

LAMBRINOU, MARINA. Ph.D. “The United States, it’s supposed to be where dreams come true”: Rhizomatic familias, nested policy contexts, and the attendant shaping of undocumented and mixed status students’ lived experiences in North Carolina. (2023)
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This qualitative research study explores the nature of the nested contexts (historical, political, socio-cultural) within which migrant youth experience restrictive immigration policies in North Carolina, while also examining how these youth perceive and experience the enactment of these policies through an interpretive policy framework combined with a critical policy analysis lens. Spotlighting these experiences highlights not only the structural obstacles and challenges these youth and their families face both within educational settings and in their daily life, but, importantly, underscores their capacity for agency and function as policy actors with the ability to recreate policy meaning and effect transformative change. The findings of this study suggest a need for structural policy reform and a series of systemic reforms within K-12 educational settings in North Carolina to provide schools with institutional mechanisms of support to meet migrant students’ needs. The study also develops a new conceptual framework, rhizomatic familias, on the basis of Deleuze and Guattari’s (1987) concept of the rhizome to call attention to mixed status families’ uniform experiences of illegality.

“THE UNITED STATES, IT’S SUPPOSED TO BE WHERE DREAMS COME TRUE”:

RHIZOMATIC FAMILIAS, NESTED POLICY CONTEXTS, AND

THE ATTENDANT SHAPING OF UNDOCUMENTED

AND MIXED STATUS STUDENTS’

LIVED EXPERIENCES IN

NORTH CAROLINA

by

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Dr. Katherine Cumings Mansfield
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DEDICATION

This work would not have been possible without a number of people whose love and support encouraged me throughout the journey.

First, to my parents, my yiayias, and family in Cyprus: Thank you for your love and your undying support as this ambitious and greedy for learning person transitioned from degree to degree. You made this dream possible by keeping me afloat, financially and emotionally, during my first two degrees in the UK, especially. Sas efcharisto, sas agapo kai elpizo na sas kano panta perifanous.

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APPROVAL PAGE

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CHAPTER I: INTRODUCTION

Prelude

Seven years, three months and nineteen days ago, a teacher walked into her classroom in Winston, Salem, NC, her stomach in knots, her eyes watery and tired from lack of sleep and rest. She had done this walk more times than she could count for the past three years. And yet, today was different; it felt different. Every step felt heavier, harder to make. She tried taking deep breaths to steady herself, to put on a brave face, a front, for what else could she do? What could she tell her students, when for the past few months before last night's debacle she had been reassuring them that this racist, narcissistic "orange man," as they called him, would never rise to the country's highest office, because how could he? She was ashamed for her condescending words and her patronizing tone, but, more than anything, she was ashamed for not doing more, for not volunteering, for not going door to door, for not protesting, for indulging in complacency, in complicity. She finally opened the door, put her things down and slumped in a chair, trying to rehearse what she would say and what she would not or could not say in her mind. The students began filing in, one by one, their heads low, their bodies bent, their faces dejected. There was no cheerful chatter that morning, no giggling, only silence. At last, the silence was broken by a small voice, which she instantly recognized as that of the girl in the next to last row, who she had congratulated only yesterday on her performance on one of the recent standardized tests. How insignificant did all of that seem now, as the girl slowly whispered: "Why does this country hate us?" The teacher, typically loquacious, was lost for words. She searched for something to say, to steady the boat, to inflict some certainty and stability into what seemed an intractably uncertain situation. She closed her eyes and took a breath. There was no going back.

Background

The four years of the Trump administration saw a tremendous amount of turbulence reverberating across American and international politics, shaking up the field of migration and seemingly causing a seismic shift through the administration's spectacle politics (O'Brien, 2020). However, even as the former president's xenophobic and openly anti-immigrant rhetoric was unparalleled at the executive level in the modern era, the administration's immigration policies largely followed in the footsteps of its predecessors. Despite being lauded as a nation of immigrants, the United States has, since its inception, pursued exclusionary immigration policies toward racial and ethnic groups it considered to be undesirable, unassimilable, and threatening to the national body (Goodman, 2020). Historian Adam Goodman (2020), for instance, points out that the United States deported 57 million people between the 1880s and the present day, the highest number of expulsions recorded by any nation in history with very little due process.

Restrictive immigration policies have relied on mass deportations as a strategy for their deployment (Goodman, 2020). By the time President Obama left office, the total number of deportees increased by one million while Donald Trump deported over 550,000 immigrants in three years (Nowrasteh, 2019). Exclusionary policies have been pursued by both political parties in the modern era (Goodman, 2021). For instance, the Obama administration deported a record number of unauthorized migrants (Chishti, Pierce & Bolter, 2017). Similarly, the Biden administration, while engaging in more pro-immigrant rhetoric, has thus far mirrored the preceding administrations in terms of its hawkish stance on migration crossings (Ordoñez, 2021).

