ethnological and archaeological expeditions, and a temporary housing unit during the Villa Uprising from 1846 to 1918. In 1918, the former Wingate Ordinance department established the area west of the fort, as storage units for high explosives. In 1926, the Office of Indian Affairs converted the buildings into the Charles H. Burke Vocational School, which lasted a few years. Then in 1936, Wingate Elementary School was established from the former Wingate Educational Organization. As a result, the school was converted into a traditional academic program institution serving 1st through 12th grade. A few years later, the high school established their own school campus two miles away. From 1936 to 2004, facility improvements to the complex were difficult to manage due to the compound becoming an Official Historical Site. Subsequently, a new campus site was approved and a new school was built in 2004. I wrote the history of the school to demonstrate how the school has undergone many changes and to bring this history into the classroom as part of our lesson for this unit. When students understand the history of their surroundings and the values it brings, they tend to appreciate and respect the historical events of the past to strengthen their values for the future. This coincides with the purpose of this unit in teaching the history of our ancestral laws to show how history correlates with laws of our modern society.

Demographics

Currently, Wingate Elementary School (WES) is located a quarter mile from the previous site, which opened in 2005 with facilities to serve residential and academic programs. The school campus is fifteen years old now with many of the facilities still in good condition. The school serves K-8th grades, including a Family and Child Education program. The school is under the umbrella of the Bureau of Indian Education, which means the school gets most of its funds from the United States government, which is part of our historical treaty promise. The schools are located on tribal lands and serve Native American students. There are only a few residential schools left on the reservations and WES is one of them. Other than this funding arrangement, BIE schools adhere to state and government policies, just like public schools.

The school serves a student population that is 100% Native American, of which 98% are from the Navajo (Diné) tribe. Because of the geographic location of our school, the school is able to serve five Navajo Nation communities within its boundary. Demographics also include a majority of students coming from low socio-economic families, which allows for a 100% free lunch program qualification and other federal funding. On an annual basis, about 25% of the student population enroll in the residential program. The residential program houses students during the week but students return home for the weekends and holidays. The other 75% of the population are day students that either ride the bus, get dropped off by parents or walk from the nearby community of Ft. Wingate. According to school enrollment documents, more than a quarter of the student population are raised by extended family members or under foster care. This is one of the factors for the low attendance rate during parent meetings and in low parent involvement in school events, such as Math nights and/or other activities.

In recent years, there has been an increase in students facing challenges as they attend school, which impede their educational endeavors. They come to school with low self-esteem or self-identity struggles due to living in a dysfunctional environment. Most of the families in our communities are categorized in the low socio-economic classification. Many family members struggle with addiction due to living in communities situated close to a border town. These struggles are part of our students' reality and most of them are trying their best to overcome these obstacles in order to survive, just as their ancestors did in the past, but with a different type of impediment. Students in this predicament are usually not receiving the teachings of the Diné way of life, which they desperately need in their lives.

Students living in this type of dysfunctional situation are in survival mode, which seems to dampen their motivation to do well in school. Just like the statement made by Natalie C. Becenti, "Like most reservation children, alcohol and drugs were present in my life" (Minthorn, 2015, pg. 224). It's an issue that most of our students deal with and it's hard when I know they have a dysfunctional home life. This is when our students need our support to help them to deal with their emotional well-being. They also need support in their mental well-being when they are falling behind in their assignments. It is a stressful time for our young Native students due to the rigorous expectations of the Common Core Standards, so this is when they truly need our guidance. I tell my students not to be afraid to ask questions or to ask for extra support. As stated by Jessica Rosemary Harjo, "Remember it is for your own good and your own well-being, so don't be afraid to ask for help when you need it" (Minthorn, 2015, pg. 209). I know as an educator, it's important to let students know they are special and they are capable of achieving success as long as they try.

Knowing the background of the students, we can certainly emphasize that these students deserve quality education to include the teachings of the strong foundational values of our Navajo way, to help them cope with the struggles of life. As these students struggle with their holistic well-being they tend to seek other forms of reality in "trying to fit in" such as social media, reality shows, gangs and drugs. In the past few years, I have noticed this trend, which is causing behavioral issues to increase at the school. The increase in behavioral issues also demonstrates that students are not adhering to rules and procedures of the school and/or classroom.

Currently, I teach 8th grade math and science class. There are usually about 58 to 65 students enrolled in this grade from ages 12 -15. Since our data show, a majority of students classifying, as English Language Learners (ELL), I would estimate about 60 of my students at any point will be in this category. This information is important in developing my curriculum because I need to incorporate ELL strategies into my instruction. The schedule for middle school 6th through 8th grade is semi-departmentalized. Students have five periods with Math, English Language Arts, Science, Social Studies and an elective class. In the Middle school section, classes are 55 minutes long for each core subject and 30 minutes of intervention classes for Math, ELA, and Science. Students rotate between these core classes in the morning. In the afternoons, they stay in their homeroom class for social studies or science. The schedule was strategically planned this way so teachers would have more time with their homeroom students and get to know them as individuals. As a result, teachers play a very important role in a student's life not only academically, but also in supporting the development of a student's characteristics and their holistic well-being. Because of this, the unit is also designed to not only support all students in

learning about rules and their cultural values, but to support their understanding of good characteristics that will support their personal growth as young adults.

