EDUCATORS’ DILEMMAS: POST HIGH SCHOOL TRANSITIONS FOR
STUDENTS WITHOUT DOCUMENTATION

by

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Abstract

Through an institutional ethnography in two secondary public schools in northwest Washington State, this research explores the web of social relations coordinating the lived experiences of students without legal immigration status and the educators who taught them. The U.S. Supreme Court decision, *Plyler v. Doe*, guarantees students’ access to a public K-12 education, regardless of immigration status. However, without a pathway to legalize their residency, unauthorized status inevitably denies these students full social membership in a polity, which excludes them from assuming paid professional careers, presents significant obstacles in pursuing higher education, and precludes their full social and political participation. Those without authorized status are unable to fully actualize the dreams, knowledge and skills developed throughout their education. Situated in this tension, I examined educators’ everyday schooling activities that prepared students for life after graduation. Educators’ daily practices groomed students to become college-bound and career-driven. To pursue these goals, my research suggests that ruling relations positioned educators to enact depoliticized discourses of meritocracy and a decontextualized student-centered practice, as well as practices that silenced the social, political and economic contexts of students’ lives. Situated in a contradictory intersection of education and immigration policy, I argue that redressing the root cause of the injustice that students without legal status experience requires political action. This research suggests that educators dedicated to a socially just education grounded in human rights would commit to political action, express passionate and informed encouragement to their students, and acknowledge and engage status as a lived experience in their students’ lives.
Preface

The poems included throughout this thesis are based on my collaborative work with María del Rosario Corona Horta. In the spring of 2010, I conducted an interview with María, and from fall 2010 to spring 2011, we worked together to analyze and represent the interview data through poetry. Our co-authorship was an intentional attempt to share power in the interpretation and representation of our perspectives on growing up in the U.S. without legal status. We chose to use poetic transcription as a narrative analysis device. Writing poems together gave us a creative, compassionate, and complex means to speak through and about our individual perspectives. We also found that through writing poems, we could layer themes of lived experience, and visually represent stories, in a way that elicited the contradiction and inconclusiveness of being raised in the United States without legal status.

Versions of sections of this thesis have been compiled into a journal article, which has been accepted for publication:


I included the following sections in the journal article. From Chapter 1: Defining a Social Group, Literature Review, the subsection Plyler v. Doe within the section Policy Context. From Chapter 2: Theorizing Justice in the Absence of Citizenship, Negotiating a “Performatve Contradiction,” Inscribing the Right to Rights into Nation-State Policies,
Agency and Contradiction, and Limits and Possibilities of a Performative Contradiction. I also included the final paragraph in chapter 7 in this manuscript.

This research was approved by the UBC Behavioral Research Ethics Board, Certificate number H10-02252.
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List of Acronyms

AVID – Advancement Via Individual Determination.

DREAM Act - Development, Relief, and Education for Alien Minors

ELL – English Language Learners

FAFSA- Free Application for Federal Student Aid

FERPA- Family and Educational Rights and Privacy Act

GED- General Education Diploma

HECB- The Higher Education Coordinating Board

ICE – Immigration and Customs Enforcement

IIRIRA – Illegal Immigration Reform and Immigrant Responsibility Act

MEChA - National Movimiento Estudiantil Chicano de Aztlán

NEA – National Education Association

NSBA – National School Board Association

S.I.N. - Students Informing Now (S.I.N) (2007), a University of California Santa Cruz student group focused on supporting students without documentation.

TAFSA – Texas Application for State Financial Aid
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Dedication

I dedicate this work to youth, educators, researchers and activists who are imagining and striving for justice in an unjust world.
Chapter 1
Introduction

What is a Dream?

The myth is taught in schools:
Individual Determination!
We give the myth power by believing in it.
By pursuing it we make it real.

The school’s ideology:
Work hard.
Get good merit.
Classes,
Clubs,
Volunteering.
Be the ideal student.
You’re going to college.
College.
College.
College.

You’re gonna have a great life.
All this hope.
Boom.
Boom.
Boom.

It’s a false hope though.
Sometimes it’s not as simple
As life, liberty and the pursuit of happiness.

Sometimes students don’t find out until senior year.
College applications and financial aid
I can’t do all these things.
Teaching, law and beauty school.
I can’t use my degree.
I don’t want to work under a fake name,
As a fake person.
I don’t want to work under the table.
All these barriers.

Boom.

Boom.

Boom.

I knew the crossroad:
Continue or give up.
How do I spread hope,
When hope is limited?
When hope feels like a false illusion?
Students see that
And they give up.

But at the same time,
You’re not a false person.
These hopes do exist.

It’s easy to display false hope,
Hard to usher real hope.

I’m working, giving inspiration,
Creating reality within the myth.
Options exist to go to college
To gain life experience
Meet lifetime friends
Do amazing things.
Get your degree and hope one day
You will get your proper documentations,
Or the Dream Act will pass.

Then maybe the false hope will become a reality.

Real hope happens with activism.
If we don’t keep fighting,
Nothing will ever change.
Everyone will always be stuck.

Realistic hope lies in the courage of fighting for change.
Give students hope in that sense.

Taking,
Making,
Transforming.

We’re changing that false hope into a reality.

And that’s what school taught me:
Individual Determination!
We give the myth power by believing in it.
By pursuing it we make it real.

-poem by María del Rosario Corona Horta and Sara Radoff
Through this institutional ethnography I sought to investigate the web of social relations coordinating the lived experiences of students without legal immigration status and the educators who taught them. When I began this project, I was curious about marginalizing institutional systems in which students and educators participate, and may resist. While I intended to focus narrowly on schooling policies and practices, I realized the boundaries of my research agenda were as porous as school walls, in which history, social dynamics, political contests and economic interests permeated educators’ daily practices. I learned that schooling students without legal status is inextricably connected to struggles for justice and human rights, as well as concessions to colonizing and exploitative relations.

My research is situated within a “performative contradiction” (Butler & Spivak, 2007). It explores the daily practices of educators as they prepared students for their transition from high school—a place where they are allowed to be—into a society complicated with barriers and exclusion—a place they are not authorized to be. Since the Supreme Court case *Plyler v. Doe* (1982) guarantees public K-12 education to students without legal immigration status, they participate in everyday schooling activities that prepare students for life after graduation. Counselors, teachers, support workers and principals encouraged students to envision their future dreams, and they taught that with strategic planning, dedication, and academic success students could achieve their goals. But despite access to public K-12 education, without a pathway to legalize their residency, unauthorized status inevitably excludes these students from assuming professional careers and presents significant obstacles in pursuing higher education. My research suggests that through implementing a college-bound and career driven curriculum, educators enacted a discourse of meritocracy and a student-centered practice that contradictorily focused on the individual’s goals and determination, while silencing or marginalizing their experiences related to status. Situated in a contradictory intersection of education and immigration policy, I argue that redressing the root cause of the injustice that students without legal status experience
requires political action. This research suggests that educators dedicated to a socially just education grounded in human rights would commit to political action, express passionate and informed encouragement to their students, and acknowledge and engage status as a lived experience in their students’ lives.

**Research Questions**

What social relations coordinate the schooling of students without authorized residency status? How do educators prepare these students for their transition following high school graduation? In what ways do educators and students without documentation navigate the tension between students’ access to K-12 public education, and post-high school barriers related to higher education and professional occupations? What are the perspectives of educators regarding the transition of students without documentation from high school to post-secondary education?

**Purpose of the Study**

I present this research with a transformative change agenda grounded in human rights. The purpose of this study is to identify for educators, human rights activists and critical policy advocates directions for targeting efforts to support youth marginalized by intersecting education and immigration policies that politically, economically and socially construct a caste system in the United States. The aim is to suggest angles for decolonizing the social relations coordinating the experience of educators and students without legal status.

When designing this study, I gained significant inspiration from youth activists and educator allies. Countering imposing barriers, Dreamers express political agency. Dreamers are a movement of activists and students without legal status whose name represents their support for the DREAM Act, a federal bill that would provide pathways for high school graduates to legalize
their residency status. Through my research I also discovered educators joining the Dreamers’ movement for justice. I hope that the results of this research offer direction for advocacy efforts that support the “right to rights” (Benhabib, 2004) of those without authorized status.

**Overview of Chapters**

In chapter 2, I explicate my purposes for conducting an institutional ethnography from a critical policy studies orientation. I present my position on defining and interpreting who counts for justice and how to make meaning of injustice claims in the absence of authorized residency. I then present an argument advocating for students’ moral right to civic rights (Benhabib, 2004), and show how the current intersection between immigration and education policy leaves students living without documentation in a “performative contradiction” (Butler & Spivak, 2007) in which they are permitted to be raised and educated in the United States, but face inevitable exclusion from full economic, social and political participation upon graduation.

In chapter 3, I describe the methodology for conducting an institutional ethnography, and then outline the ethnographic (Campbell & Gregor, 2004; Smith, 2005), narrative (Glesne, 1997; Richardson, 2002) and decolonizing methods (Mutua & Swadener, 2004) I used to design the study, and generate and analyze data. Here I reflexively examine the ontological and epistemological assumptions of an institutional ethnography. I also introduce my research collaboration and detail the research site and participants.

In chapter 4, I situate my research topic, participants, and myself as the researcher within the history of border relations between the United States and Mexico. I identify the social, political and economic construction of ruling relations that assert the dominance of White, male, economic elites to assume racial and moral superiority over others, determine borders, claim occupation of land, authorize “citizens,” and systematically deny rights to a class of “illegals.” I trace the reproduction of these social relations into the history of schooling for Mexican-
American youth in the U.S. Then I juxtapose my research participants’ considerations of their race, class, and language identities against this history, and offer my own reflections on my positionality as a White, female, English-speaking citizen researcher.

I present the results of my data analysis in chapters 5 and 6. In chapter 5, I begin by illustrating the daily practices of educators to prepare their students for college and career, and I juxtapose their reflections on how these everyday objectives were interrupted when working with students who are undocumented. I share strategies that educators employed to prepare these students for options after high school. Next I present participants’ responses to a false hope dilemma—despite encouragement to achieve academically and pursue college and careers, without legal status students can’t get a job and they struggle to finance higher education. I investigate how educators made meaning of this fracture in the meritocracy narrative, and subsequently wrestled with their professional roles in relation to their daily work with unauthorized students. I highlight two educators’ activism in order to illustrate the political engagement necessary to generate real hope for students to actualize their aspirations developed through their education.

In chapter 6, I present my analysis of silence as a social relation coordinating how educators made meaning of and implemented Plyler v. Doe. Plyler v. Doe restricts public K-12 school staff from requiring students or families to disclose their status, or make inquiries that might expose their status (Morse & Ludvonia, 1999). Despite this explicit intent, which is mandated by Plyler v. Doe and expressed by most participants, I analyzed school forms and discussed their use with school staff. I learned that these forms inadvertently revealed the immigration status of students and families. I also found that educators’ performances of various forms of silences coordinated the social invisibility of students without documentation and neglect for the influence of status on one’s life.
Finally in chapter 7, I conclude by summarizing the research findings, discussing recommendations for policy and practice, and discussing future directions for research in this area. I also address the value of utilizing a human rights argument in advocating for justice for students without documentation.

Throughout the thesis I present poems, such as the one introducing this chapter, which I co-authored with a college student activist, María del Rosario Corona Horta, who studied immigration law and was the president and founder of a student group that advocated for federal policies directed at alleviating the political barriers youth without documentation face. The poems intend to illustrate the complex lived experiences of growing up and being schooled in the United States without authorized status, experiences which may be saturated with resilience, determination, unresolved hope, discouragement, frustration, confusion, fear, and other colliding feelings unique to each individual. The poems centralize María’s standpoint (Smith, 2005) as an activist for students without documentation. I describe the rationale and ethical implications for co-authoring these poems in chapter 4.

**Defining a Social Group**

In my thesis I consider Latina/o youth who do not possess authorized entry into the United States as a social group based on a shared experience of oppression. Approximately 11.2 million people live in the United States without valid immigration documents (Passel & Cohn, 2011), and their children, who include those who were born in the U.S. and those who are also unauthorized immigrants, make up 6.8% of all students in K-12 schools (Passel & Cohn, 2009). Seventy percent of parents without authorization are from Mexico, 17% from other Latin American countries, 7% from Asia, 2% from Europe and Canada, and 3% are from African and other nations (Passel & Cohn, 2011).
Social justice researchers debate the implications of designating a social group, and by writing and researching about students without legal status as a social group, I also tread this tension. Categorizing a group may universalize individual experience, and neglect the diversity and uniqueness among the people within it (Said, 2001). Establishing a homogenous group who shares a standard set of experiences is not my intention. While I acknowledge that individual lived experiences are unique, I want to consider students without documentation as a group who share a context of social exclusion, and class and political marginalization. In this way, I intend to investigate the relations of power that construct and dominate a social group (Fine & Weis, 2005). For my purposes, I consider a social group as shaped by a “common context of struggle” (Mohanty, 2003, p. 49). Other researchers have also considered social groups based on their circumscription by common social, political and historical contexts of oppression (Abu El-Haj, 2006; Hidalgo, 2005; Young, 1990).

Immigrants without authorization originate from a variety of home countries, with 58% from Mexico (Passel & Cohn, 2011). I acknowledge that immigrants from other nations besides Mexico, and among those who identify as Mexican, may have unique forms of injustice based on their undocumented status. However, in my research, I chose to focus on issues influencing Mexican and Mexican-American youth since the primary population of Latina/os in the community in which I conducted my research shares this ethnicity. I also recognize that social groups are comprised of unique individuals whose experience vary by intersecting gendered, racialized, and classed, among other identity differences.

Designating individuals as “undocumented students” or “unauthorized immigrants” is also contestable. Qualifying adjectives preceding the subject noun reduce the individual to the quality and subsequently ignore their complete humanity. For example an “undocumented student” limits the student’s identity to their undocumented status. Beyond the discursive frames that reduce an individual to only one aspect of their being, even the notion of being undocumented is
problematic, because these concepts attach the problem of legal status to the individual, rather than acknowledging the larger social and political constructs that frame an individual as such. Dehumanizing labels such as “illegal alien” or “illegal immigrant” are especially culpable for the erasure of these constructs (I will explore these constructs in chapter 4). In this thesis, I use phrases such as “students without documentation” and “immigrants without authorization” to honor the complete identities of the subjects of this thesis, while also challenging the political, economic and social constructs that wield power to classify and subjugate an individual.

**Policy Context**

In this section I summarize federal and state policies influencing the schooling of youth without documentation in Washington State. I explain the Supreme Court case *Plyler v. Doe*, which grants access to public K-12 education. I then present two instances when states have challenged *Plyler v. Doe* with legislation requiring schools to solicit enrolling students’ immigration status. Next I outline Section 505 in the Illegal Immigration Reform and Immigrant Responsibility Act and show its relevance for Washington State’s House Bill 1079, which grants in-state tuition benefits for those without documentation. I briefly summarize the pathways and eligibility criteria for applying for permanent residency or citizenship, although these pathways exclude those who entered the U.S. without authorization. I conclude by outlining the DREAM Act, proposed federal legislation that would offer an outlet for students to legalize their status.

**Plyler v. Doe**

Claiming economic hardship, the Texas legislature found their schools’ increasing enrollment of immigrant Mexican children problematic. It argued that the children’s ballooning presence diverted resources from citizen children. In 1975 the legislature ruled that schools could deny enrollment to students who could not prove they had been legally admitted to the United
States. Moreover, the legislature could withhold funding from schools choosing to admit students without documentation. Throughout Texas, Mexican children without documentation were banned from public schools. Soon after, on behalf of the displaced Mexican children in Smith County, a class action suit, *Plyler v. Doe*, was filed against the Smith County Superintendent and the Board of Trustees. The U.S. Supreme Court case questioned whether Texas ought to provide free public K-12 education to students regardless of their citizenship status (*Plyler v. Doe*, 1982).

In 1982, the Court concluded that the Texas statute violated the Equal Protection Clause of the Fourteenth Amendment, which prohibits the State from denying “any person within its jurisdiction the equal protection of the laws” (*Plyler v. Doe*, 1982). Despite illegal entry, undocumented status could no longer bar children from the protections assured to citizen children within the Texas boundaries. The Supreme Court recognized that current immigration law creates a “shadow” population who live, go to school and work within U.S. territory, but are excluded from full membership in the communities in which they reside. By guaranteeing access to public education, the ruling attempted to interrupt the (re)production of a permanent underclass. A key decision in the case determined it was “unconstitutional to deny public education to undocumented alien children,” indicating that denying children public access to education is “unfair punishment for their parents’ actions” (Suarez-Orozco, Suarez-Orozco & Doucet, 2004, p. 424). See chapter 2 for a critical analysis of *Plyler v. Doe*.

**Immigration Status and Public School Enrollment**

Since its ruling, state legislation and state supreme courts have debated *Plyler v. Doe*’s mandate to guarantee public education to all students regardless of their immigration status. For example, section 7 in California’s Proposition 187 would have required school districts to deny enrollment to unauthorized youth, verify the legal status of all students, and report those without legal status to Immigration and Customs Enforcement officials (NSBA & NEA, 2009). The
California district court decision to *League of Latin American Citizens v. Wilson* invalidated section 7, citing the *Plyler v. Doe* ruling, which asserts that students cannot be banned from public schools based on an unauthorized status (NSBA & NEA, 2009). Most recently, Alabama’s House Bill 56, signed into law in June 2011, aimed to ban students without authorized status from public schools altogether, despite explicitly violating the *Plyler v. Doe* decision. The bill requires public schools to determine the immigration status of enrolling students (Preston, 2011).

**IIRIRA of 1996 and Washington State House Bill 1079**

At the level of higher education, most policy debates have focused on whether students without documentation ought to pay in-state tuition. The Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) had important implications for state policy decisions regarding in-state tuition. In general, IIRIRA intended to increase border enforcement authority, expand provisions for deportation, implement an employment verification system, and restrict public benefits from those without authorized status. *Section 505* specifically declares:

> An alien who is not lawfully present in the United States shall not be eligible on the basis of residence within a State (or political subdivision) for any postsecondary education benefit unless a citizen or national of the United States is eligible for such a benefit (in no less an amount, duration, and scope) without regard to whether the citizen or national is such a resident. (IIRIRA as cited in Nerini, 2008, p. 41)

Different interpretations of IIRIRA have led states to either provide or deny students in-state tuition if they are undocumented. As of May 2011, 13 states have liberally interpreted

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1 States with in-state tuition legislation include: Texas, California, New York, Utah, Washington, Oklahoma, Illinois, Kansas, New Mexico, Nebraska, Wisconsin, Maryland, and Connecticut.
IIRIRA to establish in-state tuition laws, while 4 states\(^2\) use IIRIRA to deny students from gaining resident tuition. States’ differing interpretations depend on their readings of the terms “residence” and “benefits” (Olivas, 2004). According to IIRIRA, states permitting in-state tuition to youth without legal status must also provide the same in-state rate to residents of other states who had attended high school and graduated in the state (National Immigration Law Center, 2011).

In 2003, Washington State signed House Bill 1079 *The Student Residency Tuition Adjustment Act*, which qualifies students for in-state tuition at public universities if they have resided in the state for at least 3 years immediately prior to receiving a high school diploma or its equivalent, and they have lived continuously in the state since receiving it (Nerini, 2008, p. 4). If a student is not a permanent resident or citizen, he/she must complete and sign an affidavit to qualify for resident tuition (see Appendix A, and chapter 6 for an analysis of the affidavit).

**Eligibility Criteria for Permanent Residency and Citizenship**

Applying for permanent residency and citizenship depends on an individual’s circumstance, and an application will be adjudicated according to a plethora conditions, and exceptions, beyond the scope of what I can outline in this thesis. The following summary offers basic information on status classifications and eligibility requirements, cited on the U.S. Citizenship and Immigration Services website (USCIS, 2011). The main categories for applying for permanent residency are through family sponsorship, an employment opportunity, or refugee/asylee status, and within these categories additional conditions rate the applicant according to preference. For example, a family-based application would give “first preference” to

\(^2\) States prohibiting in-state tuition from students without documentation include: Arizona, Colorado, Georgia and Indiana.
unmarried, adult sons or daughters of U.S. citizens, “second preference A” to spouses of permanent residents and the unmarried children of permanent residents, and so on. Eligibility for becoming a permanent resident also depends on whether the applicant lives inside or outside of the United States at the time of application. Immediate relatives of a U.S. citizen have the highest immigration priority. Per the Immigration and Nationality Act (2010), anyone who enters the U.S. without authorization is ineligible for legal residency.

Citizenship is granted to those who are born in the U.S., or born abroad to parents who are U.S. citizens. After birth, naturalization is the process through which a foreign citizen or national may be granted U.S. citizenship. To apply for naturalization, a permanent resident must meet eligibility requirements for age, minimum number of years as a permanent resident, place of residence before and during application period, English literacy and understanding of U.S. history and government; and exhibit “good moral character.”

The DREAM Act

The most recent version of the Development, Relief, and Education for Alien Minors (DREAM) Act, introduced on May 11, 2011 would permit students who have grown up in the U.S. without legal status to apply for conditional permanent residency status and eventually permanent legal status (NILC, 2011). It would also eliminate federal provisions that penalize states that provide those without legal status in-state tuition to higher education institutions (NILC, 2011).

Individuals would qualify for conditional permanent residency upon graduation from a U.S. high school, acceptance to college, or obtaining a general equivalent diploma (GED). Conditional permanent residency is similar to legal permanent status, but legal residency would only be awarded for six years. Under conditional permanent residency status, students could drive and work, but not leave the U.S. for lengthy periods. While students could be eligible for federal
work-study and student loans, they would not be eligible for Pell Grants or other federal financial aid (NILC, 2011). Candidates eligible for conditional permanent resident status under the DREAM Act are those who were brought to the United States before they were fifteen, had been in the U.S. for at least five years before the bill’s enactment, and are younger than 35. To transfer status from conditional to lawful permanent resident status, within the six-year conditional period an individual must “maintain good moral character” and meet at least one of the following conditions: (a) graduate from a two-year or vocational college, or studied for two years toward a B.A. or higher degree, or (b) serve in the United States Armed Forces for at least two years (NILC, 2011). Anyone convicted of a crime or deportable offense, or considered a “security risk,” would not be eligible (NILC, 2011).

The DREAM Act would also repeal Section 505 of IIRIRA, which dissuades some states from offering students without documentation in-state tuition. The DREAM Act would remove the provision requiring states to provide the same benefits to citizens and legal residents that it offers those without documentation, and instead would leave decisions regarding state residency benefits exclusively to the state (NILC, 2011). See chapter 2 for an extended discussion of the DREAM Act.

During the course of data generation for this study, Harry Reid, U.S. Senator for Nevada, presented the DREAM Act to the House of Representatives. Fierce opponents to the DREAM Act campaigned against it. The bill passed in the House on December 8, 2010, but failed in the Senate on December 18, 2010.

**Literature Review**

In this section I provide a literature review of research regarding students without documentation in two areas: (a) lived experiences amongst an opportunity drought, and (b) political activism. My objective is to present a background context on contradictory educational
opportunities—in some cases offered, and other instances denied—to youth without legal status. While highlighting lived experiences of injustice, I also aim to point towards sites of political resistance emerging from this group as well. Even with legal legitimation to attend public schools guaranteed through *Plyler vs. Doe*, upon high school graduation, students confront limited funding resources for higher education and their status excludes them from legally working in the United States. First I summarize research that describes students lived experiences coming of age without documentation. Then I highlight an emerging literature that showcases political actors, including those without documentation who seek to transform U.S. education and immigration policy despite their non-citizen status.

**Lived Experiences Amongst an Opportunity Drought**

There is a growing body of literature that addresses the opportunities and challenges that students without documentation face after high school graduation. Consider that 53% of immigrants without documentation have graduated from high school (Passel and Cohn, 2009), while only 5-10% of those continue in higher education (Gonzales, 2007). A lack of information on the barriers confronting students and the notable silence around the issue precludes responsiveness in U.S. public schools (S.I.N. Collective, 2007).

Emotional stress may contribute to these students’ experience in public schools. Gonzales (2007) suggests that the United States is the only country they know, and they may not have a cultural connection to their country of birth. Many live in constant fear of family members’ or their own deportation to an unfamiliar country (Gonzales, 2007; Nerini, 2008). Not only does undocumented status catalyze fear of legal repercussions—fear of ridicule, shame and vulnerability looms daily (S.I.N. Collective, 2007). Nonetheless, many students demonstrate resiliency; they persist with their educational and career goals despite experiencing the U.S. as “a
land of denial” as they navigate the external factors shaping their uncertain futures (Morales, Herrera & Murry, 2009).

Students without documentation experience a ceiling of opportunity. The 65,000 students who graduate from high school each year without legal status face overwhelming obstacles in higher education and future employment opportunities (Gonzales, 2008; Perez, 2009). Funding higher education is a significant obstacle for those without legal status. Even in the 13 states (which includes Washington State, the context of my study) allowing students without documentation to pay in-state tuition, access is mediated by ineligibility to apply for federal financial aid, grants and scholarships (Nerini, 2008). Despite K-12 educational access, high school graduates have no greater employment opportunity than their counterparts who were pushed out or dropped out of school. Most paid jobs outside of menial labor require proof of an authorized residency status. Moreover, non-citizen postsecondary graduates still experience a significant disadvantage in wage earnings and occupational appointments in technical, managerial and professional fields (Flores & Southern, 2010).

Students without legal status have grown up and are acculturated as Americans, yet their informal resident status forces them to be, as Gonzales (2008) has observed, “ni de aquí, ni de allá (neither here, nor there)” (p. 225).

**Political Activism**

Above I reviewed the growing body of literature documenting the challenges facing those without documentation, and earlier I presented an overview of immigration and education policies shaping these experiences. College student activists frustrated with the barriers I outlined above, as well as the contradictions emerging from the intersection of immigration and education policy, navigate the risks associated with their undocumented status, and some engage in collective activism to address these constraints (Gonzales, 2008). Resistance to inequities flourishes
throughout Latina/o history, and this legacy contributes to the contemporary activism of students without documentation. Latina/os have organized to resist U.S. occupation of Latin American countries, Anglo power and racism, and labor exploitation; recent activism attempts to build transnational solidarities (Ochoa & Ochoa, 2007). The members of Students Informing Now (S.I.N) (2007), a University of California Santa Cruz student group focused on supporting students without documentation, underscore their activism as a “counter-discourse of youth agency and resistance” (p. 75). A foundational aspect of the collective was discussing and bonding over frustrations and concerns with the issues affecting their lives. Together they took collective action by informing others on their campus about issues of legal status and protesting anti-immigration legislation. They write, “S.I.N. provided a physical, emotional, and intellectual space that fostered our critical consciousness and made it possible to construct a political identity” (p. 83). Through their dialogue and collective action, members suggest that they discovered how to frame issues of voice and status as political issues that could be challenged through political action.

Students throughout the U.S. have organized to support the DREAM Act and spread awareness on policies impacting, and opportunities available, to those without authorized status (Gonzales, 2008). College student activists have focused on limited financial aid resources at their university, legal threats, social stigma, and the lack of social support networks and safe places to discuss concerns (S.I.N. Collective, 2007). Gonzales (2008) adds that student activists have targeted the dearth of institutional systems to support retention and graduation, and they inform university staff and administrators on laws and policies that support students without documentation. As Morales, Herrera and Murry (2009) pointedly conclude, these student activists “possess a sense of responsibility to fight for human rights and are empowered by opportunities to exercise the limited freedoms this country affords them” (p. 14).

These student activists assemble, speak and protest, but not by virtue of citizenship. Many
find inspiration from the nationwide marches in 2006, which took thousands of residents without legal status to the streets—50,000 in Los Angeles alone—to protest HR 4437, a bill that would strengthen the criminalization of immigrant communities (Gonzales, 2008). Following this worker protests, students in all levels of schooling “walked out” of their classrooms to bring attention to the educational inequities students without documentation experience (Ochoa & Ochoa, 2007). Judith Butler (in Butler & Spivak, 2007) has called the L.A. march a “performative contradiction” because undocumented workers exercised free speech even though their citizenship status did not guarantee this right.

New Research Directions

There is a growing body of literature on the lived experiences of students without documentation, as well as analyses of federal immigration and education legislation. However, more research is needed to analyze district level responsiveness to student experiences, as well as implementation of federal and state policy. Following a comprehensive review of research regarding students without documentation, Rodriguez and Cruz (2009) determined that in order to better inform policy and practice, more research is needed that documents challenges students face in public schools and how they navigate them, to gain a “better conceptualization of the institutional responsiveness to student needs at every level of the education system” (p. 2409). Nerini (2008) recommends further research to help develop partnerships between high schools, colleges and universities (p. 192). He also suggests that a “comprehensive policy analysis could provide a more complete and accurate legal opinion, providing institutions with grounding, ethics,

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3 I explore the notion of a “performative contradiction” throughout the thesis. I explicate the concept in chapter 2, and then consider the ways that educators engage in a “performative contradiction” in chapter 5 in the context of my research results.
and guidelines when working with undocumented students” (p. 194).

In this chapter, I introduced this institutional ethnography by presenting the research questions, pointing to themes I will explore throughout the thesis such as: teaching and educating within a performative contradiction, the false hope dilemma, the right to rights, and social, political and historical contexts framing the research topic. I declared the purpose of the study to serve as an aid to educators, activists and policy-makers in advocating for the rights of students without legal status. I specified the terminology I will use throughout the study, and considered my intention for defining students without documentation as a social group. Next I described the policy context framing the schooling of students without documentation in the U.S. I summarized the literature regarding students without documentation in the areas of lived experiences and political activism. Finally, I outlined the gaps in literature to situate my research as a response to these calls. In the following chapters I present an institutional ethnography analyzing two Washington State schools’ implementation of *Plyler v. Doe*. 
Chapter 2

Crossing the Borders of *Plyler v. Doe*: Students without Documentation and their Right to Rights

*Speaking from a Tightrope*

I used to speak in the third person.  
Reluctant to shed light on my family,  
On myself.  
When is it safe to speak,  
To step out of the shadow?  
Do I make a sacrifice for the greater cause,  
With unknown outcomes?  
Do I threaten a precarious safety?

I joined with friends and networks.  
Social media, Internet campaigns,  
Noticias de Univision,  
Washington DREAM Act Coalition,  
The Latino/a Education Achievement Project.  
Support, mentorships, and connections.  
Keep us united.  
If we fall,  
We have each other to call us back up.  
Solidarity makes a movement possible.

When is it safe to speak?  
Who am I speaking to?  
Will I make myself vulnerable?  
Will I regret what I say?  
Will I guard myself as  
My mother taught me,  
“Never trust anyone”

These days I speak from the first person,  
Sometimes.  
I choose to speak my truth  
And share my story with others.  
I speak collectively for justice.  
“And that’s what America  
Has taught me to do.”

-poem by María del Rosario Corona Horta and Sara Radoff

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4 María and I want to acknowledge Luis Ortega for inspiring this insightful complexity to the political identities of those without legal status.
Education is a human right, according to article 26 of the Universal Declaration of Human Rights. The United States Supreme Court, although it counters that education is not a fundamental right, extended the right to education to children without authorized immigration status (Plyler v. Doe 1982, 457 U.S. 202, p. 457). Still, the particular intersection between education policy and immigration law in the United States sustains a permanent underclass and reinforces disenfranchisement. In this chapter I present a critical policy studies orientation as the theoretical framework for this institutional ethnography. Here I discuss how I interpret and apply concepts of justice and rights in relation to those without legal residency status. Next, I critically consider the federal policy context for students in the United States who do not possess authorized immigration documentation. I also consider the political performativity of students without documentation as activists campaigning against their allotted position in the United States.

**Theoretical Framework: A Critical Policy Studies Orientation for an Institutional Ethnography**

I have conducted this institutional ethnography from a critical policy studies orientation in order to gain insight on the institutional relations that coordinate the educational experience of students without documentation in K-12 schools. As a critical approach to policy analysis, institutional ethnography investigates the social dynamics central to the formation and activation of policy (Levinson & Sutton, 2001). In the first part of this section, I define policy. Then I present intersections between a critical policy orientation and institutional ethnography. I emphasize the political nature of this orientation, which asserts a normative stance toward social justice. This leads to a necessary explication of how I conceive of social (in)justice, and the possibilities for interpreting inequities in the experiences of students who do not possess
In this vein, policy is a process, and policy is a practice. Defining policy as process broadens a critical policy analyst’s concern to include problem identification, text production, implementation, and outcomes. Policy encompasses the politics involved in framing a policy problem (Edelman, 1988). Defining it as a process spotlights the contestation and struggle over meaning involved in creating a policy document (Taylor, Rizvi, Lingard & Henry, 1997). Recognizing policy as process also orients a researcher to investigate how policy is interpreted and implemented at local sites, and includes considerations for how it affects peoples’ lives (Troyna, 1994). For Levinson and Sutton (2001), conceptualizing policy as practice highlights the ways that people make meaning of policy, appropriate it and put it to use in local sites. They

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5 I expand on the interpretation of power and its relation to text, discourse and social relations in the methodology section.
suggest, “Practice gets at the way individuals, and groups, engage in situated behaviors that are both constrained and enabled by existing structures, but which allow the person to exercise agency in the emerging situation” (Levinson & Sutton, 2001, p. 3). Institutional ethnography represents a critical approach to policy analysis. It reveals the social dynamics and processes central to the formation of official policy (Levinson & Sutton, 2001). It also investigates the ways that policy mediates people’s activities in their everyday practices (Smith, 2005). Now I want to point to the intersections between key characteristics of critical policy orientation and institutional ethnography.

A critically orientated researcher declares that policy is value-laden (Taylor, Rizvi, Lingard, & Henry, 1997). In fact Simons et al. (2009) argue that policy is the institutionalization and legitimation of certain values. This argument critiques traditional conceptions of policy as rational decision-making and the efficient allocation of resources. Rather, policy represents a contest over interests.