In addition to being ineffective, hawkish policies are generative of the very crises they purport to address (Heidbrink, 2020). For instance, the strategy of mass deportations that was

contrived almost two decades ago to address the issue of unauthorized migration is mutually reinforcing and constitutive of illegality (Ngai, 2004). Illegality, argues historian Mae Ngai (2004), was a category purposefully constructed to distinguish between desirable migrants, who would be granted a pathway to legalization, and undesirable migrants, who would be excluded from civic life while constituting a cheap labor force.

Migration policies of the modern era have particularly detrimental effects for undocumented youth, who are estimated to exceed 3.5 million in number and who make up 7 percent of the U.S. total child population (Esterline & Batalova, 2022). These policies also affect U.S. born children with undocumented parents: As of 2018, 4.4 million U.S. citizen children were reported to have at least one unauthorized immigrant parent (Capps, Gelatt, Ruiz Soto & Van Hook, 2020), a number that is on the rise (Connor, 2021).

The status of illegality has material consequences on young people's lives which transcend the legal effects derivative of juridical status. For example, during childhood, undocumented youth have access to K-12 educational settings by virtue of the Supreme Court's 1982 *Plyler v. Doe* ruling (Gonzales, Heredia & Negrón-Gonzales, 2015). However, the *Plyler v. Doe* ruling ultimately proved unsuccessful in mitigating the effects of illegality, providing a form of segmented integration which would not extend beyond the schoolhouse (Gonzales, Heredia & Negrón-Gonzales, 2015). In addition, the Trump administration's heightened anti-immigrant rhetoric and family separation policy further threatened the lives of undocumented and mixed status youth, placing them at risk of developing post-traumatic stress disorder (PTSD) and acute emotional trauma as a result of parental loss or separation (Barajas-Gonzales, Ayón & Torres, 2018).

Similar to *Plyler v. Doe*, the 2012 *Deferred Action for Childhood Arrivals* (DACA) opened some doors to undocumented youth by providing them with the opportunity to enter the work force, gain access to higher education institutions in some states, and obtain valid driver's licenses (Gonzales, 2016; Higher Ed Immigration Portal, 2022). However, because DACA was created through an executive order issued by President Obama, it remains vulnerable to rescission by subsequent administrations and court rulings. Further, DACA does not grant legal permanent status (Silver, 2018). Additionally, the status relief that qualifying undocumented people receive via DACA does not extend to their undocumented parents or loved ones who did not graduate from high school or had plans to attend college (North Carolina Justice Center, n.d.). Finally, states with restrictive immigration policy contexts, including North Carolina, have policies that undercut federal benefits provided under DACA, such as higher education access (Higher Ed Immigration Portal; Silver, 2018).

The fact that DACA and *Plyler v. Doe* have only been partially effective, is indicative of the need for comprehensive federal immigration reform. This policy drought has also created a vacuum filled by enforcement actors such Immigration Customs Enforcement (ICE) working in concert with state and local actors to enforce punitive practices (Jones, 2019). This includes measures in what is now termed by many as the New Latino or *Nuevo South* (Jones, 2019; Rodriguez & Monreal, 2017), where local policy contexts have responded to the influx of new immigrants with a series of restrictive policy measures (Rodriguez & Monreal, 2017; Rodriguez, 2018).

Purpose of the Study

This study is guided by the notion that policies have real life consequences in shaping the lives of those they target. Policymaking does not occur in a vacuum, nor does it comprise a purely academic enterprise where problems are identified and then solutions prescribed as part of an objective scientific process (Rippner, 2016). Therefore, understandings of policy would be flawed and incomplete by divorcing those policies from the contexts in which they occur. These contexts lend meaning to policy and inform our understanding of the factors that shape policy implementers and policy receivers' responses (Spillane, Reiser & Reimer, 2002; Yanow, 2000). Thus, a primary purpose of this study was to explore the nature of the nested contexts (historical, political, socio-cultural) within which migrants and migrant youth from mixed status families experience immigration policies in North Carolina.

In addition, the policymaking process is intrinsically value-laden, the product of human sense-making shaped by the belief systems, knowledge bases, value sets, and lived experiences of those who engage in creating them and, by extension, assign their own meaning to them (Yanow, 2000). And just as policies are not created in a vacuum, they do not live in a vacuum, but descend from legislative chambers, journeying through the convoluted and messy multi-tiered levels of governance before eventually reaching everyday people (Rippner, 2016).

In the process of traveling between these different systems and transitioning between creation to implementation, policies are continuously shaped, their meanings reconstructed and renegotiated by those who receive them (Rippner, 2016; Yanow, 2000). Consequently, policy receivers also have the capacity to shape policy meanings, referred to in the policy implementation literature as "street-level policy actors" (Goldstein, 2008; Mavrogordato & White, 2020). Yanow (2000) refers to this multiplicity of policy actors as "interpretive

communities” (p. 10), which hold different interpretations of the same policy based on their divergent backgrounds and experiences (Yanow, 2000).

An additional purpose of this study was to discover and describe how undocumented and mixed status youth perceive and experience the enactments of restrictive immigration policies in North Carolina. Shedding light on these experiences is critical given the absence of these perspectives from policy and public discourse, coupled with the exclusion of undocumented and mixed status youth from forms of meaningful civic participation (Gonzales, 2016).