Rationale

This curriculum unit is designed to support students in learning and understanding the connection of our Diné values to written laws (rules) and procedures in our society (classroom). I will implement this unit in my 8th grade class, but it can be revised to fit with other grade level curricula. The unit will provide students an understanding of why rules are important by connecting our Diné Way of Life to the written rules of modern society, which is our classroom for this unit. As an Indigenous educator, I feel the necessity to provide students a vehicle with which to explore and learn about their culture and history in a meaningful way, which is the foundational strategy for this unit. In addition to understanding their cultural values, and history of rules, students will learn about and/or strengthen their concept of self-identity and holistic well-being. Therefore, the unit is designed to have students understand the importance of westernized written rules using the connection of Diné way of life, and to provide a positive setting where they are able to reflect and build good character traits to support their growth in their holistic well-being.

As an educator, I believe increasing the educational achievement of students is important to our economic society, especially in our Native communities, but it is important to remember our children's holistic well-being. Students will learn why self-identity is an important part of our Diné way of life. Who we are should matter to every one of us in sustaining the concept of holistic well-being. It is where we get our characteristics, personality, self-awareness, and how we set our goal and align ourselves with life and reality. The unfortunate truth about working in middle school is that the teachings of holistic well-being are fading within our educational system. It is also fading from family teachings. It has become impossible to deny that within this new generation of mid school students, we can see the struggles they have within themselves. This brings me to the conclusion, that some of my students have little or no connection to their history, or "who they are" as a Diné. This is not to assume that they do not try to create identity for themselves, but to state that there is a true psychological disconnect that was not born but created. I believe the creation of this disconnect lies in the fact that Diné values are not being taught as they were in the past.

Content Objectives

The Written Law

The European law system in the United States started with the original 13 colonies when the first settlers brought with them a set of rules that they were going to practice in their new society. Since these settlers were mostly from England, the laws were similar to the English Common Law, which dates back to the 11th century. In 1801, President Jefferson described the new settler's intentions for horizontal and vertical continental expansion by stating; "However our present interests may restrain us within our own limits, it is impossible not to look forward to distant times, when our rapid multiplication will expand itself beyond those limits and cover the whole northern, if not the southern continent, with a people speaking the same language,

governed in similar form by similar laws” (Dunbar-Ortiz, 2014, pg.3). This statement in history was foreshadowing the present, it seems.

Students will understand that part of the history of the United States government, was the establishment of law in the country, which was a priority in keeping order among the people. Our history books convey the fact that America is a secular society, where in the beginning, law was established and enforced by the elite class of society to keep common people in line and to retain governmental authority with the intention of dominating the land and the Indigenous Peoples, known as colonialism.

The students will learn about the written rules and understand that they are the foundation of law in today’s society. The term, “Law” as we know it, as a written system of rules that is developed by a governmental entity and enforced in order to regulate the conduct of people in society. The creation and development of these written rules (laws) are from people in our governmental system that recognized a need for establishing a structural system to hold people accountable for their infractions. Members of society will understand how these laws are obliged by logic and calculation rather than by influences from religion, tradition, or emotion (Calavita, 2016). Furthermore, they will understand how these regulations are developed by people in government and have the principles of power and force. Subsequently, students will learn how law has changed and evolved into a more purposeful role. Today, laws protect our safety and ensure our rights as citizens, and as citizens, we should adhere to the written rules of the law.

As stated above one of the reasons for settlers to establish law, was to promote colonialism. The settler’s colonialism was a genocidal policy for all Native people of North America. During this period, the Native tribes and communities struggled to maintain their fundamental values and were resistant to the onslaught of colonialism. The objective of this colonialism was to terminate the existence of Native people and take their land, but to the dismay of the settlers, the Native people fought for their survival. The Native tribes fought fiercely for their land, but there was just too many settlers, so they were eventually overpowered.

In 1864, with the continuation of colonialism, the Navajo people were forced off their land to make room for new settlers. This event in history is known as the Long Walk (*hweeldi*). They were incarcerated at Bosque Redondo, where they suffered until a treaty was signed. As one of the leaders of the Navajo people, Barboncito declared, “Our grandfathers had no idea of living in any country except our own. When the Navajos were first created, four mountains and four rivers were pointed out to us, inside of which we should live, that was to be our country and was given to us by the first woman of the Navajo Tribe” (Iverson, 2002, pg. 9). These mountains are; Blanca Peak (*Sis naajini*), Mount Taylor (*Tsoodzil*), San Francisco Peaks (*Dook’o’oosliid*), and Hesperus Peak (*Dibe’ Nitsaa*). Today, Indigenous tribes, such as the Navajo Nation are societies formed by their resistance and survival, through which they have carried their values, traditions, ceremonies and heritage. This is a fundamental part of history that our Navajo students need to learn about in order to comprehend the tremendous hardships their ancestors endured as they survived the Long Walk and came back to their homeland.