Both a critical policy orientation and institutional ethnography assume that interests are always at play in policy-making, and the relation between power and policy warrants specific attention. Taylor and colleagues (1997) posit that dominant groups in society, big business for example, are most likely to inject their values into policy. Paralleling this claim, Smith argues that ruling relations reflect the interests of capital (Campbell & Gregor, 2004). Grounded in a Marxist conception of power (more on this in the methodology section), an institutional ethnographer considers policy—as process and practice—infused with the relations of capital production and the perpetuation of class oppression. An institutional ethnographer investigates “the actualities of the lives of some of those involved in the institutional process and focus[es] on how these actualities were embedded in social relations, both those of ruling and those of economy” (Smith, 2005, p. 31). Therefore, the relation between power and policy, with an eye toward domineering capitalist interests, stands out as a both a significant ontological assumption
and point of analysis for institutional ethnography and a critical policy studies.

Overall, a critical policy orientation and institutional ethnography offer the foundation for a political project—both seek to deconstruct policy in order to reveal inequitable power relations, and offer strategies for social change. As Rizvi and Lingard (2009) explain:

Policy sociology has multiple purposes, not only descriptive and analytic but also normative and imaginative. In our view, policy sociology should not only describe relations of power and processes through which policies are developed and allocated, but should also point to strategies for progressive change which might challenge oppressive structures and practices. (p. 51)

This is the purpose driving my research as well—to illuminate the relations of power coordinating the experiences of students without documentation and to present educators, activist and policy-makers strategies for change. Institutional ethnography “produces a kind of knowledge that makes visible to activists or others directly involved the order they both participate in and confront” (Smith, 2005, p. 32). The methodology intends to create a usable and accessible map of social relations exercised through institutional practices, so that research serves individuals and social movements to organize change strategies. Congruently, a critical policy orientation is overtly tied to political activism and social justice. In the next section, I outline how I conceive of (in)justice throughout this research project in order to ground my political location within a critical orientation to policy analysis.

**Theorizing Justice in the Absence of Citizenship**

My research is situated within a contemporary tension between nation-state sovereignty and globalization. Within this tension, Fraser (2009) presents the question: who counts for justice? In this section I present Fraser’s theory of abnormal justice and Benhabib’s (2004) interpretation of universal human rights as guiding frameworks for how I interpret and apply
concepts of justice and rights in relation to those without documentation.

Historically, the nation-state determines conditions for citizenship, which in turn outline the obligations and prerogatives of citizens. In this traditional model, the Keynesian-Westphalian frame, the rights of citizens are negotiated and injustice claims are adjudicated within the nation-state (Fraser, 2005, p. 69). Traditionally citizens debate and adjudicate these injustices within the nation-state. Fraser’s initial theory for describing social injustice outlined two interacting kinds of obstacles preventing a citizen’s full social participation: maldistribution and misrecognition. Maldistribution relates to inequitable class and economic structures. Misrecognition relates to “institutionalized hierarchies of cultural value” that disenfranchise an individual based on socially prescribed status (Fraser, 2005, p. 73).

Sovereignty preserves national identity and cultural values, and determines how maldistribution and misrecognition claims are traditionally redressed through political policies. Sovereignty requires establishing borders, as it is concerned with the rights of its citizens. So, on one hand, sovereignty enables a nation-state to police its boundaries and establish immigration policies. Universal human rights, on the other hand, assert that all individuals are equal and possess a “right to rights” regardless of citizenship, and that these rights ought to be guaranteed no matter the time or place (Benhabib, 2004, pp. 49-69). Benhabib (2004) suggests that universal human rights have a “context-transcending appeal” and point to an expansive moral inclusiveness, whereas democratic sovereignty is concerned with self-governance and self-constitution (p. 19).

Globalization further complicates the historical authority of the nation-state for adjudicating citizen’s rights and claims for justice. Benhabib (2004) names the contemporary factors challenging the nation-state:

…the rise of a global economy through the formation of free markets in capital, finance, and labor; the increasing internationalization of armament, communication, and
information technologies; the emergence of international and transnational cultural networks and electronic spheres; and the growth of sub- and transnational political actors. (p. 4)

These developments form networks of power that extend beyond the traditional realm of the nation-state. Furthermore, Nancy Fraser (2009) adds, “in the wake of transnationalized production, globalized finance, and neoliberal trade and investment regimes, redistribution claims increasingly trespass the bounds of state-centered grammars and arenas of argument” (p. 51).

Essentially, both Benhabib and Fraser assert that the historical arena for adjudicating justice and civic rights claims for citizens only within the nation-state is insufficient to address the unbounded possibilities of injustice and human rights violations happening on a global scale. On Fraser’s view, in light of globalization, a shared view on the substance of justice is missing, the scope of who counts for justice is complicated, and how to adjudicate injustice claims procedurally is unclear (Fraser, 2009).

Another consequence of globalization is a growing division between economic and political realms, and within this gap non-citizens suffer disenfranchisement and exploitation (Butler & Spivak, 2007). Take for example those who are employed, yet lack legal authorization to work in the U.S. Often, those on the frontline of the economy, in the fields growing food or building homes, remain outside of the legal protections guaranteed through citizenship. Consider for example that in 2008, 1 in 4 farm workers and 17% of construction workers were undocumented and working in two of the most unregulated industries in the United States (Passel & Cohn, 2009). These workers are excluded from a political realm that would guarantee fair wages, or safe and healthy work environments.

The dilemma I am pointing to thus far is in identifying who counts for just working conditions and livable wages (Fraser, 2009). Or as Judith Butler and Gayatri Chakravorty Spivak (2007) put it, as economics march away from the political realm:
…these spectral humans, deprived of ontological weight and failing the tests of social intelligibility required for minimal recognition include those whose age, gender, race, nationality, and labor status not only disqualify them for citizenship but actively ‘qualify’ them for statelessness. (p. 15)

In the Keynesian-Westphalian frame, citizenship secures rights and protections for laborers. But in the growing context of migratory labor, offshore labor, and local laborers without legal immigration status, scrutinizing the demarcations for political membership is increasingly pressing. Here we are concerned with the politics of inclusion and exclusion and, particularly, the contradictions between legal and moral justifications and implications of inclusion and exclusion.

In these “abnormal times” in which injustice claims extend beyond the boundaries of the nation-state, Fraser (2009) promotes a transformative approach to determine who ought to be included in contests over justice, rather than approaches that delineate social membership based on citizenship, humanism or indiscriminate causal relationships. Her “all-subjected principle” for reconciliation demands that “all those who are subject to a given governance structure have moral standing as subjects of justice in relation to it” (p. 65). This framing for justice extends beyond borders, considers transnational power relations and takes into account morally relevant social relations. Likewise, Benhabib’s argument aligns with Fraser’s. She asserts that:

…every moral agent who has interests and whom my actions and the consequences of my actions can impact and affect in some manner or another, is potentially a moral-conversation partner with me: I have a moral obligation to justify my actions with reasons to this individual or to the representatives of this being. (2004, p. 14)

The latter call to justify one’s actions with reasons reflects Benhabib’s insistence on political reflexivity: the idea that political and legal decisions that impact others must be justifiable to them. This is a call for reflection and debate that honors the impacted individual as a rights-bearing moral agent.
So far, I have located the theoretical framework for my research within a tension between universal human rights and nation-state sovereignty. I have relied on Benhabib and Fraser to show that globalization further complicates this tension. As borders become increasingly porous in transnational relationships, traditional means for determining *who counts for justice* are insufficient to delineate rights.

I want to emphasize that I am not arguing that universal human rights ought to define inclusion and exclusion practices at borders. Rather I am following the suggestions of Butler and Spivak (2007) as well as Selya Benhabib (2004), and in my research I investigate the *practices and purposes* for determining inclusion and exclusion. Butler suggests that we not reject or endorse sovereignty, but look at how sovereignty is taken up. Spivak asserts that sovereignty is a “negotiable thing” for it is utilized as a tool to defend certain policies while chastising others (in Butler & Spivak, 2007, p. 109). What is important is looking at *what the concept of national sovereignty is used to do*.

**A Latina/Chicana Feminist Frame for Considering Lived Experiences of Injustice**

While, Nancy Fraser’s (2009) theory of abnormal justice and Selya Benhabib’s interpretation of universal human rights grounds my framework of (in)justice and rights, also instrumental for considering the stories of those without authorized citizenship status, is Villenas’ (2006) Latina/Chicana feminist theory. Fraser provides tools for thinking about and deliberating the nature of justice and who counts for it. Villenas’ theory guides me to consider the multiple, complex and contradictory experiences unfolding from the practice of unjust policies. In this thesis, I consider how policies interpreted and implemented by school professionals and social workers influence the lives of students without documentation. To these ends, a Latina/Chicana feminist theoretical perspective enhances my exploration of tensions between justice, rights, and the actual lived experiences of students without documentation, particularly in relationship to the
institutional structures coordinating their lives.

Villenas (2006) describes Latina/Chicana feminist thought “as theory emerging from women’s everyday embodiments of and interventions in patriarchy, sexism, heteronormativity and transnational labor abuses in the midst of unrelenting nationalisms and citizenship policing” (p. 660). Villenas draws from postcolonial and Third World feminism to articulate Latina/Chicana feminism. She explains that it is not only an investigation and critique of imperialist history, but also the powerful, pervasive and multifaceted dimensions of (de)colonization in the present. It also interrogates the construction of the “other” through Western—or Northern, as she adds—knowledge. Lastly, she emphasizes the theory’s central concern for uncovering the knowledge and acts of resistance that persist and “outlast domination” (Villenas, 2006, p. 660). Three critical perspectives shape Latina/Chicana feminist thought:

(1) The messy fault lines of intersecting oppressions and solidarities, (2) the breaking down of dualisms and the embracing of ambiguity, and finally (3) the (im)possible articulation of the performative and intangible spaces of decolonizing agency. (Villenas, 2006, p. 660)

In the remainder of this section, I present the intersections between Fraser’s political theory and Villenas’ critical theory and demonstrate why these intersecting theoretical orientations offer the best approach for my research.

Fraser’s political interpretation of justice determines “who counts” in contests of justice by demonstrating the social relation between an individual or discrete population and a particular governance structure. A governance structure is broadly conceived and encompasses relations of power not confined necessarily to the state, such as non-governmental organizations that structure social interaction, and transnational agencies that govern, for example policing, health, and the administration of civil and criminal law (Fraser, 2009). Analyzing these social structures and relations of power are central features of a feminist framework. Latina/Chicana feminist theory
particularly centralizes power structures such as citizenship surveillance, transnational migration, and border policing (Villenas, 660). These transnational power dynamics are key concepts to explore when considering the experience of students without documentation. Here the intersection between Fraser’s and Villenas’ theoretical orientations facilitate exposing the connection between students’ lived experiences and the governance structures impacting their lives. In order to properly take up Fraser’s schema for identifying and adjudicating injustice claims, the Latina/Chicana frame provides a context for arguing that students without authorized immigration status do in fact “count” for justice.

In this study I also consider the interplay between the (re)production of, and resistance to, the social construction of the “undocumented student” and the “illegal alien.” Fraser (1996) asserts that deconstructing injustices related to misrecognition “can be determined only with the aid of a critical social theory, a theory that is normatively oriented, empirically informed, and guided by the practical intent of overcoming injustice” (p. 35). Within a Latina/Chicana feminist frame, one’s identity and perspectives are uniquely understood as social constructions that may be absorbed, resisted, subverted, contradicted or exploited. Departing from traditional alignment between feminist theory and critical theory, a Latina/Chicana feminist frame takes a postcolonial stance in asserting that an individual may express multiple perspectives and identities that span across different social continuums of oppression or privilege. On this view, lived experience is convoluted with concessions and rejections to the multitude of oppressions or opportunities in experience, subsequently marking one’s perspectives and actions with contradiction and ambiguity (Villenas, 2006). When considering the actual lived experiences of students without documentation, a Latina/Chicana feminist frame honors the ambiguity of agency as

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6 I pursue a historical analysis of transnational relations of ruling imposed by the U.S. on Mexico in chapter 5.
simultaneously manifesting as an oppression, as well as a site for expressing power. I feel this perspective provides the most honest and nuanced insight into the ways in which students without documentation make meaning of their experiences in public schools.

Also central to my research, I investigate sites of activism where students without documentation and educators engage in contests for justice. As I described above, Fraser presents dialogical and institutional features of adjudicating injustice claims during abnormal times. As the literature I have outlined earlier suggests, those without documentation find political power by participating in shaping public discourse. Fraser (2009) explains that public deliberation is central to participatory parity, but institutional structures are necessary to hold governance structures accountable to the decisions made in the public realm. Here Saskia Sassen offers a theoretical bridge between Fraser and Villenas. Sassen (2007) advocates for the inscription of human rights into the laws of the nation state. She argues that denationalization “happens within the state apparatus and often remains coded in the language of the national” (p. 113). It is this intersection where unauthorized immigrants play a vital role in inscribing themselves as members, deserving of rights into the laws of the nation-state. It is through the encoding of rights into nation-state policies that those without legal immigration status find political oppression and political efficacy. However, Villenas reminds us that sites of subversion and oppression are just as opaque as our own experience, perspectives, and actions in the world. She proposes that “agency and embodied action as ambivalence, instability, unpredictability, excesses and overflows are thus at the heart of cultural production as performative” (Villenas, 2006, p. 668-669). For this research project, I begin with an exploration of the lived experience of a student activist, president and founder of a student club that advocates for those without documentation. Drawing from her experience, I consider ways a student activist negotiates her power, as well as the limits of her power, in demanding rights for students without legal status. Here it is important for me to consider the mixed or contradictory expressions of power imposed on, or expressed by,
this her. I also investigate the experiences of educators working to support students without
documentation. A Latina/Chicana feminist perspective helps me interpret their actions through a
decolonizing lens. Through this lens I consider complicated and contradictory efforts to join in
solidarity, unreflective complacence with oppressive consciousness, struggle with whiteness, and
subversive support.

In summary, I began this section by outlining my critical policy studies orientation toward
this institutional ethnography. I centralized the investigation of power relations in policy studies.
I also outlined policy as process, and policy as practice, and explained how this takes into account
the many phases of policy from development through implementation. Due to the connection to
activism, and commitments to social justice, I then outlined how I interpret “justice” and “rights.”
I concluded by presenting a Latina/Chicana feminist frame for thinking through and representing
the attitudes and actions of students and educators.

**Negotiating a “Performative Contradiction”**

Building from the theories of justice and rights outlined in the first part of this chapter,
here I argue that the access to education guaranteed through *Plyler v. Doe* is not enough, and that
legislation such as the DREAM Act is vital to authentically relieve these youth of the systemic
injustices they experience. On one hand I will consider alongside Sassen’s (2007) and
Benhabib’s (2004) arguments for denationalizing rights, and recognize that comprehensive
immigration reform is ultimately the ideal goal for disintegrating the global class injustice these
students face. At the heart of the argument is an assertion that citizenship or authorized
immigration status should not define who has the right to actualize their education and life
opportunities. I will argue that, given the current climate surrounding immigration reform, the
DREAM Act offers the most feasible option for these students to secure economic, social and
political agency. I suggest that becoming a legal resident of the United States is more about
accessing a “right to rights” than it is about obtaining American citizenship status (Sassen, 2007). Throughout I reflect on the amassing group of well-educated students, whose papers are diplomas, and who increasingly make apparent the futility of citizenship status for demarcating possibilities for mobile border crossing—not only territorial borders but also the walls built up to obstruct class and social border crossings.

**Inscribing the Right to Rights into Nation-State Policies**

Securing equitable education for students without documentation calls for a project of gaining acknowledgement of their moral “right to rights.” In order to explain this, I will first summarize Benhabib’s interpretation of and departure from Hannah Arendt’s concept of “the right to rights.” I will outline Benhabib’s proposal for reconciling the contradiction between human rights and state sovereignty that I outlined above. I then apply this concept to claim that *Plyler v. Doe* hints at, but falls short of, offering students without authorized immigration status a right to rights.

Responding to the masses of refugee, minority, stateless and displaced persons following World War II, Hannah Arendt argues for “the right to have rights (and that means to live in a framework where one is judged by one’s actions and opinions) and a right to belong to some kind of organized community” (as cited in Benhabib 2004, p. 55). The polity of belonging Arendt envisions is not attached to a classic nation-state, but “should be guaranteed by humanity itself” (as cited in Benhabib 2004, p. 55). Benhabib (2004) clarifies some key meanings in this “right to have rights” which are important for my argument. For one, the terms “right” in the phrase have an asymmetrical meaning. The first “right” is a moral claim to “*a certain form of treatment compatible with the claim to membership*” (p. 56, emphasis in original). The second “right” indicates the particular duties and protections, obligations and prerogatives, guaranteed through recognition of one’s civic membership. The first is a moral claim to be a rights bearing person,
and the second reflects the legal or civic rights bestowed once one’s membership is acknowledged. Benhabib (2004) further explains, “the right of humanity entitles us to become a member of a civil society such that we can then be entitled to juridico-civil rights” (p. 59). She also notes though, that in criticizing the nation-state for facilitating the exclusion of certain groups to access rights, Arendt was also skeptical of a world government that could legislate civic rights for all of humanity (p. 61).

Here Benhabib (2004) departs from Arendt and suggests that the contradiction between universal human rights and state sovereignty is not irreconcilable. Benhabib offers the tension not as an insurmountable obstacle, but as an invitation to debate, reformulate, and reinscribe universal moral rights into the policies and procedures of the nation-state. Public debate would provoke those within the nation-state to reflexively examine the history, prejudices and battles that draw the lines stratifying “us” from “them,” which systematically concretize exclusion and a devalued “other.” Under scrutiny would be the politics of border militarization, immigration law, and the exploitation of migratory peoples. When I argue for justice for students without documentation, I am demanding that moral inclusivity be inscribed into the nation-state’s laws. After all, humans are not illegal, rather laws and policies frame certain actions as illegal.

One problem with Plyler v. Doe is that it completely neglects this point. The Court ruling maintains the perspective that unauthorized border crossings are criminal acts on the part of immigrants. Take for example this excerpt:

Sheer incapability or lax enforcement of the laws barring entry into this country, coupled with the failure to establish an effective bar to the employment of undocumented aliens, has resulted in the creation of a substantial ‘shadow population’ of illegal migrants -- numbering in the millions -- within our borders. This situation raises the specter of a permanent caste of undocumented resident aliens, encouraged by some to remain here as
a source of cheap labor, but nevertheless denied the benefits that our society makes available to citizens and lawful residents. (*Plyler v. Doe*, 1982, 457 U.S. 218, p. 457)

Here the ruling clearly admits immigrants’ exploitation in unregulated labor. However, further on it still equates managing immigrant labor to border patrol and employment regulation. It suggests that the way to mitigate the formation of the shadow population of “illegal migrants” is more rigid practices of exclusion, a resolution I strongly reject. In this example, the Court reproduces the dehumanizing construction of the “illegal alien” while neglecting any reflexivity on the laws that have historically constructed their exclusion.

Benhabib (2004) asserts:

We need to decriminalize the worldwide movement of peoples, and treat each person, whatever his or her political citizenship status, in accordance with the dignity of moral personhood. This implies acknowledging that crossing borders and seeking entry into different polities is not a criminal act but an expression of human freedom and the search for human betterment in a world which we have to share with our fellow human beings. (p. 177)

Pause here for a moment, and entertain the possibility that in unauthorized border-crossing parents act out of love, generosity and sacrifice to provide a better life for their children. If we consider this possibility we can follow Benhabib’s next direction. “It is the people themselves who, through legislation and discursive will- and opinion formation, must adopt policies and laws consonant with the cosmopolitan norms of universal hospitality” (Benhabib, 2004, p. 177).

Sassen (2007) also endorses the inscription of human rights into the laws of the nation state. She agrees that denationalization “happens within the state apparatus and often remains coded in the language of the national” (p. 113). She emphasizes a “need to decode the language of the national, rather than take it at face value” (p. 113).

In decoding *Plyler v. Doe*, the Court decision, in fact, does guarantee education to
students regardless of their immigration status. This suggests that perhaps *Plyler v. Doe* portrays education as a human right rather than a citizenship right. Recall that the Equal Protection Clause of the Fourteenth Amendment, on which this decision rests, prohibits the State from denying those within its jurisdiction—regardless of citizenship status—the equal protection of the laws (*Plyler v. Doe*, 1982, 457 U.S. 202, p. 457). In this way, the Court may be weaving in a shift of “rights to individuals as individuals rather than as citizens of a specific country” (Sassen, 2007, p. 112). By maintaining parents’ border crossing as an illegal activity, *Plyler v. Doe* re-presents the laws and attitudes that construct their “illegality” and perpetuate exclusion. On the other hand, *Plyler v. Doe* grants education to all students despite their citizenship status, signaling that a right to rights is bundled up in the Court decision as well.

The distinction between conferring rights through moral principles of personhood rather than legal membership is especially critical for school professionals to consider, particularly those who may be debating, or even rejecting, the redistribution of educational rights to non-citizens. Some may argue that students without documentation encroach on the privileges that only “legal” residents deserve. Yet I argue that concept of “legality” is *used to* legitimate privileges for a particular group, while “illegality” *facilitates* the dispossession of privileges from others. I urge educators to take into account the Court claim that, “the deprivation of education takes an inestimable toll on the social, economic, intellectual, and psychological wellbeing of the individual, and poses an obstacle to individual achievement” and include this in their own rationale for supporting the education for all of their students, regardless citizenship status (*Plyler v. Doe*, 1982 457 U.S. 203, p. 457). Social, economic, intellectual and psychological wellbeing ought not remain a privilege reserved for a discrete group of individuals, lucky by birthplace or

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7 This is a point I will explicate in chapter 4 by describing the historical construction of social, economic and political positions of “citizen” and “illegal alien.”
successful navigation of a serpentine immigration system, rather accessible as a right to all individuals.

Although *Plyler v. Doe* guarantees K-12 access to students without documentation, possibly in accordance with the principle of a right to rights, alone the Court decision does not ensure these students’ comprehensive right to rights. I will now turn to this latter point.

**Agency and Contradiction**

In this section I reflect on the avenues through which students without legal status can or cannot express agency, and why *Plyler v. Doe*, although it intends to, does not relieve them of their “disabling status” (*Plyler v. Doe*, 1982, 457 U.S. 202, p. 457). Then I will consider the DREAM Act as opportunity to acquire the right to rights.

It is important to keep in mind that most students without documentation in the United States crossed the border with their parents as young children (Gonzales, 2007). This highlights the lack of choice these students had when entering the United States. These children were likely unaware of the legal process for immigration, nor did they understand the repercussions of unauthorized entry. Even if entry via a *coyote*\(^8\) seemed suspect, when a trusted family member leads the way, won’t the young child follow? *Plyler v. Doe* acknowledges the children’s lack of agency in crossing the border. The Court verdict declares, “these children can neither affect their parents’ conduct nor their own undocumented status” (*Plyler v. Doe*, 1982, 457 U.S. 202, p. 457). A crucial factor in the ruling was recognizing these students as “a discrete class of children not accountable for their disabling status” (*Plyler v. Doe* 1982, 457 U.S. 202, 457). In an earlier section I contested framing border crossing as an illegal activity. Let’s set aside the obvious

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\(^8\) *Coyote* refers to an individual who, for a high cost, assists people in crossing the U.S.-Mexican border.
blaming of parents for their “criminal” act and the Court’s blatant neglect for reflective attention
to immigration policies (we’ll return to this discussion again in chapter 4). Here I will argue that
despite access to public K-12 education guaranteed through *Plyler v. Doe*, students without
documentation are in fact not relieved of their “disabling status” due to the class and social status
injustices they experience. Recall from the literature review, that students without documentation
face significant obstacles in funding higher education due to the dearth of financial aid and
scholarships. They are also barred from legal employment, especially professions which require
certifications. Moreover, social stigmas are tethered to their status. Latina/o youth are likely to
experience intersecting systemic inequities in their schooling as well.

The DREAM Act offers a pathway to self-actualization, a means to ameliorating policies
that limit students’ ability to bring their economic, social and political aspirations to fruition. I
am arguing that given the contemporary tension between universal human rights and state
sovereignty, the only pathway to “juridico-civil” rights is first through including them in a
polity’s social membership. In this sense, conditional or permanent residency, and even the
pathway to full citizenship, is more about accessing the right to rights. I take my lead here from
Sassen’s (2007) interpretation of a massive protest against the 1996 Illegal Immigration Reform
and Immigration Responsibility Act. She suggests:

There were signs that the claim-making was more about the right to have rights than
about the desire to become American citizens *per se*. American citizenship becomes a
channel for becoming a rights-bearing subject, a more foundational condition than
American citizenship *per se*. (Emphasis in original, p. 106)

Judith Butler (2007) also explores the meaning behind this same protest. She interprets it as a
“performativ contradiction” because in the act of protest the workers use the street as a site of
protest, explicitly parading in space where they are not allowed to be (p. 66). Her central point is
that this protest exposed the gap between exercising a freedom and the realization of the freedom.
She concludes, “So rights we might say exist doubly since there is, on the street and in the song, an exercise of the right to rights, and the first of these rights is guaranteed by no law but belongs to the nature of equality which turns out to be not nature but a social condition” (Butler, in Butler & Spivak 2007, p. 65). Like Sassen, Butler suggests that the protesters parade their presence, sing the U.S. national anthem in Spanish, and exercise free speech, without legal legitimation. They assemble, speak and protest, but not by virtue of citizenship.

Public school students without documentation experience the reverse: they possess the legal right to a public K-12 education, but cannot use it to transgress class boundaries. They are not given equal opportunity because they are excluded from social membership. These students are offered an education, but social stigmas and employment regulations that privilege citizenship persistently deny them the right to rights. In this way, public K-12 students without legal immigration status are exercising legal rights to pursue education, but without membership, they cannot actually possess these rights.

Of course it is more complicated than this, because in other contexts, the performative contradiction of students without documentation aligns more closely with the one Butler describes. Consider Jorge Alonso Chehade’s case. In March 2009, Immigration and Customs Enforcement officials arrested Chehade, a University of Washington student. Chehade was detained for two weeks at the Northwest Detention Center in Tacoma, Washington. After his release, with his immigration status exposed and risks of disclosure already breeched, Chehade published a website promoting the DREAM Act. Two pro-bono attorneys and Washington State senators and congressmen joined Chehade to campaign delaying his deportation. With their support and pressure on the Department of Homeland Security, on February 12, 2010, Alonso’s deportation was indefinitely delayed (Alonso Chehade website, 2010). Chehade received the support of government institutions despite his immigration status. They lobbied on his behalf, from a moral standpoint, one that acknowledges Chehade’s equality as a human, rather than
equality guaranteed through an authorized status. If the U.S. were to pass the DREAM Act, Chehade’s equality would be enacted into the laws of the nation-state. Through the DREAM Act, American conditional or permanent residency would offer students without documentation a pathway to becoming rights bearing individuals, and finally an opportunity to cross class and social boundaries.

Limits and Possibilities of a Performative Contradiction

In this chapter I argued that *Plyler v. Doe* fails to mitigate the formation of a permanent underclass. The foundational conflict in *Plyler v. Doe* is that it grants legal permission for youth who do not possess legal authorization to be in the U.S. to attend public K-12 schools, but this clashes with immigration policies that persistently exclude these students’ universal right to be included in the social membership of a polity. I showed how *Plyler v. Doe* captures elements of denationalization while concurrently re-presenting exclusionary or renationalized immigration policies. I argued that although aspects of *Plyler v. Doe* may signify coding universal human rights into national policies, in its intersection with current immigration law, it merely offers legal rights to these students, not a more transformative move toward inclusion in social membership. In the aftermath of *Plyler v. Doe*, these students encounter injustice related to misframing (Fraser, 2009) and they still don’t really “count” for civic rights. I concluded by comparing *Plyler v. Doe* with Alonso Chehade’s case, to contrast a policy that grants legal rights with one that hinges on human rights. Both of these cases underscore the ways that citizenship status impacts one’s rights in either interpretation of “rights”- as rights guaranteed through a nation-state, or those encoded in universal human rights. I also attempted to show that both *Plyler v. Doe* and Chehade’s case demand what Sassen has described as a need to code the language of human rights into the policies of nation-states. In conclusion, I propose the DREAM Act as a policy that begins to negotiate the borderlands of inclusion.
However, the DREAM Act is admittedly limited. It will only provide amnesty to those who have been in the U.S. for at least five years prior to the bill’s enactment, and it does not offer long-term structural changes to immigration policies. Essentially, the United States must pass comprehensive immigration reform that takes into consideration the global economic injustice immigrants without documentation and their children face. U.S. immigration policy must inscribe human rights into the laws of the nation.

My orientation to research, one that is grounded in the humanity of all individuals, calling for social justice despite an unauthorized status, urges K-12 teachers, counselors and administrators to support the universal human rights of students without documentation. This calls for attention to the social, historical and economic conditions associated with their status (a topic I take up in extensive detail in chapter 4). My research challenges public K-12 educators to sustain the intention of *Plyler v. Doe*—to interrupt the perpetuation of a shadow caste within U.S. boundaries. To do so begins with a common normative principle that asserts the equal moral standing of all humanity’s right to rights regardless of immigration status.
Chapter 3
Methodology and Method

The purposes of research as well as the researcher’s orientation influence the methodological approaches adopted in the project (Rizvi & Lingard, 2009). In this chapter I outline the ontological and epistemological foundations of an institutional ethnography and show how these claims about the nature of reality and what we can know about reality are infused with political motivations toward social transformation. In the second half of the chapter I describe the methods I used to conduct this research project.

The Social is “What Actually Happens”

Institutional ethnographers operate from the ontological claim that “the social” exists in the purposeful coordination of people’s activities and practices. They assert that social relations constitute the nature of reality. Dorothy Smith (2005) explains:

Individuals are there; they are in their bodies; they are active; and what they’re doing is coordinated with the doings of others…Coordination isn’t isolated as a phenomenon that can be differentiated from people’s activities; it is not reified as ‘social structure’ nor as ‘rules’; it is not conceived to be a specialized form of action in itself. For institutional ethnography, the social, as the focus of sociological inquiry, is specified as people’s activities as they are coordinated with those of others. (p. 59)

Here Smith critiques the field of sociology for displacing human agency and replacing it with abstract, yet objectified, conceptual ideas. Traditionally sociologists situate concepts such as “social structure,” “power,” “bureaucracy,” and “institution” as the main actors in the world. Smith (2005), however, locates social reality in “what actually happens” in everyday activities.
Thus institutional ethnographers focus inquiry on the social relations by which people are organized, and in which they are the actors. “Institutional ethnographers believe that people and events are actually tied together in ways that make sense of such abstractions such as power, knowledge, capitalism, patriarchy, race, the economy, the state, policy, culture, and so on” (Campbell & Gregor, 2004, p. 17).

Social organization depends on the effortless, unconscious, automatic, yet purposeful actions that people enact in their daily lives. While riding my bike to campus, I reflected on my strategic steering in concert with the other cars on the road. The road was narrow, and cars were parked on either side. When a car approached from behind, I merged left into the lane of traffic, signaling my presence and asserting my space on the narrow road. In gaps where no cars were parked, I would reduce my speed, tuck into the vacant parking spot to allow the car to pass. I relied on the drivers to coordinate their speed and opportunities for passing, and they likely relied on me to make space for them to pass when a safe moment arose. We had both been trained according to the rules of the road, and we performed these rules through our actions. I use this example to illustrate two central features of the “social” in institutional ethnography. For one, social relations coordinate people’s actions and events. The drivers and I have learned and know how we are expected to maneuver. This knowing is internalized in our practice and structures our interaction. Second, people are agents of social relations. We enact, perpetuate and facilitate social relations. This point stresses that the social is not distinct in itself, but is an aspect of what people do (Smith, 2005).

Textual and Discursive Mediation of the Social

Institutional ethnographers claim that texts and discourse standardize and mediate social relations. Text is a broad term and can include forms, policy documents, legislation, manuals, or media. They are replicable documents that can be “stored, transferred, copied, produced in bulk,
and distributed widely, allowing them to be activated by users at different times and at different places” (DeVault & McCoy, 2002, p. 765). Essentially they “build organizational versions of what people say, do or know for organizational action” (Campbell & Gregor, 2004, p. 24).

Institutional ethnographers believe that texts organize social relations. Since the purpose of texts is to standardize and mediate, researchers can analyze the modes and categories through which people are represented and processed in order to discover the values and meanings operating through and perpetuated by them.

A core assertion in institutional ethnography is that texts objectify people by creating a particular description of an individual based on pre-conceived categories that “count.” Consider for instance the United States Department of Education’s Free Application for Federal Student Aid (FAFSA), an online form that college students complete to apply for financial aid and grants. The form requests information on applicants and their parents’ citizenship status, income and assets to determine eligibility for aid. Like other organizational forms, the FAFSA intends to make the work of screening applicants efficient, equitable and rational. It enables the U.S. Department of Education to make tough decisions, like denying financial aid, easier.

Essentially the objectifying categories remove the subject from the description. Applicants are assessed based on what is “policy relevant” and “people as subjects with individual needs and claims disappear” (Campbell & Gregor, 2004, p. 38). Text-mediated decisions ultimately reflect the organizational interests and needs. As this example demonstrates, the FAFSA applicant’s interests and needs are subordinate to those of the U.S Department of Education. Texts become objective representations that transcend experience, and people become “caught up in” and organized by institutionally designed realities that govern relations (Smith, 2005, p. 27). In this instance the applicant is reduced to both her and her parents’ citizenship status and financial information, as these are the categories that matter to the U.S Department of Education for allocating financial aid.
Another feature of texts is the ways that they play mediating roles in people’s lives. Let’s consider the experience of a student who was born in the US and is a citizen, but whose parents entered the country without legal authorization. Despite being born and raised in the United States, by requiring information on her parents, the categories on the FAFSA form preclude this potential applicant from accessing financial resources. Exclusion from federal aid may direct which colleges she can attend (Which can she afford to pay through other means? Which ones offer private scholarships?). To withhold parental information, the applicant must be at least 25 years old or emancipated from her parents. Perhaps the student engages in a tangential institutional process to gain emancipation from her parents in order to secure eligibility for federal aid. Or maybe she delays attending college until she is 25 years old and is no longer required to supply parental information. Overall, the FAFSA form shapes the applicants’ decisions about college. It informs her actions, and also what she cannot do.