Acknowledging the agency and role of youth as legitimate policy actors (Mansfield & Lambrinou, 2021), this study brought to the fore the voices and perspectives of undocumented and mixed status youth affected by these policies. As a former educator who spent time with this community and student population, I considered gaining insight into the perspectives of students who are severely impacted by the limitations associated with the status of illegality as an imperative. Understanding these perspectives can not only shed light on the challenges they face, but also highlight their agency and amplify their voices in the wider educational and policy realm. Moreover, centering youth perspectives helps educators understand what educational strategies may be going well as well as what needs remain unmet (Mansfield, 2014).

I first examined the data interpretively, then moved toward criticality in later, more in-depth analyses. For example, I gained insight into whether, how, and to what extent illegality as a “master status” may shape undocumented and mixed status persons’ lived experiences (Gonzales, 2016), concluding that this particular framework is not apt for analyzing the experiences of the youth I interacted with for the purposes of this study. I arrived at this conclusion spurred by my conversations with a queer undocumented young person and several mixed status youth who shared their stories, lived experiences and perceptions of how the federal

and state immigration policy context shaped their experiences. Presenting a broad array of varied experience, these youth nonetheless had something in common: namely, the fact that their lived experiences and identities could not solely be reduced to their migration status. In the case of the undocumented young person I spoke with, his migration status did play a significant role in his life, but so did his identity as a queer man which interacted with his illegality in creating conditions of hardship. Additionally, my conversations with mixed status youth revealed that their status as U.S. citizens did not insulate them from the effects of illegality. As a result, the conceptual framework which resonated the most with their experiences was that of the rhizome (Deleuze & Guattari, 1987) which enabled me to theorize mixed status families as forming a tight network of interconnected identities, an assemblage which grows together but allows its members to retain their heterogeneity and evolve individually.

Research Questions

The following research questions guided this inquiry:

1. What are the historical, political, and socio-cultural contexts within which undocumented youth and migrant youth from mixed status families experience restrictive immigration policies in North Carolina?
2. How do undocumented youth and migrant youth from mixed status families perceive and experience restrictive migration policies in North Carolina?

Methods

Methodologically, I conducted a policy analysis using elements from Yanow's (2000) interpretive policy analysis and Diem, Young, Welton, Mansfield & Lee's (2014) definition of critical policy analysis. While I principally employed an interpretivist stance to explain

phenomena in this study, my work was also informed by critical inquiry, culminating in what Mansfield (2016) refers to as “critical hermeneutics” (p. 290).

Guided by the notion that understanding policy actors’ perspectives on social phenomena are key to understanding these phenomena themselves (Fischer, 2003; Yanow, 2000), I interviewed undocumented migrants and mixed status youth to gain insight into their own perspectives and ways in which they experience and respond to restrictive policy enactments in North Carolina. Throughout, I will employ document analysis to include: a) Section 287(g) of the *Immigration and Nationality Act of 1965*; b) policy briefs and media articles with information on 287(g) and the *Real ID Act of 2005*; c) information posted on the Higher Ed Immigration Portal (2022) pertaining to undocumented students’ access to post-secondary education in North Carolina; d) information drawn from Jones’ (2019) and Silver’s (2018) accounts of the state migration policy context of North Carolina.

Conceptual Framework

When I first embarked upon this study, I strongly considered examining restrictive immigration policies through the lens of Roberto Gonzales’ (2016) illegality as master status framework. I had long been an admirer of Dr. Gonzales’ work and, based on my previous interactions with undocumented and mixed status youth as an educator, I believed this framework to be apt for understanding and analyzing undocumented youths’ experiences within the federal and North Carolina migration policy context. Gonzales (2016) coined the term during a longitudinal research study spanning from 2003-2015 in which he interviewed 150 undocumented immigrant youth in California. According to this formulation, illegality, despite being broadly conceived solely in legal terms as a by-product of immigration law, is a sociopolitical condition transcending juridical status (Gonzales, 2016; Ngai, 2004). Moreover,

because it is so salient in youths' lives, it is an identity marker which supersedes all others (Gonzales, 2016).

However, before I started the data collection process, I also decided to allow myself to follow the data and go where the data dictated when engaging in analysis rather than rely on pre-established criteria to determine outcomes (Patton, 2015). It was important for the data to dictate the outcome to allow for more exploration, new discoveries, and the possibility of change (Patton, 2015). Once I realized that the data was incompatible with Gonzales' framework, I used an inductive approach and engaged in theory building resulting in the genesis of a new conceptual framework based on Deleuze and Guattari's (1987) concept of the rhizome which I discuss in more detail in later chapters.

Researcher Experience

Immigration is personal to me. I left my home country to fully embrace my identity and live my life as a queer woman. While I have experienced obstacles in my life, my positionality has afforded various privileges, such as the ability to pass as white and identify as European. I have also had access to education, travel, and cultural capital which has enabled me to develop fluency in English. Finally, my upbringing has provided economic capital which has allowed me to live my life in relative comfort and pursue an advanced degree.