The Diné Life Way

Students will learn that before the European concept of governance was introduced to the Diné people, they governed their own society through values referred to as the “Diné Life Way.” This concept included Navajo philosophy, language, culture, spirituality, and governance. It is a shared knowledge based system, which values harmony and reciprocity between all members of the tribe. The students will understand that these concepts developed by the Navajos are their own traditional ways and experiences in approaching life through centuries of overcoming obstacles for their survival. In addition, these Navajo traditional concepts were not written, but were conveyed and taught orally, from generation to generation.

The students will understand why there is a growing concern about our traditional ways fading from our families, which might be due to the people not continuing the oral teachings of the Diné Life Ways. The teachings are being forgotten and are seldom being taught as they were in the past. Another contributor to this tribulation is the boarding school era, which were schools set up with the intention of eliminating Native languages and cultures. “To further Americanize Native American, the Indian Peace Commission of 1886 advised the Bureau of Indian Affairs to civilize Native Americans by blotting out “barbarous” dialects and enforcing their speaking of English only” (Klug, 2012, pg.5). Though the government tactic of assimilation was severe, the traditions and cultures of the Navajo people did survive.

Within this unit, the students will learn about the traditional Navajo belief that there is interconnectedness of all things, and how Navajos do not see law as a set of written rules, but as part of daily life. They will understand that a traditional Navajo is one who has knowledge of the culture, language and ceremonies. To support students in understanding these concepts, I will use online resources and quotes from the book, *Navajo Court and Navajo Common Law*, such as Austin’s statement that,

“Each day traditional Navajos live their laws with their spirituality, and to traditionalists, any attempt at distinguishing Diné law from spirituality is an improbable undertaking. All spiritual concepts and practices (what non-Indians call religion) are intertwined with the secular into the Diné Life Way, which, according to the Diné Fundamental Laws, is holistic. Norms that produce desirable conditions that include morality, peace, order, and positive relationships are common knowledge among traditional Navajos. In the traditional Navajo world, positive values sustain a condition called *hózhó*, a state where everything is properly situated and existing and functioning in harmonious relationship with everything else” (Austin, 2009, pg. 40).

Another quote I found that would inspire our students is:

“The Diné have always been guided and protected by the immutable laws provided by the *Diyin* (Great Spirit), the *Diyin Dine’é* (Holy Beings), *Nahasdzáán* (Mother Earth) and *Yádilhil* (Father Heaven); these laws have not only provided sanctuary for the Diné Life Way but have guided sustained and protected the Diné as they journeyed upon and off the sacred lands upon which they were placed since time immemorial” (Zion, NativeWeb, 2020).

The students will learn Navajo terms as we progress through this entire curriculum, therefore, in this specific unit, students will learn the Navajo word for "law" as *beehaz'aanii*. Students will learn the meaning of these Navajo terms and understand the impact these words have on our people. For instance, *beehaz'aanii*, means something that is essential, something that is complete and has been in existence from the beginning of time for Diné. Navajos believe that the "Holy People" brought this to the people to support better thinking, planning, and guidance. Navajos believe it is the source of a healthy, purposeful and meaningful life. In other words, Navajos say, "life comes from *beehaz'aanii*," because it is the essence of life. There is no specific or definite English interpretation for this term, but it is essential to the Navajo people. This term is in our prayers and traditional ceremonies, which helps us as Diné, understand the meaning of *hózhó*. (Yazzie, 2005)

The term "*hózhó*" is also difficult to interpret but it means the perfect balance and perfect state of being or harmony. The traditionalist live according to the rules that foster and maintain *hózhó*, which can be used in a problem solving process model, such as *hózhó* (harmony) – *hóchxo'* (disharmony) – *hózhó* (harmony restored) or *hózhó nahasdlii*. This problem solving model is similar to a Navajo ceremony (when using the following protocols); "(1) the *hózhó* condition exists; (2) negative forces called *naayéé'* (monsters) disrupt the *hózhó* condition, resulting in *hóchxo'* (disharmony); (3) the negative forces *naayéé'* are identified, isolated and then matched to a specific ceremony; (4) the ceremony expels or neutralizes the negative forces; and (5) the ceremony returns things and beings (human included) back to *hózhó*" (Austin, 2009, pg. 61). This process involves meticulous phases, by first neutralizing the causes of disharmony, then restoring the harmony, finishing with the results of bringing back harmony, *hózhó nahasdlii*. Through these prayers, we gain knowledge about our Diné Life Way. This traditional knowledge has been carried down for many generations and was an important factor in the survival of the Diné people during troubled times.