Not only texts, but theories, ideas and concepts coordinate people’s lives. We can imagine how the discourse around the importance of college directs the ways that students are expected to behave in school, what curriculum teachers stress or leave out, and the nature of advice that a counselor might provide. Ideas on what is considered a valuable pursuit after graduation penetrate and shape their daily activities in high school.

Texts and discourse coordinate lived experience, and institutional ethnographers look to these to understand the nature of social relations. They claim that institutional texts and prevailing discourses mediate people’s everyday activities. Although enacted in one’s actions, institutional ethnographers claim that social organization occurs beyond the local site, outside of an individual’s motivations and intentions (Campbell & Gregor, 2004). Through the implementation of texts and discourse, one’s actions become translocally organized.
Power as Ruling Relations

Institutional ethnographers believe the use of texts and the employment of discursive categories are everyday exercises of power. Campbell and Gregor (2004) underscore:

Conceptualizing the operation of power such that it can be discovered in people’s everyday actions is a crucial theoretical feature of institutional ethnography. This kind of inquiry begins with a description of what research subjects are actually doing...the analysis brings together an account of people’s everyday experiences and actions with a matching exploration of how those experiences and actions are framed through discourse. (pp. 43-44)

Texts and discourse guide people to relate in pre-determined ways. Through their standardization, purpose and meaning are delivered across multiple sites. Power, then, is “embedded in the written material and in the organizational talk and actions around texts” (Campbell & Gregor, 2004, p. 25). People activate texts by utilizing them, and are implicated in the exercise and perpetuation of power relations.

Smith names the socially organized exercise of power “ruling relations,” and her concept originates with a Marxist location of power. Here I will discuss two key aspects of a Marxists conception of power that Smith adopts: (a) power is locatable and can be organized around and resisted, and (b) people actively participate in the perpetuation of ruling relations. I will also contrast these aspects to a Foucaultian notion of power to further illustrate these foundational aspects of her ontology.

In Marx’s general theory of capitalism, power, as capitalist control and worker resistance, has a structural location in the relations of production (Clegg, 1989, p. 176). Although she draws from a Marxist conception of power, Smith is also a feminist, thus critical of interpreting power exclusively through a lens of capital and class. However, due to her investment in social change, it is critical for Smith to be able to identify a specific location for power. A Marxist conception
of power suggests that there are specific oppressive forces for people to organize around and resist. This is specifically why institutional ethnography is incongruent with a Foucaultian analysis of power, because his interpretation of power undermines the ability to identify and resist organized oppressive forces. Habermas (2000) suggests that, for Foucault, power emerges empirically through discursive technologies that shape and ultimately constitute one’s actions, yet the source of power itself remains concealed, rendering power “systematically ambiguous” (p. 270). Alternately, a Marxist conception of power offers an opportunity to identify the source of power and overthrow it.

The political project of institutional ethnography is to provide a tool for individuals to realize the production and perpetuation of ruling relations through institutional systems, within which they may inadvertently participate. Smith argues that people are not only coordinated by, but also implicated in, social relations, since social relations are constituted by the actual activities of people in their everyday lives. She envisages creating a means for people to realize the ways that institutional actions perpetuate oppressive relations. She wants to create a map for activists to direct their efforts of social transformation. Similarly for Marx, dominating class interests are manifested through structural rather than individual causality. Power, in the interest of capitalist control, insidiously operates through people who may be unaware of their own interests and the issues that impact them (Clegg, 1989, p. 125). Marx argues that the proletariat must develop class consciousness to inspire organization and revolution (Clegg, 1989, p. 111).

Although Smith does not isolate oppression to class relations, she utilizes Marx’s conception of power to explicate the relations of ruling located in contemporary practices. However, the means for knowing things objectively—texts, language and expertise—are central components of power that were not prevalent for Marx (Campbell & Gregor, 2004, p. 39). For Smith, texts and discourse are the technologies of ruling relations; they influence organizational
decisions and coordinate the decisions that people make in their everyday lives. Smith asserts that oppressive interests discursively organize power, which activists can realize and resist.

The researcher exposes the social relations, organizations, and forms of power that operate and appear in the everyday through discourse and textual-mediations. Although Smith centralizes text and discourse as an organizing medium for one’s actions, her notion of discourse is distinct from Foucault’s. In Griffith and Smith’s (2005) institutional ethnography they use an adapted version of Foucault’s notion of discourse to understand how school conceptions of mothering coordinated women’s relationships and interactions with their children’s education. They suggest, “It is useful to think of his conception as of a kind of conversation among authors or speakers that is mediated by written or printed texts....Discourses create a world in common for those who participate, constituting objects that exist independently of their experience of particular local settings” (p. 34). Extending Foucault’s notion of discourse they assert, “The notion of discourse that we work with here shifts from discourse conceived as simply forms of signification or meaning to emphasize discourse as the local practices of translocally organized social relations” (p. 34). DeVault and McCoy (2002) unpack Smith’s interpretation of discourse:

For Smith, discourse refers to a field of relations that includes not only texts and their intertextual conversation, but the activities of people in actual sites who produce them and use them and take up the conceptual frames they circulate. This notion of discourse never loses the presence of the subject who activates the text in any local moment of its use. (p. 772, n. 2)

DeVault and McCoy point to a foundational feature of Smith’s ontology—that social relations are constituted by people’s active participation. The subject as the activator of a text or a particular discourse is always at the center of the inquiry. Institutional ethnography focuses on the people who produce and use the discourse in which they are simultaneously immersed (DeVault & McCoy, 2002). Campbell and Gregor (2004) identify that “Smith’s view is that it is through their
active participation and in contributing their own knowledge of how to go about things that people are brought into line with ruling ideas” (p. 41). They continue to point out that ruling can arise through legal and formal discourse, but it also occurs “less explicitly as people consult their own understandings of prevailing and dominant discourses and act accordingly” (p. 41).

Nancy Naples (2003) uncovers this foundational difference between Smith’s and Foucault’s analysis of discourse. She employs a version of institutional ethnography informed by Foucault’s analysis of discourse, but in the end critiques his decentering of the subject because it undermines the possibility of political agency in resisting ruling relations (p. 28). The centrality of the subject and the political project of resistance are so fundamental to institutional ethnography that I believe while Smith’s methodology may employ an extension of Foucault’s notion of discourse, institutional ethnography is incompatible with a Foucaultian analysis of power.

Although Smith does not explicitly link her ontology to critical realism, I believe it can augment and strengthen Smith’s conception of agency. Critical realists purport that people are agentic beings with the ability to intervene in oppressive relations. As a feminist critical realist, Sue Clegg (2006) argues, “the emancipatory impulse of feminism, and all radical projects, depends on recognizing the possibility that as collective agents we can do something to change the conditions which continue to generate profound injustices and inequalities” (p. 323). She contends that both society and individuals have power. The individual is not only constituted by the discursive realm, but possesses productive power to transform, shape, and sustain the social relations that govern and construct their experiences. Individuals and collective agents can act creatively, which leads to transformation, change, and admittedly stasis as well (Clegg, 2006, p. 319).

Up to this point I have outlined the key ontological premises of institutional ethnography. It claims that reality is constituted by social relations that are organized by discourse and text.
Ruling interests populate the meaning and values advanced through social relations. People are the main conduit for ruling relations through their activation of texts and language. In order to transform unjust social relations, people must understand how ruling relations organize their everyday practices.

**Epistemological Implications of an Institutional Ethnography**

In this section, I consider the epistemological implications of conducting an institutional ethnography. I will focus on two concerns: the political purpose of the methodology, and the focus of inquiry on lived experience. Here I suggest that both the purpose of the research, and the assumptions about the means through which knowledge is generated through the research, shape and complicate what we can know through an institutional ethnography.

The researcher exposes the social relations, organizations, and forms of power that operate and appear in the everyday through discourse and textual-mediations. By surfacing taken for granted assumptions that occur in the deployment of organizational policy, institutional ethnographers point out the ruling interests that are instantiated through administration, policy-making and program implementation (Campbell & Gregor, 2004, p. 39). The institutional ethnographer uncovers the values implicit in policy and the ways in which the use of a policy forward institutional values. Most importantly, the type of knowledge generated is directed at opportune moments and spaces for change.

The knowledge produced in an institutional ethnography is generated from informants’ accounts of their lived experiences. For Smith, the subject as the activator of a text or a particular discourse is always at the center of the inquiry. Institutional ethnography focuses on the people who produce and use the discourse in which they are simultaneously immersed (DeVault & McCoy, 2002). The methodology is particularly invested in revealing how individual actions serve an institution and facilitate the advancement of ruling relations. For Smith, the subject is the
center of analysis, and institutional ethnography begins with personal experience. Beginning in
the individual’s subjective standpoint, the goal of institutional ethnography is “…to locate and
trace the points of connection among individuals working in different parts of institutional

Now that I have provided a brief description of the type of knowledge produced through
an institutional ethnography, I will explore two epistemological concerns: generalizability and
trustworthiness.

Is the Knowledge Generalizable?

Smith (2005) argues that by pointing to the coordinating relations that appear in and
govern people’s everyday experience, institutional ethnography presents an opportunity for
generalizability. She argues that the purpose of institutional structures is to objectify and
generalize the people and operations that occur within them. Therefore, the institutional
ethnographer focuses on and analyzes the objectifications that the institutions themselves create,
to uncover the underlying values facilitated by institutional processes. “Institutional ethnography
addresses explicitly the character of institutions in contemporary society: that they are themselves
forms of social organization that generalize and universalize across multiple local settings”
(Smith, 2005, p. 42). Although ruling relations appear in and are articulated differently across
settings, Smith contends that their generalized character is nonetheless extrapolated and
analyzable. However, in claiming generalizability, institutional ethnographers do not claim that it
casts a universal experience of institutional forms. It does not claim to present a unified
representation replicated identically in individual’s experiences and perspectives (Smith, 2005).
Rather, the social manifests in different ways for individuals, and the institutional ethnographer
listens for the unique ways that ruling relations are experienced and described in informants’
accounts.
Is the Knowledge Trustworthy?

As evidenced, institutional ethnography is politically charged, and critics may be concerned with the validity of research that expresses an explicit bias toward dismantling and transforming oppressive structures. However, those with a critical orientation contend that all research is partial and that it is impossible to divorce the researcher’s moral assumptions and political investments from their work (Silverman, 2004). Critical researchers prefer to judge qualitative research based on trustworthiness rather than validity.

The concept of validity itself is intertwined with assumptions about characteristics of knowledge such as “truth” and “certainty.” Following Yvonna Lincoln and Egon Guba, Robert Smith (2000) argues the ‘validity’ assumes that a priori truths exist out in the world and that through the procedures and methods of scientific research, one can arrive at these truths. Therefore, “validity” is inherently connected to the “ontological realist assumption that there is a single reality ‘out there’ that can be known” (p. 134). On the other hand, qualitative researchers investigate perspectival knowledge, always situating knowledge in the social, political and historical context from which it emerges. Attacks on qualitative research claim that its findings are merely based on subjective experience and these interpretations cannot faithfully represent the “real world out there.”

Dorothy Smith does assert that there is a social reality that can be known through research. However this reality is socially and historically constructed, and imbued with power relations that benefit some, and marginalize others. Reality does not exist a priori, and it does not exist separate from human action. In institutional ethnography subjective accounts provide the necessary grounding for understanding reality. The ethnographer listens to individual accounts of their experience, and analyzes their everyday activities to point to the ruling relations coordinating their experience.
Robert Smith (2000) argues that researchers should reconceptualize ‘validity’ in qualitative research, and instead focus on trustworthiness. For him trustworthiness is assured when the researcher presents a transparent account of their research process—how the researcher comes to know what they say they know. I believe that trustworthiness can also be achieved when a researcher utilizes the conventions of a research tradition. As I write this methodology chapter, I am reflexively examining my intentions and their alignment with the practical, theoretical and methodological standards of institutional ethnography. Now that my research is complete, my thesis is available for public debate and critique. Thus my research is accountable to my readership, who can judge its trustworthiness based on an examination of my research process and its alignment with the conventions of institutional ethnography. However, publishing one’s process does not resolve concerns for political and moral leanings in research.

Rizvi and Lingard (2009) claim that in order to assure trustworthiness, researchers ought to examine their value stances reflexively and consider how this directs the types of questions they ask and the theoretical and methodological frames they employ. In chapter 2, I presented my theoretical orientation, which included descriptions of the political characteristics of a critical policy orientation, and I presented these frames as candid declarations of my political and moral positionality. Dorothy Smith stresses that it is precisely a moral and political investment that guarantees accuracy. She declares, “If [institutional ethnography] is to serve those whose standpoint it undertakes as its starting point, it must produce accurate and faithful representations of how things actually work; it must be truthful. Political commitment here enforces the researcher’s responsibility to get it right” (Smith, 2005, p. 42). The integrity of my research is bound to my political and moral convictions toward social justice. A critical orientation requires that I make this transparent to my readership who will be the ultimate judge of the trustworthiness of my research.
Since I conducted my research in the community in which I live and work, I had pre-existing relationships with many of the research participants. While this initially provided me the benefit of an established rapport to gain access to school district personnel and community agencies workers with whom I have previously collaborated on service-learning projects, it also presented ethical dilemmas related to the trustworthiness of the data. In interviews, those whom I already knew spoke with comfort, which may have contributed to increased depth and honesty in their responses. Still, most participants, even those unfamiliar to me, seemed eager to discuss the research topic with me. Almost everyone began sharing his or her views before I could even present the consent form and turn on the voice recorder. While analyzing data, early on I noticed my tendency to spend more time contemplating the comments of participants I knew. As I reflected on these early inclinations, I began to see that I was expressing a deliberate accountability to those I knew, while not sharing the same care and attention to those I had just met. This offered an important lesson for me in my analysis, that I owed the same consideration to all my participants. My relationship with some of the participants also encouraged me to focus on the ultimate utility of my research. I wanted to understand how educators could better support and advocate for students without documentation. I was always wondering: is this research going to be useful? How will educators use the results of this study? And most importantly, how will the results of this study be useful for mitigating the injustices students without documentation experience? I negotiated the ethical dilemmas I encountered by remembering that I am accountable not only to my research participants and students with an unauthorized status, but also the political and moral responsibility “to get it right.”

In summary, the concept of trustworthiness guides research away from positivist ontological assumptions about the nature of reality and its correspondence with “valid” knowledge. Instead, trustworthiness allows the readership to understand the research process, the positionality of the researcher, and the interpretive frame from which the findings emerge. Rather
than concealing partiality by claiming an objective and detached stance, the morally and politically transparent researcher avows preemptively whose, and what, interests are served by the research.

Throughout these first two sections of the chapter I examined the methodological implications arising from the intersections between moral purposes, theoretical frames, and political convictions. I outlined the ontological and epistemological foundations of an institutional ethnography. Throughout I highlighted the political nature of the methodology, particularly in the ways that institutional ethnography understands and employs concepts such as “power,” “knowledge” and “lived experience.” I concluded by discussing generalizability and trustworthiness, two epistemological concerns relevant to institutional ethnography.

**Method**

In this section I describe the methods I used to conduct this research. First I introduce my research collaboration, which became a central and guiding aspect of this project. Next I offer contextual details on the research site and participants. I also describe how I became involved in this area of inquiry. Then I present an overview of my data generation and analysis methods. Note that throughout this thesis I use pseudonyms to refer to research participant names and to identify locations. I have removed all personally identifying information to protect the confidentiality of research participants.

**Research Collaboration**

As I developed and then conducted this research project, I collaborated with María del Rosario Corona Horta, a college student activist who advocated for those that do not possess authorized immigration status. While we worked together, María was double majoring in “Law, Diversity, and Justice” and Spanish. She studied education and leadership for immigrants and
underrepresented groups. She was also the president and founder of a university student club that sought to bring awareness to her campus community about the struggles of immigrants without the proper documentation and policies that would help these immigrants. She hoped to become an immigration attorney and be involved in politics. María and I worked with each over for over a year, and throughout this time developed a deep friendship, and learned from and supported one another, as we wrestled with the injustices facing those without documentation, our own positionality to the issue, and our roles as activists.

My work with María has rich meaning for me personally and academically. One of the most personally profound impacts of my relationship with María, had been developing my own identity as an ally with those whom I do not share a similar background. Together we discussed aligning across difference—particularly our different racial, ethnic and linguistic identities—and we strived to pursue a working relationship and critical friendship that was mutually empowering. In chapter 4, I offer a more detailed explication of collaborative research by exploring issues of power, representation, and solidarity. In the sections on data analysis and data generation below, I describe the process I used in the initial interview, and I outline our purposes and techniques in employing narrative analysis. María and I are still working together, and we plan to write a manuscript and present at conferences on the poems contained in this thesis and reflectively on our collaborative work.

**Research Site**

I conducted my research in a “Glacier School District” within a city in northwest Washington State at “Sahale Middle School” and “Glacier High School.” (A summary of research sites is also located in Appendix B.) Although, schools cannot legally solicit or record information on their students’ citizenship status, I had learned anecdotally from local educators that these schools likely enrolled students without documentation. However, participants within
the schools and from external community organizations possessed varied opinions on the number of enrolled youth who did not possess authorized status. At Sahale Middle School, the principal inferred that most students were born in the U.S., but the school-family liaison contended that at least 25% of Latina/o students (which makes up 20% of the total school population) were living without documentation. The principal at Glacier High School estimated a mere 2% and one of the counselors suggested that most students were documented, but many had unauthorized parents. The English Language Learner (ELL) teacher felt that three quarters of all ELL students were undocumented. The variation across people’s perceptions of the numbers of youth without documentation likely correlated to their daily working relationship with these youth. It’s not surprising, given the frequency of interactions with students, that the ELL teacher and school-family liaison at Sahale estimated higher numbers, while the principals projected much lower populations.

Both schools were the most socioeconomically, racially, ethnically, and linguistically diverse schools in the district. The Office of Superintendent of Public Instruction website reported that in 2010, 59.8% of Sahale Middle School students received free or reduced price meals; and 11.4% of students were designated transitional bilingual. They state that: 59.3% of students are White, 23.4% Hispanic, 10.5% Asian/Pacific Islander, 10.5% Asian, 3.8% Black, and 3% Indigenous. At Glacier High School, 36.0% of students received free or reduced-price meals and 4.5% were considered transitional bilingual. The ELL teacher at Glacier contends, however:

We don’t have a large percentage of students who are identified as English Language Learners, based on our state language proficiency test. However, in addition to that, we have another huge population of students who may have been identified in that category at one time in their early years, but are no longer identified as such; however, they still have important needs as non-native English speakers.
White students made up 71.5% of the student body, 13.2% Hispanic, 10.6% Asian/Pacific Islander, 10.6% Asian, 2.6% Black, and 2.1% Indigenous. In this district, graduates of Sahale Middle School typically attended Glacier High School. Observation of these demographics indicates a decline in high school matriculation of students of color. Of students who did continue in high school, only 60.8% graduated “on-time,” which the principal described as “embarrassing.”

I had developed relationships with professionals in this district through my former employment as a university Service-Learning Coordinator. In this position I collaborated with teachers, public school administrators, and youth workers from various community organizations, to identify service projects through which students in the teacher education program could support youth’s academic and social development. In discussions with employees from these schools and an associated community organization, they identified a concern for supporting students who are undocumented.

Research Participants

Research participants included 3 high school counselors, 2 middle school counselors, 1 high school ELL teacher, principals from both schools, and 2 school-family liaisons. Participants names, work locations, and job positions are listed here and in Appendix C. All participants are referred to with pseudonyms to protect their confidentiality. Throughout this thesis I use the term “educators” to refer to all research participants.

Anne Keane – School-family liaison, employed by a local community organization.

Anthony Graham – Counselor at Glacier High School.

Christina Robertson – Counselor at Sahale Middle School.

Craig Evans – Principal of Glacier High School.
Julie Romano – English Language Learner teacher at Glacier High School.

Maribel Castillo – School-family liaison, employed by the Glacier School District with an office located at Sahale Middle School.

Michael Sumner – Principal of Sahale Middle School.

Miriam Sutton – Counselor at Glacier High School.

Patrick Williams – Counselor at Glacier High School. Coordinator of the Advancement Via Individual Determination (AVID) program and the Multicultural Student Club.

Robyn Durand – Part-time counselor at Sahale Middle School.

Following the directive of George Smith (1990), I chose participants based on their varied positions within the institution. Counselors were key contacts for students as they considered post-high school options. School-family liaisons played significant communication and advising roles between school staff, students and their families. One school-family liaison was employed at the middle school as a translator and mentor for Spanish speaking youth and families. The other liaison was employed by a community-based organization and directed students and families to social services. She also provided an academic tutoring and mentoring program to migrant youth and their families. I wanted to interview the principals at each school, because they interpreted and implemented federal, state and county education policies, and managed funding and programming decisions in their schools. After my initial interviews, every counselor at the high school suggested that the ELL teacher worked extensively with students without documentation, so I interviewed her as well. Before contacting research participants, I gained approval for this project from the University of British Columbia Behavior Research ethics Board and the Glacier School District Deputy Superintendent. The Deputy Superintendent made initial contacts with potential participants and forwarded me emails of those who agreed to an interview. Only one counselor from the middle school declined participation.
I chose not to interview students who are undocumented for this study. Anti-immigration sentiments and the imminent threat of deportation prompt students without documentation to conceal their status (Nerini 2008). Nerini’s research further reveals that due to both fear and risks, students understandably only reveal their status to individuals with whom they have a trusted relationship. Due to the limited scope of this study as a master’s thesis, and my genuine care for the realities of fear and risk that students encounter, I have chosen not to pursue interviews with students who are undocumented. To ground my research in the actual experiences of students who are undocumented, I relied on pre-existing literature that represents the lived experiences of these students through a critical lens (Gonzales 2007, 2008, 2010; Nerini, 2008; Perez, 2009). I also interviewed María and worked closely with her because of her close relationship to students without documentation. Her advocacy targeted the barriers students encounter, and she was sensitive to their actual lived experiences.

Data Generation

I generated data from: (a) the interview and ongoing conversations with María, (b) interviews with research participants, (c) institutional documents, and (d) a field journal in which I recorded notes during and after interviews and documented my reflections throughout the research process.

Institutional ethnography takes the “everyday world as problematic” and personal accounts point to the “relations of ruling” that shape local experiences (Smith, 2005). In determining the problematic, the institutional ethnographer identifies a disjuncture in an individual’s lived experience. As Campbell and Gregor (2004) explain, “the issue of disjuncture is between different versions of reality—knowing something from a ruling versus an experiential perspective” (p. 48). To begin conceptualizing this study, I conducted a semi-structured life world interview (Kvale & Brinkman, 2009, 27) with María (see Appendix D for the interview
schedule). The interview lasted approximately 2 hours, but this was only a catalyst for over a year’s work in co-analyzing and co-representing the interview data. We met once a week for 2 hours over 8 months to co-analyze the interview.

In the initial interview with María, I had asked about her activism, and explored her experiences working with teachers and counselors to provide resources to students without immigration documentation. I asked how her activist interventions intended to interrupt certain experiences, or enhance others. I prompted her to reflect on the resources and future activities that depend on authorized residency status. Throughout, I listened and probed for comments that reveal institutional connections, and particularly textual practices (DeVault & McCoy, 2002). After the interview, I invited María to co-analyze the interview with me using narrative analysis techniques (Glesne, 1997; Richardson, 2002). I explain our rationale and techniques for using poetic transcription as a narrative devise in the data analysis section below.

In interviews with educators, I pursued themes that had emerged from initial analysis of María’s interview. Using a semi-structured interview protocol, I interviewed each participant once, for about an hour, except for the ELL teacher, Julie, who I interviewed a second time for ½ hour to gain clarification on points made in her first interview (see Appendix E for the interview schedule with participants). I audio-taped and transcribed all interviews. I solicited accounts of how these professionals support students with post-high school transitions. I asked specific questions about their work and how it may be the same or different when they are working with a student who may not have citizenship documentation. I also probed educators to reflect and respond to some of the disjunctures of experience that María had described.

Throughout the interviews I listened for mentions of texts, such as forms, policy documents, legislation, manuals or media that might relate to post-secondary transitions for students without documentation. During or after interviews I collected copies of identified documents, and gathered publicly available brochures and forms. I collected the following
documents for analysis: (a) Washington State Higher Education Residency Affidavit, (b) the National School Lunch Program/Breakfast Program Application; (c) the College Bound Scholarship Application; and (d) The High School and Beyond Plan. Although I did not collect any Cumulative Folders, files containing student’s academic records, I discussed this institutional text in detail with the ELL teacher.

Data Analysis

Institutional ethnographic (Campbell & Gregor, 2004; DeVault & McCoy, 2002; Smith, 2005; Smith, 1990), narrative analysis (Glesne, 1997; Reissman, 2002; Richardson, 2002) and decolonizing methodology (Mutua & Swadener, 2004; Tuhiwai-Smith, 2001) techniques guided my data analysis. Campbell and Gregor (2004) explain that analysis in institutional ethnography is centered on uncovering social relations that are manifest in material and empirical circumstances. The researcher’s goal in analysis is to “make power understandable in terms of relations between people, relations that rule” (Campbell & Gregor, 2004, p. 61).

Collaboration as an attempt to intervene in the ruling relations of research.

Narrative analysis and decolonizing methodology offer a means to grounding an institutional ethnography in the standpoint of the subject. Taber (2010) argues that narrative analysis allows the researcher to explore the lived experience of the individual who is impacted by the institution under investigation, and ground the research in their standpoint. The co-analysis of the data generated in the interview with María is central to this phase of my research.

An initial purpose, which prompted me to invite María to co-analyze her interview, is intricately connected to issues of representation and power in academic work, which have historically ruled the social relations involved in conducting research. Linda Tuhiwai-Smith (2001) warns that researchers historically exclude marginalized groups from participating in
knowledge production, and she charges researchers for perennially misinterpreting and misrepresenting “the other” in academic literature. Edward Said (1994) interrogates the power of knowledge to describe, categorize and universalize people, experiences and social relationships. Those creating knowledge are in a position of power because they describe who people are, what they do, and how they relate to others. Even with attention to the power dynamics integral to academic research, Michelle Fine (1994) underscores that power is not only implicated in what research says, and to whom, but how it is conducted. She maintains that critical ethnographers who seek to re-present the voices of marginalized “others” risk perpetuating an imperialist belief that these individuals are somehow inappropriate for engaging in intellectual work (p. 21). Fine asserts that collaborative practices are essential to feminist activist research (p. 23). With critical attention to issues of power and representation in research, Mutua and Swadener (2004) encourage researchers to engage in cross-cultural collaborative work (pp. 7-8). Collaboration represents our humble, yet hopeful, attempt to intervene in the historical relations that organized the conduct of research. In chapter 4, I further explore the historical and social relations coordinating feminist research, and reflect on my own attempt to engage in collaboration and institutional ethnography as socially just methodologies in research. Co-authorship is an attempt to share power, while not ignoring our power differentials. I came to this project cognizant of my positionalities as a White, female, graduate student, and María’s positionalities as a Latina undergraduate woman, whose second language is English. In our initial meetings, we discussed our multiple identities and their relation to this study. Our collaboration was not devoid of power and negotiations on representation, and throughout the process we necessarily foregrounded these issues.

We chose to use poetry transcription as a narrative analysis device to discover and represent the puzzles of lived experience described during this interview. Writing poems together gave us a creative, compassionate, and complex means to speak through and about our individual
perspectives. Through word play, we explored and discussed a cacophony of emotion such as hope, despair, confusion, fear, resilience, and concession, permeating the experience of growing up undocumented. We hoped to connect the reader with the rich and heartfelt conversations we were having in our weekly meetings. We found that through writing poems, we could layer themes of lived experience, and visually represent stories, in a way that elicited the opacity and inconclusiveness of being raised in the United States without legal status. Through poetry we felt we could represent dilemmas, imbued with a nagging sense of inconclusiveness. We could express experiences complicated with contradiction. Poetry also offered us a comfortable means to share stories, while obscuring the actual subject of the poems. With their place—physical location as well as social standing—within the U.S. precariously balancing on not being discovered, those without documentation often hide their status to protect themselves from consequences such as deportation or social stigmatization. We deliberately made the subjects of the poems elusive in order to inject this element of concealment and disclosure into the stories’ retelling.

To begin writing the poems, prior to our first meeting, I identified major themes, then coded and sorted data (Glesne, 1999). Then I created a Word document that organized each coded data chunk under the major themes as a launching point for discussing the data and writing our poems. Before writing the poems, we examined my coding of the interview data, and sometimes rearranged comments into new themes as she clarified her intended meaning of certain points. I estimate that 70% of the text in the poems was lifted directly from the interview transcript; however, we often edited direct quotes to capture the essence of a description or to amplify illustrations. The other 30% of the poems emerged from our conversations in which we often clarified the meaning of a quote, expanded upon an idea, or identified new experiences or shifted attitudes. We also word-smithed the text together, sometimes bringing in new verbs or
nouns. As we wrote the poems, I took notes on my computer on our discussion topics for further integration and reflection.

**Tracing social relations.** To begin analyzing the data generated through interviews with educators, I created coding categories according to the interview question themes and my overall research questions which had solicited information on: work activities, tensions they experience while performing their work, texts or documents participants use to complete specific tasks, and participants’ attitudes about working with students who are undocumented. I differentiated between general work activities and activities specific to working with students or families without documentation. Following Campbell and Gregor’s (2004) advice, I looked for narratives about specific events and activities, and coded these as “case narrative.” While reading the interview transcripts, I added new codes or refined codes I had already formed. I also developed descriptions over time that reflected the meaning of each code. Through successive reading of the transcripts, I sometimes reassigned data to a different code, and I also further refined code descriptions. After coding, I wrote 2-5 page summaries of each interview, which included descriptions of participants’ work activities, the texts that they mentioned, and the main tensions they expressed throughout the interview, and my personal reflection on the nature of the interview.

I used the written summaries to identify commonalities across the interviews, as well as contradictory accounts. From here I engaged in reflective writing, and I especially explored the divergent accounts as critical windows through which I could confront “structures, policies, practices and relations that organize, naturalize, and ensure persistent inequality” (Fine & Weis, 2005, p. 74). I tried to be sensitive toward prevailing ideas or discourses that influenced participants’ work activities, as the aim in institutional ethnography is to uncover the relations of ruling that coordinate people’s everyday actions. A goal of institutional ethnography is to
discover “how the conduct of people’s lives is coordinated in relation to ruling ideas and practices” (Campbell & Gregor, 2004, p. 99). Through further reflective writing, I compared and contrasted María’s account to the participants’ accounts, which I had documented in the written summaries (Campbell & Gregor, 2004).

I also analyzed the following documents: (a) Washington State Higher Education Residency Affidavit, (b) the National School Lunch Program/Breakfast Program Application; (c) the College Bound Scholarship Application; and (d) The High School and Beyond Plan. To analyze the documents, I read them thoroughly and then considered: (a) how the document is used, (b) who uses it; and (c) for what purpose is it used. I also considered any stories in which participants described an instance when they used a document. Finally, I compared themes generated through my analytic work with María, such as fear and concealment, to the documents’ institutional processing.

In this chapter I examined the ontological and epistemological assumptions of an institutional ethnography, and presented the methods I used to conduct this research. I underscored the political nature of the methodology, and outlined the ways that institutional ethnography understands the role of texts, discourse and power in coordinating social relations. In relation to epistemological concerns, I then discussed the type of knowledge generated from an institutional ethnography, and addressed generalizability and trustworthiness. I concluded by describing the research site and participants, as well as data generation and analysis methods. I also introduced my research collaboration with María.
Chapter 4

Dividing Lines:

Historically Constructed Relations between Educators, Students, and Researcher

*Voices in Limbo*

She might be told:
If you get deported
You’ll know English in Mexico
You can apply to come back to the States
You can get a good job in Mexico
You’ll have your American degree.

But they haven’t heard:
10 year penalty
Separation from family
Long-distance relationships
Displaced from home
Stripped from culture

If I stay, I’ll never quite belong.
I don’t want to work under a fake name
As a fake person.
I don’t want to work under the table.
So maybe I am thinking of going
Back to where I was born
At least I’ll be seen as an asset

10 year penalty
Separation from family
Long-distance relationships
Displaced from home
Stripped from culture

-poem by María del Rosario Corona Horta and Sara Radoff"
Looking forward to graduating high school and while exploring future options, one of the recommendations a student might hear from counselors is to return to their birth country and work there while pursuing authorized entry into the U.S (Perez, 2009). Or sometimes as Maria has recounted, “if you get deported, in Mexico you will be an asset—with your ability to speak English, and your U.S. education.” This claim points to the devaluation of these students within in the U.S. Despite being raised and educated in the U.S., and identifying this country as home where culture and family reside, authorized entry commands belonging.

In this chapter I begin with a historical analysis of border relations between the U.S. and Mexico in order to conceptualize the social, political, and economic construction of “citizen” and “illegal alien.” I investigate historical relations of ruling coordinating the practice of “authorizing” entry, drawing attention to who holds the power to authorize. To these ends, I consider land occupation, the regulation of border mobility, and economic development as practices of the social construction of whiteness and class privilege. Frankenberg (1997) asserts whiteness as a historical construct mediating social relations. She conceptualizes whiteness as the practice of racial dominance interwoven with economic and political projects. In the context of U.S.-Mexican relations, whiteness is a construct of power facilitating the inclusion and exclusion of groups along racial, ethnic and linguistic lines. I then extend this analysis of borders to investigate the role of schooling in producing insiders and outsiders. I consider Mexican-American—citizen and residents (including domiciled and unauthorized)—educational experiences shaped by deficit theories (De Jesus, 2005; Foley, 2005; MacDonald & Monkman, 2005; Montero-Sieburth, 2005; Valencia, 2010), segregation (Katz, 1996; Moll & Ruiz, 2005) and criminalization of the Spanish language (Spring, 2007). Framed by this historical context, I then address contemporary relations between citizen-educators and students who do not possess authorized status. Following from a Latina/Chicana feminist perspective, I present a critique of imperialist history, as well as the pervasive legacy of (de)colonization in the present.
I conclude by reflexively examining my own positionality as the researcher within this historical context through a critical personal narrative (Mutua & Swadener, 2004). In institutional ethnography, Smith (2005) admits that even the researcher and the activity of research itself are embedded and implicated in ruling relations (p. 22-25). Burdell and Swadener (1999) underscore that research is often implicated in relations of power and inequality, and they suggest that critical personal narrative engages the researcher in “critical analysis of their own positioning within various contexts, including gender, race, class, sexuality, and identity politics” (p. 25).