However, when I first arrived in the U.S., what I had long considered to be an international, multicultural mecca, I navigated policy-based exclusion based on my intersected queer and immigrant identities due to *Defense of Marriage Act* (DOMA), which did not allow federal recognition of same-sex marriages. As an immigrant, the lack of comprehensive legal status for our marriage carried additional complications; my spouse could not legally sponsor me for a green card, compromising my ability to remain in the country long-term. Luckily, our

ordeal was relatively short-lived; however, the anguish I experienced significantly impacted my mental and emotional health at the time.

In addition to my own experience as an immigrant, I worked as an educator at a Title I school in Winston-Salem, NC, where the majority of the student population identified as Latinx. It did not take me long to realize that most of my students were either the children of undocumented parents, or undocumented themselves. The better I got to know them, the more they shared with me about the threats their families received in their places of origin, the perilous journey of crossing the border, the poor housing conditions they dealt with, and threats from callous landlords to report them to immigration authorities. Students' stories opened my eyes to the structural injustices and hardship faced by this population of children. The day after Donald Trump's election, on the morning of November 9, 2016, I arrived at school to find my middle schoolers in tears. "Why does this country hate us?" asked one of my students, a question that has haunted me ever since.

When I applied to my Ph.D. program, I did not have a clear idea of what I would pursue; however, in the course of the last three years, the faces of my students kept coming back to me as did my own migratory experience. When the Trump administration enacted its zero-tolerance policy in the summer of 2018, resulting in family separations and children being caged, I knew for certain that I would be focusing on immigration policies, their enforcement, and their impacts on children. My scholarship is the only honest, powerful way I know how to advocate for young immigrants pathologized and rendered invisible by anti-immigrant rhetoric and policy. Through my research, I intend to highlight and empower the perspectives of migrant youth.

Empathy is key to what I want to bring to the table as a scholar to help counter deficit perspectives about migrant youth and anti-immigrant rhetoric portraying migrants as criminals or

financial liabilities (Goodman, 2020). Yet in applying an empathetic lens to the lived experiences of migrants, one must be cognizant of the “dangers of compassion” (Rodriguez, 2015, p. 112) in engaging in narratives of pathologization by portraying migrants and migrant youth as objects of pity and victims devoid of agency (Heidbrink, 2020). Depicting migrants in this way further strips them of their humanity and fails to recognize them as moral subjects (Ahmed, 2000). To refrain from deficit framing migrants, I plan to engage in agentive empathy; that is, my scholarship aims to advocate for migrant youth while also recognizing and honoring their capacity for agency and change.

Significance of My Study

In the field of critical policy analysis, it is important to address policy silences; that is, who is absent from the policy making table (Diem, Young, Melton, Mansfield & Lee, 2014). Moreover, youth voices are generally lacking from policy debates (Mansfield & Lambrinou, 2021) while the voices of undocumented and mixed status youth in particular are acutely absent from public discourse (Heidbrink, 2020). Policy makers typically have scant interaction with members of the immigrant community and are largely influenced by anti-immigrant lobbyists and stakeholders (Gonzales, 2016; Goodman, 2020). Consequently, my study is designed to contribute to amplifying the voices and elevating the perspectives of immigrant youth who represent not only themselves and the breadth of their lived experience, but also their families and wider communities.

By including these perspectives and situating these voices in the larger context of migration policymaking, this study addresses important gaps in knowledge and understanding of the lived experiences of migrant youth who live their lives in the shadows and in fear of recrimination by virtue of their very existence. It is this lack of knowledge and understanding

guiding policy which results in restrictive and punitive measures reflecting a deficit-oriented view of immigrants at large (Gonzales, 2016; Heidbrink, 2020). Addressing this gap will highlight migrant youth agency and serve to counter perspectives and discourses of pathologization.

Overview of Chapters

The following chapters outline my approach to this study. In Chapter 2, I provided an overview and synthesis of the literature related to immigration policies, case laws, and executive decrees passed in recent decades, and their implications for the lived experiences of migrant youth. Emergent themes drawn from the literature include: a) a focus on the policy context as restrictive, punitive, and generative of the very crises it purports to address; b) the meaning of illegality as a master status in the broader context of youths' identity formation, as well as its relationship to policy and its shaping of youths' lived experience (Gonzales, 2016); c) developing an understanding of the role of school leaders in mitigating the effects of experiential illegality; d) possibilities for youth agency.

In Chapter 3, I discussed my methodology in conducting this study. First, I gave an overview of why qualitative methods are best suited to this study. Then, I discussed my decision to draw upon interpretive and critical policy analysis to inform this policy study. Thereafter, I gave additional details as to how participants will be selected and what consideration will be given to the setting. Finally, but not exhaustively, I outlined data collection methods and data analysis processes drawing on Wolcott's (1994) D-A-I analytical formula and listed data sources.

Chapter 4 addresses my first research question by investigating: a) the federal policy context, including the evolution of U.S. immigration policy legislation at the federal level and some of the landmark policies and events which shaped the trajectory of the national migration

policy landscape; b) the modern migration policy context; c) the North Carolina policy context, with particular emphasis on state policies overlapping with, and diverging from, federal policies; d) the education policy context vis-a-vis immigrant students, at the national level and in North Carolina.