Teachings of K'e

One of the teachings of the Diné is K'e, which is much more than just the clan system. "K'e translates into English as compassion, cooperation, friendliness, unselfishness, peacefulness, and all the other positive values, which create an intense, diffuse, and enduring solidarity" (Bluehouse and Zion, 1993, pg. 329). In the past, these values were taught through storytelling, ceremonies, language, and other forms of teachings within the Navajo family. These ways of teachings are slowly dwindling, but there are still families that are keeping the tradition alive. Since a growing number of Navajo families are losing this tradition of passing on cultural values to their young, more and more school teachers have been incorporating this task into their lessons. In understanding that this is a crucial part of teaching our youth, schools are now implementing Navajo Culture and Language classes into their school's extracurricular activities or embedding the cultural teachings into their core teaching standards. These are part of the school improvement strategies, which are at the beginning stages of implementation in several Native serving schools today.

Teaching the K'e values alongside the Character Counts Program is another way schools are able to incorporate these teachings into their school curriculum. The six pillars of character counts are

core ethical values, which are trustworthiness, respect, responsibility, fairness, caring, and citizenship. The Character Counts is a character building curriculum program that support students in learning ethical values. As a result, it is ideal to intertwine the Dine' Way of Life with K'e values and the Character Counts Program values to teach character building in our schools to support students in their holistic growth.

Teaching Strategies

Culturally Responsive Instruction

What is cultural responsive instruction and curriculum? In researching the question I came across this statement, "Culturally appropriate education is both a basic human right and good educational practice. The best way to contextualize education for student understanding is to relate their schooling to their cultures, communities, lives, and land" (Klug, 2012, pg. 32). The paragraph continued with "Students need to learn both the knowledge and skills included in tribal, state, and national standards" (Klug, 2012, pg. 32). This is not a new strategy as education researchers working on the Navajo reservation have used the words culturally based, culturally relevant, and culturally responsive schooling (CRS) in making the connection of this strategy to the assertions of tribal sovereignty. Of course, it will probably take several more years for validation and implementation of this strategy throughout our Navajo serving schools on the reservation and in border towns.

I believe that integrating culturally responsive instruction into lessons is a strategy that supports student learning. Therefore, this curriculum unit will use cultural aspects in teaching the importance of rules and procedures in our daily living, communities and schools. As stated by historian and teacher Juan Gomez-Quinones, "American Indian ancestries and heritages ought to be an integral part of K-12 curriculums and university explorations and graduate expositions, with full integration of Native American histories and cultures into academic curriculum" (Dunbar-Ortiz, 2012, pg. 235). I know from experience that teachers play a very important role in a student's life not only academically, but also in supporting the development of a student's character and their holistic well-being: hence, culturally responsive instruction is not just for academics, but entails instruction for the holistic growth of a child from birth to adulthood. This makes culturally responsive instruction an important strategy in this unit to support students in their academic achievement. In addition, culturally responsive instruction is a support mechanism that assist students in their holistic growth as a Native student, using values, culture and Native language as a foundation in learning how to be an integral part of today's society.

Restorative Practice Approach

A restorative approach is not just for the criminal justice system, but can be implemented into a school curriculum to support the prevention of social behavior issues and/or can be used in teaching social skills. "This approach creates an opportunities for students to develop empathy and reflect on how their actions affect others, especially when there is a conflict, wrong-doing, or misconduct" (Hass-Wisecup, 2018, pg. 268). This approach prioritizes social engagement rather than social control. For instance, teachers demonstrate social control when faced with problematic or harmful behavior from a student in which they have the option of addressing that

behavior by doing something to the student, such as isolating, suspending or other disciplinary action. On the other hand, a restorative approach supports collaborative practices and provides an inclusive setting for the student to process and address their behavior so that they can actively participate in their own social and moral development. This also gives students the opportunity to learn about the consequences of their behavior.(Hass-Wisecup, 2018) When using this type of strategy in the classroom the focus is on capacity building for students as they change their behavior, strengthen their social skills, and strengthen their cultural values. Two restorative teaching strategies I will use in this unit are 1) Group Circles or Discussion Circles to discuss course content, discuss behavior, strengthen classroom values, address minor conflicts and facilitate collaborative learning; and 2) Questions and Guidance that help students develop their self-identity and self-confidence as they learn the content objectives of this unit.

1. Group Circles/Discussion Circles -The students will learn to articulate their thoughts and opinions in group discussions and presentations. These are skills that many of our students are currently lacking, and are skills in need of continuous review, in accordance to our common core standards. They will articulate thoughts and opinions in speech and in text to inform, impact, and persuade an audience. This will require teaching them to be skilled public speakers, learning how to address their audience, using proper tone, wording and volume, as well as teaching the students skills in listening. These skills are important for 8th grade students as they prepare for high school and college. The curriculum unit is aligned with common core standards, which support students in learning the skills necessary toward academic success (as described below in the Alignment with Standards section).

2. Questions and Guidance – This strategy can be utilized in small and whole group instruction because the teacher guides students in learning the content as they ask questions along the way. With this strategy, it’s important for teachers to understand that they have to connect with their students’ learning styles. Teachers also need to build trust with students as they implement this strategy to make students feel safe and comfortable as they demonstrate risk taking by asking questions. As with any teaching strategy, the only way it works effectively is if the teacher and students build a relationship of mutual respect. This goes back to the concept of K’e.