Constructing “Illegality”

Historically, it is clear that race and country of origin determine rights for border mobility. By “rights” I mean socially constructed moral and cultural authorization to move freely through territories and between nations. By “rights” I also mean politically constructed authority to define the terms of legal and illegal movement. Consider the 1846 U.S. occupation of Mexican and indigenous land preceding the Mexican American war. Sanctioned by the ideology of Manifest Destiny and fueled by racial superiority, President Polk sent U.S. troops to occupy the Rio Grande, land traditionally controlled and inhabited by indigenous peoples, and later also by Mexicans (Zinn, 1995). Manifest Destiny is an expression of the practice of whiteness. Ideologically, it positions Whites as superior, enterprising and lawful, and Mexicans and indigenous peoples as savage, ignorant, and incapable of ruling their own land. The legal codification of mestizos as an inferior race further sanctioned economic and political subjugation, and justified American expansionism, progress and development (Spring, 2007). In 1839 John O’Sullivan (as cited in Zinn, 1995), editor of the United States Democratic Review famously wrote in his article “The Great Nation of Futurity,” that it was “our manifest destiny to overspread the continent allotted by Providence for the free development of our yearly multiplying millions” (p. 149).
Following the Mexican-American war, Mexico ceded what now comprises California, Colorado, New Mexico, Nevada, Arizona, Utah, Texas, and parts of Wyoming to the U.S. With a cultural hierarchy already in motion by Manifest Destiny, the geographical border strengthened the division between the U.S. and Mexico. The 1848 Treaty of Guadalupe-Hidalgo guaranteed property and citizenship rights to Mexicans residing in the newly acquired U.S. territory, yet the treaty was never honored (MacDonald & Monkman, 2005). Instead, families were displaced from land that had been cultivated and nurtured for generations. Whiteness as the power to occupy, exile and exclude brown inhabitants is blatant in these years of Mexican and indigenous people’s extermination and ejection from the ceded territory. In 1930, the U.S government deported 400,000 native-born U.S. citizens of Mexican and indigenous descent to Mexico (Spring, 2007). Once again, assertions of White superiority, and “others” racial inferiority justified usurping territories and deporting inhabitants from their land. Nowadays U.S. agribusiness and maquiladoras occupy the land in Mexico (Anzaldúa, 2007).

In the nascent years of border relations, U.S. economic interests encouraged low-skilled farm labor to immigrate north, but simultaneously chastised this movement as criminal (Garcia, 2004). The exploitation of Mexican labor persists in contemporary U.S.-Mexican economic relations. Massey (1999) underscores the inequitable nature of globalization, in which capital and unfettered transnational entrepreneurialism is valorized on the one hand, and “economic migrants” are chastised on the other. She asserts:

Capital can move around in search of the best opportunities to invest, and is marveled at for its flexibility and responsiveness when it does so. But labor, people wishing to roam the world in search of work, is castigated as “only” economic migrants. Barriers are thrown up against them and, between major areas of the world they are held in place. (p. 37)
In other words, border-mobility is a one-sided affair, privileging the economic elite, while immobilizing those that might seek reciprocal fluidity between borders to find work. The colonizing consciousness is conditioned to unbounded freedom—to be able to go anywhere, do anything, be anything. Yet freedom of choice is consistently denied to those outside of the dominant race and class (Spivak, 2010). The subordinate group is relegated to manual labor and “illegal” work. Underscoring the moral contradiction implicit in transnational globalization, Massey emphasizes that the spread of capital is morally valorized; yet on the other hand, those migrating in search of economic prosperity are demonized and criminalized. Attitudes of racial inferiority are extended into globalization and intersect with the lack of permissible economic mobility allowed working-class migrants. Shore (2005) has shown that globalizing policies driven by “economic productivity and the control of populations within and among nations” assert whiteness as a precondition for bringing neoliberal values of productivity, progress, innovation and control into fruition (p. 64).

In resistance, Anzaldúa (2007) accuses the U.S. troops, American settlers and modern industry of migrating illegally to Texas, and she coins their occupation “Anglo terrorism” (p. 28). Through her framing, Anzaldúa draws attention to unidirectional border mobility and “legitimate” empire expansion, practices deemed only lawful and possible for White, male, English-speaking, American entrepreneurs. She exposes the dehumanizing practice that creates and sustains hierarchies, incarcerating some to immobility (territorially, politically and economically), and privileging others to free movement. By identifying the illegal migration to Texas, she turns imperialism back on itself, challenges the self-proclaimed moral right to conquest and territorial occupation, and contests the constructed binary of American authority and Mexican criminality. Analyzing Borderlands, Chabram-Dernerseian (1999) suggests that Anzaldúa captures the social construction of whiteness within Chicana discourse. She extrapolates from Borderlands that:
Whiteness is partnered both with structures of domination and with the effects of domination. Such effects include different types of loss: of one’s national origin, one’s territory, one’s barrio, one’s social location, as well as a ‘perceived threat’ to one’s national, ethnic, or regional identity and economic well-being. (p. 114)

So far I have focused on themes of land occupation and border mobility in relation to imperial practices of geographical and economic domination. I utilized Ruth Frankenberg’s (1997) notion of whiteness to illustrate practices of racialization and moral fortitude exerted to maintain U.S. control of its Mexican borderland. I briefly outlined the history of U.S. expansion into Mexican and indigenous territory, and then suggested that contemporary economic relations hinge on the embeddedness of the Manifest Destiny ideology. Historically, brown Mexican bodies have been socially, politically and economically constructed to be available for capital and undeserving of equal moral standing in comparison to White, male bodies from the United States. The political and economic sovereignty of the nation-state is secured through land occupation and made possible through racialization and devaluation.

A Brief History of Latina/o Education in the U.S.

Complicit in a history of land occupation, border-mobility, and Manifest Destiny, education contributes to the construction of “citizens” and “illegals.” Systemic educational inequities informed by race, language, ethnicity and immigration status pervasively impact Mexican-American students who are living without documentation. Within the United States, marginalized social groups historically suffer from misrecognition: institutionalized social hierarchies that bestow low status and prevent full social participation within the state (Fraser, 2005). Normalized social categories—being White, male, and English-speaking, for example—persist as categories that describe and designate citizens within a nation-state.
Mainstream education steadily reproduces the social and cultural domination of Mexican-American youth, even before taking immigration status into account. MacDonald and Monkman (2005) suggest that racialization and hierarchies infiltrate Latina/os’ historical relationship with schooling and continue in contemporary schooling policy and practices. Mirroring the social context of colonization, White families racially isolated their children from those of Mexican origin following the Treaty of Guadalupe-Hidalgo (Valencia, 2010). Joel Spring (2007) contends that historically—and presently—Mexican-American youth experience schooling as a process of deculturalization facilitated through segregation, denial of language, and curriculum that exclusively represents the dominant group (Spring, 2007). He maintains that schooling goals to Americanize youth amount to stripping Mexican-Americans of their language and customs and enforcing White supremacy.

Compared against a White middle-class norm, Latina/o students are consistently framed as deficient, deviant and inferior. Western culture constructs marginalized groups through devised “knowledge” and caricatured images in order to possess intellectual, cultural, political and moral power over the subordinate group (Said, 2001). Consider, for example, the 1983 *A Nation at Risk* report, which illustrated poor educational performance, particularly among Latina/os and African American students. The report catalyzed educational reforms aimed at “underrepresented,” “disadvantaged” and “at-risk” students. Montero-Sieburth (2005) contends that these classifications stigmatized Latina/os as deficient in comparison to a White middle-class norm. Many researchers have shown how deficit theories in education stereotype Latina/os as intellectually inferior and incapable (De Jesus, 2005; Foley, 2005; MacDonald & Monkman, 2005; Montero-Sieburth , 2005; Valencia, 2010). Deficit thinking frames disparities between the high academic achievement of White students and low performance of minority students by blaming inherent cultural traits such as inferior academic abilities, lack of English language proficiency, low motivation, and immoral behavior (Valencia, 2010). This “science”
unfortunately often leads to educational tracking in low-level courses and inadequate preparation for university.

Throughout the U.S. education system, brown Mexican bodies have been visibly tracked by economic interests and capped opportunities. Especially in California, U.S. farm-owners influenced early attitudes of education for Latina/o students. Due to dependence on migratory agricultural workers, compulsory education laws were rarely enforced in the early to mid-1900s (MacDonald & Monkman, 2005; Spring, 2007). Many farm-owners argued for rudimentary education, or to deny education altogether, in order to maintain ignorance of farm-workers’ political and economic rights (Spring, 2007). Spring (2007) points out that in the late 1920s, a Fresno, California school district circumvented laws on the number of hours in a school day, and opened special migratory farming schools allowing youth to work fields instead of learning. He notes that some schools banned migrant youth workers altogether.

The enforcement of English persists as a core tool of domination in schools. For example, a 1918 Texas law criminalized speaking Spanish in schools (Spring, 2007). Later, when racialized discrimination was outlawed, school districts reframed their justification for segregation by arguing that Mexican-American students require special instruction in English (Spring, 2007). Neocolonial practices persist in current schooling regimes through restrictive and regimented curriculum, high-stakes testing, and the referral of native Spanish speakers to Special Education programs (Moll & Ruiz, 2005, p. 304). To this day, policy undermines bilingual education and the instruction of non-native English-speakers (Fine, Jaffe-Walter, Pedraza, Futch, & Stoudt, 2007). Modern English-only policies have banned the Spanish language in US schools, labeling Spanish speakers deviant and inferior (Moll & Ruiz, 2005; De Jesus, 2005; MacDonald & Monkman, 2005). Moreover, students learning English face inadequate resources for their programs, spatial segregation and teacher inconsistency (Katz, 1996).
The schooling of Mexican-American youth is characterized by segregation, the enforcement of English, and the marginalization of Latina/o culture. Many researchers have shown that deficit thinking informs the schooling of Mexican-American youth. Valencia (2010) disputes the construct of deficit thinking, arguing that it ignores systemic factors contributing to the production of failure, and suggests that “racialized opportunity structures lead to racialized academic achievement patterns” (p. 3).

Complicated Borders of Belonging

I have attempted in the previous sections to illustrate a historical context that frames contemporary experiences of students who are raised and educated in the U.S. without legal authorization. Today, the social status of students without documentation unfolds from constructs dividing racial inferiority from privilege, rights-bearing from criminal, and citizen from “other.” A few have described the experience of growing up in the United States without legal status as “living in the shadows,” because they must hide their status in order to maintain their physical place in the United States (Chavez, 1992; Nerini, 2008). Gonzalez (2010) describes the route to adulthood to be wrought with confusion and contradiction as youth “learn to be illegal.”

Within any socially constructed group, multiple, complex and contradictory everyday experiences unfold from a history of unjust policies. While I have presented the development of opposing binaries overtime, lived experience is more ambiguous. Students may internalize and/or resist tags such as “illegal” or “unauthorized.” Perez (2009) documents youth experiences of growing up “American” without documentation. Consider, in these two accounts from his research, the experience of a limited opportunity after high school and a sense of “living in limbo.” In these examples, one high school student and one community college student relay their aspirations to join the military service.
Jamie arrived in the U.S when he was four years old, and despite continuous relocation, following his father’s employment opportunities as a truck driver, he excelled academically while balancing his devotion to music. Graduating with a 4.0, armed with a slew of awards, he similarly thrived in community college courses. Perez underscores one of Jamie’s greatest disappointments—although he ranked extremely high on the military school entrance exam, his citizenship status ultimately excluded him from joining the Naval Academy at Annapolis. Perez (2009) quotes Jamie:

> It’s almost like I am tied down to the ground with a ball and chain because I don’t have citizenship. If I did have citizenship, I would be able to do some things that I can’t do now, like my plans to go to Annapolis. I know I would have succeeded there because I have determination. (p. 15)

In Perez’s representation of Jamie’s story, I cannot extrapolate the nature of his own education, and whether or not it reflected the inequities endemic to the history of Latina/o education in the U.S. What is clear, though, is his academic acuity and personal determination. While schooling may reproduce inequities, individuals actively resist the construct of deficit thinking. Still, Jamie’s determination was eventually undermined by his status, a condition unseating the future trajectory he had carved out for himself through his high academic achievement. He inevitably confronted the politically imposed limitation to his agency.

Lucilia, Perez summarizes, “is driven by her passion to help people in need” and her character is marked with fortitude (p. 45). Like Jamie, exclusion from the U.S. military had presented the most significant disappointment of living without documentation. She, too, experienced the oppressive power of an unauthorized status, which constrained the possibilities she was allowed to bring to fruition for herself. Her recruiter had encouraged her to apply and assured her he would be able to get her in to the military. After weeks of intensive physical training to prepare, she arrived to boot camp “ready to sign in,” only to be turned away due to
missing paperwork from the Immigration and Naturalization Service. Perez recounts that Lucilia always felt like she belonged in America, it was the only place she knew. She explained that she doesn’t speak Spanish well, and she would be perceived as a “little White girl” in Mexico (p. 46). The military rejection catapulted her into a state of limbo, wondering where she truly belonged. Lucilia experienced what Gonzales has described as “ni de aquí, ni de allí”—belonging neither here, nor there. She had grown up and been acculturated as an American, yet her status complicated her sense of belonging.

Individual experiences vary within a history of racialization, segregation and the marginalization of culture and language. Those without documentation likely experience compounding oppressions due to their immigration status, such as imposed limits to career and higher education opportunities. Like the poem that introduced this chapter, students may also experience a sense of living in limbo, as they wrestle with cultural belonging.

**Counselor Identities in the Borderland**

In the local context of my research site, the act of schooling those without documentation occurs within this historical legacy of institutionalized oppression. Like the youth, educators’ social identities—race, class, citizenship status, gender, language, among other categories—ought be considered in relation to this history. In the next chapter I will focus on the interview data, but here I will briefly introduce high school counselors’ reflections on their racial identities, in order to situate my research participants in relation to this historical backdrop. Here I will offer short introductions of these research participants, but see Appendix C for complete profiles of research participants.

Bubbling just below the surface of our conversations in the interviews, on a couple of occasions tensions based on racial and linguistic identities surfaced. When speaking with Patrick, a counselor at Glacier High school, he reported his frustration in attempting to “bring down
stereotypes” in the school environment. He is African American, and the only counselor of color employed between both of the schools in which I conducted my research. In outlining his efforts to convince the staff to offer separate Spanish- and English-based financial aid presentations, he suggested that staff “struggled” with separating the families according to language. He retold his campaign to the staff:

This isn’t about you, this is about them. I know you feel a lot of White guilt now about separating the Spanish families from the White families, but you know what, who cares. We have done this so many different ways. We put a lot of money into it. We even got one of those ear things, we had interpreters talking. None of the families took it. I said, if we provide day care and order pizzas, and do a presentation, they will show up. And it has worked. It’s a challenge to change the culture in our school.

Given the history of linguistic imperialism and racial segregation in cultural domination, I think concerns around a linguistic and racialized history of schooling may have influenced the counselors’ deliberations on splitting the Spanish- and English-speaking presentations. As I illustrated in the above section on Latina/o education, suppressing the Spanish language has significantly contributed to structural inequities in schooling. Segregation across linguistic lines has often resulted in the tracking of Spanish-speaking students into remedial courses, Special Education, or programs with insufficient resources (De Jesus, 2005; Katz, 1996; MacDonald & Monkman, 2005; Moll & Ruiz, 2005).

Patrick, however, seemed most concerned with splitting the English and Spanish financial aid presentations in order to deliver vital resources to low-income families on funding higher education. The content and purpose of the presentation may be seen as encouraging higher education among Latina/o families and improving families’ access to information and resources. Here, separating the families across linguistic lines of difference hinged on distinctly different purposes than the historic suppression of Spanish in schools. In fact, offering a Spanish
presentation could have been seen as inviting and valuing Spanish as a means of communication between the school and families.

Patrick also pointed to “White guilt” as a disposition complicating the decision to split families according to language, or keep families in one English presentation with ear piece devices interpreting for Spanish-speaking families. Miriam and Anthony, the two other Glacier High School counselors, indicated their own percolating reflections on their racial identities in relation to working with students without documentation. Both worried about how students and families of color perceive them as White counselors. Anthony identified honest conversations and listening as his central counseling strategies, but he wondered if his race and gender limited his work with students of color and those without documents. He suggested, “I feel bad that I am a White male. Sometimes I wish I was Hispanic. I don’t know if they see that I am here to help them.” Expressing similar concern, Miriam told me as our interview was concluding, “I wonder if they see me as White, and not as open to someone who wasn’t…I don’t know. And like Patrick, because he is black, are they more open to thinking that maybe he has a shared goal.” Both seemed to be wrestling with binary representations of racial identities, which present “White” in diametrical opposition to “Black,” a relation developed through the history I presented earlier in this chapter. Their concerns are unsurprising in relation to the historical construction of racialized and subjugated identities, which through ideology and practice have established political, social, economic and educational borders between White, English-speaking United States citizens and Spanish-speakers, unauthorized citizens, and people of color.

Patrick observed the school staff “struggling” with the decision to divide the English and Spanish financial aid presentations. Educators, students and families are always in relation to one another, and daily activities are shaped by social, political and economic relations of power. As I illustrated in the above section on Latina/o education, both the suppression of the Spanish language and racial segregation have significantly contributed to structural inequities in
schooling. Issues of segregation and desegregation are contentious and complex. Mohanty (2003) argues that recognition of borders acknowledges the “fault lines, conflicts, differences, fears and containment that borders represent” (p. 2) as well as the integrity, safety and security that borders offer. Borders impact people’s everyday lives, and they can be both exclusionary and enabling. In this circumstance, a central question to consider is: when is it enabling, or when is it exclusionary to divide the English- and Spanish-speaking financial aid presentations?

Mica Pollack (2006) has identified as a central concern of anti-racist education: when is it helpful and when is it harmful to treat someone as a member of a group? Pollack insists, “Educators need…to wrestle with their own daily struggles over race in educational settings, and to consider moment to moment decisions about how best to assist real children in real world situations” (emphasis in original, p. 9). Patrick’s comment indicated that his colleagues had been wrestling with their racial identities in relation to the choices they make to deliver resources to families on college access. After seemingly unsuccessful attempts to offer a joint presentation to English- and Spanish-speaking families, he concluded, “who cares,” positioning his concern for delivering information to families over staff members’ uneasiness in structurally segregating the presentation. Although Patrick surmised, “who cares,” I would argue that the question of when to acknowledge and engage the lived experience of Spanish-speaking families along racial and linguistic lines could be an ongoing discussion informing everyday decisions. Although Patrick underscored the challenge to change the culture in his school, he disregarded his colleagues’ reflexivity on their racial identities as a valid channel to this transformation. (I’ll return to Patrick’s story in Chapter 6 when I discuss the social relations coordinating educators’ presentation of scholarship opportunities that do not require residency status.)

Anzaldúa (2007) describes, “A border is a dividing line, a narrow strip along a steep edge. A borderland is a vague and undetermined place created by emotional residue of an unnatural boundary” (p. 25). Students without documentation are allotted physical presence in K-12
schools, eventually to graduate into a society where they are generally perceived as criminals and reduced to “illegals.” Their movement through physical space is confounded with contradictory messages of belonging and exclusion. Emotional residence in this imposed borderland is characterized by fear, a sense of living in a state of limbo, and disappointment from continuously denied opportunities. Politically they are placeless, yet many interpret the United States as their home. Educators inherit a White, English-speaking occupation of the schooling landscape, and within their jurisdiction may find themselves in some ways complicit and in other ways resistant to traditions of domination and subjugation. The counselors I interviewed wrestled with race and language as “dividing lines.” They wondered about racial identities and how they impacted their relationships with students and families. And as Patrick evidenced, race and language impacted how counselors’ own identity-wrestling was involved in educators’ practice, in this case while arranging an event to deliver resources to historically marginalized ethnic and language groups to access higher education.

**Locating Myself in Relation to Borders: A Critical Personal Narrative**

My personal experience with territorial border-crossings has felt spatially boundless, yet surveilled. While conducting this research, I lived in northwest Washington, and two days a week I passed through the U.S.-Canadian border efficiently and seamlessly to go to school and work in Vancouver, British Columbia. For $50 I purchased a Nexus pass, which bought me entrance to an exclusive lane that expedited border crossing. As I would approach the checkpoint, I embodied the surveillance process. I lifted my sunglasses. I pulled up to the first stop, flashing my micro-chipped card at a blank white screening devise as a camera simultaneously captured my picture. An automated snap behind me photographed my license plate. Once the lane cleared in front of me, I would approach the border agent, Nexus card in hand for the rare chance that she might actually want to see it. Sometimes the agent would ask
where I was headed, but most often expressionless eyes canvassed my face, studied a computer screen, then sternly yet nonchalantly admitted me with a monotone, “Go ahead.” I would accelerate from the gate, continuing on, as if I just paid a quick stop at a tollbooth.

My own border crossings were privileged passages. It was clear that I was not constrained by the one-sided nature of border-mobility. The ease through which I cross physical borders seemed difficult to tease apart from my White skin. I was physically seen as one who was authorized. Proving a suitable class status was the most significant gatekeeper in my regulating crossing. Customs officials processed my application for a study permit, particularly scrutinizing my bank accounts and the value of my scholarships, assuring that I had the capital to enter Canada. The only inconveniences required completing a form, juggling funds to make it appear that I had more than I did, and attending a screening interview with Immigration and Customs Enforcement officials. Another significant factor was that my border crossing was characterized by choice. I could have stayed in place. I crossed the border to work and go to school, but I did not have to go.

In what ways have my social identities as a White, English-speaking, middle-class female U.S. citizen, complicated my research on schooling policies and practices that influence educational experiences for public school students without citizenship documentation? Although I’ve passed through physical borders with relative ease, negotiating identity borders while conducting research has been much more complex. In the following critical personal narrative, I reflexively examine my positionality as the researcher, with attention to the inextricable connection between the purpose of my research and my choice in, and implications of, undertaking an institutional ethnography. I also consider the role and purpose of collaborative methods for conducting an institutional ethnography, highlighting the ethics of power and representation, and values such as aligning across difference and “reflexive interventions” (Walby, 2007, p. 1017) while researching in the borderlands.
Power and Representation in Standpoint

In institutional ethnography, “It is people’s experience which sets the problematic of the study, the first step in an inquiry that travels sequentially deeper into the institutional relations in which people’s everyday lives are embedded” (Smith, 2005, p. 38). The methodology takes as its departure point individuals’ lived experiences, and then focuses on the ways in which these experiences are embedded in social relations. Given my positionality as a White, citizen, English-speaking woman, exploring and representing the dilemmas facing immigrant youth, who have been historically marginalized based on their race, citizenship status, language, and ethnicity complicates my intention to engage in socially just activist research.

Postcolonial theorists argue that naming subjectivities and interpreting experiences that are not my own are a practice of discursive colonization (Mohanram, 1999; Mohanty, 2003; Said, 1994). Mohanty’s (2003) critiques Western feminists for representing marginalized groups as possessing a singular monolithic identity⁹. Those feminist movements that are composed of primarily White middle-class women, have been critiqued for assuming rather than subverting imperialist hegemony in their representations of femininity and reactions to patriarchy (Mohanram, 1999). By neglecting specificity and complexity, in its broad assertions of femininity and its authoritative voice on issues facing women, White feminist movements often neglect intersecting issues of class, ethnicity, nationalism, and race within women’s experiences. Third World feminists and feminists of color underscore the diversity within women’s experiences, and they call attention to in-group differences and intersecting oppressions. For example, throughout Borderlands, Anzaldúa appeals to Chicana nationalism to assert the

⁹ See chapter 1 in Feminism without Borders for Mohanty’s detailed critique of Western feminists’ representation of “woman” as a social category.
racialized experiences of women in the deterritorialization and suppression of borderland identities. Mohanram (1999) argues that in New Zealand, Maori women’s activism is connected to Maori nationalism rather than feminism in order to underline that White Western feminism’s emphasis on the relations between men and women erase the issues of race, land and sovereignty central to Maori feminism (p. 100). Conflating individual differences persists as a discourse of power that dehistoricizes and debiologizes, not only a racialized history, but also the historical specificity and localized context of race, class, national and gender struggles.

Latina/Chicana postcolonial feminists have sought to break down the dichotomies that limit their lives—such as colonizer/colonized, legal/illegal, White/Brown, man/woman—and replace neat and tidy categories with ambiguity, thus inviting consideration of complex subjectivities and the actualities of everyday lives (Villenas, 2006, p. 665). Mohanty (2003) asserts, “our most expansive and inclusive visions of feminism need to be attentive to borders while learning to transcend them” (p. 2). Fine and Weis (2005) echo this conviction in their assertion that they “analytically embrace these categories of identity as socially porous, flexible, and yet profoundly political ways of organizing the world”(p. 67). I pay heed to these feminist activist researchers who draw attention to the multiple uses and meaning of difference. The task is complex: resist representations that re-inscribe oppressive binaries, preserve difference so not to erase the power exerted through the construction of these binaries, and embrace the ambiguousness of undertaking any project that seeks to understand everyday experience.

In institutional ethnography, exploring people’s accounts of their everyday experiences, from their standpoint, provides a window into the translocal organization of power coordinating their activities. Smith explains the use of standpoint in institutional ethnography:

It is a method of inquiry that works from the actualities of people’s everyday lives and experience to discover the social as it extends beyond experience… The institutional ethnographer works from the social in people’s experience to discover its presence and
organization in their lives and to explicate or map that organization beyond the local of
the everyday. (pp. 10-11)

My collaborative work with María, as well as interviews with research participants offered
departure points that were situated from the knowledge and perspectives of people for exploring
institutional relations. María and I stressed that our poems represented her standpoint, interpreted
through both of our perspectives, and should not be interpreted as essentializing the views or
experiences of those without documentation. When exploring her experiences, we often dwelled
in unresolved dilemmas, and embraced the contradictions surfacing in her own views and actions.
In an institutional ethnographic analysis of her description of everyday experiences, I considered
these moments of disequilibrium as sign-posts for relations of ruling at work. As I continued to
interview educators, I similarly focused on their dilemmas of experience to dig deeper into an
analysis of ruling relations.

Mohanty (2003) feels Smith’s concept of ruling relations:
…posits multiple intersections of structures of power and emphasizes the process or form
of ruling, not the frozen embodiment of it…it makes possible an analysis that examines,
for instance, the very forms of colonialism and racism, rather than one that assumes or
posits unitary definitions of them. I think this concept could lead us out of the binary,
often ahistorical binds of gender, race and class analyses. (pp. 56-57)

In conducting an institutional ethnography, I began my investigation by listening and probing
people to describe and explain their everyday activities. Rooted in people’s perspectives and
knowledge, I used participants’ accounts of their experiences to direct my inquiry into ruling
relations. I focused this inquiry on investigating the systems that create hierarchies in which
privileges are distributed inequitably across lines of race, class, and citizenship status. I intended
to critically examine systems of oppression, in which all of humanity is implicated and
dehumanized, yet through different means and to different ends.
Aligning Across Difference in Collaborative Research

In this next section, I delve deeper into reflecting on my research design, this time centralizing the role of collaborative analysis and authorship. As Walby (2007) contends, reflexivity ought not be isolated to retrospective reflection on ethical dilemmas; rather he calls for “reflexive interventions” during the research design of an institutional ethnography (p. 1017).

One personal goal I set for myself throughout my graduate studies was to develop as an activist researcher for social justice. Early on I felt a tension regarding my own privileged positionality. Sometimes I wondered whether my own social identities precluded me effectively working toward equity and justice. Towards the end of my original interview with María, I recall a turning point after I asked, “Do you see any dangers in conducting this research, in telling these stories, that could be harmful?” Our conversation proceeded to delicately traverse identity borders. María responded:

When you think of immigration, you think of Latinos, maybe African Americans as well. And sometimes African Americans are put in place with Latinos because the whole color, with being dark and everything. But having you as a person who is out of that area. You’re legally here. You’re a citizen and everything…It’s just when you think about these issues, you think about your own people doing it.

Then she guided me as a White, citizen, English-speaking researcher to be cognizant of and reflective on power relations and representation:

As long as you have the intention, and you are constantly asking yourself, am I getting the point that you want to make into this, not the point that I am assuming, not the point that I have, but the point that you want to make? Make sure the people you are interviewing have a feel of direction, that you are there to help make their story, but not your story, you know. You are their gateway, their voice, and you don’t want to, like,
make them feel like, my story is just your ticket to something, you know. Sometimes, people might get the wrong impression, and why are you really doing this since you are of a different background. Are you doing this for your own beneficial gain, or theirs?

María’s cautioning stuck with me as I continued to design this research project. Meanwhile, my mentors, professors, and most esteemed academics offered me strategies to confront issues of power and representation in research. Citing decolonizing methodologies, one of my closest mentors encouraged me early on to consider inviting María to co-analyze and co-represent her interview. She passed me Mutua & Swadener’s (2004) edited volume on decolonizing research in cross-cultural contexts. Meanwhile in my courses I was learning about oppressive ontologies, epistemologies, and methodologies, and some alternative research paradigms. Thus began my curiosity and journey in trying out co-authorship as a socially just method for addressing issues of power and representation in research. I did not even realize yet that I had been inspired to intervene in the ruling practices of research.

Michelle Fine (1994) asserts that collaborative practices are essential to feminist activist research (p. 23). In addition to grounding research in the historical specificity and local context necessary for effective political activist research, collaborative research recognizes individuals as subjects, rather than objects, of investigation or objects of oppressive regimes. Feminist collaborative researchers assert: “Knowledge is rooted in social relations and most powerful when produced collaboratively through action” (Fine, Torre, Boudin, Bowen, Clark, Hylton, Martinez, Rivera, Roberts, Smart & Upegui, 2004, p. 95). Fine et al. are fundamentally concerned with broadening who participates actively in naming and constructing the world. Collaborative research engages those from the community under consideration as active participants in shaping how their community and experiences ought to be understood, and how the injustices they face ought to be acted upon. The methodology intends to “speak with” rather than “speak for” (Alcoff, 1991) individuals or communities. Inspired by these possibilities, I invited María to co-analyze
her interview with me, and we decided to create poems from the interview transcripts to represent our co-construction of her views.

For me, collaborative co-authorship was crucial for engaging in activist research. My initial purposes for asking María to co-analyze her interview began when contemplating issues of representation, power, and the production of knowledge in academic work. I wrote in my research proposal that collaborative research is not about giving voice to alterity, but about how we understand, enact and engage in decolonizing research. It is about challenging the oppressive structures of traditional research paradigms (Mutua & Swadener, 2004, p. 14). In preparing my research proposal, I was creating an institutional document, governed by the conventions of research which denote the codified and de facto conditions of knowledge production. Using the language I had been trained to implement, I meticulously wrote my “rationale” for my collaborative “methods.” I sought and received approval for this unconventional approach, first from my committee (who were unanimously supportive) and then from the Faculty of Graduate Studies. Traditional academic procedures dictated how I ought to generate, analyze and represent research data. At the same time, those professors who were teaching me the institutionalized conventions for conducting research, were also intervening in ruling practices through teaching courses and assigning readings regarding voice, marginalization, power, and justice. They inspired me to do something different. In fact, they even guided me to subversely write into my proposal—an institutionalized text—research practices that would undermine the dominant relations coordinating the pursuit of a Master’s Degree.

As I engaged in collaborative research, I began to learn about co-authoring through my own experience and reflecting on professors’ and mentors’ critical questions. I began to see, hear, and feel what it was like to align across difference (Razack, 1998), practice solidarity for social justice (Mohanty, 2003), and develop a critical friendship. One of the most personally
profound impacts of my relationship with María has been developing an identity as an ally with someone whom I do not share a similar background.

Learning to align across difference through collaborative research has required reflecting on the risks of speaking one’s voice. Ellsworth (1989) argues that it is impossible to leave social locations of power at the door or to step outside of one’s conscious and unconscious investments in power and privilege. She underscores that not all participants share the same risk in expressing their voice. Michelle Fine et al. (2004) reinforce that equal participation and responsibility does not mean the same for all; “instead, it means endless ongoing conversations among ourselves, always revisiting every decision about who can take risks, who dares to speak, who must remain quiet, and what topics need never see the light of day” (p. 111). Risks of speaking were especially salient our project to represent María’s experiences as an activist for youth without citizenship documentation. My co-author and I often discussed the risks of (not) speaking, and I have learned that speaking and undocumented status intertwine in complex and even contradictory ways. We explored risks associated with revealing one’s immigration status such as deportation or breeches of safety to one’s family. We deliberated on what must be said about the lived experiences of youth without citizenship documentation, how we will say it, what is unsafe to say, and what do we say in private, but never on paper. It is likely that we chose not to say certain things to one another. For each of us there were different answers and reasons for each of these questions, as the relation between speaking and safety meant very different things to each of us given our different social positionalities.

Ellsworth (1989) argues for coalition building across race, gender, class, ability and sexuality based on difference, rather than what is shared by the group. Following Ellsworth, Razack (1998) adds concern for the multiple nature of subjectivity, different constructions of meaning across individuals, and meaning-making that honors differences. As Shauna Butterwick (forthcoming) observed in her own collaborative research, “dis-stances” will always mediate
coalitions across difference. The danger, she contends, *is assuming* the nature of these dis-
tances, how they will emerge, what they will mean to our relationship, and how they might
influence our collaboration. Villenas (2006) suggests slippages from prescribed meanings and
knowledge canons provide the context for new relationships and solidarity to emerge. She urges
researchers to shelve protocol and embrace the ambiguity and contradictions that inherently
emerge in everyday experiences (p. 663).