Chapter 5 answers the second research question. Relying participant generated data, I identified the following emergent themes with respect to undocumented and mixed status youths' perceptions and experiences of the federal immigration policy context and the North Carolina policy context: a) restrictive policy contexts with very real consequences and daily life impediments; b) the dehumanization of the undocumented experience; c) the role of intersectional frameworks of oppression (race and socioeconomic status); d) the effects of these policies on youths' self-perceptions and their perceptions of the United States; e) intergenerational responsibility. In addition, I made some discoveries regarding youths' experiences in North Carolina K-12 school, including: 1) unaddressed socio-emotional needs; 2) cultural deficit perspectives and deficit framing of language; 3) the lack of diverse representation and resultant cultural disconnects.

In Chapter 6, I discussed the meaning and conclusions drawn from the findings and developed a new conceptual framework through which to examine the experiences of undocumented and mixed status youth on based on the Deleuze and Guattari's (1987) concept of the rhizome.

CHAPTER II: LITERATURE REVIEW

Overview

This literature review synthesizes various studies relating to immigration policies, case laws, and executive decrees passed in recent decades, analyzing their implications for the educational and lived experiences of migrant youth. The studies featured in this review address the inadequacies of federal immigration policies affecting migrant youth and the failures of case laws and executive decrees to address issues relating to immigrant youth (Barajas-Gonzalez, Ayón & Torres, 2018; Ee & Ga'ndara, 2020; Gonzales, 2016; Goodman, 2020; Heidbrink, 2020). The lack of humane policies adequately addressing the needs of undocumented youth has devastating consequences, including restricting access to educational opportunities and creating a life of hardship (Gonzales, 2016).

I begin with an illustration of the ways in which restrictive federal immigration policies, particularly of the modern era, manufacture the migration crises they purport to address through the invention of illegality as a status with sociopolitical implications (Gonzales, 2016; Goodman, 2020; Heidbrink, 2020; Ngai, 2004). These policies are designed with the objective of curbing illegal migration by deploying a strategy of mass deportations. Yet, as the literature indicates, the strategy of mass deportations has failed to stem the tide of unauthorized migration because policies that are hyper-focused on enforcement fail to address the structural causes of migration, including the U.S. government's own culpability in creating these root causes via its foreign policy (Heidbrink, 2020).

Additionally, heightened enforcement coupled with xenophobic rhetoric and discourses of migrant criminalization and dehumanization embedded within immigration policies, frame the lived experiences of migrant youth and their families, creating adverse socio-emotional outcomes

for these youth (Barajas-Gonzalez, Ayón & Torres, 2018; Rojas-Flores, Clements, Hwang Koo & London, 2017). In this section, the literature also briefly addresses the policy vacuum created in the absence of comprehensive federal immigration legislation resulting in the proliferation of executive decrees and court rulings producing de facto policies which address only certain aspects of migration (Gonzales, Heredia & Negrón-Gonzales, 2015; Gonzales, 2016). The literature also touches upon the significance of local context, physical location, and other contextual factors in shaping access to opportunity and social mobility (Gonzales & Burciaga, 2018).

Further, I examine literature that explores the effects of immigration policy on the education of migrant youth through the lens of Gonzales' (2016) conceptualization of illegality as a master status in the lives of migrant youth. This section introduces the sociological concept of a master status, discussing its implications for the auxiliary traits of youth (Gonzales & Burciaga, 2018). The literature then focuses on how the 1982 *Plyler. v. Doe* Supreme Court ruling, while successful in imparting a sense of belonging in migrant youth by including them in K-12 educational settings, fails to address the structural obstacles they encounter (Gonzales, Heredia & Negrón-Gonzales, 2015). I then analyze literature focused on the current migration context noting the exacerbation of structural inequities for migrant youth in educational settings under the Trump administration (Barajas-Gonzalez, Ayón & Torres, 2018; Ee & Ga'ndara, 2020).

The subsequent section focuses more pointedly on the adverse socio-emotional experiences of migrant youth or children of undocumented parents created through their exposure to potentially traumatic events (PTEs) associated with parental loss, family separation,

or the possibility of parental loss and separation (Barajas-Gonzalez, Ayón & Torres, 2018; Rojas-Flores, Clements, Hwang Koo & London, 2017).

Finally, I invoke the notion of agency for migrant youth who are often depicted as powerless and are further pathologized through narratives of victimization (Heidbrink, 2020). I link the claims of Barajas-Gonzalez, Ayón and Torres (2018), echoed by Rojas-Flores, Clements, Hwang Koo and London (2017) regarding migrant youths' hyper awareness of their lack of status earlier in life, to the youths' enactments of agency as manifested in their assumption of intergenerational responsibility (Heidbrink, 2020). I close with the implications of such short-sighted, harmful policies and their effects for practitioners, as well as implications for policymakers.