Classroom Activities

Group Discussions

The curriculum unit will be an introductory segment into our 8th grade curriculum, which will begin with how our ancestors collaboratively planned as they sat together in a circular formation, such as in a hogan. As stated by Yazzie, “In a circle, there is no right or left, nor is there a beginning or an end; every point (or person) on the line of a circle looks to the same center as the focus. The circle is the symbol of Navajo justice because it is perfect, unbroken, and a simile of unity and oneness. It conveys the image of people gathering together for discussion” (Yazzie, 2009, pg. 180). Within this planning phase, the topic of discussion will be our outline of content objectives.

to plan our rules and procedures for the classroom. We will format our discussion protocols as a whole group in this lesson. Thus, group discussions as well as a restorative practice approach will be a significant part of the curriculum unit.

Since, our school is implementing remote learning this strategy can be adapted to an online discussion group. The first step is to give the students the teacher's expectations such as; participation, online meeting etiquette, that there are no wrong answers and that everyone is welcome to share their thoughts and ideas. Next, as a group we will put together a set of ground rules for our online discussions. Since most of our students are unfamiliar with online learning, they may not understand the importance of participating in group discussions or they may find it difficult. Some students may be confused and not know what to do or say. Some may not know the appropriate online behavior or not be familiar with netiquette guidelines. As the facilitator of the online learning, the teacher has to teach them the guidelines and expectations just like the teacher would in a face to face classroom. Therefore, it's important to set ground rules for online discussions. (Appendix A is an example of a list of online discussion ground rules).

Now that we have set ground rules, we can begin with four questions that we will use as a practice session to help students understand how to conduct themselves during an online discussion. This will be done as whole group discussion on line. The teacher will have students answer questions on their own, then we will come together to discuss our answers. Students that are not detailed in their answers will have to elaborate further such as "I want to be treated nice". The student will have to be more specific on what they believe is nice or give an example. Students are allowed to ask questions to the person answering the question as long as it is a meaningful question and is using the ground rules of proper online etiquette. Having student discussions supports students in voicing their opinions and enhances their social etiquette.

Questions:

1. How do you want others to treat you?
2. How do you think everyone at the school should treat each other?
3. How do you think teachers should be treated?
4. How should everyone treat each other when there is a conflict?
5. How should we handle a conflict?

Whole Group Guided Instruction using Technology

I plan to bring awareness to my students of the history of our Dine' values, philosophy and social etiquettes, which are important foundations of our Dine' Way of Life. In completing this instructional task I will integrate the Questions and Guidance teaching strategy alongside visual learning via the use of online videos and resources. There are many resources on the internet that will be useful in learning about each concept taught in this curriculum unit, such as rules, values, history, Diné Way of Life and character building. (Appendix B has a list of online resources).

In an example lesson, students will watch a YouTube video using the online resource of Navajotraditionalteachings.com, the video is titled, "What Every Navajo Should Know" (see Appendix B). As I researched for resources to teach my content objective of the Diné Life Way, I found a historian that produces videos on this topic. His son was actually the person that got him started in sharing his Navajo traditional teachings. "It was by accident", his son said. "It was just before the 2017 total eclipse, when I ask my dad, Wally, "What are the traditional beliefs about the eclipse?" That's when his son thought it would be a good idea to record the

story on video. His son uploaded that video on Facebook and it went viral. This is how historian; Wally Brown began sharing the Navajo traditional stories through videos on YouTube.

As a Diné woman educator, I was skeptical at first about watching these videos, but after watching several of them I know they are good teachings tools for Native students. Of course, Mr. Brown doesn't tell the full details, which can only be done in ceremonies, but I think these videos are good resources in teaching our Native youth.

The first video called, "Things Every Navajo Should Know" by Wally Brown, aligns to the teaching of the Diné Life Way. In this video, Mr. Brown uses storytelling style to present his teachings of traditional values. He teaches using the English language, but also reinforces the meaning in the Navajo language. Most of his presentations are for teaching the Navajo youth and/or people who want to learn about their traditional ways. As students watch the video, they will jot down some details of the teachings by Mr. Brown. Then after the students have watched the video, we will have a group discussion of the teachings. By having students take notes and discuss the teachings, they are apt to remember. The teachings will be reinforced by integrating them in our class activities. The students will need to keep their notes for a culminating activity addressed in the assessment section.

Whole Group Guided Instruction using Book Reading

In addition, guided instruction is useful when reading a book to students. The teacher will read the book, Proud to Be a Blacksheep by Roberta John. After the reading students will write down at least two rules or values that were learned that were within the story and explain their thoughts. Student will share their thoughts with their reading partner. Students will volunteer to share their thoughts with the class and the class will move into a class discussion. Of course, there is no wrong answers in this type of class activity. It is an activity to support students in sharing their ideas and thoughts without risk. This lesson supports students in understanding that some books are are written with the intention of teaching values and morals. These types of books are very useful instructional tools for teachers. (Appendix C has a list of children's books)

Compare and Contrast

A primary learning experience in this unit is for students to compare the English written law and the Diné Life Way systems in order to comprehend the meaning of why we have rules. Students will determine the differences and similarities of the concepts and make the connections of these concepts in their daily life at home and at school.