Through our research collaboration, María and I spoke to one another, and we worked
hard to listen but not necessarily to “understand” in an objective sense, like we could “know” how
each other experiences the world. We were witness to one another. We shared what each other
wrote, asked questions, and encouraged one another to think from different critical angles. We
simultaneously supported and pushed one another.

For me, my collaboration with María represents our attempts to align across difference
and to practice solidarity, according to Mohanty’s (2003) definition:

> I define solidarity in terms of mutuality, accountability, and the recognition of common
> interests as the basis for relationships among diverse communities. Rather than assuming
> an enforced commonality of oppression, the practice of solidarity foregrounds
> communities of people who have chosen to work and fight together. Diversity and
difference are central values here—to be acknowledged and respected, not erased in the
building of alliances. (p. 7)

While we both came from different backgrounds and experiences, we had aligned around
a common concern for students without documentation, and we had decided to research and write
together.
Borders to Cross, or Not

Collaboration also inspired me to know, think, and research from my own positionality, to always question who I am, what I know, and how I came to know it. Villenas (2006) suggests that the (im)possibilities for solidarities across difference are enacted through relationships, and challenged and debated in reflexivity. And this is where reflexivity has landed me—in an exploration of my relationship to geographical borders, feminist activist research, and identity borders. I have attempted to confront the privileges that I can access through my race, class, and citizenship status. Razack (1998) interrogates the possibility of White people “hearing” the stories from the oppressed. She argues that the dominant group’s refusal to examine their own complicity in oppression is a barrier to their hearing (p. 40). While conducting research and writing this thesis, I often confronted the systems of power from which I benefit. Most challenging had been looking at the ways that I am complicit in, and have benefited from, systems of privilege, through which my race positions me on the side of benefit. I have also grappled with research as a practice, and tried to understand my practices within and against the academy through collaborative feminist activist research. Ultimately this critical personal narrative has been a personal experience in making meaning of borders. I explored borders and their relations to power. Then I considered difference as imperative to describing the specificity and contradictions inherent to lived experiences.

In closing, I end by contrasting geographical border-crossings with identity borders, by taking into account the safety that identity borders present. As a White, able-bodied citizen woman, I have been acculturated to the privilege of moving through physical space, although surveilled, relatively freely. Perhaps it is due to the places I choose to go, but I generally assume that I can go wherever I please. Moreover, growing up in a White middle-class family, I realize that I have been raised to believe in certain Western feminist values (interestingly delivered
primarily from my father) to be financially independent from men and that I am free to make my own decisions (regarding, for example, my career, body, or sexuality).

Through this critical personal narrative, I have become increasingly aware that the ability to traverse borders (geographical and socially constructed identity borders) presumes certain relations of domination, and I have challenged myself to interrogate these instilled values. Pursuing scholarship on education policy has encouraged me to not only reflect on my own multiple identities, but to consider how education policies and research practices affect people different from myself. It is not uncommon for me to feel vulnerable in this area of research. I often feel dismay or frustration with being identified as an outsider, usually by virtue of my Whiteness. Considering the values with which I have been raised, I am rethinking the emotional struggle I had typically experienced when encountering cultural spaces where I did not necessarily belong. As I pointed to earlier, Mohanty (2003) contends that borders insinuate conflict, difference and fears, but may also offer safety and security. Borders exclude and borders enable. Mohanty argues that borders create real experiences in people’s lives, and in practice, solidarity for social justice must “work across these lines of demarcation and division” (p. 2). This critical personal narrative has brought me to new insight on the meaning of travelling across borders, that what can be construed as freedom, can also be understood as trespassing, occupying, colonizing, or defining what is not mine. Borders as lines of demarcation and division, depending on the meaning and use of the terms “border” or “difference” can in fact, as Mohanty suggests, cause pain and oppression, but also integrity, safety and security. Awareness of my positionality as a traditional benefactor of systems of oppression does not exclude me from social justice projects; rather, it strengthens the effectiveness of my engagement by ensuring that I learn, think and act from my own positionality.

Anzaldúa (2007) envisages a new consciousness of identities that transcends dualities and rejects patriarchal relations:
En unas pocas centurias, the future will belong to the mestiza. Because the future depends on the breaking down of paradigms, it depends on the straddling of two or more cultures. By creating a new mythos—that is, a change in the way we perceive reality, the way we see ourselves, and the ways we behave—la mestiza creates a new consciousness. (p. 102)

She suggests that seeing, knowing and understanding oneself is critical for understanding one’s own identity. For her, inner awareness comes before societal changes (p. 109). Anzaldúa turns toward inner discovery of the multiple and often contradictory nature of one’s own identities. Her perspectives have influenced a tradition of Latina/Chicana postcolonial feminist thought which hinges on “the messy fault lines of intersecting oppressions and solidarities, the breaking down of dualisms and the embracing of ambiguity, and…the (im)possible articulation of the performative and intangible spaces of decolonizing agency” (Villenas, p. 660). This has been the journey of this personal narrative, and this chapter in general—to interrogate paradigms of oppression, to situate myself within them, and in the end to embrace ambiguity and sit in a place of discomfort and uncertainty. This is a place of reiterative reflexivity and engagement, which to me signals an honest stride toward aligning across difference and engaging in social justice work from my own positionality.

Youth, counselors and I, the researcher, meet at a crossroads. Through historical circumstances, we arrive at the current problematic I present in this research. To look forward will require, as Anzaldúa suggests, creating a new consciousness, “a change in the way we perceive reality, the way we see ourselves, and the ways we behave” (p. 102). This change in consciousness must acknowledge the legacy of Manifest Destiny (which I discussed in the first section of this chapter) to perpetuate racialized positions of subjugation and dominance. The Latina/Chicana and postcolonial feminists, whose theoretical lenses I relied on throughout this chapter, suggest that decolonizing the oppressive construction of geographical and identity spaces
that I have presented in this chapter requires educators and researchers to linger in the
uncomfortable spaces they occupy, conceed to, and potentially seek to resist, in these borderlands.
Chapter 5

Teaching a Depoliticized Discourse of Hope

Hopes propagated in a dream space unrestricted by the cruel authority of an unauthorized immigration status. Educators took strides to help students navigate their aspirations against the impending complications of growing up and being educated without citizenship documentation. In a blunt assertion, María declared that students visualize themselves doing “amazing things,” an impetus fostered by the vernacular of a U.S. education. Educating students without documentation occurs within a “performative contradiction” (Butler & Spivak, 2007), as educators prepare students for their departure from public schools, a place where students are allowed to be, into a society where they are not authorized to be.

William Perez’s (2009) research with high school and college students pursuing an education, while in the U.S. without legal status, recounted their “hardships, accomplishments, dreams, ambitions, and desire to be accepted as regular Americans” (xviii). While reflecting on the students’ stories in his research, I noticed recurrent mention of supportive teachers. Paulina describes an influential middle school history teacher who told her she could accomplish anything if she set her mind to it. She recalls, “I just felt like in a dreamy state every time I was with him. I was like, yeah, I can” (p. 52). In my own interviews with counselors, principals, school-family liaisons, and a high school teacher, I heard similar sentiments: with determination any dream is possible. Few diverted from the chorus of college, while a couple were strong advocates for helping students achieve their goals, whether that included college or not. Nonetheless, their repertoire was consistent as secondary school staff described their professional role as helping youth identify their dreams, and then assisting them by scaffolding the steps to achieve that dream. Christina, a Sahale Middle School Counselor, summarized this common perspective on working with students without documentation:
I think my role is to say, you can do it, it is possible with hard work and dedication, you can do it. That is my role, to tell the kids that it is possible…I really, I firmly believe that where there is a will there is a way. If a kid has gained acceptance to a university, my belief is that we will get them there.

Further interviews revealed the efforts of high school counselors who were trying to bring Christina’s conviction to fruition. Among the generic, yet specific, objective to prepare all students for college and career, educators devised strategies to individualize the steps to achieve these goals. Although they conveyed resourcefulness and ingenuity, most with whom I spoke also expressed a diminished sense of efficacy in their work with undocumented students. Expressions of anguish, powerlessness, and limitations suggest educators’ everyday experiences working with students without documentation point to a deeper social injustice—that all their students in fact do not have equal opportunity to cash in dedication and hard work for a higher education and professional careers. In the second half of the chapter, I focus on the political barriers precluding students’ ability to self-actualize goals for college and career. I analyze how educators make sense of a “false hope dilemma”—a lived predicament that challenges the discourse of meritocracy, a principle around which schooling is organized.

Teaching for College and Career

This section explicates the institution-wide systems that educators at Sahale Middle School and Glacier High School reported employing to groom all their students for college and career. Yet in describing their work with undocumented students, their narratives diverged from mundane routines, and my queries elicited depictions of individualized meetings and afterschool phone calls to immigration law advocates. When counseling those without legal status, actual tasks were far from standard, and required as Patrick explained, “a little more time and effort.”
This additional work challenged a trend in schools to operate like efficient machines, thriving through systems devised to maximize limited time and resources.

In this section, my first goal is to illustrate how mundane daily work activities promoted the production of college-bound and career-driven high school graduates. I use the word *mundane*, not to diminish the work involved in preparing and encouraging youth to pursue higher education and professional careers, but to underscore the routine integration of these goals into everyday tasks. Adjacent to these mundane activities, a second objective is to illustrate the distinctive experiences of counselors, teachers, principals, and school-family liaisons striving to assist those without documentation in also pursuing these goals.

**College and Career Planning is Policy**

Daily high school activities revolved around future-orientated goals: college and career. Every counselor I interviewed described their professional role as helping students articulate their future goals, working with students to map their plan, then encouraging them to take the steps to reach these goals. In fact, having a post-high school plan was a requirement for high school graduation. Among passing required courses, completing a culminating senior project, and passing the Washington Assessment of Student Learning state standardized exam, Washington State required students to submit a “High School and Beyond Plan.” The Office of Superintendent of Public Instruction (2011) suggested that the plan include: personal reflections on one’s life experiences and learning style, intended goals for high school courses, extracurricular activities, sports and jobs, and immediate outcomes following high school. The plan instructed students to draft their plan in the 8th and 9th grades, and revise it continuously throughout high school. Specific guidelines for implementing the High School and Beyond Plan were left to the district. In the school district where I conducted my research, a guidebook for families and students relayed the graduation requirements. Although it included the vague
directives to outline “college, career and citizenship” plans, it solely indicated course selection as the required content to be included in the High School and Beyond Plan.

When I asked what the school does to prepare students for life after high school, Michael pointedly summarized a ubiquitous view: “We talk to kids about college.” College was presented as the natural, and endorsed, next step for students after high school. Among tracking graduation requirements, and counseling students in their personal lives, Patrick encapsulated the work of a high school counselor, “We try to work on getting kids to think about their future, getting prepared for life beyond high school, because that is the ultimate point of high school, your career.” Nieto and Bode (2008) have encouraged educators to set high expectations and prepare all students for higher education, yet I found educators struggled to implement this objective in relation to the obstacles students without documentation encounter when pursuing this goal. In the following subsections, I consider how this broad policy for developing a High School and Beyond Plan was implemented through daily school activities, and I share some brief narratives through which participants recounted the friction they experienced when engaging youth who did not possess authorized status in these activities.

**Career exploration.** Secondary school counselors engaged students in career exploration throughout their schooling. Beginning in middle school, counselors introduced career exploration at every grade level through which students researched a career and identified the post-secondary training required for the occupation. Even at this level, students were encouraged to construct a portfolio, saving their best works and charting their early career plans. Both middle and high school counselors utilized a computer-based career profiler to help students to document employment interests and complimentary educational programs. Student career interests subsequently shaped their educational trajectory. For example, career interests informed the customization of high school course schedules.
Further career counseling incorporated internships, opportunities to experiment with vocational trades, or take classes at the local technical college. Students took field trips to Job Corps\textsuperscript{10}, a free education and training program administered by the U.S. Department of Labor and designed for low-income youth to earn a high school diploma or General Education Diploma (GED) while learning a vocation. While discussing typical career preparations that counselors do with students, Anthony shared this story with me:

When it comes to undocumented youth, it’s sad to me. I have a young man right now who would be perfect for Job Corps, but he can’t access it because he doesn’t have a social security number. He is undocumented, so, it’s hard, because that is what he wants to do. It would be perfect for him because he is a teen dad, and he wants to get skilled in a short amount of time. He would be able to provide for his family.

Educators invited local employment agencies into the schools, or took field trips to introduce students to potential careers, and in doing so, they witnessed the actual barriers students experience in their own career aspirations, and the larger implications this would have on their lives and families. Anthony noted that his student wanted to acquire employable skills in order to gain work and provide for his new family, but he was unable to pursue this goal due to his status. Although his ambition and responsibility to his family aligned with Job Corps, he could not participate in the program.

\textbf{A college bound curriculum.} A college focus dominated the schools’ atmosphere. College literally decorated the walls of the schools and the staff within them. College banners populated the walls of the middle school and once a month staff members wore sweatshirts from their alma mater. All seventh graders and juniors participated in college campus visits. College permeated the academic curriculum as well. By sophomore year counselors introduced Advanced Placement courses and Running Start as opportunities to begin accumulating college credits,

\textsuperscript{10} \textit{Job Corps}\url{http://www.jobcorps.gov/home.aspx}
meanwhile amplifying the attractive rigor of their transcripts for future college admission applications. Students interested in trades were encouraged to attend the technical college and pursue certifications while still in high school.

Targeted programming intended to support potential first generation college students, especially those from historically marginalized groups, for college was also offered. At Canyon Creek Community Centre, Anne coordinated a daily homework club which utilized college tutors. Sahale Middle School also partnered with the local university on a college pipeline project in which college tutors provided academic tutoring during school hours. Both schools incorporated the Advancement Via Individual Determination (AVID) program to support low-income potential first generation college students. In this program students learned academic skills such as note-taking, organization, and critical thinking. Michael explained the AVID program at Sahale Middle School:

It is for students who are sort of in the academic middle, the traditional C, maybe even D student, who doesn’t necessarily have a tradition in the family of going to college. We start them in 6th grade and we start to teach them the skills that they will need to be successful to go to college. But it is also teaching them to believe in themselves, that they can go to college, which for a lot of these kids is not even in the picture. So, AVID really, it’s a national program, really hits that hard. And it’s been proven throughout the country to be effective. I think it is currently in 15,000 schools now around the country, and growing. We’ve had it here, this is our forth year.

All of these college-bound initiatives encouraged middle and high school students to visualize themselves in college. They learned about applying to colleges and financial aid, and visited various universities throughout the state. Local college students served as role models in each of the initiatives.
In its fourth year of operation in the middle school, approximately a quarter of the student body was enrolled in AVID. Anne noted that the students enrolled in the AVID program were “high achieving” and they attended the Canyon Creek homework club every day, exhibited high motivation and “work[ed] hard for their grades.” Maribel, although she did not work directly with the AVID program, pointed out that most of the students without documentation in the program were on academic probation.

**Financial aid and funding initiatives.** Complementing college promotion, participants described initiatives to teach students and families about applying for financial aid and scholarships in order to fund higher education. At the middle level, conversations about financial aid and scholarships intended to motivate students, letting them know that low-income is not a barrier to higher education. Robyn described a guidance lesson at the middle level that promotes the College Bound Scholarship, noting that advertising the scholarship was “a big part of what we do.” (See Appendix F for a copy of the College Bound Scholarship application). The scholarship pays for all tuition at a state higher education institution not covered by other state financial aid. Students are eligible for the College Bound Scholarship if they meet family income requirements, graduate from a Washington State high school with a cumulative GPA of 2.0 or higher, maintain a clean criminal record, and also submit a Free Application for Federal Student Aid (FAFSA) (Washington Higher Education Coordinating Board, 2011). Robyn admitted that not all students would qualify for the scholarship, but she considered its promotion as an opportunity to encourage students to begin thinking about college. She explained, “For me, it is important that we are getting this out to kids. And not all kids will qualify for it but it opens the conversation—now is the time to start thinking about college. And if you don’t qualify for this, there are other scholarships out there.” Anne, Maribel, and Christina echoed the goal at the middle level to sign students up for the College Bound Scholarship. But the scholarship requires a social security number and submission of a FAFSA. Committed to helping students envision themselves in
college, Robyn was troubled by the possibility that undocumented status might exclude a student from higher education. Robyn had a contact at the Washington State Higher Education Coordinating Board\textsuperscript{11} who encouraged her to have students fill out the College Bound Scholarship, leaving the social security field blank, in case legislation in the future might allow students to access state need grants.

Focus shifted as students neared high school graduation, from motivating students for college with the knowledge of financial aid and scholarships, to actually applying for and acquiring funds for higher education. Glacier High offered financial aid nights, some specifically for Spanish-speaking families, that explained the confusing terrain of funding higher education. Counselors also coordinated financial aid filing nights where school, university, and community volunteers helped students and families complete the FAFSA. Yet without a social security number, students could not apply for FAFSA, nor take advantage most local private scholarships.

**Strategies to Mitigate the Opportunity Drought**

Alongside the friction between undocumented students’ actual experiences within general systems set up to groom students for college and career, the educators I interviewed had devised strategies to help students fulfill their college and career goals, and overcome the opportunity drought. Strategies included: (a) collaborating within and across institutions, (b) developing deep

\textsuperscript{11} “The Higher Education Coordinating Board (HECB) provides strategic planning, coordination, monitoring, and policy analysis for higher education in Washington, and administers state and federal financial aid and other educational services.”

http://www.hecb.wa.gov/about/index.asp

The HECB administers the College Bound Scholarship.
and trusting relationships with youth, (c) reflecting continuously on the appropriateness of group processes and individual outreach, and (d) developing knowledge of immigration processes.

**Collaborating within and across institutions.** When serving students without documentation, collaboration among colleagues, colleges and community agencies emerged as an integral activity. Among the participants I interviewed, many were connected with one another already. For example, Anne and Patrick collaborated to match students with scholarships. Miriam, Anthony, Julie and Patrick worked together regularly to carve out individualized plans for students. Anne identified a professional collaborative (which I was also a part of) as an important outlet for her to strategize ways to support students without documentation.

Many of the participants described their connection with Victor Mendoza, an admissions counselor at a local university. Victor offered presentations to classes or clubs. He also met with students to help them navigate potential career pathways, and college majors that do not require licensing or certifications that might demand fingerprinting, social security numbers, or a background check. Patrick relied on his personal connections at university admissions and financial aid offices to assist students in their transition to college. He wanted to assure that he recommended colleges that would be supportive and safe for students without legal status. Throughout the state, he was aware of a few colleges that had tailored support services. If he were unfamiliar with a college of interest, he would call and screen the admissions advisors to assess general attitudes about serving students without documentation.

**Developing deep and trusting relationships.** Although not common across all of the interviews, both Patrick and Maribel underscored a core value for developing meaningful and trusting relationships with students and families in order to best support them. Relationships were central to Patrick’s work as a counselor and Maribel’s work as a school-family liaison. Patrick recalled a story about helping a student transition from high school to college. He described this as a critical incident through which he gained the trust and confidence of other students:
Years ago, I had this crazy scenario with a student. She had crossed the border with her grandmother, her grandmother fudged on the paperwork, and said that she was born in the U.S. or something. She was actually given a social security number, which is great. But then they went back to Mexico and when she went across illegally with her parents, her parents put down a different name than her grandma had put down. So, long story short, we had to go through a process to make it seem like her grandmother was her biological mother, because that is what her social security and birth certificate said.

We met with a lady her grandmother had found, she was going to tell us the process, how we are going to go from who she is to who the government thinks she is. I think someone in their neighborhood had been deported and that’s when grandmom and mom said, you are going to be next, the rest of us have green cards, but you are totally undocumented. So the process really became, she had to essentially drop out of school and get her GED, because she couldn’t graduate with a diploma under the name she had in the school district. That name was undocumented. She wanted to go to college, get financial aid, so she had to go under this other name. But she couldn’t receive financial aid under the name that she had been calling herself since she was two years old.

So we just closed up her records here. I got a lot of people in the school to just take my word for it when I said, you have to sign this. I didn’t tell them why, because I wasn’t sure what everyone’s reaction would be. Most people said, okay, sure I’ll sign it, I will just trust you. And I would say, you know if we ever went to court you can go on the witness stand and say you honestly have no idea what you are signing which would be true. So we closed up her files and she went over to community college, and she got her GED. I helped her with the process. I went to her GED graduation. Now she is hopefully going to be transferring to the local university soon.
I figure she’ll go on, become a better citizen and get a good job. Maybe she’ll help someone else out. That is what the real purpose of high school is, to prepare these students to be positive contributing members of their community. So if she was undocumented, living in poverty, she is not helping anyone out. She is just repeating the poverty cycle. Well, now she is making it.

So I think after that situation, kids heard about what I did for that student. They said, “Obviously, he is on our side.”

Patrick in particular shared many stories with me about individual students’ scenarios, mapping out the tailored and unique support that he offered each. He seemed highly involved and the most reflective of all of my participants on the experience of living in the U.S. without documentation. He said that one of his biggest challenges had been “having to learn all the different things that undocumented kids and their families have to go through,” from the particular processes to applying to and financing college, to the fears that they carry on a daily basis, and struggles of deportation and family separation.

With honesty Patrick discussed with students that their opportunities are unfortunately limited without legal status, and he advised students away from college majors that would require a social security number for certification, such as teaching or health professions. In addition, he candidly admitted to students that he does not know what it is like to be in their position. Still, he was willing to listen, and he indicated that sometimes he has “heart to hearts” where they spoke about both challenges and future possibilities.

**Discerning appropriateness of group and individual systems.** Time was a commodity at the schools, and with a 450-student caseload, counselors had to be strategic in their outreach to students. Educators frequently employed group processes to temper their overwhelming workload, but some differentiated when group processes were instrumental or when they were an impediment. Unreflective reliance on strategies, such as mass assemblies or reaching kids
through group processes, meant it was challenging to offer the individualized support students without documentation often required. For example, Glacier High School organized a FAFSA filing night where staff members helped students and families complete the application. Yet a social security number was required for FAFSA. This typical avenue for helping low-income students was not valuable for families without documentation. With specific scholarship assistance, individualized help was more effective—if the staff person had a pre-existing trusting relationship with the student.

At other times, group strategies, such as the AVID program, still seemed effective. Patrick placed students in the AVID program because he felt that AVID students received more individualized and intensive attention. He described an instance working with a student through the AVID program:

This is our first year having AVID juniors, so in two weeks I am going to help the kids write their personal essay for college applications. That can be challenging for undocumented students. I’ve been working with a student already to write her college application and scholarship essay. It’s been hard helping her write out that her parents were deported last year. Mom and dad are gone, and she is living with her brother. Her mom said specifically, “We do not want you coming back to Mexico.” The father got deported and mom said she was going to join him. Her mom came in to me and said, “She is not coming with us, she is staying here. She was born here for a reason and we want her to be an American, so she is staying here.” Her and her brother have citizenship status. Her brother is older. Her grandfather lives in town, and their uncle lives not too far away. It was tough for her to write it out because there is always the fear of if I write this down the government is going to find out. I told her, “It’s going to be okay, they are not going to come searching for you.” I helped her write the essay and then I had to meet
with admissions people who were going to be reading it, because that made her feel more comfortable.

Through the AVID program, Patrick had consistent access to these students and could provide individualized support to them. The strategy I am pointing to here is reflective attention to the usefulness of group scenarios. Sometimes group processes were effective, and sometimes they were ineffective. It was up to the practitioner to determine the purpose of the group process and whether it was also meeting the needs of students without legal status.

**Gaining knowledge of immigration processes.** Most of the high school educators with whom I spoke were actively pursuing knowledge about immigration laws to help students pursue legal status. The interview participants were not experts on immigration processes but engaged in research to learn about and share information with students and families on pathways to legal residency. Miriam described soliciting advice from a law advocacy center on how to legalize one’s status. Anthony described a scenario when he wrote a letter of support to Immigration and Customs officials regarding a student who had been deported. Patrick arranged meetings between students and a pro-bono immigration lawyer. He also encouraged students to research their particular situation and pursue citizenship if possible. He drew on his connection with a local university admissions counselor, Victor Mendoza, and invited him to speak with students about his own experience gaining permanent residency.

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12 For a brief summary of pathways and eligibility requirements for permanent residency and citizenship, see the section “Policy Context” in chapter one. However, it is important to note that per the Immigration and Naturalization Act (2010), anyone who entered the U.S. without authorization will be ineligible for a permanent residency visa. The DREAM Act is proposed federal legislation that would create an outlet for students without documentation to legalize their status.
Rattling Student-Centered Practice

Students learn and educators teach within a performative contradiction. *Plyler v. Doe* guarantees students’ access to a public K-12 education. Although the physical presence of those without documentation was permitted in the Glacier School District, the daily focus of schooling was focused on future orientated goals in which they could not participate in fully. At school, everyday activities were organized around college and career preparation. The High School and Beyond Plan made these objectives policy. Students began in middle school developing a career-planning portfolio and they chose course schedules that supported their future career plans. College bound initiatives such as the AVID program guided potential first generation students to pursue higher education. Educators also shared about financial aid and scholarship opportunities to help students and families envision the feasibility for attending college. Each of these everyday activities assumed students were authorized to be in the United States. However, when those without documentation actually graduated high school, they left the meager, yet vital, political protections that a public education offers, and they entered a social world where they were unable to actualize the goals they had been encouraged to develop throughout their K-12 education.

Many of the counselors were challenged to perform their conviction for a student-centered education when advising students without legal status. Student choice and interests had been central to the guidance that educators offered to the general student body to develop their future plans. Anthony expressed a core value for helping students “figure out who they are and what is important to them.” With the student as the “driver,” he wanted to assist them in figuring out the steps and resources necessary to achieve their goals. The educators I interviewed had devised strategies to navigate the constrained opportunities their students without legal status were facing. They collaborated with colleagues within their school, and with representatives from community
organizations and colleges. Although not as common, some of the most effective educators developed deep and meaningful relationships with students where they could share honest conversations about opportunities and struggles. In another strategy, educators considered the effectiveness of group processes for those without documentation, and chose when to offer generalized information in a group setting, and when to target individualized support. Of course any individualized support required an initial trusting relationship. Finally, educators researched immigration processes, developed contacts with law advocates, and shared information with students and families.

Despite their resourcefulness and strategizing, experiences working with students without documentation disrupted this common student-centered orientation and seemingly diminished educators’ sense of efficacy. Echoing a common sentiment, Anthony called himself “impotent.” He stated, “There is a lot of angst in me about undocumented. I just feel like there is so much I want to be able to do that I can’t do for people because of the constraints.” He defined his sense of powerlessness against the political realities that students face growing up and being educated in the U.S. without legal status. Anthony yearned for these youth to have options and follow their dreams, but given the limitations of status, he experienced an inherent tension in how he could do his job. Many participants shared similar frustrations for working in a helping profession, yet not being able to help due to the larger political context that precludes students from actualizing their dreams without legal status. Miriam sighed, “You want to encourage kids, but you don’t want to set them up for false hopes.”

Throughout my interviews with educators, many resigned to feelings of powerlessness in helping their students without documentation, exhibited in sentiments akin to, “I just don’t know what to do.” In fact, most expressed a grateful anticipation for my research findings, hoping that I would offer resources and effective practices for supporting their students’ transition from high school. This conundrum—not knowing what to do—is a profound quandary resulting from ruling
relations. Campbell and Gregor (2004) suggest that these moments of disjuncture point to a friction between knowing something from a ruling perspective and knowing something from an experiential perspective (p. 48). In this instance a student-centered approach clashes with the political reality precluding students from actualizing their ambitions, leaving educators in a state of disequilibrium on how to enact the basic values and strategies foundational to their jobs.

An institutional ethnography seeks to illuminate the social relations, organizations and forms of power operating through mundane everyday activities. By surfacing taken for granted assumptions in organizational practices, institutional ethnographers identify the ruling interests at work in policymaking and program implementation. In this case, the advancement of ruling interests depends on a depoliticized student-centered approach. My argument is not to discredit a student-centered approach, as I also value an educational trajectory grounded in the interests and passions of youth. Instead, I point to this disjuncture to surface the political structures which sustain the disenfranchisement of those without documentation. Despite esteemed values for student-centered education and the strategies that educators employed to help even those without legal status pursue their dreams, political limitations on status prevent the full realization of one’s aspirations. I continue to explore educators’ responses to this dilemma in the following section.

**The False Hope Dilemma**

On May 1, 2011, I participated in a Labor and Immigration Solidarity March in a farming community 20 miles south of the district where I conducted my research. An unseasonably warm sun lit up a previously damp gray sky and reflected off of banners with slogans such as “No one is illegal” and “We are one. Respect our rights.” A few steps in front of me, leading a sea of about 500 protesters were a group of students, also members of National Movimiento Estudiantil Chicano de Aztlán (MEChA), from the local university carrying a banner craftily constructed out of Tyvex and red paint that read “SI, SE PUEDE.” One of these students had donned a shirt that
said, “I am a Dreamer.” Students who are undocumented yet engage in political activism often identify as Dreamers, signaling their advocacy for the DREAM Act. A few paces behind me in the march, I noticed a cadre of middle and high school teachers protesting what was seemingly becoming an annual slew of proposed budget cuts. Their signs pointed to the detrimental impact of budget cuts on services to migrant youth.

Parents pushed babies in strollers. Call and response chants propelled elders and youth along. Reporters captured photos on the sidelines, supporters passed marchers drinking water, and police formed a barrier between marchers and traffic; all this activity resounded with a cacophony of dissenting slurs and car horn honks of solidarity. The overall demand from the marchers: reform immigration laws that criminalize and devalue laborers and students. Students led, and teachers marched in solidarity.

The teachers’ presence in the march propelled me into deeper reflection on the work of the school professionals I had interviewed. I reflected on their strategies to help students navigate the college and career pipeline. Yet a political reality constantly interrupted my considerations of their ingenuity, care and resourcefulness. Without a pathway to legalize their status, these students face inevitable oppression within U.S. society.

Through successive readings of the transcripts, I noticed a recurring fracture point once I shared “the false hope dilemma,” a simple assertion that emerged through early conversations with María:

College students who are undocumented sometimes feel frustrated that everyone around emphasizes that if you just work hard and do your best that you will succeed academically and professionally. Yet for this person, this view conflicts with barriers for accessing higher education or getting a job after high school.

A rupture occurred at this point in the interview when I invited participants to reflect on the political and economic obstacles confronting students’ college and career goals. Here they
seemed to enter a deeper consideration once presented with the confounding and disrupting claim: without legal status you can’t get a job and you struggle to finance higher education. In Tom Nerini’s (2008) research, college students without documentation expressed a jumbled mix of hope and despair in relation to their education. He explained that while students prepared for college, fueled with hope and possibility, their excitement was tempered with the “cost of education, the risk it puts their family in, and the idea that they may never be able to use their degree for employment in the U.S” (pp. 111-112). When I shared the false hope dilemma, participants heard, some of them perhaps for the first time, that principles of equality and merit through which they organized and rationalized their work were not in fact natural and inevitable, but politically and economically constructed.

In this section I explore educators’ responses to the false hope dilemma, which fractured the work of educators whose daily activities were organized around a discourse of meritocracy that was central to ruling relations. Fine and Weis (2005) describe fractures, cracks and fissures as sites for peering into social reality. Fractures are critical windows through which individuals confront “structures, policies, practices and relations that organize, naturalize, and ensure persistent inequality” (p. 74). Here I place participants’ perspectives on the false hope dilemma in dialogue with one another, and with María and Dreamers (Richardson & St. Pierre, 2005). I consider how they made meaning of the false hope dilemma, and whether they contested, affirmed or reconstructed María’s interpretation of the “problem” of meritocracy.

**Enacting a Depoliticized Meritocracy**

Many participants echoed a central concern expressed by Anne, “How do you motivate students to engage in school, when their college and career options are limited?” As I discovered and relayed in the previous section, everyday school activities were organized around preparing students for college and career. When confronted with the false hope dilemma, the threat of de-
motivation festered among participants. Their concern for student motivation seemed to hinge on whether or not they believed students suffered from stress related to their status, or whether middle school youth were even aware of their status at all. Those who had observed families impacted by deportation expressed broader concern for the influence of immigration policies on students’ lives. Although participants interpreted and responded to the false hope dilemma in different ways, each person’s account pointed to the relations of ruling that were coordinating school practices according to a depoliticized construct of meritocracy.

**Educators’ struggles with hope.** The problem that the false hope dilemma evoked for Maribel, Anne and Christina was how to motivate students in school in light of broader social and political contexts that limit college and career opportunities for unauthorized immigrants. However, they differed in their opinions on whether or not middle level students were aware of their status. These divergent perspectives may have emerged from their various professional locations within the schooling system.

In their roles as school-family liaisons, Maribel and Anne had witnessed the aftermath of numerous deportations, and youth’s personal struggles dealing with separation from family members. Anne’s work office was located in a community center in the housing complex where some families without documentation lived. Maribel conducted numerous site visits to families’ homes and facilitated parenting and family programs in the community. Their work was designed to bring them into close contact with the life circumstances of students and families beyond school walls.

Anne shared a story about a middle school student who learned about his status and plunged from being “a really high achiever” who was “driven and motivated” into a “huge slump.” She attributed his decline in extracurricular activities and participation in the Canyon Creek homework club to his discovery of his status following a family member’s deportation.
Anne imagined that other students must also deliberate over the (im)possibility of actualizing their own hopes and dreams.