Overview of Studies

The studies featured in this review address both the inadequacies of immigration policies affecting migrant youth and the failures of case laws and executive decrees passed in the context of legislative dysfunction to address issues relating to immigrant youth effectively (Barajas-Gonzalez, Ayón & Torres, 2018; Ee & Ga'ndara, 2020; Gonzales, 2016; Goodman, 2020; Heidbrink, 2020; Rojas-Flores, Clements, Hwang Koo and London, 2017). The article by Gonzales, Heredia and Negrón-Gonzales (2015), draws on findings from three different studies conducted by each author to analyze the long-term effects of *Plyler v. Doe* on the lives of undocumented children and youth. The findings reported stem from the following research inquiries: a longitudinal research study and fieldwork conducted by Gonzales (2016) premised on in-depth interviews with 150 undocumented young adults in California about their educational experiences; a two-year ethnographic research project developed by Negrón-Gonzales, consisting of fifty-five life histories of young undocumented Latinx activists involved

in efforts to push the passage of the *Development, Relief, and Education (DREAM) Act* in California; Heredia's ongoing research on the immigrant rights movement and the activism of undocumented youth (Gonzales, Heredia & Negrón-Gonzales, 2015). Findings yielded by data across the three studies indicate that while the 1982 *Plyler v. Doe* court ruling was successful in imparting a sense of belonging for migrant youth in K-12 school settings, it did not deliver on its promise to shield young migrants from the long-term exclusionary effects of illegality (Gonzales, Heredia & Negrón-Gonzales, 2015).

Resultingly, K-12 education remains relatively inconsequential for the lives of undocumented youth whose transition to adolescence and young adulthood increasingly marks their exclusion from U.S. society and their awareness of their marginalization (Gonzales, 2016). This conclusion also underscores the salience of illegality as a master status, a framework also employed in an article by Gonzales and Burciaga (2018) examining the interplay and intersections between this primary status and auxiliary identities which exhibit variations among different groups of migrant youth. The notion of illegality as a master status has also been challenged by certain migration scholars who argue that such emphasis on the role of illegality obscures other contextual factors which frame migrants' lives and undermines other facets of their identity (Enriquez, 2017).

The disconnect between K-12 educational experiences and later experiences of illegality was even more pronounced during the Trump administration when restrictive migration policies were paired with dehumanizing discourses and pathologizing rhetoric. Ee and Ga'ndara's (2020) mixed methods study measuring the effects of immigration enforcement on the academic achievement and socio-emotional state of migrant youth in the Trump era, for instance, found that many migrant students saw little purpose in their schooling and were more concerned about

family members getting deported. These findings are echoed in a mixed methods study conducted by Rojas-Flores, Clements, Hwang Koo and London (2017) examining posttraumatic stress disorder (PTSD) symptoms and psychological distress among 91 Latino U.S.-born children from mixed-status families with at least one undocumented parent. The data collected in the study through structured interviews with children and parents, coupled with standardized assessments conducted by teachers and clinicians, strongly suggest that youth born to undocumented parents are far more likely to be exposed to a potentially traumatic event (PTE) and develop symptoms of PTSD as a result of family separation or chronic fear of parental loss (Rojas-Flores et al., 2017).

In a social policy report, Barajas-Gonzalez, Ayón and Torres (2018) draw on the findings of multiple qualitative and mixed methods studies on the implications of heightened immigration enforcement in the Trump era. Their findings mirror the claims put forth by both the Ee and Ga'ndara (2020) and Rojas-Flores, Clements, Hwang Koo and London (2017) studies. Specifically, Barajas-Gonzalez et al. (2018), argue that the immigration policies and practices implemented by the Trump administration, coupled with insidious rhetoric employed by the President, resulted in acute psychological distress for immigrant children and increased the social isolation, fear, and marginalization experienced by migrant communities. Drawing on ecological-transactional theory to explore the effects of community violence on migrant children and their well-being, Barajas-Gonzalez et al. (2018) examine the impact of the criminalization of immigrant people on migrant children by situating their analysis within the framework of the dynamic interplay between macrosystems (i.e., policy frameworks) and microsystems (youths' family structures and inner psychology).

Yet even when confronting structural barriers preventing them from achieving full membership in U.S. society, undocumented youth display resistance and agency, refusing to allow the status of illegality to define them. For instance, anthropologist Lauren Heidbrink's (2020) multi-sited, community-based research approach combining observations with a youth-participatory research approach, highlights the perspectives of young undocumented Central American migrants. These youth display a hyper-awareness of the structural causes of migration and discursively carve out their role in taking up migration as an act of activism and intergenerational love (Heidbrink, 2020).

I undertake a thematic approach in synthesizing these studies and their findings. Emergent themes include: a focus on the broader policy context as restrictive and ineffective (Gonzales, 2016; Heidbrink, 2020); illegality as master status (Gonzales, 2016) and its effects on the educational achievement of migrant youth (Barajas-Gonzalez, Ayón & Torres, 2018; Ee & Ga'ndara, 2020; Gonzales, Heredia & Negrón-Gonzales, 2015; Rojas-Flores, Clements, Hwang Koo and London, 2017); experiential illegality (Gonzales, 2016) and its effect on the socio-emotional condition of migrant youth (Barajas-Gonzalez, Ayón & Torres, 2018; Ee & Ga'ndara, 2020; Rojas-Flores, Clements, Hwang Koo and London, 2017); possibilities for youth agency (Heidbrink, 2020); implications for school leaders (administrators, educators, other school staff and stakeholders), and implications for policymakers.