In a group of two or three, students will complete a compare and contrast activity. Students will complete a mini project to compare the Dine' way of Life and the classroom rules. They will use a legal size paper to display their thoughts. Students work together to plan their project, delegate their roles, and organize their project to present to their peers for feedback. They can use a graphic organizer of their choice, such as the T model, Venn diagram, or they can write it in a narrative form. This lesson can be conducted in one session and is a good formative assessment. After each presentation, there will be a question and answer session to clarify thoughts and ideas that were presented.

Establishing Classroom Rules

The school has two sections in the academic department, which are lower elementary, that is grades Kindergarten through fifth and middle school from grades sixth through eighth. In addition to these two departments is the FACE program, and other departments such as residential, food service, administration, transportation, and maintenance. With such a large school operation that serves a large population of students, it is only fitting to design a comprehensive handbook to convey the importance of the policies and procedures of the school.

For his lesson, we will review policies in the school's student and parent handbook. The purpose of our handbook is to give our students and their parents/guardians an understanding of the rules and policies that pertain to attending and receiving their education at Wingate Elementary School. In years past, student handbooks at the educational institution contained very basic information about student discipline, school trips and school relations; however, in current society, there are more legal issues pertaining to education and students have received added protections under various laws to support their needs as they progress in their education. It is also important to realize that every school is different. Schools have different needs and their students have different issues. A policy that will work in one district may not be as effective in another. As a result, having students review the policies and procedures of the handbook will support their understanding of the school's policies and expectations.

Next, as a class we will then proceed with deconstructing our student handbook to find correlations between the Dine' ways and school rules. We will discuss how these rules apply to our laws of society. Students will have the opportunity to write down and discuss the strengths and weaknesses of our student handbook as part of the lesson. By having students learn strengths and weaknesses, they will be able to discern the reasoning behind rules and regulations.

Once students have a better understanding of the history and the purpose of having rules, we will begin establishing rules for our classroom. Creating expectations with students is an empowering activity to help build a positive cultural foundation for our classroom community. Allowing students to take ownership in establishing classroom rules shows them, the teacher values their thoughts and ideas. I believe this is an effective and practical way that teachers can give students a say in the classroom, is by allowing them to participate in developing rules or behavior guidelines for the class. Many times, students are told what to do, how to do it, how to think, and what to say, but they need to learn to become independent learners. It is important to give students the opportunity to develop their own ideas, thoughts and voice their opinions.

I tend to believe, as students contribute to the classroom expectations (rules), they are more likely to follow them, especially at the middle school level. By allowing them to create meaningful and purposeful rules, they are using their critical thinking skills, which is part of the common core standards. This is also a powerful learning experience for students as they invest in promoting a positive and safe learning environment themselves and their peers..

In addition, having students establish their classroom rules and consequences leaves less room for confusion in the future. When students are directly involved in the process of establishing

rules, they tend to comprehend them better and know the consequences of breaking the rules. Teachers will not have to give constant reminders, because students were part of the process in establishing each rule.

Student Assessment

Pre-Assessment using KWL

As an educator, I believe instruction is most effective when the teacher obtains the students' prior knowledge and experience. Experiences can be from home, culture, academic and personal learning. In this curriculum unit, I want to know how much students know about the law and their traditional values. This information will help me determine who will need extra support and who will need enrichment lessons. A good graphic organizer for teachers to obtain this information is the KWL chart. The K stands for what the student knows, W stands for what the student wants to know and L stands for what the student learned after the lessons. The KWL chart is a useful instructional tool used in kindergarten to upper level grades. I like to use the KWL concept in learning what my students know already. I modified the chart to make the layout provide more space for middle school students to write. In addition, I have a chart for the primary content objectives in this curriculum unit, which are knowledge of Law in society, Diné Way of Life and why we have school rules. After the completion of the unit, the students will write a detailed narrative paragraph of each concept on what they learned and if it made a positive impact for them. (Appendix D is an example of a KWL document)

Formative Assessment

Formative assessment is an important instructional tool that informs teachers of their student's understanding of concepts being taught. Most of my formative assessments will be done during our discussion sessions and through questioning and guidance. This will allow students to get clarification on concepts through their questioning. As most teachers know, formative assessments are done within the instruction to support students as they learn. It is also a tool to drive the instruction.