I asked Maribel how she motivated students in school once they learned about their status. “I lie,” she quickly retorted, paused and then elaborated on her personal, professional and political struggle:

I tell them, there is hope there. I mean it’s not lying, but I just make them feel like, things are going to change, you know it is a law [the DREAM Act] that might happen. You know, and I just try to make them feel like they can keep going, like something is going to change. Sometimes I feel so bad because they go and they get a little bit of their hopes up. But at the same time, I don’t even know…And that is the part where I am, and I hear all these other parts, how this law [the DREAM Act] may not pass, you know what I mean. And it is just hard to lie to the kids, when I know that reality is different. But, I just don’t want them to say, I am going to drop out…they say a lot of that. They constantly talking about dropping out, because they know that if they can finish high school, but after that there is not much hope.

In Anne and Maribel’s interpretation of the false hope dilemma, they expressed frustration for “freedom” and “equality” constructed as privileges only afforded to some, and excluded from others. They made meaning of the dilemma in relation to their own doubt and frustrations with exclusionary immigration policies and a hostile anti-immigrant social and political context. They had witnessed youth lose family members to deportation, and subsequently lose motivation in school.

Christina suggested that middle school students do not know or feel the effects of their status, thus eliminating altogether the problem of motivating middle school students in relation to their immigration status. Her perspective that middle school students were uniformly unaware of their status led her to assert that undocumented status does not impact students at the middle
school level; rather, she felt students’ challenges were centered around being English Language Learners (ELL). She emphasized that ELL students arrived at middle school behind in language development, and this was the predominant factor impacting their middle school education.

This perspective shaped her approach to working with students who were undocumented. For her, since status was a non-issue, she did not discuss with students the college and career challenges they would face. In fact, Christina specifically recommended not talking to students about the implications of their status. She emphasized that she was not willing to compromise a student’s academic motivation, when high school graduation is still 4 years away, and political change is still possible.

Likely drawing on their training in psychology, both of the middle school counselors, Christina and Robyn, suggested that middle school students were developmentally incapable of comprehending the complexities of their status. Christina warned consistently throughout the interview: “I would be really cautious about overloading younger students with too much information. Because they don’t hear everything you say. They can’t. As adults we see the bigger picture.” Earlier she stated, “I don’t want to tell undocumented students that the opportunities aren’t there today because they will hear that and believe that is it.” Robyn also suggested that students in middle school are not developmentally at an age where they are thinking about potential future obstacles in pursuing college and career. She believes the questions posed in the dilemma will emerge when they are older.

Anne, Maribel and Christina all concurred that knowledge of unauthorized status would de-motivate a student. Christina was concerned with preserving an untainted motivation, whereas Anne and Maribel wondered how to amend a bruised or compromised motivation. At the middle level, participants’ perspectives on motivation were differentiated by their perception on whether or not students were aware of their status. Occupations as school-family liaisons afforded Anne and Maribel positions to have first-hand experiences with students and families coping with the
influences of deportation. They observed and listened as youth struggled with the purpose of education within the political context constraining their lives. Christina’s position as a counselor, whose work was primarily located within the school, may have had limited her exposure to families’ circumstances and contributed to her belief that students do not know their status. Anne, Maribel and Christina’s professional locations may have influenced the level of urgency in which they reflected on the political context circumscribing students’ lived experiences.

If there is a will, what is the way? The false hope dilemma seemingly undermined Maribel, Anne and Christina’s identities as professionals who were employed to help students bring their dreams to fruition. Counselor and school-family liaison work was coordinated by a depoliticized discourse of meritocracy that motivated students to work hard in school in order to achieve their self-determined ambitions. They struggled to make sense of their professional roles, which had positioned them to produce college-bound, career-driven students, irrespective of an oppressive political context facing those without legal status. In a sense, their student-centered approach, which directed educators to focus on the ambitions and motivations of students, concurrently required educators to disregard the context of these students’ lives. Anne confided:

It is hard to tell a kid that they may not be able to do what they want. Because we all grow up thinking that we can fulfill our dreams, that we can do what we want. You can be an astronaut. In this country that is what it is all about, having the freedom to do what you want. And these kids don’t have that.

Christina seemed particularly struck by the false hope dilemma, and continuously returned to it throughout the duration of the interview. This seemed to be a new emerging tension for her, pondering the idea of whether or not students without documentation are “lied to” by the educational system. As we concluded the interview, Christina revisited the dilemma, responding with a strengthened conviction that with dedication one can find the means to attain their desired goals: “I think, and I really, I firmly believe that where there is a will there is a way. If a kid has
gained acceptance to a university, my belief is that we will get them there. And I don’t think it’s a false hope, I think it is doable.” She believed that along the way, different people would support these students. Her role as a middle school counselor was to encourage students to pursue their dreams and instill in them the belief that they could achieve them if they tried.

Here the false hope dilemma catalyzed Christina into wrestling with her professional role. Her remarks especially highlighted educators’ conundrum when working with students without documentation—caught between encouraging students with the empowering inspiration of “where there is a will, there is a way” and political structures that limit student agency. In our interview she strengthened her conviction that hard work and resilience would yield college access. Assertively, she responded almost directly to the subject of the dilemma:

She still walked out with a high school education that she might not of had. So I get it that she is a little pissed off, but I’m not going to change my approach for that reason. And she’s there [at university]. Whoever was angry with you, whoever was angry with us, her butt was sitting at college, right? So she got there. I mean, so if she needs counseling, okay. I’m not kidding. To me, that is a success story, that that kid was undocumented and her little toosh was sitting at the university, then it worked.

While this student’s achievement is remarkable and Christina’s indefatigable conviction for determination is inspiring, Duncan-Andrade (2009) warns educators against sitting too comfortably with what he deems “mythical hope.” He explains:

Mythical hope is a profoundly ahistorical and depoliticized denial of suffering that is rooted in celebrating individual exceptions. The individuals are used to construct a myth of meritocracy that simultaneously fetishizes them as object of the myth. (p. 184)

Christina conveyed a strengthened conviction for the concept of meritocracy, perhaps struggling to make sense of the dilemma in which her professional role had landed her. She even suggested individual counseling for the student who shared her perspective in the false hope
dilemma. The example of the undocumented college student may have offered a rebuttal to the critique of meritocracy imbedded in the false hope dilemma. The student offered hope to a counselor whose work was governed by such discourse.

The depoliticization and decontextualization of discourse such as “where there is a will, there is a way” corners educators into a moral predicament. If individual choice and determination is positioned as the sole factor for determining one’s future, the critique central to the false hope dilemma undermines professionals’ ability to support the education of students without documentation. If she did not believe, “if there is a will, there is a way,” Christina was left with nothing to do with these students.

Within a school system and curriculum centralized on producing college-bound and career-oriented students, ruling relations governed a depoliticized enactment of will. Through schooling activities, students and educators were positioned to perform individual choice and self-determination, irrespective of the political structures that actually constrained the equality of opportunity. By coordinating schooling practices that exclusively focus on the choice and will of students, ruling relations obscure political strategies for reconciling the false hope dilemma, such as the DREAM Act or immigration reform.

“I Just Have to Rise Up”: Fostering Real Hope through Political Action

María longs for educators to propagate a real hope—a combination of individual mentoring with political engagement to alleviate social, political and economic restraints. Real hope underscores political action targeted at redressing the drought of opportunity those without documentation experience. Patrick and Julie shared stories with me about their political engagements in demanding immigration reform. Their activities suggested that they were confronting and contesting the political context framing the lives of students without documentation. Julie explicitly addressed a flawed immigration system that systematically
disenfranchises undocumented youth. Her initial response to the false hope dilemma was that she agrees “100 percent.” She claimed that she instilled hope in her students, not only by encouraging them academically, but also by engaging politically herself. She declared, “It’s just so hard sometimes to motivate these kids. But I motivate them with hope. I still believe that we can change things if we really want to and need to. I just have to rise up.”

Her passion for activism permeated her classroom as well, encouraging students, although they might not be able to vote, to engage in politics nonetheless, pressuring politicians and publics to support their causes. With those who were undocumented, she underscored the importance of understanding the laws that impact them, and engaging politically, for example by talking with government representatives. I asked her what she does to support students without documentation; she bluntly responded, “I teach them. There is really no differentiation based on documented or not…their brains are all the same.” English and U.S. History were her subjects, but human rights and equality were her platforms. English grammar, composition, politics, democracy, and immigration dominated the substance of her course content. She incorporated opportunities to share about one’s personal identities and experiences in relation to these academic topics. She expressed a deep conviction for teaching students about their right to live free of prejudice, and although she confessed that she didn’t always do it well, she tried to manage her classroom according to this principle.

Although Patrick worked diligently with students to help them navigate their transitions from high school and carve out future opportunities, he also reflected on the limitations of what he could do to help. Beyond the borders of the school walls, students faced real political and economic barriers, which he acknowledged he could not immediately relieve. He thus engaged in political activism to tackle the larger political context of students’ lives. For instance, he described his participation in a Labor and Immigration Solidarity march. He helped students
organize their participation in the march, and then joined them in solidarity. After the march he co-authored an editorial with a student which was published in local newspaper.

Once in conversation with each other, María, Patrick and Julie offer each other different angles on real hope, which extends to Maribel, who suggested that she sometimes she feels “little,” and Anne, who described her feeling of “powerlessness” in effecting change. Julie was involved in political advocacy, but at the same time she did not seem informed about how students can access college scholarships, nor did she know about the process for students without legal status to apply for college. Patrick’s practical knowledge about college application processes, outlets for scholarships, and strategies for connecting students with supportive universities highlighted the immediate ways that school staff could assist individual students in their transition from high school. Christina’s conviction for determination in the face of overwhelming challenges was also profound. Nerini (2008) found that students’ motivations for higher education often hinged on the unwavering support of others. He explains:

The notion that others were counting on them to succeed was a recurring theme. Each of these students seemed to be motivated by the sense of others, whether that is as a role model, helping others, or those others who helped to support them and make college possible. (emphasis in original, p. 121)

However, sitting too comfortably with these students’ resilience and success runs the risk of disregarding the political barriers that must be dismantled. As described in the first half of this chapter, I observed educators’ strategies to help students navigate college and career opportunities amongst marginalizing immigration policies. Yet these practical tactics are not enough to resolve the opportunity drought inflicted by an undocumented status. A blend of passionate encouragement to succeed, practical knowledge about navigating the college pipeline, awareness
of the political context framing students’ lives, and a commitment to political activism captures most authentically María’s vision for educators’ role in fostering *real hope* for students without documentation.
In my interview with María, I asked what motivated her to become an activist for students without documentation, and she relayed to me the following story:

*Engine Parts*

It’s just so close to home, it really hit me hard. It hit close to home when the factory was raided. The church asked for volunteers, so I went and translated for a family. I spoke with a woman, and I could see that she didn’t want to cry. Her eyes were really red. She fiddled with a paper, avoiding eye contact, and watching me take notes. She told me about her brother, while her two daughters played, in their own imagination, far from the intense reality.

At the detention center her brother signed a paper. One thing that people don’t know, don’t sign anything without a lawyer. He didn’t know. “Volunteered” himself to Mexico.

Her brother was being deported.

Tugging on her mother’s shirt, pulling on her hand, the kids were grasping for her mom’s attention. As she picked up her daughter, she finally looked up at me.

I asked, “Can we help with money and food?” Then she poured her heart out to me. She told me their family had nothing. No money, imminent eviction, and they are barely getting by with donated food. Barely making it. Her brother, who had provided for them, is now gone.
I didn’t know how to respond about her family. I didn’t know what to do. I felt as lost as her. I wanted to give her a hug, and at the same time I was still a stranger. I didn’t want to bring out more pain or make her cry in front of her children.

Her children reminded me of my nephews. They were just playing, wondering, “When are we going to eat?” I saw my mom there. My mom would not cry; she would not want to show weakness. She would pretend everything was okay. I saw my sister there. I saw me there. We could have been in the fields, in that factory. This interview could have been with us.

The raid was unjust. After the interview I had to do something.

Our families are forced to live in the shadows. Living in the shadows can’t be our only option. Something needs to happen. It wasn’t right.

I know the fear of possibly being separated, but that day the fear became a true reality, not just a possibility anymore. This wasn’t right.

I’m tired of being in the shadows. I’m tired of laws that are about us, yet neglect our opinions and feelings.

It was time for me to step out of the shadow and fight for a better future para nuestra comunidad. ¡Ya estoy lista! I am ready! In my journey for equality for all, I’ll have her in my heart!

-short story by María del Rosario Corona Horta and Sara Radoff
In explaining the above story to me, and threaded throughout subsequent conversations, María explained to me that fear and worry are rocks on a shoulder in every situation. She always stressed the ambient anxiety ever-present in the daily life of someone living in the U.S. without legal documents. The possibility of deportation always lurks. Nerini’s (2008) research with seven college students revealed how the threat and actual consequences of deportation—to the individual or one’s family—impact students’ everyday experiences (p. 85). He found that deportation causes severe emotional and economic stress on families, and most guard their status with extreme caution. The participants in Nerini’s study also explained that they hide their status from friends, teachers, employers, or anyone in authority positions, out of fear for hateful attitudes and negative perceptions of immigrants (p. 101). A heavy silence enshrouds one’s status. María and I discussed this silence as simultaneously a protective and oppressive shadow. As an advocate, María had delicately navigated the conversation with the mother in the story, careful not to force her into a position of disclosure. At the same time, she declared herself as an activist, ready to confront the political systems that cast the shadows of inequality.

Because of the real and detrimental consequences of having one’s status exposed, as well as the emotional weight connected to an undocumented status, the school staff members I interviewed also expressed a sincere sensitivity to families’ pervasive fear. Most participants in my research shared at least one story of a raid or deportation that impacted their students, for example:

Anthony: Kids and their families get nervous, because like I have had kids whose parents work for the company who makes motors in town. And they had a big raid, and so people got deported. So it really shakes up the family, because maybe dad gets sent back to Mexico. Or something happens, and there is a lot of anxiety around that. Kids are nervous about getting deported from school, maybe, although that wouldn’t happen.
Julie: Within the second semester I had 5 students who had one family member or another, a mother, a father, or both, or an aunt, people they were dependent on to care for them were snatched up outside the homes.

Patrick: Some of the other challenges are, specifically with our undocumented students, deportation, especially students who, they were born here, but their parents are undocumented. That can be really tough, well my dad is gone. That means a large part of the money that was coming to the house is gone, and the kids don’t want to talk about it because of fear of certain teachers, or fear of what other people in the community would say. I think, specifically, I had a student who apparently, someone else in their community told on their family, and that’s why her dad and uncle got deported. So, she was pretty paranoid. I found out through the grapevine, and her and I talked about it. She said it was scary, because she said it was somebody she knows told on her family.

Emboldened by these deportation narratives, all work activities intending to support those without documentation are steeped in a silent tension. Everyone I interviewed expressed deliberate sensitivity to the vital discretion they must exercise in their work out of respect for students’ fears, as well as caution toward the detrimental consequences that students and families would experience if their status were exposed. Yet in contrast to educators’ intentions, certain institutional documents—the Washington State Higher Education Residency Affidavit and the National School Lunch Program/Breakfast Program—may actually cultivate a sense of vulnerability among students and families. Following investigation of these applications, I describe three categories of silence I observed in educators attitudes regarding their work with
students. Each category of silence contributed to various degrees of enabling protection, but also an undermining ideology of colonization.

In chapter 5, I foregrounded strategies that professionals employed to help students navigate their situation amidst current immigration policy, but I also underscored the need for political change to truly alleviate the systemic injustice that students experience being raised and educated in the U.S. without authorized status. Now, through exploring performances of silence, I ask: What social relations inhibit larger political reform?

**School Forms that Reveal Status**

Although the school staff intended to protect students and families from vulnerability, a couple of institutional forms I analyzed contradicted this objective. Accessing basic social services, and even the process of applying to college, requires students and families to disclose their status and make themselves vulnerable. Take for example the “Washington State Higher Education Residency Affidavit” (see Appendix A). Regardless of citizenship status, Washington State House Bill 1079 qualifies students for in-state tuition at public universities if they have resided in the state for at least 3 years immediately prior to receiving a high school diploma or its equivalent, and they have lived continuously in the state since receiving it. If a student is not a permanent resident or citizen, he/she must complete and sign an affidavit to qualify for resident tuition. On the affidavit the student must certify, “I will file an application to become a permanent resident of the United States as soon as I am eligible to apply.” Students submit their signed affidavit with their application to the university’s admissions office. In Nerini’s (2008) study every college student he interviewed expressed suspicion for the affidavit (p. 101).

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13 If passed, the DREAM Act would establish a pathway for students to apply for legal residency. See chapter 1, “Policy Context,” for more information on the DREAM Act.
He explains:

“It is critical to understand that undocumented individuals “live in the shadows.” By drawing as little attention as possible to themselves and their status, they reduce the risk of being discovered and deported. By attending college, signing the affidavit, applying for scholarships, and leaving the security of their home community, these undocumented students noted that they are stepping out of the shadow, no matter how careful they are. (Nerini, 2008, pp. 124-125)

Paralleling college students’ encounter with the affidavit, in the elementary and secondary level the “National School Lunch Program/School Breakfast Program” application (see Appendix G, and Figure 1 below), which is used to qualify students for free or reduced-price meals, may cause a similar effect. In order to gain food assistance, the form’s instructions declared that the application must include a “social security number of the adult household member who signs the application, (or check the “I do not have a social security number” box if the adult signing does not have a social security number”). On the application itself, in bold, underlined and large print, this field emphasized by its encapsulation within a box, awaited the instruction:

Figure 1: National School Lunch Program/School Breakfast Program Application Excerpt

<table>
<thead>
<tr>
<th>Check the box if you do not have a social security number</th>
</tr>
</thead>
<tbody>
<tr>
<td>□ I do not have a social security number</td>
</tr>
<tr>
<td><em><strong><strong>-</strong></strong></em>-_____</td>
</tr>
<tr>
<td>Social security number</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Mailing address</th>
<th>Street Address (if different from mailing)</th>
<th>City &amp; Zip</th>
</tr>
</thead>
<tbody>
<tr>
<td>Home Phone Number</td>
<td>Work Phone Number</td>
<td>Email Address</td>
</tr>
</tbody>
</table>
Furthermore, on the back of the form the Privacy Act Statement read:

You must include the social security number of the adult household member who signs the application. The social security number is not required…when you indicate that the adult household member signing the application does not have a social security number…

We MAY share your eligibility information with education, health, and nutrition programs to help them evaluate, fund, or determine benefits for their programs, audits for program reviews, and law enforcement officials to help them look into violations of program rules. (note: all caps in the original)

Maribel described filling out the Free and Reduced Lunch application with families as “an uncomfortable situation.” The application demanded either a social security number or an explicit concession that that applicant does not have one. The occasion that personally identifying information, including name, home address, and work phone number, could be shared with law enforcement officials may cause extreme discomfort in a population wary of authority and government. While some families disclosed to Maribel while filling out the form that they did not have documentation, others uneasily elided the form’s question. Maribel had established a script that she recited when helping families complete the form: “There is a question here about a social security, but it is not important, I don’t think we need to do that.”

Although the application for Free and Reduced Lunch included a field for a social security number, this information is not required to enroll in school or to receive the meal benefit (NSBA & NEA, 2009). Based on their interpretation of *Plyler v. Doe*, the National School Boards Association and National Education Association (2009) determined that schools are “probably required” to provide meals to students under the National School Lunch Program and School Breakfast Program (p. 6). This slightly less than assuring position extends from their observation that *Plyler v. Doe* is the only federal case documenting the rights of unauthorized youth, and while it doesn’t explicitly state that students ought to be guaranteed auxiliary services at the
school, their conjecture relies on an assumption that courts would likely rule that meal services are central to the students’ educational experience at school. Both Anne and Maribel, who often worked with families or students to complete school forms, wondered why this application requested a social security number if it was not required. Maribel interpreted the form “they are basically telling them, tell me if you are legal or not.” Like the Residency Affidavit, the meal program application asked families to expose their status.

Although *Plyler v. Doe* bars schools from soliciting students’ citizenship status, this information can be extrapolated from the Free and Reduced Lunch form. In fact, when I asked participants how they know that a student or family may be undocumented, most indicated they know when families do not provide a social security number on school forms. Here there was a contradiction between *Plyler v. Doe*’s intention to conceal status and institutional forms that revealed status.

**Categories of Silence**

Most of the educators with whom I spoke shared their concern for protecting students and families from fear, deportation, stigmatization and prejudice. In the interviews, educators expressed concern for the context of fear filtering through students’ lives, but Maribel contended Sahale Middle School staff members did not actually acknowledge the population of students that were undocumented. She deliberated upon whether they denied this population existed, were unaware, or if they just did not care. She posited, “I think that they just put it aside and pretend, it’s a lot of that going on with the school system I think. They just pretend that they don’t see it, then they don’t have to do anything. They don’t want to face it.” In order to understand these opposing claims, I will tease apart three categories of silence I extrapolated from the interview transcripts in order to locate the ways that relations of ruling coordinate the interactions between students, families and educators. While each participant described silence as a enactment of
solidarity with those without documentation, my concluding analysis points to the colonizing consciousness subversively coordinating social relations through these various performances of silence.

“I Wouldn’t Want to Single Them Out”

One category of silence is aptly summarized by the phrase, “I wouldn’t want to single them out.” This is a form of silence that avoids naming and exposing the identities of those without legal status. Almost every participant expressed concern for the emotional safety of students, citing the burden of fear to which they owe delicate discretion. Participants appreciated the fear of deportation and separation from family impacting students and families. Those employed by the schools particularly reflected on being perceived by families as an arm of the government. Their consideration reflected the actual accounts of youth who have described the impending fear pervasive throughout their experiences living in the U.S. without documentation (Nerini, 2008).

By eliding knowledge of their status, participants sought to honor the guarded discretion of youth and families. Echoing the sentiments of most participants, Anne declared, “If they don’t tell me, I don’t bring it up to them. I wouldn’t want to single them out.” When meeting with families to discuss a student’s wavering academic performance, Julie indicated that their conversation was strained by a necessary silence around their status. She explained:

That is part of the struggle in the conversations that I have with families; it is like the elephant in the room. You don’t want to talk about it. We can’t legally talk about it. But that is really the whole issue behind the apathy of some of the students.

This form of silence is grounded in protecting the individual identities of students or families. To avoid causing vulnerability or risking discomfort in exposure, the position of “I wouldn’t want to single them out” constrains educators’ work, as Julie evidenced. While
suspecting that status was influencing one of her student’s academic motivation, she was unable to discuss the root issue with the family.

“Don’t Ask, Don’t Tell”

The principals expressed concern over possible legal requirements to report those without documentation to immigration officials. Michael explained, “I think that the less we know in that regard, the less we are culpable when it comes to issues because we are employees of the state. It’s almost a don’t ask, don’t tell type of a situation.” Both principals posited that they did not want to know a student’s status so they would never be complicit in an Immigration and Customs Enforcement (ICE) investigation. Craig deferred to that possibility continuously to explain his intentional distancing from knowing about or working directly with students who are undocumented. Principals bear the brunt of legal implications for what happens within their schools, and their enactment of silence as “don’t ask, don’t tell” was coordinated by a concern for potentially having to surrender students to government officials.

Despite a strong indication from federal policy that students and school staff are protected from ICE intervention on school property, ultimate policy on ICE activity on school grounds depends on local districts. The NSBA and NEA uncovered no federal law requiring the reporting of undocumented students to Immigration and Customs officials. The Associations also recommend against voluntary reporting of students, claiming:

If school officials report an undocumented student to ICE and ICE subsequently deports or removes the student from the school, the school district’s actions could be viewed as having denied that student access to school. In essence, reporting a student to ICE is one of the strongest steps a school district can take toward denying education to a student. (p. 10-11)
Furthermore, the Family and Educational Rights and Privacy Act (FERPA) prohibits school districts from providing ICE with personally identifiable student information contained in school records without a subpoena. It is also the general policy of ICE to avoid investigations on school property. A 1993 Immigration and Naturalization Service (the departmental predecessor to ICE) policy, cited in a 2004 Immigration and Homeland Security memorandum, claims “to attempt to avoid apprehension of persons and to tightly control investigative operations on the premises of schools,” although officials may conduct investigations on school property with the written approval of the District Director or Chief Patrol Agent (Baker, 2004). Thus, when conducting enforcement actions, ICE may be able to interview students on school grounds, although they claim to curtail their presence on school grounds. The NSBA and NEA (2009) conclude that school district policies, the district attorney and state law requirements determine whether or not ICE is permitted to interview students on school property (p. 18). I was unable to locate any policies in the Glacier School District related to ICE activities on school property. Even if Craig were aware of federal policy, the absence of local policy likely contributed to his cautious position of “don’t ask, don’t tell.”

Although earlier in the interview Craig had expressed his desire to know each of his students by name, the ruling relations coordinating his work as principal distanced him from his students. Sometimes he would discuss the complications surrounding a student’s status with a counselor, but he asked that they withhold the student’s name. Overall, he relied on the counselors since “they have some legal advantages for things that they share in their offices.” His distancing, however, was not entirely unproblematic for him, and he admitted that in the end it was “self-sustaining.” I asked, “Would you have a legal obligation to report a student if you knew they were undocumented?” Then he replied:

If my boss or an official told me I had to, I would probably have to comply…I don’t know. The thing is, can I live in my own skin? Can I do this job? Do I do the right thing
and resign my position out of principle and then go work at the produce department at CostCutter market? Well, I used to do that, but I can’t afford to do that anymore. So there is a self-sustaining selfish reason why.

Although I asked about potential legal obligations to report a student, Craig replied by commenting on the hierarchal relations that rule the choices he must make in his work. He responded, “If my boss or an official told me I had to, I would probably have to comply.” Ruling relations forced him into a moral dilemma between “doing the right thing” or keeping his job and financially supporting himself.

There was only one instance in the interview when he described a specific encounter working with an undocumented student. After asking me to turn off the voice recorder, Craig confided in me an instance when he wrote a letter to a university stating a student was emancipated from her parents so that she would not have to provide their information on the FAFSA. Her parents were undocumented. He admitted the letter was an unconventional practice for him, but he felt it was the right thing to do in order to help a student acquire financial aid. Through this letter-writing act, Craig risked his own security, and became entangled in the context of silence and fear circumscribing the lived realities of those without documentation. Although at the end of the interview he permitted me to share this story, his first instinct had been to ask me to turn off the recorder. Craig’s hidden retelling of this story was a performance of the “don’t ask, don’t tell” provision of silence ruling his work.

Craig grappled with the boundaries of his own risk-taking within and against the relations that ruled his principal work. Off the record confessions and secret letters were measures of personal safety and security. Through avoiding contact with students, and deferring knowledge of their status, he distanced himself from risks he might personally encounter. At the same time, these acts speak of the constrained spaces he found to enact solidarity within the social relations
governing his work. The ruling relations coordinating his location as principal positioned him as a detached observer and a hidden ally.

“We Don’t Want to Bring Politics into the School”

The third form of silence I observed amounted to the position, “we don’t want to bring politics into the school.” This silence was constituted by an overarching refusal to confront the influence of immigration status on the schooling of students without documentation, blaming the issue for being too politically controversial.

This apolitical positioning of silence seemingly facilitated the social invisibility of families without documentation. It gave the illusion that those without documentation did not live in the community. Immigration was treated as an abstract phenomenon occurring somewhere-out-there, maybe in Arizona Senate Bill 1070\textsuperscript{14}, but not here in a small city in Washington State, and certainly not impacting the actual lives of these students within these school walls.

In fact, Patrick actively minimized the degree to which school staff and families were exposed to the issue. Take, for example, the strategies he employed to provide college financial aid information to families without documentation. The counselors offered financial aid presentations to students and families; half were in Spanish and the other half were in English. Resources for students without documentation to finance college were only included in the

\textsuperscript{14} Although typically managed solely by Immigration and Customs Enforcement officials, Arizona State Bill 1070 extends law enforcement’s jurisdiction to screen individuals’ citizenship documents and make arrests “where reasonable suspicion exists that the person is an alien who is unlawfully present in the United States” (SB 1070, 2010, p. 1). Opponents of Senate Bill 1070 argue that the bill promotes a police state and racial profiling.
Spanish presentations, which Patrick explained was in order to avoid “Republican” backlash against immigrants without authorization. He declared, “We know that we don’t want to bring politics into the school. So we figure, if one side doesn’t know what the other side is doing, that is okay.” Anti-immigration threats prompted Patrick to strategically deliver information to students and families, a decision coordinated by the polarizing context of immigration in the U.S. (In chapter 4 I also consider how educators’ tentativeness to wrestle with their own racial identities influenced the division of families of in these financial aid presentations.)

Yet efforts to keep politics out of the school also validated attitudes of exclusion and segregation. Not acknowledging the presence of undocumented families—even though they live here, whether given acknowledgement or not—was conceptualized as concern for making youth vulnerable to teachers or community members with negative attitudes towards unauthorized immigrants. As the principal of Sahale Middle School stated, “There are elements in the community that would certainly like to see undocumented workers and their families not here. And I just want to keep that as low profile as possible.” Because of his perception of anti-immigration sentiments in the community, and assertions that schools are not appropriate places for politics, he wanted to create the illusion that students without legal status were not present. It appeared at first glance as a protective service to those without documentation, yet it subversively (however unintentionally) validated these attitudes of ostracization.

Keeping politics out of the school also kept staff members from critically reflecting on their own practice in relation to the lived experiences of their students. A key issue was that this form of silence failed to contest attitudes and dispositions that perpetuate: the devaluation of undocumented workers, the entitlement and privilege bestowed to U.S. born individuals, and the exploitation of immigrant workers as normal and natural. Patrick relayed an incident when he switched a student’s class schedule after a teacher made an anti-immigration slur in class, blaming unauthorized Mexican residents for the declining economy. While the student was
accommodated in this scenario, so was the teacher’s anti-immigration attitude. More insidious than explicit prejudice were educators’ use of normative discourses about immigrants. For example, in our interview, Miriam justified her daughter-in-law’s immigration to the United States because “she was in an occupation that needed people.” She uncomfortably caught herself making this comment, but she continued to draw on discourse that perpetuated the void of dignity attached to immigrant work. She pointed out, “They will do jobs that other people won’t do.” She then concluded that historically immigrants have been available for the economy:

You know that’s what they say, that people here won’t do it, so we need to have people that come in. It has always been like that. I mean you’ve had the Irish that came in, the Swede, I mean you’ve got pockets of people who have immigrated and usually take those crummy jobs. You know, maybe they work in the mines or whatever. And then they work their way into society. I think we just have waves of people who come into the United States like that.

Here Miriam drew on a marginalizing discourse that validates the exploitation of immigrant work, because that is the way it has always been, and that is the avenue through which immigrants assimilate into U.S. society. Rather than inviting educators to refine their practice and rethink oppressive discourses, a position on avoiding the topic of immigration because it is too politically controversial left these issues unchallenged.

Through performing this form of silence school staff members inadvertently perpetuated prejudice. They numbed reactions to immigrants by promoting their invisibility and disregarded general recognition of immigration as an issue presenting real life struggles for the students in their classroom.
Dilemmas of (De)Contextualizing Lived Experience

Through enacting each form of silence, educators divorced the lived experience of an unauthorized status from their students’ schooling. To fully grasp the ruling relations performed through these forms of silence, I will consider the barriers educators experience in performing a socially just educational praxis. Nieto and Bode (2008) argue that a socially just education ought to be informed by sociopolitical and historical contexts, and learning should be embedded in the lived experiences of students. Yet when considering the education of students without documentation, I ask: How are the everyday work activities of educators coordinated in relation to decontextualized representations of students’ lives?

Dorothy Smith (2005) contends that institutional texts systematically decontextualize individual’s experiences within an institution. As Ellen Pence (2001) points out about institutional paperwork:

For a case to be handled by people in diverse settings, each with specialized tasks, a written record is kept. Each practitioner leaves an imprint on the case. The record moves from one component of the case processing to the next. Sometimes the people involved in the case are present to add their voices; sometimes the written record becomes the total representation of their experiences. (p. 202)

Practitioners within institutions rely on institutional documentation to grasp an individual case, and then they take actions within the institution to deliver services. Julie referred to a student’s Cumulative Folder, a file containing a student’s academic records, as a document she utilized to review a student’s educational background and make decisions about their ELL programming. Once a child enrolls in any school in the United States, a Cumulative Folder is established and then travels with the student throughout their schooling, even when they move to
a new district. The Cumulative Folder is a paper trail containing immunization records, standardized exams scores, and academic transcripts.

As she described the scenario of one student, “Gaby,” whom she presumed was undocumented, the complicated intersection between institutional documentation and status became evident. In attempting to decode the spotty records in Gaby’s Cumulative Folder, Julie observed the student’s inconsistent academic records. Finding only intermittent elementary records prompted Julie to schedule a meeting with the student’s mother. In a meeting they discussed the family’s frequent movement back and forth across the Arizona-Mexico border, with inconsistent elementary schooling on either side. Prevalent in the conversation with the mother was the silence around what could not be said. They spoke tangentially about the movement, but Julie emphasized, “We couldn’t discuss this, I am assuming it has something to do with documentation.”

Julie’s interpretive task in analyzing the Cumulative Folder led her to consider what was not recorded, in addition to what was tracked, in order to evaluate the appropriate educational services for Gaby. She scrutinized the file, imagining the biography of the student not present in this decontextualized version of the student. Through meeting with the mother, she had attempted to reconstruct a “sociological and historical rendition” (Mehan, 2001, p. 356) of the students’ learning abilities.

Since Gaby wasn’t performing “at grade level,” the Special Education department referred her to a psychologist who eventually surmised that Gaby had a learning disability. Contesting the student’s tracking into Special Education, Julie argued the girl’s life circumstances shaped her language acquisition level, not her ability to learn. Due to the student’s frequent relocation back and forth across the U.S.-Mexican border, Julie claimed her opportunities to develop English were inconsistent. She argued that Gaby’s performance on the Special Education assessments reflected stifled opportunities to develop English language skills. Moreover, since she did not
attend any school until third grade, Gaby missed reading instruction even in her native language. Up until joining Julie’s ELL class at Glacier, Gaby never received specialized second language instruction, even though she was tested and qualified for English Language Learner services in the district.