Bad Immigration Policies, the Lack of Policy, and the Creation of Illegal Immigrants

This section outlines the role of restrictive and ineffective policies, as well as the absence of policy at the federal level, in creating not only discourses of illegality and criminalization, but producing the material effects of illegality and lifelong conditions of hardship. In this section, I revisit the status of illegality as a policy generated discursive construct, the creation of

increasingly restrictive immigration policies, and the federal immigration policy drought.

Finally, I examine the failures of well-intentioned half measures, meaning policies that stop short of status adjustment, in mitigating the effects of illegality.

The Creation of the Illegal Immigrant

In her seminal work, *Impossible subjects*, Ngai (2004), argues that illegality is policy constructed, attributing its genesis to the numerical restrictions imposed by quota laws introduced as early as the 1920s under the *Immigration Act of 1924*. According to Ngai (2004), these numerical restrictions, “created a new class of persons...whose inclusion in the nation was at once a social reality and a legal impossibility” (p. 57). Ngai (2004) also contends that illegality and deportation are mutually constitutive; in other words, deportation emerged as a solution to the problem of illegality and both juridical and experiential illegality derive from the ever-present threat and ever looming fear of deportation. According to Ngai (2004), the threat of deportation shapes experiential illegality by reducing all lived experience to a state of limbo (Ngai, 2004). In addition, policy “informed divergent paths of immigrant racialization” (p. 58) leading to the assimilation of European immigrants and the concurrent criminalization of Mexican immigrants who became synonymous with the term illegal alien (Goodman, 2021).

Following the 1924 law, immigration policies which followed the *Immigration and Nationality Act of 1965* (which abolished quotas targeting Latin Americans) have become increasingly restrictive. The objective of such policies is enforcement and securitization achieved primarily through border militarization and a strategy of mass deportation (Goodman, 2020; Heidbrink, 2020). This strategy has become more refined through the increased presence of Immigration Customs Enforcement (ICE) and the delegation of immigration enforcement duties to local law enforcement agencies (Ee & Ga’ndara, 2020; Gonzales, 2016).

Policies that are so hyper-focused on enforcement, however, fail to address the structural causes undergirding migration and thus fall short on their objective of curbing unauthorized migration (Heidbrink, 2020). In fact, Heidbrink (2020) posits that the so-called migration crises such enforcement-heavy policies were designed to address, are, themselves, policy-generated by being the result of foreign, economic and trade policy objectives pursued by the U.S. (Heidbrink, 2020). Thus, these self-fabricated crises are the direct result of legacies of colonialism and multinational neoliberal agreements (i.e., the North American Free Trade Agreement) which have perpetuated enduring structural violence by further depleting economic resources and decimating Indigenous lands.

The Restrictive Nature of Modern Immigration Policies and Criminalization

In addition to reinforcing structural inequities, immigration policies dehumanize unauthorized migrants through the discourse of illegality (Gonzales, 2016). As Ngai (2004) attests to, the illegal alien, as articulated through policy discourse, is “abstractly defined as something of a specter, a body stripped of individual personage” (p. 61). Undocumented immigrants were further dehumanized through their material criminalization, the legal origins of which date back to 1929, when Congress passed a law rendering unlawful entry a misdemeanor punishable by serving a one-year jail sentence (Ngai, 2004).

In the modern era, the 1996 *Illegal Immigration Reform and Immigration Responsibility Act* (IIRIRA) codified the criminalization of unauthorized migration, which up that point, had been considered a civil offense, by amending Section 1325 of the *Immigration and Naturalization Act of 1965* to mandate criminal prosecution of unauthorized immigrants (Goodman, 2020). This Clinton era immigration policy was vastly consequential in criminalizing immigrants by rendering all non-citizens, including legal permanent residents (LPR), susceptible

to formal deportation proceedings (Goodman, 2020). Concurrently, the 1993 *Prevention through Deterrence* policy adopted by the then department of Immigration and Naturalization Services (INS) ramped up border enforcement to the extent that unauthorized crossing became not only dangerous but also deadly for many migrants (De Leon, 2015).

Following the September 11, 2001 terrorist attacks, enforcement became an even more salient feature of migration policies. According to Goodman (2020), this is reflected in the creation of the Immigration and Customs Enforcement (ICE) agency. Increasingly restrictive practices were adopted both under the Obama and Trump administrations (Barajas-Gonzalez, Ayón & Torres, 2018; Goodman, 2020) with mass deportations constituting the driving force behind immigration policies (Goodman, 2020).

To this end, the *Department of Homeland Security Appropriations Act of 2010* included a provision requiring ICE to implement detention quotas and detain upwards of 33,400 migrants daily in accordance with the predetermined quotas (Barajas-Gonzalez, Ayón & Torres, 2018). In order to keep pace with increasing demand and following consistent lobbying efforts from the private prison system (Goodman, 2020), ICE's detention system expanded by 47% in the last decade (Barajas-Gonzalez, Ayón & Torres, 2018).