Self-Assessment

I use self-assessment to support students' in understanding their strengths and weaknesses. By conducting this type of assessment, students realize what they need to improve in order to learn more effectively. My students enjoy completing a self-assessment because they want to know what they need to improve on. The self-assessment also supports teachers in knowing who is struggling in their learning. (Appendix E is an example of a self-assessment)

Unit Assessment – Project and Presentation

Finally, our culminating activity will be utilized as an assessment for this curriculum unit, which will entail a poster presentation of what they learned in the unit. Students will put together a project in the form of a poster, power point or collage to present to their peers of what they learned in the unit. Giving the students a choice enforces independence, creativity, and critical

thinking. As a seasoned mid school educator, I know students at the mid school level enjoy these types of assessment to demonstrate their knowledge and creativity rather than an assessment worksheets. These types of assessments can also be displayed to reinforce concepts learned.

Alignment with Standards

In using my experience and knowledge of designing a lesson or unit, the first step is to understand the standards. Upon searching through the common core standards for my unit, I settled on the Speaking and Listening: 8th Grade Common Core Standard with the Comprehension and Collaboration standard of ELA Literacy. I chose this standard because it aligns with how I want to teach this unit. The first domain (SL.8.1) of the standard is engage effectively in a range of collaborative discussion (one-on-one, in groups, and teacher-led) with diverse partner on grade 8 topics, texts, and issues, building on others' ideas and expressing their own clearly. In the next domain (SL.8.1.C), the focus is to pose questions that connect the ideas of several speakers and respond to others' questions and comments with relevant evidence, observations, and ideas. In the last domain (SL.8.1.D), the students will acknowledge new information expressed by others, and when warranted, qualify or justify their own views in light of the evidence presented. The standard and domains are perfectly align to my curriculum unit, since most of the lessons will utilize collaborative activities.

In addition to the Common Core Standard, my curriculum unit is aligned with the Dine' Character Building Standard of K'e hwiinidzin doo' adahozdilzin bee hadinisht'ee dooleeligii' bohwiideesh'aal. In this standard, there are three scaffold domains, which is under the focus of students developing and applying critical thinking to establish relationships with the environment and with Concept 2 that is Ada hozdilzin (I will maintain the sacredness of self-identity). The first domain (PO 1) is Na'nitin be'esh'ii dooleel (I will practice cultural teachings). The next domain (PO 3) is lina' Sileii choosh'ii doo' bee hinihnaa' dooleel (I will practice Diné Way of Life). The final domain is (PO 4), which is Shoooh hodindzingigii' binahji' adaa akonisin dooleel (I will comply with the Dine' moral practices). The standard and domains align to the main focus of my unit which is to understand the values of law in any society, and in the Diné Way of Life, and how they correlate from one society to another.

Resources

- Austin, R. D. (2009). *Navajo Courts and Navajo Common Law: A Tradition of Tribal Self-Governance*. University of Minnesota Press.
- Bluehouse, P., & Zion, J. W. (1993). *Hozhooji Naat'aanii: The Navajo Justice and Harmony Ceremony*. *Mediation Quarterly*, 10(4), 327–337. <https://doi.org/10.1002/crq.3900100403>
- Calavita, K. (2016). *Invitation to Law and Society, Second Edition: An Introduction to the Study of Real Law (Chicago Series in Law and Society)* (2nd ed.). University of Chicago Press.
- Complexity of the Navajo Culture. (n.d.). Retrieved December 01, 2020, from <http://www.navajocourts.org/NCLP/nclpculture.htm>
- Dunbar-Ortiz, Roxanne (2014). *An Indigenous Peoples' History of United States*. Beacon Press
- Friedman, L. M. (1973). *A History of American Law* Lawrence M. Friedman. New York: Simon and Schuster.
- Hass-Wisecup, A. Y., & Saxon, C. E. (2018). *Restorative justice: Integrating theory, Research, and Practice*. Durham, NC: Carolina Academic Press, LLC
- Iverson, P., & Roessel, M. (2002). *Diné: A History of the Navajos* (Illustrated ed.). University of New Mexico Press.
- Klug, B. (2012). *Standing together: American Indian Education as Culturally Responsive Pedagogy*. Lanham: Rowman et Littlefield.
- Law and the Rule of Law (n.d.). Retrieved October 12, 2020 from <https://judiciallearningcenter.org/law-and-the-rule-of-law>
- Minthorn, R.S, & Chavez, A.F. (2015), *Indigenous Leadership in Higher Education*. New York, NY; Taylor & Francis
- Nielsen, Marianne October (2020). Restorative Practice in Classroom (PowerPoint slides). DINÉ Institute, Native Law Seminar
- Origins and History of the Law System in the USA (n.d.). Retrieved October 12, 2020, from <http://ihlresearch.org/origins-and-history-of-the-law-system-in-the-usa/>.
- Transcript of the Fundamental Laws of the Dine' (n.d.). Retrieved December 01, 2020, from http://www.nativeweb.org/pages/legal/navajo_law.html
- Yazzie, Robert. 2005. "Life Comes From It: Navajo Justice Concepts." *New Mexico Law Review* 14 (1): 175-184.

Appendix A

Ground Rules for online Discussions

- Participate – Contribute to the discussion by sharing your thoughts and ideas.
- Do not dominate a discussion – Share what you know and think, but allow others to contribute as well.
- Challenge yourself – Learn more on your own about the content so you will have more to contribute during discussions.
- Be respectful – Remember that everyone is learning about the content, so if someone makes a mistake offer support.
- Be mindful – Do not judge others for their opinions or thoughts.