Nonetheless, institutional documentation, what was recorded, coordinated Gaby’s experiences within the school, as well as Julie’s delivery of ELL services. Julie described delivering her deciphered rendition of this student’s educational experience, arguing to the Special Education committee that her learning was not developmentally delayed. But drawing from a district form in the girl’s Cumulative file, the Special Education committee retorted “but she has been ELL served.” Julie griped about this form, which was placed in the files of all students who qualified for ELL programming. She emphatically underscored that this form indicated qualification for ELL services, yet outside of two limited ELL programs in only two high schools out of seven secondary schools, her district did not offer educational programming which substantiated actually “serving” ELL-qualified students. Julie protested to me that the Special Education committee used this form to disregard the aspects of this student’s educational and life history, which Julie had uncovered through detailed scrutiny of the folder, conversations with the student and her mother, and her own experiential knowledge with the quality and scope of the ELL programming in the district.

Mehan (2001) has underscored the authority institutional documentation exerts in constructing the “official” representation of students’ identities. While documenting the sorting of a child into Special Education services, he found absolute diagnoses of the student’s abilities, which were coded in professional language and presented in official “props” such as test results and prepared notes, much like the ones in Gaby’s Cumulative Folder. Sociological and historical accounts, on the other hand, are context-laden, tempered with contingencies, situational nuances, and the biography and history of the child. Mehan found that these latter representations were
supplanted by the “objective” assessments of the students’ abilities. Through this process, Mehan suggests, the child becomes a decontextualized object devoid of life experiences and circumstances.

The dilemma in the case of Julie’s student was complicated with the various layers of silence that coordinated educators’ relations with student and families. In the instance of undocumented status, decontextualized representations of students’ lived experience offered safety through anonymity. To disclose the totality of a student’s experience in a way that directly linked their identity with unauthorized status was unsafe for students and their families. Julie wanted to respect the family’s discretion, and she did not want to single them out. As she discussed the family’s movement across the Arizona-Mexico border, she delicately navigated what could not be said. At the same time, Julie recognized the influence of a students’ Cumulative Folder in the trajectory of their education, so she wanted to document an edited sociological and historical rendition of the students’ early years, noting that she did not begin school until third grade and missed developing early literacy in her native language. While completing the institutional documents, Julie negotiated the anonymity required by Plyler v. Doe. She knew that she could not recontextualize Gaby’s lived experiences into her institutional representation, even though she intuited that her educational and life history were central influences on her current academic performance. As an official document, Julie carefully negotiated what to include from the students’ history. Coordinated through a “don’t ask, don’t tell” kind of silence, she did not want to be complicit in an official statement that could be used against a student or the family in some way. Julie’s handling of the file was also coordinated by the silence that avoids bringing politics into the school. Attitudes of intolerance, exclusion and criminalization mandated the need, and influenced the policy requirements, to hide status in the first place. The stigma surrounding unauthorized residency made this families’ lived experiences unspeakable within the school.
The contradiction—between enacting silence (an active decontextualization) and the directives of a socially just education to situate learning in students’ lives (an active recontextualization)—further revealed how Julie was positioned to enact silence as a performance of ruling relations. Silence governed the relations between students, families, the community, and school staff. Moreover, silence exerted power by coordinating not only staff members’ actions, but also the ways in which people were allowed to be represented, or not represented, according to their actual lived experiences.

Silence as a Performance of Ruling Relations

Federal policy, national education associations, as well as teachers, administrators, and advocates in the schools under investigation articulated support for the equitable education of youth without documentation. The *Plyler v. Doe* (1982) decision intended to obstruct the unequal treatment of undocumented youth as an isolated social group (457 U.S. 213, p. 457). The National School Board Association and the National Education Association (2009) have taken an explicit stance on the side of human rights in demanding an equitable education for all students regardless of citizenship status. Those whom I interviewed shared a commitment to educating and protecting those without documentation.

Conducting an institutional ethnography from a critical policy studies orientation had directed me to look at “policy as practice” by considering how *Plyler v. Doe*—which aimed to protect students and families from prejudice and class injustice—was interpreted and implemented in the Glacier School District. I set out to determine the social relations coordinating how school personnel made meaning of *Plyler v. Doe* and subsequently implemented it. I learned that silence, in its various forms, ruled the social relations between educators, and students and families without legal status. By not wanting to single out any student or family, educators enacted a silence that avoided naming and exposing the identities of
those without legal status. In reacting to the fear pervasive throughout undocumented communities, this silence coordinated direct interactions between school staff, students and families, and forced educators to turn a blind eye toward status as an issue impacting a students’ education. Through “don’t ask, don’t tell,” the principals performed a lack of confidence for their legal confidentiality rights, and demonstrated concern for their own self-preservation and risk-taking when supporting those without legal status. They negotiated the constrained spaces for solidarity in relation to the social relations governing their work. Through a silence that avoids bringing politics into the school staff members did not resist anti-immigration sentiments and instead presented them as natural and inevitable. These performances of silence co-mingled in coordinating: the social invisibility of those without documentation in the community, educators’ neglect for the impact of status on students’ lives, school practices that exclude and segregate by way of avoiding the politically contentious nature of issues related to unauthorized status, and lack of educators’ reflexivity on their use of normative and oppressive discourses. In sum, the enactment of silence governed the permissible ways that students’ lives may or may not be represented, and responded to, at school.

Institutional ethnography underscores that ruling interests populate the meaning and values advanced through social relations, and people are the main conduit for ruling relations through their activation of texts and discourse (Smith, 2005). In this chapter, I focused on the processing of school forms, and the reporting and documenting of students in school files, in order to consider how dispositions of fear, vulnerability and concealment intersect with school processes. In analyzing categories of silence, I suggested that anonymity both protects and disenfranchises those without documentation. I foregrounded the dilemma of contextualizing representations of students’ identities and situating learning in the sociopolitical and historical realities of youth to demonstrate a challenge to engaging in a socially just education (Nieto & Bode, 2008) within a climate of intolerance for immigrants without legal status. I found that
confidential conversations and edited representations of identities in institutional documents facilitated protection for students and families, but also limited educators’ ability to be responsive to students’ and families’ everyday lives. Through casting status an unspeakable issue, enactments of silence appeared to enable a sustained oppression of those without documentation by constraining educators’ ability to act in solidarity with students and families. Performing silence insidiously perpetuated an oppressive power furthering historical, social, economic, and political relations of domination that sustain the marginalization and dehumanization of students and families without authorized status.
Chapter 7

Toward Policies and Practices of Human Rights

Mentors

Mentors let you cry without embarrassment,
Process and explore the hurt.
You cry and burst into tears, yell, scream, and punch.
Then they redirect you back to the everyday world.
Mentors never give up on you, they always remind you,
“You are strong, you have burdens,
But you will keep going and I am not going to let you fail.”

Mentors help you find who you really are,
Asking, “What is it like to be in your shoes?”
Through human questions, light questions,
They help you get at what you want and need,
“What is your favorite color?”
Blue, because it represents the sky,
A place where I can fly free.

Mentors don’t always know how to help,
They find the way with you
Pushing you to break the chains to a stereotypical future.
Applying to college, finding scholarships side by side.
Even paying for visits to universities.
They break their routines, going out of their normal way to help.
A mentor pursues the unknown with you.

When you don’t have papers,
No one empathizes with your life.
These are silent issues.
Status is a private matter.
It is not a mentor match that can be arranged.
Finding a true role model is a chain of luck.
Who knows who?
Who will trust enough to reveal their status?

Now I am a mentor and I tell my story.
I have nightmares about being arresting by officers in black suits,
Confiding about the dark shadows that have crept inside of me,
Declaring, “You’re not capable”
Trying to push me down.
I speak about pushing forward.

Say, “yes, and… go to college, develop your strengths,”
The Dreamers confront the shadows of their nightmares,
Persisting united, pushing through struggles
Knowing they are strong, they have burdens,
They will not fail, they will continue.

Today, hope returned to me in a text message
Reminding me what my work and mentorship means:
“Thank you for giving me advice on pursuing my dreams
You are truly a great leader.”

-poem by María del Rosario Corona Horta and Sara Radoff
Institutional ethnography offers a form of inquiry to analyze and interpret the everyday, and render visibility to the opaque and deeply entrenched ways that power operates through the systems in which people participate. In order to transform unjust social relations, people must realize the relations of ruling coordinating their experience, as well as their own roles in enacting ruling relations. As I explicated with more detail in chapter three, institutional ethnographers believe that power is enacted through the institutional talk and action surrounding organizational texts and discourse. Texts and discourse “create a world in common for those who participate” (Griffith & Smith, 2005, p. 34) and translocally coordinate organizational activities and the choices people make in their everyday lives.

Smith’s concept of ruling relations emerges from a Marxist interpretation of power. As Marx (1852) contends: “Men make their own history, but they do not make it as the please; they do not make it under self-selected circumstances, but under circumstances existing already, given and transmitted from the past” (p. 1). While born into the circumstances of history and social relations, people make history because through everyday actions, we are main actors in producing the material conditions within which we exist. Through day-to-day activities we participate in the perpetuation of power and oppression. By way of an institutional ethnography, the researcher surfaces the ruling relations that operate and appear in the everyday through daily work practices organized around institutional texts and discourse.

The methodology attempts to generate knowledge useful for illuminating spaces for social change. People also make history by locating, resisting and transforming oppressive relations of power. In this thesis I presented a critical analysis of post-high school transitions, through the standpoints of an activist, students, and educators. My goal was to explicate the latent relations of power exercised through institutional practices in order to provide activists, educators, and policy-makers strategies for change that would support a socially just education and human rights for students without documentation. In this concluding chapter I will summarize my research
findings, discuss implications for policy and practice, and suggest directions for future research in this area. I conclude with a discussion that recommends leveraging arguments based on universal human rights in the struggle for justice for students without documentation.

**Summary of Research Findings**

I conducted this institutional ethnography from a critical policy studies orientation in order to learn about the social relations central to the formation and implementation of policies coordinating the educational experience of students without documentation in K-12 schools and the educators who teach them. I was specifically interested in the ways that educators made meaning of *Plyler v. Doe* and practiced its mandates in two schools in northwest Washington State. In chapter two, I sketched out an interpretation of policy as a process and policy as a practice.

As Taylor, Rizvi, Lingard, and Henry (1997) suggest, defining policy as a process spotlights the contestation and struggle over meaning involved in creating a policy document. In chapter two, building from Benhabib’s (2004) interpretation of Hannah Arendt’s concept of a “right to rights” (pp. 56-61), I explored the contradictions hinging on the two meanings of “rights” woven throughout *Plyler v. Doe*. Benhabib explains that Arendt conceptualized two dimensions to rights. The first is a moral claim to civic membership in a polity, and the second connotes the particular duties and protections, obligations and prerogatives, guaranteed through one’s civic membership. Benhabib (2004) argues, “the right of humanity entitles us to become a member of a civil society such that we can then be entitled to juridico-civil rights” (p. 59). The U.S. Supreme Court decision guarantees students the legal right to be in public elementary and secondary schools; however, after departing from K-12 public education, students without documentation face limited access to funding for higher education, they are denied opportunities for paid work and professional careers, and are excluded from full political participation. They
are denied the ability to actualize the ambitions they developed for themselves throughout their K-12 education. While *Plyler v. Doe* offers students the civic right to obtain an education, it does not secure their human right to social membership in a polity.

Considering policy as a practice underscores how people make meaning of policy and implement it at local sites. Levinson and Sutton (2001) explain that policy as practice examines the ways that people “engage situated behaviors” within constraining and enabling structures (p. 3). I began my analysis by first describing the institution-wide systems that Glacier School District staff reported employing to condition all of their students as college-bound and career-driven high school graduates. I summarized the everyday activities related to career exploration, academic preparation for college, the promotion of college among potential first-generation college students, and college financial aid and scholarship presentations. When I probed the staff members to describe their work with students without documentation, their narratives diverged from the standardized protocol of promoting college and career, and instead they revealed the unique strategies that they had developed to navigate the political context constraining students’ post-high school transitions. Educators collaborated with colleagues within their school, and with representatives from community organizations and colleges, to devise individualized plans; they developed deep and meaningful relationships with students; considered when to engage students in group or individual conversations; and researched immigration processes, maintained contacts with law advocates, and shared information with students and families.

*Plyler v. Doe* permitted the physical presence of students without legal status in schools, but the daily focus of schooling was on future-orientated goals which, given the current political context, they could not participate fully in. Educators experienced this friction in their work, leaving them in a state of disequilibrium. Although they valued exploring and strategizing future ambitions with youth, they encountered this disjuncture, which all but precluded their students without legal status from realizing their dreams. The educators’ sense of angst and powerlessness
pointed to the ruling relations organizing schooling practices, which focused on producing college-bound and career-driven students, detached from a political context that actually constrains opportunities. Despite esteemed values for student-centered education and the strategies that educators employed to help even those without legal status pursue their dreams, political limitations on status prevented the full realization of their aspirations.

From the perspective of students, this contradiction produces what María and I have called “the false hope dilemma.” The false hope dilemma challenges the principles of equality and merit through which educators are trained to organize and rationalize their work. It suggests that achievement is not solely dependent on individual determination, but is also politically and economically constructed. A student-centered approach to teaching and counseling, as well as the everyday practices of schooling for college and career, positioned both students and educators to occupy an enactment of meritocracy which was central to the relations ruling teaching and learning. Educators struggled to make sense of their professional roles, which had positioned them to help students bring their dreams to fruition through a depoliticized version of individual determination. This enactment of meritocracy ruled their relations with students and cornered educators into a dilemma as to how to perform the basic functions of their job when working with students without documentation.

In chapter six, I continued to examine policy as practice by considering the ways that schools navigate the mandates of Plyler v. Doe, which prohibits schools from: requiring students or parents to disclose or document their immigration status, make inquiries that might expose their status, or require a social security number from all students (Morse & Ludvonia, 1999). I examined how school forms, files, and discourses intersected with dispositions of fear, vulnerability, and concealment. First, I examined the “National School Lunch Program/School Breakfast Program” application. The form demanded either a social security number or an explicit concession that the applicant did not have one. While the form did not explicitly require
a social security number, nor did it inquire into the status of an individual, most whom I interviewed suggested that families’ responses to this field in the application exposed their status.

In the second half of chapter six, I considered how educators’ actions were coordinated through their various enactments of silence. My research participants reported avoiding inquiries that would ask students or families to expose their immigration status. Educators did not want to “single them out.” Although they intuited the impacts of status on students’ lives, they did not address status directly. Through a “don’t ask, don’t tell” form of silence, both of the principals revealed their uncertainty for how they might be forced into complicity with an ICE investigation on school property. One principal especially found himself negotiating his moral convictions against the legal responsibilities of his work. The third form of silence conveyed a basic intent to keep politics out of the school. However, diverting politics is inevitably a political stance. This form of silence avoided anti-immigrant sentiments by publicly avoiding the issue. Undergirding these performances of silence was a colonizing consciousness that forwarded the social invisibility of families without documentation, publicly neglected status as an issue complicating students’ lives, and maneuvered around the politically and historically contentious nature of an unauthorized status.

Finally, I foregrounded the dilemma of contextualizing representations of students’ identities and situating learning in the sociopolitical and historical realities of youth to demonstrate a challenge to engaging in a socially just education (Nieto & Bode, 2008) within a climate of intolerance for immigrants without legal status. I found that decontextualizing students’ lived experiences related to status offered protection for students and families, but also limited educators’ ability to be responsive to the actualities of students’ and families’ everyday lives. I showed that ruling relations positioned educators to enact silence in ways that mandated how students could, or could not, represent themselves according to their actual lived experiences.
This research underscores that the contemporary intersection of education and immigration policy presented a series of performative puzzles, which students and educators navigated through everyday schooling practices. Beginning in the everyday experiences of María, students without legal status, and the accounts of educators, I investigated the moments of disjuncture that confound daily experience. Through mapping mundane practices, I learned that schooling practices were coordinated by depoliticized discourses of a student-centered practice and meritocracy. While the institutional practices surrounding these discourses underscored the centrality of students—their desires, ambitions, and individual determination—they also neglected the social, historical, economic and political contexts of these students’ lives. So, while students were seemingly at the “center,” their actual lived experiences were marginalized or silenced. The ruling relations coordinating these enactments of a depoliticized student-centered practice, meritocracy, and silence toward the lived experiences of those without documentation maintained an authorizing power over who had the ability to self-actualize the products of their education. Ruling interests coordinated daily institutionalized practices, furthering historical, social, economic, and political relations of domination that sustained the oppression of students and families without authorized status.

**Recommendations for Practicing “Real Hope”**

In one of the first poems María and I wrote together—“What is a Dream?”—we envisioned educators propagating a *real hope* among students without legal status. We felt that real hope would blend passionate encouragement, meaningful mentorships, practical information about accessing college, and a commitment to political activism. Aligning with and expanding this vision for real hope, in this section I will discuss implications from this study and offer recommendations for policy and practice in three areas: a) commitment to political action, b) passionate and informed encouragement, and c) acknowledgement and engagement of status as a
circumstance of lived experience. To these ends, I will return to critical moments in my participants’ accounts and suggest possible interventions to the ruling interests that were advanced through certain practices.

Commitment to Political Action: Establish a Pathway for Legalizing Status

Most of the high school educators with whom I spoke were actively pursuing knowledge about immigration laws and policies to help students pursue legal status. They had developed connections with local immigration advocates and lawyers to help a student, given their individual circumstance. Pathways to citizenship and residency will depend on a number of factors which I outlined in the Policy Context section in chapter one, and any student hoping to legalize their status should contact an immigration lawyer to discuss their situation. However, it is important to recognize that per the Immigration and Nationality Act (2010), anyone who enters the U.S. without authorization is ineligible for legal residency.

I hope that I have made sufficiently clear throughout my thesis that redressing the root cause of the injustice that students without legal status experience requires political action. I urge educators to actively support the DREAM Act in order to establish a pathway for students to legalize their status. (See Policy Context section in chapter one for a complete description of the proposed legislation.) The DREAM Act would allow students who have grown up in the U.S. without legal status to apply for conditional permanent residency status and eventually permanent legal status (National Immigration Law Center, 2011). However, as I described in chapter two, the DREAM Act is admittedly limited. The bill would only offer a pathway to legalizing the status of those who have been in the U.S. for at least five years prior to the bill’s enactment. The DREAM Act does not offer a long-term comprehensive immigration reform that takes into consideration the global economic injustice immigrants without documentation and their children
face. As I argued in chapter two, U.S. immigration policy must also look toward avenues for inscribing universal human rights into the laws of the nation.

Political action is necessary to intervene in the ruling relations coordinating students’ and educators’ experiences. I acknowledge that the remaining two categories of recommendations will inevitably operate within the regulating power of ruling relations that sustain marginalization. With the following recommendations, I hope to expand the avenues for educators to act with solidarity within an oppressive and constraining context.

**Passionate and Informed Encouragement**

In chapter five, I presented educators’ struggles to make sense of their professional roles, which had positioned them to produce college-bound, career-driven students, irrespective of an oppressive political context facing those without legal status. Discourses such as a student-centered approach to teaching, and meritocracy, were powerful translocal concepts that organized institutional decisions, the training of educators, and daily schooling practices. Schooling processes and curriculum had positioned educators to enact these discourses, which directed them to focus on the ambitions and motivations of students without legal status, while paradoxically disregarding the actual contexts of their lives. While a commitment to supporting the individual passions and interests of students, and encouraging hard-work and determination, are valuable approaches to teaching and counseling, against the political circumstances facing students without documentation, we can see that uncritical analysis of these discourses conceals the political circumstances limiting students ability to self-actualize their aspirations. Once confronted with the political limitations to their students’ agency, most of the educators with whom I spoke expressed a sense of powerlessness and frustration. Beyond the borders of the school walls, students face real political and economic barriers, which they could not immediately relieve. Recommendations under the category “passionate and informed encouragement” are directed at
contextualizing and politicizing pedagogy, as well as developing the practical knowledge to guide students’ transition from high school to higher education. To broaden the college-bound and career-oriented curriculum that is organized by a discourse of student-centered education and meritocracy, I urge educators to match their unbounded encouragement with engaging youth in critical analysis of the institutional structures that limit opportunity. To offer passionate and informed encouragement I suggest that educators: a) become more caring, b) engage a decolonizing pedagogy, and c) develop and share practical information for pursuing college.

**Become more caring.** As educators become more caring, through trusting relationships they become deeply entrenched in their students’ hopes, dreams, and possibilities, while courageously confronting the systemic factors limiting their opportunities. Thompson’s (2003) critique of caring helped me frame the notion of “caring” I am suggesting here. In presenting caring as a recommendation following from this study, I suggest “care” in an educational context as an approach that encourages educators to hear and appreciate students’ differential experiences of schooling in relation to the larger social, economic and political context of their unauthorized residency status. The relation of care that I am suggesting is founded on an engrossment in their students’ emotional and moral lives, exploring unbounded aspirations alongside uncertain and restricted possibilities. What I am suggesting here is inspired by Angela Valenzuela’s (1999) call for caring, respectful and reciprocal relations between youth and teachers (p. 61). In Valenzuela’s Texas-based study, she found that teachers defined caring according to an abstract commitment to schooling, demonstrated through “a commitment to ideas or practices that purportedly lead to achievement” (p. 61). Youth, on the other hand, conceived of caring as deep and meaningful relationships and argued that they should be “assessed, valued and engaged as whole people” (p. 61). Educators imposed their notions of caring for academic diligence, which ushered students into a “subtractive” experience of schooling that dismissed or marginalized their culture,
language, and community-based knowledge (p. 62). Building from Nel Noddings notion of care, Valenzuela suggests that engaging in the lived realities of youth is:

…best achieved through engrossment in the students’ welfare and emotional displacement. Authentically caring teachers are seized by their students and energy flows toward their projects and needs. The benefit of such profound relatedness for the students is the development of a sense of competence and mastery over worldly tasks. In the absence of such connectedness, students are not only reduced to the level of objects, they may also be diverted from learning the skills necessary for mastering their academic and social environment. (pp. 61-62)

To intervene in the depoliticized performance of a student-centered practice and meritocracy in the Glacier School District, educators ought to maintain high expectations, provide sufficient support and resources to meet these objectives, and also strive to authentically hear, and care, for students’ lived experience, hopes and challenges. To become more caring, educators would need to interrogate the depoliticized discourses coordinating their schooling practices, as it is this uncritical use of institutionalized discourses that supplant educators’ ability to hear and appreciate the context and experience of students’ lives. In Hamovitch’s (1996) study on an afterschool program for “at risk” youth, he found that through a conservative ideology of hope, premised on a belief that opportunity and class mobility exists for anyone in society, educators silenced students’ perspectives on their schooling experiences, ignored systemic barriers, and blamed student failure on individuals. He concluded, that while educators were not likely consciously aware of their deficit thinking, their uncritical use of an ideology of hope limited their ability to genuinely respect students’ differences. In order to truly support “at-risk” students, he suggests that educators should allow, rather than silence, critical perceptions of social institutions. He suggests:
...an environment that permits the expression of critique might encourage the recognition of collective interests and the development of more useful explanations for some students' precarious educational, economic, and social position. Venting anger with social institutions might encourage constructive action rather to effective organizing and pressuring of the political system for changes that at-risk students and their parents see as being in their best interest. In addition, pressure from the community might encourage some school personnel to join a lobby of decision-making bodies for reform that might "even out" opportunity within schools for diverse groups of youngsters. (p. 304)

Hearing, recognizing, and appreciating student difference, in relation to systemic barriers attached to immigration status, could incite educators to join activists in pressuring for political solutions to the injustices students without documentation experience.

**Engage a decolonizing pedagogy.** Following Tejada and Gutiérrez (2005), I recommend engaging a decolonizing pedagogy in schools, which “sets out to assist students to actively reflect, critique, and work against the existing forms of domination and exploitation in the United States while simultaneously preparing them for concrete exigencies of its educational and/or professional spaces” (p. 278). The pedagogy plays close attention to history and contemporary injustices. It explores social issues affecting the students in the classroom. It also acknowledges the inherent contradiction for facilitating students’ fluency in traditional academic subjects, while also critiquing them. Given the presence of students without documentation in Glacier School District, educators could engage students in conversations about race, citizenship, language (and of course other social memberships represented by the student body), and how these factors influence schooling, life circumstances, and opportunity. As Foley (2005) has pointed out, centralizing an interrogation of injustice in schools would require strong school leadership, given the prevailing fear among educators to openly talk about racism, classism, and sexism (p. 652).
**Develop and share practical information for pursuing college.** Educators can develop their practical knowledge for helping students without legal status apply for college and scholarships. As described in chapter five, some educators developed networks with colleagues at universities, secondary schools, and community-based organizations to share information on private scholarships, identify post-secondary institutions with support services for those without documentation, and provide students with advising on their transitions from high school. Others were unaware that those without documentation could access higher education or private scholarships.

Students residing in and applying to colleges in Washington State need to submit a paper copy of the admissions application. To complete the application, students leave the social security field blank. They must also submit a Washington State Higher Education Residency Affidavit with the application in order to receive in-state tuition rates (see appendix A). Regardless of citizenship status, Washington State House Bill 1079 qualifies students for in-state tuition at public universities if they have resided in the state for at least 3 years immediately prior to receiving a high school diploma or its equivalent, and they have lived continuously in the state since receiving it.

Funding opportunities for higher education are available, albeit limited. Recall in chapter five that Robyn, Anne and Maribel encouraged all of their students to submit a College Bound Scholarship application, although it turned out that those without documentation would not be eligible without a valid social security number. In addition, these students do not qualify for federal grants or scholarships administered through FAFSA. Although students without documentation are restricted from these financial aid programs, several national and state organizations offer private scholarships. Local organizations and universities may offer private scholarships as well. (See appendix H for a list of federal and state scholarships that do not
require residency, but also note that scholarship offerings change frequently, and it would benefit counselors or academic advisors to continuously research new funding opportunities.)

If it had passed, Washington State Bill 1706 would have allowed those without documentation to qualify for a state need grant to attend a college or university. Although proposed in 2009 and 2010, the State Legislature did not approve the bill. Texas offers a state financial aid program, available for Texas residents who do not meet the status requirements of FAFSA (TAFSA, 2011). Advocates for students without documentation could support the reintroduction of a similar financial aid program in Washington State.

**Acknowledge and Engage Status as a Circumstance of Lived Experience**

In chapter six, I explored educators’ performance of ruling relations through their various enactments of silence, which reproduced the social invisibility of those without documentation in the community, skirted consideration of status to avoid contentious conversations, and restricted the ways that students’ lives may or may not be represented, and responded to, at school. In these set of recommendations, I suggest that educators acknowledge and engage status as a circumstance of lived experience affecting their students and investigate how these relations are reified through schooling practices. Acknowledging and engaging lived experience is a recommendation pointing to one of the most complicated dilemmas in supporting students without documentation. As I underscored in chapter six, real and detrimental consequences threaten the safety and security of families, complicating immigration status as a factor to be exposed and considered openly between students, families, and educators. However, there is a critical difference between honoring individual students’ and families’ rights to determine the conditions for disclosing their status and a general recognition that this population exists in the school. I think a school can be responsive to this population without having to identify which specific students belong to the group.
Rivière (2008) argues that educational equity is not a program or policy that can be applied onto students but, instead, is realized through performative experiences in which students, teachers, and administrators all engage as actors. In her research analyzing the discursive power of Ontario’s education equity policies, she identified that policies instructing teachers to integrate antiracist curriculum ignored the subjects who would be trying to implement these objectives. Policy, Rivière (2008) argues, is a “living culture” that “pays close attention to how both students and teachers perform their social identities”—identities which are fluid, complex, and contextual, rather than static and unified (p. 88). Incorporating critical reflective practices into educational policy, Rivière imagines, would invite educators and administrators to: reflect on the diversity of experiences of students, establish a “safe space” for staff to discuss the challenges and joys of striving for educational equity, and examine the roots of experiences that position students as “at-risk” (p. 94). Through “critically reflective practices,” policy transforms into points of departure, rather than static goals, programs or services that can be applied to youth (p. 88). In the following recommendations, please read these as departure points for critically reflecting on student experiences, educators practices, and imagining new ways of “bettering” a situation through continuous action, learning, and reflection. To intervene with the silence regarding immigration status, I suggest four ways for educators’ to critical reflect on engaging and acknowledging status as a circumstance of lived experience: a) critically explore history; b) invite the topic of immigration into school conversations; c) examine school forms and practices; and d) understand and expand policies pertaining to confidentiality.

**Critically explore history.** I recommend that teacher, counselor, and principal certification programs and continuing professional development programs invite educators to develop knowledge of the historical, social, political, and economic context of (un)authorized status. A key argument in my thesis follows Latina/Chicana feminists and postcolonial theorists to suggest that interrupting the oppressive construction of geographical and identity relations
would require educators (and researchers) to pause in the uncomfortable spaces they occupy, concede to, and potentially seek to resist. Educators should wrestle with the socially constructed privileges that authorized residency and border mobility affords. While educators can learn about current immigration processes as an urgent tactic to assist their students, a critical analysis of immigration could guide educators to critique and protest the systems that perpetuate their own and others’ experiences of differential treatment. Intervening on silence requires assuming a public position on the basic human rights of all individuals, regardless of immigration status. This does not mean that individual educators should expose the identities of those without legal status. However, educators can learn about the historical construction of “illegality” and publicly contest immigration policies that unjustly position “citizen” life opportunities above those who are deemed unauthorized.

**Invite the topic of immigration into school conversations.** While analyzing the different forms of silence in chapter six, I noticed that educators avoided confrontations with community members, families, or among staff, because they wanted to avoid bringing politics into the school. Some reported that it was easier to change a student’s schedule if a teacher expressed an anti-immigration comment, or less contentious if they discussed scholarship opportunities for students without documentation exclusively in financial aid presentations conducted in Spanish. Discussing issues related to immigration openly would provide educators an opportunity to address anti-immigration attitudes within their school community, within themselves, and how these are reified in school practices. In these spaces they might recognize and refine their use of dehumanizing language, such as “illegal alien.” They also might begin to challenge normative discourses that assume a relegated social status for immigrants in the U.S.

**Examine institutional forms and practices.** As I also demonstrated in chapter six, the National School Lunch Program/Breakfast Program provides families’ access to meal programs at the expense of exposing their immigration status. I recommend that the field requiring a social
security number, or the concession that one does not have a social security number, be removed from this program’s application. Educators could also examine other school forms, and remove unnecessary fields requesting a social security number.

**Understand and expand policies pertaining to confidentiality.** *Plyler v Doe* restricts school staff from requiring students or parents to disclose or document their immigration status or to make inquiries that might expose their status. In chapter six, I showed how ruling relations complicated the documenting of students’ lives in the Cumulative Folder, an institutional record. While omitting status as a factor complicating students’ lives is an enactment of ruling relations, the alternative—documenting status in school records—does not present a viable intervention, as risking the exposure of students’ or families’ status might have detrimental effects, such as deportation, stigmatization or the emotional stress of an unwarranted disclosure. Per the Family and Educational Rights and Privacy Act (FERPA) (2001), ICE may access student educational records, but only with a subpoena. Educational records include any files and documents maintained by the institution that track a student. A student’s Cumulative File is an example of an educational record. The subpoenaed release of student records to ICE could make a staff member who had documented a student’s immigration status inadvertently complicit in an ICE investigation. While I cannot offer a solution for interrupting this practice of ruling relations, aside from decriminalizing unauthorized border-crossings, I can warn educators of this potential use of student records and urge them to take care while documenting students’ history in official educational records. The NSBA and NEA (2009) go as far as recommending that school districts prohibit employees from including immigration status in students’ education records.

FERPA does permit the release of “directory” information to ICE officials without a subpoena. “Directory” information includes more “neutral” data such as name, address, and telephone, but may also include place of birth. To proactively mitigate the content releasable to ICE, the NBSA and NEA recommend excluding place of birth from directory data, and I concur.
Although federal policy suggests that students and school staff are protected from ICE intervention on school property, ultimate policy on ICE activity on school grounds depends on local districts. Students and educators in the Glacier School District would benefit from a district policy detailing the parameters of Immigration and Customs Enforcement (ICE) officials’ activity on school property. I support the NSBA and NEA, who also urge school districts to insist on a subpoena before releasing student information and to consult their school attorney when faced with such requests (p. 17).

Future Research Directions

Future research in this area may continue mapping social relations at higher levels of institutionalization. Researchers might interview district leaders, such as superintendents or School Board members, state scholarship managers at the Higher Education Coordinating Board, university and community college admissions counselors, or immigration lawyers.

Following the intent of institutional ethnography to influence social change, research might follow activists, educators, or policy-makers as they try to implement some of the recommendations that I have presented in this thesis. Campbell and Gregor (2004) conclude their instructive book on conducting an institutional ethnography, signaling Dorothy Smith’s intent for using research to subvert oppressive institutionalization. They summarize her position:

There is a commitment to making the conditions of people’s everyday lives known and knowable as the basis for action. Rather than supporting a ruling perspective and approach, the new institutional ethnographic knowledge should help form a subject’s political consciousness related to equitable decision making, undermining subordination, and so on. (p. 128)

New research might ask whether the knowledge produced by an institutional ethnography is instrumental to these ends. From another angle, researchers might also explore how activists,
educators, students, and policy-makers already use institutional texts and discourses to subvert oppressive relations.

While in my study I did not interview youth directly, I often relied on the research of those who sought to describe the lived experiences of students without documentation from their own perspective. In reviewing this research, I noted a lack of attention to in-group variation. Future research might consider gendered, racialized ethnic, linguistic, and class differences among students without legal status.