Appendix B

List of online resources for the curriculum unit:

13 Colonies: the Early Colonies - Roanoke, Jamestown, Plymouth, & New England
https://www.youtube.com/watch?v=i2isz__V41E

13 Colonies: Colonial Governments and English Influence
<https://www.youtube.com/watch?v=IehXUWJEEa>

Long Walk Tears of the Navajo - <https://www.youtube.com/watch?v=IehXUWJEEa>

Navajo Justice System - Tribal Justice Webinar - Peace Circles: A Virtual Circle on
Peacemaking (April 26, 2017)

Things Every Navajo Should Know - <https://www.youtube.com/watch?v=i00whM83UTk&t=5s>

Traditional Native American Etiquette <https://www.youtube.com/watch?v=i00whM83UTk&t=5s>

Appendix C

List of children's books for the curriculum unit:

Bingham, Sam and Janet Bingham (eds.) 1984. *Between the Sacred Mountains*. University of Arizona Press

Browne, Vee F. and Johnson Yazzie. 2008. *The Stone Cutter and the Navajo Maiden*. Flagstaff, AZ: Salinas Bookshelf.

Hunter, Sara and Julia Miner. 2007. *The Unbreakable Code*. Cooper Square Publishers.

Miles, Miska and Peter Darnell. 1972. *Annie and the Old One*. Little, Brown.

Oughton, Jerrie. 1992. *How the Stars Fell into the Sky*. Sandpiper Houghton Mifflin.

Ruffenach, Jessie, Roberta John and Keith Yazzie. 2006. *Proud to Be a Blacksheep*. Salinas.

Thomas, Marjorie W. 2000. *Bidii*. Salinas Blue, Martha, Keith Smith and Peter A. Thomas. 2003. *Little Prankster Girl*. Flagstaff, AZ: Salinas Bookshelf.

Tahe, Rose Ann, Nancy Bo Flood and Jonathan Nelson. 2018. *First Laugh, Welcome, Baby*. Penguin, Random House.

Thompson, Hildegard. 2007. *Navajo Coyote Tales* [reprint of William Morgan's *Coyote Tales*]. Gibbs Smith Publisher.

Whitethorne, Baje, Sr. 2001. *Father's Boots*. Flagstaff, AZ: Salinas Bookshelf.

Whitethorne, Baje. 1994. *Sunpainters: The Eclipse of the Navajo Sun*. Flagstaff, AZ: Salinas Bookshelf.

Appendix D

KWL Document

1. What do I know about Law?
2. What do I want to know about Law?
3. What did I learn about Law? (Explain)
4. What do I know about Dine' Life Way or traditional values?
5. What do I want to know about Dine' Life Way or traditional values?
6. What have I learned about Dine' Life Way or traditional values?(Explain
7. What do I know about why we have school rules?
8. What do I want to know about why we have school rules?
9. What did I learn about why we have school rules? (Explain)

Appendix E

Rubric for Self-Assessment

| SCORE | 1 | 2 | 3 | 4 |
|-------------------------------------|--|---|--|---|
| Participation | I did not participate in the activity | I occasionally participate in the activity | I frequently participate in the activity | I always participate in the activity |
| Discussion | I do not participate in the group discussion | I occasionally participate in the group discussion | I frequently participate in the group discussion | I always participate in group discussion |
| Listening to lessons and discussion | I do not listen during lessons and discussions | I occasionally listen to lessons and discussions | I frequently listen to lessons and discussions | I always listen to lessons and discussions |
| Teamwork | I do not play a part in teamwork | I occasionally play a part in teamwork | I frequently play a part in teamwork | I always play a part in teamwork |
| Academic Language | I do not use complete sentences or academic language in my class work and discussions. | I sometimes use academic language but do not express complete thoughts in my class work and discussions | I often use academic language in class and use complete sentences in my class work and during group discussions. | I always use academic language and complete sentences in my classroom work and group discussions. |
| I follow rules and procedures | I do not follow rules and procedures | I sometimes follow rules and procedures | I frequently follow rules and procedures | I always follow rules and procedures |

1. What did you like about the lessons?

2. What did you not like about the lessons?

3. What do you think will improve the lessons?

Synopsis

Why do we have laws? It seems there are some people that don't like to follow established laws in society because they represent boundaries. Realistically though, life would be chaotic without set guidelines. These set guidelines, rules, policies and regulations are representations of what we call "laws". Without rules and regulations as we know them, society would definitely plunge itself into chaos; thus, the purpose of this curriculum unit is to have students understand how laws in society support our school community in being safe and maintaining order. Students will learn why laws (rules) are important in our school and understand the relations of systems such as the Diné Way of Life to the written laws of western society. In the process, the students will learn the importance of values as they pertain to law in society and the importance of cultural values as they pertain to their holistic growth.