**Social Justice Education, Human Rights, and Activism**

Early on in this thesis, I presented universal human rights as a foundation for analyzing injustice—and demanding justice—for students without documentation. I used Fraser’s (2009) concept of abnormal justice, which promotes a transformative approach to determine “who” ought to be included in contests over justice, rather than approaches that delineate social membership based on national citizenship alone. She argues that “all those who are subject to a given governance structure have moral standing as subjects of justice in relation to it” (p. 65). While possibly experiencing injustices related to maldistribution and misrecognition, the issue of legal status is an injustice related to misframing—officially not counting for membership in a polity, yet being governed by its structure (Fraser, 2009, p. 61-67). I also drew from Benhabib’s interpretation of universal human rights to assert that all individuals, regardless of citizenship status, possess a moral right to civic rights. Benhabib (2004) suggests that a pressing contemporary challenge is identifying a political system that “decouples the right to have rights from one’s nationality status” (p. 68). To address this complexity, I drew from Sassen (2007), who has recommended denationalizing the nation-state by coding the language of human rights into the policies of nation-states. Extending from this argument, which I presented in chapter 2, I
will conclude by returning to a discussion of universal human rights as a useful leverage point for demanding justice for students without documentation through U.S. policy.

While I have primarily relied on human rights as a moral argument for justice, Rocco (2005) recommends using the language of human rights as a transformative political strategy for targeting institutionalized relations of power and oppression. Drawing from Nedelsky, Rocco (2005) suggests that in the United States, rights are used as a policy mechanism for constructing relationships, mutuality, and interdependence between and among people (p. 441). He (2005) contends:

Citizenship is not solely nor even primarily a legal status but, rather, a political mechanism for the control and containment of the distribution of rights, benefits, privileges, entitlements, and resources to different sectors of the population who reside within the territorial, sovereign boundaries of the nation-state. (p. 446)

Summarizing a broader discussion of rights between Nedelsky, Villmoare, and Schneider, Rocco suggests that conceiving of rights as a mechanism for coordinating social relations: yields the possibility for context-specific contests for justice; points to the institutions that structure relations of inclusion and access; emphasizes the connection between social struggles, social movements, and rights claims; and conceives of rights as everyday practices (pp. 441-442). From here he leverages rights, not as moral claims, but as “political strategies for empowerment linked to specific structural and institutional relations and contexts” (p. 442). In chapter 2, I presented transnational economic relations that have transformed the traditional boundaries of the nation-state. In chapter 4, I described Manifest Destiny and whiteness as moral relations of ruling that valorized the transnational movement of capital, while criminalizing the border-crossings of Brown working-class immigrants. Rocco argues for strategically using the language of human rights to call attention to these politically codified discriminatory practices and to pressure
governments to extend the same rights to individuals as they do to the transnational economic sector.

The ruling relations that have historically privileged the border-mobility of capital and positioned White, English-speaking, citizens as morally superior over Brown, Spanish-speaking, unauthorized residents, are systematically reproduced at the intersection of a schooling system that produces college-bound, career-driven high school graduates and a political context that only permits those who are “authorized” to fully realize their ambitions. Among other rights, the Universal Declaration of Human Rights promises all humanity an education that allows for self-actualization (Grant & Gibson, 2010, p. 14). Rocco has defined the human right of “self-actualization” as being provided the “the conditions and resources so that each individual can realize their full capacity” (Rocco, 2005, p. 450). This is precisely the human rights violation revealed through this research project. From a global human rights perspective committed to analyzing social relations, I was able to surface the institutionalized relations of power, enacted through educators’ use of decontextualized and depoliticized discourses of meritocracy and hope. In everyday problematics, students and educators found themselves cornered into performances constrained by ruling relations that authorize who has the right to use the knowledge, skills, and aspirations developed through their education in bringing their full capacity to fruition.

Many have critiqued the concept of human rights. As Grant and Gibson (2010) explain, the notion of human rights has been critiqued as Western cultural imperialism, focusing on the social, economic, civic, and political rights of individuals while neglecting the collective rights of communities. In his comprehensive review of the critiques of human rights, Rocco (2005) points out that the emergence of human rights coincided with the rise of liberalism (pp.437-439). Human rights covered political and civic rights, while ignoring economic inequality and the fundamental systems of capital that reproduce exploitation, injustice, and oppression (Rocco, 2005, p. 437).
While I advance a human rights position centered on the limitations to self-actualization, I caution readers not to reduce self-actualization to struggles for entry into the market or opportunities for class mobility alone. In critiquing the limited access to higher education and occlusion from paid professional careers, I do not want to suggest a market-based solution, one with a sole objective of integrating students more fully into the capitalist regime, coordinating the lives of undocumented and documented Americans.

The human rights argument that I am presenting, following Benhabib’s (2004) position on a denationalized vision of human rights, would suggest a fundamental shift in the purposes of education, from producing college-bound, career-driven high school graduates merging into the present systems of capital, into a creative and critical site for analyzing and transforming the social relations that sustain and perpetuate oppression. While pursuing paid work is a necessary condition for living in North America today, nevertheless, with career goals as the core purpose of education, we lose the struggle for freedom central to a social justice education.

The *Plyler v. Doe* decision relied on the Equal Protection Clause of the Fourteenth Amendment, which prohibits the State from denying those within its jurisdiction—regardless of citizenship status—the equal protection of the laws (*Plyler v. Doe*, 1982, 457 U.S. 202, p. 457). As I explained in chapter two, the U.S. Supreme Court justices made their decision based on a denationalized version of “rights to individuals as individuals rather than as citizens of a specific country” (Sassen, 2007, p. 112). This is a position that rests on the basic humanity of all individuals. It protects rights by virtue of individuals as persons, and not as citizens or authorized residents. How, then, can public K-12 schools sustain the intention of *Plyler vs. Doe*, to interrupt the perpetuation of a shadow caste within U.S. boundaries? Educators dedicated to a socially just education grounded in human rights would commit to political action, express passionate and informed encouragement to succeed, and acknowledge and engage status as a lived experience. They would invite colleagues and their students to actively reflect on, critique, and contest
injustice. Taking political action recognizes that without a pathway to legitimize their residency according to the State, high school graduates will persistently suffer a human rights violation—a limit to their agency in actualizing their full capacity. In my call for a socially just education and political activism, I leave you with incite/insightful commentary from Spivak: “the revolutionary moment is a moment of false promises” (in Butler & Spivak 2007, p. 120). In a sense I am arguing for a contradiction: to prepare students to graduate with the resources and knowledge to continue in higher education, when the promise of graduation dead-ends with unrealizable possibilities within the current political context. Perhaps Plyler vs. Doe has set the stage for radical change, when we can more authentically enact universal human rights into education and immigration policy and practice.
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http://www.uscis.gov/portal/site/uscis/


http://www.hecb.wa.gov/Paying/waaidprgm/CollegeBoundScholarship.asp


Appendix A

Figure 2: Washington Higher Education Residency Affidavit

Washington Higher Education Residency Affidavit/Declaration/Certification

Effective July 1, 2003, Washington state law changed the definition of “resident student.” The law makes certain students eligible for resident student status – and eligible to pay resident tuition rates – when they attend public colleges and universities in this state. The law does not make these students eligible to receive need-based state or federal financial aid. To qualify for resident status, students must complete this affidavit/declaration/certification if they have met the following conditions:

- Resided in Washington State for three (3) years immediately prior to receiving a high school diploma, and completed the full senior year at a Washington high school;

  or

- Completed the equivalent of a high school diploma and resided in Washington State for the three (3) years immediately before receiving the equivalent of the diploma;

  and

- Continuously resided in the State since earning the high school diploma or its equivalent.

Print full name

Date of birth (mo/day/yr)

Student Identification Number (if applicable)

Relationship to the college or university:  □ Applicant  □ Current Student

Name of high school: ________________________________

I certify that:

□ I will file an application to become a permanent resident of the United States as soon as I am eligible to apply. I am also willing to engage in activities designed to prepare me for citizenship, including citizenship and civics review courses.

  or

□ I am a U.S. citizen or permanent resident of the United States.

I certify or declare under penalty or perjury under the laws of the State of Washington that the foregoing is true and correct.

Date

____________________________

Signature

Place (city, state)

Note to the student: Please submit the original copy of this completed affidavit to the admissions office or the registrar of the college or university to which you are applying. Faxed or e-mailed forms, or forms without an original signature, are not acceptable.
Appendix B
Research Site Overview

**Glacier School District** - A school district in northwest Washington State containing 4 high schools, 4 middle schools, and 15 elementary schools. Sahale Middle School and Glacier High School represent the most socioeconomically, racially, ethnically, and linguistically diverse schools in the district.

**Sahale Middle School** - The Office of Superintendent of Public Instruction website reports that in 2010, 59.8% of Sahale Middle School students received free or reduced price meals; and 11.4% of students were designated transitional bilingual. 59.3% of students are White, 23.4% Hispanic, 10.5% Asian/Pacific Islander, 10.5% Asian, 3.8% Black, and 3% Indigenous. Graduates of Sahale Middle School typically matriculate to Glacier High School.

**Glacier High School** - At Glacier High School, 36.0% of students receive free or reduced-price meals and 4.5% are considered transitional bilingual. The ELL teacher at Glacier contends, however: “We don’t have a large percentage of students who are identified as English Language Learners, based on our state language proficiency test. However, in addition to that, we have another huge population of students who may have been identified in that category at one time in their early years, but are no longer identified as such; however, they still have important needs as non-native English speakers.” 71.5% of students are White, 13.2% Hispanic, 10.6% Asian/Pacific Islander, 10.6% Asian, 2.6% Black, and 2.1% Indigenous.
Appendix C

Research Participants

Anne Keane – School-family Liaison, employed by a local community organization

Anthony Graham – Counselor at Glacier High School

Christina Robertson – Counselor at Sahale Middle School

Craig Evans – Principal of Glacier High School

Julie Romano – English Language Learner teacher at Glacier High School.

Maribel Castillo – School-family Liaison, employed by the Glacier School District with an office located at Sahale Middle School.

Michael Sumner – Principal of Sahale Middle School.

Miriam Sutton – Counselor at Glacier High School.

Patrick Williams – Counselor at Glacier High School. Coordinator of the Advancement Via Individual Determination (AVID) program and the Multicultural Student Club.

Robyn Durand – Part-time counselor at Sahale Middle School.
Appendix D

Interview Schedule: María’s Interview

Thank you for participating in this interview! This interview will last about one hour, and it will cover three major themes. The first set of questions will allow you to describe your personal experience as an advocate for students without documentation. Here I’ll ask questions regarding your work with the Student Coalition for Immigration Rights, interactions you’ve had with public schools when providing resources and information to students, and I’ll ask you to describe some of the particular challenges students without documentation face from your perspective. In the second section of the interview, we’ll shift gears and discuss my future thesis project. At this point, we’ll discuss important themes, questions or issues you think I should explore with students without documentation. In the last section, I’ll ask you to reflect on this experience of being interviewed, and prompt you to give me some feedback on conducting future interviews.

1. First let’s talk about your personal experience as an advocate for students without documentation.
   a. Let’s start off by talking about your work with the Student Coalition for Immigration Rights.
      i. Can you tell me about a project your group is working on right now?
      ii. What is your role within the group? Who else is involved?
      iii. Tell me about some of the successes of your group so far. (potential follow up: What makes this a success?)
   iv. Can you describe any challenges your group has encountered so far?

   b. What has brought you to this work? Why are you involved with this issue?

   c. Now I’d like to hear about your experiences with K-12 schools.
      i. Can you describe an encounter you have had with a teacher, school counselor or administrator when you’ve been addressing the concerns of students without documentation?
   1. What did you discuss?
   2. What was their reaction?
   3. How did you feel during that encounter?
   4. What does this encounter tell you about the level of awareness about this issue in K-12 schools? How about the level of concern?

   d. I’m curious about the resources and future activities that depend on a student possessing a social security number, particularly the resources or activities that would be relevant to a K-12 student. Can you tell me anything about that?
Now let’s shift gears and discuss my future research project. For my master’s thesis I want to interview students without documentation directly. Now I’d like you to help me think about how to address students in the future, and even brainstorm some topics that you think I should explore in future interviews.

a. From your experience working with these students, can you suggest any topics that I should explore with them?

b. What do you think is the best way to approach these students, given this is such a sensitive issue?

c. I want to do research that helps support students without documentation and doesn’t create more problems for them. Do you see any dangers in conducting this research, in telling these stories? In what ways could the research results be harmful?

Finally, I have some questions that will help me develop my interviewing skills. For this section I’d like you to reflect on this interviewing experience.

a. What has been your experience of being interviewed?

b. How does it feel to respond to these questions?

c. What changes might you suggest for future interviews?

Thank you for participating in this interview!
Appendix E

Interview Schedule: Research Participants

Thank you for agreeing to participate in this interview! I am conducting my master’s thesis, and my goal is to learn more about your perspective on the transition from high school to post-secondary education for students who do not possess authorized immigration status in the United States and how you prepare these students for their transition from public K-12 schooling to post-high school opportunities. I wanted to meet with you because I thought you might have some valuable insight on this topic. I am conducting an institutional ethnography, and basically this research methodology allows me to explore how people from various levels of an institution perform their work in order to better understand how students without documentation may or may not be impacted by the requirements of this work. This interview will last approximately an hour. We will cover 2 major themes. First I will ask you questions so that you can describe your general day-to-day work. In the second part of the interview, I will ask you questions about activities that you may do for work that specifically relate to students who are undocumented.

I. First I want to ask you some general questions about your day-to-day work.
   a. Describe for me what you do for work.
   b. Tell me what you do to prepare students for their post-high school options.

II. Now I want to ask you some general questions about your work and how it may be the same or different when you are working with a student who may not have citizenship documentation.
   a. Tell me about your work with students who you think may be undocumented. Do you engage in any unique tasks when working with a student who may not have citizenship documentation?
   b. How do you know or sense that one of your students may not be documented?

III. Now I’d like to ask you some specific questions about what you do to prepare students who are undocumented for their transition after high school graduation.
   a. What are your views about post-high school options for undocumented students?
   b. What do you do to prepare students who are undocumented for these options?
      i. Do these tasks require any particular knowledge or skills?
      ii. Who else is involved in performing these tasks?
      iii. Are there any forms or documents that you use, or draw from, to perform these tasks?
   iv. Do you encounter any tensions or difficulties when performing these tasks?
c. Do you discuss college with students who are undocumented? Describe what you might do or say in a meeting with a student who you suspect may be undocumented.

i. Does accessing college for a student who is undocumented require any particular knowledge or skills?

ii. What kinds of resources do you suggest/provide?

iii. Are there any forms or documents that you use, or draw from, to help a student get to college?

iv. Do you encounter any tensions or difficulties when helping a student get to college?

IV. Lastly, I’d like to explore how you feel about working with students without documentation.

a. How do you feel about your roles and responsibilities for preparing students without documentation for life after high school?

b. How do you feel about “empowering” this group? (How would you define “empowering”)

c. I’ve spoken with a college student who is undocumented and this person felt frustrated that everyone around emphasizes that if you just work hard and do your best that you will succeed academically and professionally. Yet for this person, this view conflicts with barriers for accessing higher education or getting a job after high school.

i. What do you think about this?

ii. How do you proceed with your work in light of the barriers that students without documentation face?
Figure 3: College Bound Scholarship Application

Appendix F
INCOME STANDARDS
You must meet one of the four income standards below when you apply for the College Bound Scholarship.

We, the student and parent or legal guardian, certify that one or more of the following is true. Please check all that apply:

☐ Student is eligible for the federal free or reduced-price lunch program.
☐ Student’s family receives basic food/TANF benefits.
☐ Our 2009 family income from all sources (taxable and nontaxable) was less than or equal to the amounts in the chart.
☐ Student is currently in foster care and is automatically eligible to apply. See the Q&As for details regarding who should sign the form.

NOTE: Family income from the student’s senior year will be used to verify financial eligibility for this scholarship award.

<table>
<thead>
<tr>
<th>Family Size</th>
<th>2009 Income</th>
<th>Monthly Income</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>$27,000</td>
<td>$2,250</td>
</tr>
<tr>
<td>3</td>
<td>$33,900</td>
<td>$2,825</td>
</tr>
<tr>
<td>4</td>
<td>$40,800</td>
<td>$3,400</td>
</tr>
<tr>
<td>5</td>
<td>$47,700</td>
<td>$3,975</td>
</tr>
<tr>
<td>6</td>
<td>$54,600</td>
<td>$4,550</td>
</tr>
<tr>
<td>7</td>
<td>$61,600</td>
<td>$5,125</td>
</tr>
<tr>
<td>8</td>
<td>$68,500</td>
<td>$5,700</td>
</tr>
</tbody>
</table>

Each additional family member: Add $6,900
Add $575

RELEASE OF INFORMATION
Checking "YES" to the statements below allows the Higher Education Coordinating Board to exchange information about the student with selected educational organizations such as colleges and universities, public and non-profit organizations, the Office of Superintendent of Public Instruction, and the middle and high school attended by the student.

This exchange may include the student’s name, address, birth date, ID number, and other personally identifiable information. Answering "NO" to these questions will not affect the student’s eligibility for the College Bound Scholarship, but will reduce the services the HECB and other educational entities can provide the student. Student information is secure and is not shared with unauthorized people or organizations.

1. I/we authorize the Higher Education Coordinating Board to share information with the Office of Superintendent of Public Instruction, the school(s) where I/we am enrolled, and colleges and universities in order to provide the College Bound Scholarship and other assistance.
   ☐ YES ☐ NO

2. I/we authorize the Office of Superintendent of Public Instruction and school(s) where I/we am enrolled to share information with the Higher Education Coordinating Board to maintain accurate contact information and track student progress.
   ☐ YES ☐ NO

3. I/we authorize the Higher Education Coordinating Board to share information with selected public and non-profit agencies whose goals are to assist students with academic success and college preparation.
   ☐ YES ☐ NO

STUDENT PLEDGE: Yes, I am college bound! I pledge that I will:

- Do well in middle school and high school, and graduate with a cumulative high school grade point average of 2.0 or higher on a 4.0 scale.
- Be a good citizen in school and in my community, and not commit a felony.
- Apply for financial aid by submitting the Free Application for Federal Student Aid (FAFSA) in a timely manner during my senior year of high school.

AGREEMENT: This must be signed by the student and at least one parent or legal guardian.

- I/we certify that the information contained in this application is true and correct to the best of my/our knowledge.
- I/we agree to meet the student pledge requirements as stated above.
- I/we declare that our family meets one of the four income standards listed above.
- I/we understand that the student will only be eligible to receive scholarship assistance if the student fulfills the pledge requirements and the family income does not exceed the cutoff at the time of high school graduation.

Student Signature  
Date

Parent/Legal Guardian Signature  
Date

Mail to:  
HECB College Bound Scholarship  
P.O. Box 43430  
Olympia, WA 98504-3430

Questions?  
See Q&As at: www.hecb.wa.gov/collegebound

Email: collegebound@hecb.wa.gov

Phone: 1-888-535-0747  
FAX: (360) 704-6218

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Appendix G

Figure 4: National School Lunch Program/School Breakfast Program Application

<table>
<thead>
<tr>
<th>Grade Level</th>
<th>REGULAR</th>
<th>REDUCED-PRICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Breakfast</td>
<td>Lunch</td>
<td>Snack</td>
</tr>
<tr>
<td>K-3</td>
<td>$1.60</td>
<td>$2.75</td>
</tr>
<tr>
<td>4-5</td>
<td>$1.80</td>
<td>$2.75</td>
</tr>
<tr>
<td>6-12</td>
<td>$1.75</td>
<td>$3.00</td>
</tr>
</tbody>
</table>

WHO SHOULD FILL OUT AN APPLICATION?

Fill out the application if:
- Household Income is the SAME or LESS than the amount on the chart
- You receive Food Stamps
- You live in a Household
- You are applying for a foster child

Term the application to your child’s school office. Be sure to submit ONLY ONE application per household. We will notify you if the application is approved or denied.

WHAT COUNTS AS INCOME? WHO IS CONSIDERED A MEMBER OF MY HOUSEHOLD?

Look at the income chart below. Find your household size. Find your total household income. If members in the household are paid at different times during the month and you are unsure if your household is eligible, fill out an application and we will determine your income eligibility for you. The information you give will be used to determine your child’s eligibility for free or reduced-price meals.

Foster children MAY be eligible for free and reduced-price meals regardless of your income. Each foster child needs their own application. If you have questions about applying for meal benefits for foster children, please contact us at 360-676-6504.

INCOME CHART Effective from July 1, 2009 to June 30, 2010

<table>
<thead>
<tr>
<th>Household Size</th>
<th>Annual</th>
<th>Monthly</th>
<th>Twice Per Month</th>
<th>Every Two Weeks</th>
<th>Weekly</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>$20,038</td>
<td>$270</td>
<td>$35</td>
<td>$771</td>
<td>$360</td>
</tr>
<tr>
<td>2</td>
<td>26,038</td>
<td>330</td>
<td>414</td>
<td>823</td>
<td>380</td>
</tr>
<tr>
<td>3</td>
<td>33,874</td>
<td>423</td>
<td>542</td>
<td>1080</td>
<td>450</td>
</tr>
<tr>
<td>4</td>
<td>40,763</td>
<td>504</td>
<td>624</td>
<td>1248</td>
<td>550</td>
</tr>
<tr>
<td>5</td>
<td>47,712</td>
<td>584</td>
<td>706</td>
<td>1412</td>
<td>600</td>
</tr>
<tr>
<td>6</td>
<td>54,631</td>
<td>664</td>
<td>827</td>
<td>1654</td>
<td>700</td>
</tr>
<tr>
<td>7</td>
<td>61,550</td>
<td>747</td>
<td>908</td>
<td>1815</td>
<td>800</td>
</tr>
<tr>
<td>8</td>
<td>68,469</td>
<td>827</td>
<td>1004</td>
<td>2008</td>
<td>900</td>
</tr>
<tr>
<td>Additional members</td>
<td>6,919</td>
<td>897</td>
<td>1196</td>
<td>2392</td>
<td>1040</td>
</tr>
</tbody>
</table>

HOUSEHOLD is defined as all persons, including parents, children, grandparents, and all people related or unrelated who live in any home and share living expenses. Do not include foster children.

HOUSEHOLD INCOME is considered to be the income each household member received before taxes. This includes wages, social security, pension, unemployment, welfare, child support, alimony, and any other cash income.

WHAT MUST BE ON THE APPLICATION?

For households not getting any assistance:
- Child’s name
- Names of all household members
- Income by source for all household members
- Adult household member’s signature
- Social security number of the adult household member who signs the application, (or check the “I do not have a social security number” box if the adult signing does not have a social security number)

Complete Parts 1, 2, 3, and 5. Part 6 and 7 are optional.

For a foster child: (one per application)
- Child’s name
- Child’s personal use income
- Adult household member’s signature
Complete Parts 4 and 5. Parts 6 and 7 are optional.

For a family getting Basic Food/TANF/FDPFR:
- Child’s name
- Basic Food, TANF, or FDPFR case number
- Adult household member’s signature
Complete Parts 1 and 5. Parts 6 and 7 are optional.

FORM SPI NSLP M-280 EX 1 AHFK (Rev. 7/10)
DON'T MY CHILDREN AUTOMATICALLY QUALIFY IF THEY HAVE A CASE NUMBER?

Children on TANF or Basic Food may get free meals without the household having to complete an application. These children are identified by the school using a data matching process. TANF and Basic Food staff at the Department of Social and Health Services (DSHS) send a list of children on these programs to the Office of Superintendent of Public Instruction (OSPI). OSPI matches the children on this list to our list of enrolled students that your child's school has reported to us. This matched list is then made available to your child's school food service staff. The students on this list get free meals if their schools have the free and reduced breakfast and/or lunch program (not all schools do). Please contact us immediately if you feel your children should be receiving free meals and aren't.

If you do not want your child to participate in the free meal programs using this method, please notify the school.

IF ANYONE IN MY HOUSEHOLD HAS A CASE NUMBER, WILL ALL CHILDREN QUALIFY FOR FREE MEALS?

Yes. Please contact us immediately if you feel other children in your household should be receiving free meals and are not.

BASIC FOOD — CAN I QUALIFY FOR ASSISTANCE IN BUYING FOOD?

Basic Food is the state's food stamp program. It helps households make ends meet by providing monthly benefits to buy food. Getting Basic Food is easy! You can apply in person at the local DSHS Community Service Office, by mail, or online. You may qualify for Basic Food even if you do not qualify for Free or Reduced-Price lunch because Basic Food eligibility goes up to 200 percent of the Federal Poverty Level, whereas the National School Lunch Program stops at 185 percent. And, if you qualify for reduced-price lunch, you should apply for Basic Food because your children may be automatically eligible for free meals at school. There are other benefits too. You can learn about Basic Food by calling 1-877-514-FOOD or by logging on to http://www.foodhelp.wa.gov/basic_food.htm.

APPLE HEALTH FOR KIDS (FREE OR LOW-COST HEALTH INSURANCE)

If you would like to be contacted about Apple Health for Kids' free or low-cost health insurance for your children please sign and date the box on the back of the Application for Free and Reduced-Price Meals and return it to your child's school. Apple Health for Kids may include health coverage for doctor visits, prescriptions, hospital, dental care, eyeglasses and more. You can also call to request an application at toll free 1-877-543-7969 or fill out and print an application online at: http://hsa.dept.wa.gov/applehealth/index.shtml. Even if your child has other health insurance, they may still be eligible for help with the monthly premium, co-pays or deductibles.

WHAT IF MY CHILD NEEDS SPECIAL FOODS?

All meals served meet the federal food guidelines. Students who are identified as disabled by their doctor may need different foods. Those substitute foods will be made available at no extra charge if your child's doctor fills out the necessary paperwork. If your child needs this assistance, please contact us.

PROOF OF ELIGIBILITY

The information you provide may be verified at any time. You may be asked to send additional information to prove your child is eligible to receive free and reduced-price meals.

FAIR HEARING

If you do not agree with the decision on your child's application or the process used to prove income eligibility, you may talk with Ron Conner or Mark Dalton, the fair hearing official. You have the right to a fair hearing which may be arranged by calling the school/food district at this number 360-676-6504.

REAPPLICATION

You may apply for benefits any time during the school year. If you should have a decrease in household income, an increase in household size, or become unemployed, or receive Basic Food, TANF, or FDPIR, you may be eligible for benefits and may fill out an application at that time.

NONTDISCRIMINATION

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, sex, or disability. Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact USDA's TARGET Center at (202) 720-2600 (voice and TDD).

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue SW, Washington, DC 20250-9410 or call (202) 795-3272 or (202) 720-6382 (TDD). USDA is an equal opportunity provider and employer.
2010-2011 HOUSEHOLD APPLICATION FOR FREE AND REDUCED-PRICE MEALS

Complete, sign and return this application to your child's school office.

1. List all children living with you (except Foster Children). Include any income received and make an "X" in the correct box for how often it is received. If you have written a case number for any of your children, skip to Section 5. See Section 4 for Foster Child. (You must submit a separate application for each Foster Child).

<table>
<thead>
<tr>
<th>Child's Last Name</th>
<th>Child's First Name</th>
<th>MI</th>
<th>Date of Birth</th>
<th>School</th>
<th>Grade</th>
<th>Student Income</th>
<th>Weekly</th>
<th>Monthly</th>
<th>Yearly</th>
<th>adversely affected</th>
<th>Male/Female</th>
<th>Family Size</th>
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Does your child receive Basic Food, TANF or FDPIR? If YES, you must list a case number.

2. List the names of all other household members. Please enter your income and CHECK how often it is received. If you write a case number, skip to Section 5.

<table>
<thead>
<tr>
<th>Names of ALL other household members</th>
<th>Earnings from work (before any deductions)</th>
<th>Seasonal Work</th>
<th>Welfare, Child Support, Alimony</th>
<th>Quarterly</th>
<th>Monthly Pensions, Retirement, Social Security (SSI)</th>
<th>Any Other Income Not Already Listed</th>
<th>Totals</th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>$</th>
<th>$</th>
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</table>

3. Total Household Members (include all people living in your household):

4. Foster Child – One Foster Child per application. List the foster child below, their personal income and how often received. If foster child has no income write "0".

<table>
<thead>
<tr>
<th>Foster Child’s Name</th>
<th>Date of Birth</th>
<th>Child’s Personal Income</th>
<th>Weekly</th>
<th>Monthly</th>
<th>Yearly</th>
<th>adversely affected</th>
<th>Male/Female</th>
<th>School</th>
<th>Grade</th>
</tr>
</thead>
<tbody>
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</tbody>
</table>

5. Signature and Social Security Number – I certify that all of the above information is true and correct and that all of the income is reported and/or the Basic Food or TANF/FDPIR case number is reported correctly. I understand that this information is being given for the receipt of federal funds; that school officials may verify the information on the application and that deliberate misrepresentation of the information may subject me to prosecution under applicable state and federal laws.

Check the box if you do not have a social security number

- [ ] I do not have a social security number.

Printed Name of Adult Household Member

Signature of Adult Household Member

Date

FORM SPH.15.1.DS.P  M 2649 EX 1A – AYHO (Rev. 0710)
6. Children's Racial And Ethnic Identities (Optional)

Mark one or more racial identities:
- Asian
- White
- Black, or African American

Mark one ethnic identity:
- American Indian or Alaska Native
- Native Hawaiian or Other Pacific Islander
- Other

7. Other Benefits: Please check the box in front of the programs that you wish to share your child's free or reduced price meal status with in order to qualify for a reduction in fees.

- Apple Health for Kids (Free or Low-Cost Health Insurance)
- Sport/Athletic Fees
- Summer School
- Full-day Kindergarten

By signing below, I allow the information contained on this application to be shared with the other program(s) I have indicated.

Parent/Guardian Signature: ____________________________ Date: __________

Privacy Act Statement: This explains how we will use the information you give us. The Richard B. Russell National School Lunch Act requires the information on this application. You do not have to give the information, but if you do not, we cannot approve your child for free or reduced price meals. You must include the social security number of the adult household member who signs the application. The social security number is not required when you apply on behalf of a foster child or you list a Supplemental Nutrition Assistance Program (Basic Food), Temporary Assistance for Needy Families (TANF) Program or Food Distribution Program on Indian Reservations (FDPIR) case number or other FDPIR identifier for your child or when you indicate that the adult household member signing the application does not have a social security number. We will use your information to determine if your child is eligible for free or reduced price meals, and for administration and enforcement of the lunch and breakfast programs. We MAY share your eligibility information with education, health, and nutrition programs to help them evaluate, fund, or determine benefits for their programs, auditors for program reviews, and law enforcement officials to help them look into violations of program rules.

---

SCHOOL USE ONLY
DO NOT WRITE BELOW THIS LINE

ANNUAL INCOME CONVERSION: Weekly x 52; Every Two Weeks x 26; Twice a Month x 24; Monthly x 12

LEA APPROVAL/DENIAL
- Basic Food/TANF/FDPIR Household
- Total Household Size
- Total Household Income
- Income Approved by (circle one): weekly every two weeks twice a month monthly annual

Foster Child

APPLICATION APPROVED FOR:
- Free Meals
- Reduced-Price Meals

APPLICATION DENIED BECAUSE:
- Income Over Allowed Amount
- Incomplete/Missing Information
- Other:

Date Notice Sent: ____________________________ Signature of Approving Official: ____________________________ Date: __________

VERIFICATION: Verification procedures must not delay approval of application

Date Selected for Verification: ____________________________ Notes: ____________________________ Comments: ____________________________

Date Confirmation Review Completed: ____________________________

First Notice Sent: ____________________________

Response Due From Householder: ____________________________

Second Notice Sent: ____________________________

Response Due From Householder (also date of termination, if no response): ____________________________

INCOME
- Wage Stubs
- Written Documents
- Collateral Contact
- Agency Records
- Other

$ comments

RESULTS
- No Change
- Free to Reduced
- Reduced-Price to Free
- Free to Paid
- Reduced-Price to Paid

REASON FOR ELIGIBILITY CHANGE
- Income
- Household Size
- Did Not Respond
- Other

Date of Change: ____________________________ Date Adverse Notice Sent: ____________________________

Signature of Verifying Official: ____________________________ Date: __________

FORM SPI NSLP M-283 EX 1 AHF (Rev. 7/10)
Appendix H

Organizations Offering Scholarships that do not Require Residency

Camino Foundation:  http://caminofoundation.org/

Congressional Hispanic Caucus Institute: www.chciyouth.org

Latino College Dollars:  www.latinocollegedollars.org

Mexican American Legal Defense and Education Fund:  www.maldef.org

Sea Mar scholarship:  http://www.seamar.org/scholarship.htm

Scholarship Search Engine:  www.hispanicscholarship.com

More scholarship opportunities can be found through the following resource:

Appendix I

Educational Studies Agreement to Reprint Article in Thesis

Subject: Re: Educational Studies - Decision on Manuscript ID HEDS-2010-0058.R1
Date: Saturday, April 16, 2011 5:55 AM
From: Rebecca Martusewicz <rmartusewicz@gmail.com>
To: Sara Radoff <saraones@hotmail.com>
Conversation: Educational Studies - Decision on Manuscript ID HEDS-2010-0058.R1

Hi Sara,

Yes. You have our permission to use this article as requested.

I will check on where it stands with regard to publication.

Best wishes,

Rebecca

On Fri, Apr 15, 2011 at 8:01 PM, Sara Radoff <saraones@hotmail.com> wrote:
Hello Rebecca,

I hope you are enjoying this spring!

I am writing because I am graduate student preparing a thesis for submission as part of the requirement for my degree at the University of British Columbia, and I would like to include an article that has been accepted in Educational Studies, “Crossing the borders of Plyler v. Doe: Students without documentation and their right to rights”. I am writing to seek your permission to include this article in my thesis. I plan to imbed the article (with minor alterations so it fits the flow of my thesis) in an introductory chapter in which I am framing the social, political and economic context of my research.

My thesis will be available in the UBC Library's electronic collection and will be available online to the public, and I will be granting non-exclusive licenses to the UBC Library and to Library and Archives Canada. For more detailed information, here are some links:

If you grant this permission, I will also list the journal, and indicate the chapter(s) in which the published work is located.
I am also happy to send the copyright holder a copy of my completed work.

Would it be possible that you reply to me by May 1st with a response to this inquiry?

One last inquiry, I imagine the article is still in line waiting for an issue assignment since I haven’t received any proofs yet, and I trust that this is a process that takes some time. But do let me know if I have missed any correspondences.

Warmly,
Sara Radoff