In addition, the establishment of Secure Communities Agreements and Section 287(g) of the *Immigration and Nationality Act of 1965* compelling local law enforcement in the interior of the country to assist ICE in persecuting and arresting immigrants, became an important mechanism for immigration enforcement (Goodman, 2020). Such agreements, while federal in nature, resulted in a devolution of migration policy back to state and local actors. This was achieved through transferring responsibility for implementing immigration law from federal actors to the latter (Coleman, 2012). This devolution of policy is yet another sign of

Congressional unwillingness to engage in comprehensive immigration reform efforts other than smaller-scale partisan measures designed to fortify border security (Petticone, 2019; Willis, 2019).

The Trump administration's immigration policies, while largely in line with the restrictive tendencies exhibited by preceding administrations, went even further in criminalizing unauthorized immigrants. According to Barajas-Gonzalez, Ayón and Torres (2018), the outcome of the 2016 presidential election “fuel[ed] a sense of fear and uncertainty” (p. 6). This was largely due to the insidious rhetoric employed by candidate Trump during the course of his 2016 electoral campaign in which he had characterized Mexican immigrants as “rapists” and “animals” (p. 6).

Coupled with this dehumanizing discourse, the previous administration’s policies inflicted unprecedented harm on migrant communities. The administration’s family separation policy, stemming from the 2018 focus on zero-tolerance, led to the detention of children and parents in separate facilities creating lifelong psychological trauma and, in some instances, experiences of physical abuse (Wadhia, 2019). More importantly, the Trump administration ceased distinguishing between felons and non-criminal immigrants. While the Obama administration suspended the enforcement of Section 1325 of *Title 8 of the U.S. Code* by executing prosecutorial discretion, the Trump administration enforced it, effectively rendering all undocumented immigrants deportation priorities (Barajas-Gonzalez, Ayón & Torres, 2018). Prosecuting all undocumented immigrants, in turn, legitimizes crimmigration, discourses and perspectives which conflate immigration with criminality (Barajas-Gonzalez, Ayón & Torres, 2018).

The Failure of Half Measures

The literature indicates that even policies that are considered to be inclusive, such as the *Immigration Reform and Control Act of 1986* (IRCA) and, more recently, the *2012 Deferred Action for Childhood Arrivals* (DACA), were designed as stop-gap measures providing temporary relief to some while leaving underlying issues unaddressed (Gonzales, 2016; Goodman, 2020). In the case of IRCA, this Reagan-era policy did legalize 3 million unauthorized immigrants; however, it did not provide similar opportunities for status adjustment to subsequent groups of workers and families from Latin and Central America (Gonzales, 2016). In addition, because Congress passed the bill on the grounds that it would curb migration, IRCA included provisions designed to tighten border control by creating a tall fence along the U.S.-Mexico border, increasing the number of Customs and Border Patrol (CBP) agents stationed along the border, and enhancing the use of technology designed to detect unauthorized crossings (Gonzales, 2016; Goodman, 2020). In addition to increasing the capacity for immigration enforcement along the border, IRCA also initiated the “internal policing of communities” (Barajas-Gonzales, Ayón & Torres, 2018, p. 5) in the country’s interior, a precursor to 287(g). Consequently, IRCA failed to address the underlying, structural causes of migration resulting in an increase in the undocumented population in the years and decades following its passage (Gonzales, 2016).

When it comes to the *2012 Deferred Action for Childhood Arrivals* (DACA) issued by executive order under the Obama administration, while the law did widen access to jobs and provided drivers licenses, it fell short of establishing full and equal membership in U.S. society. For instance, DACA did not significantly enhance educational prospects for young migrants, thus ensuring that the work opportunities available to them would remain in the low-skilled, low-

wage domain regardless of their educational background and professional aspirations (Gonzales, 2016). Crucially, due to the increased role of state and local policy stemming from federal inaction, the conferral of specific benefits through DACA remains contingent upon the state or local policy governing the spatial context which DACAmented youth (youth with DACA status) occupy (Gonzales & Burciaga, 2018). Moreover, because DACA stopped short of full legalization and was not passed by Congress, it remains vulnerable to attacks from subsequent administrations, as was evidenced by the Trump administration's efforts to rescind it.

Accordingly, modern immigration policies in the U.S., including those that are perceived to be more pro-immigrant, fail to acknowledge and respond to the structural causes of migration which undergird illegal migration. Failure to recognize and address these structural factors, combined with prioritizing enforcement over all other considerations, has led to the proliferation of policies which not only fail to inhibit, but also contribute to the increase of unauthorized migration (Heidbrink, 2020; Gonzales, 2016).

In addition, the lack of a federally mandated comprehensive immigration bill providing a pathway to citizenship to address these structural barriers, contributes to the indefinite perpetuation of the problem (Barajas-Gonzalez, Ayón & Torres, 2018). It also creates a policy vacuum implicitly encouraging states and localities to craft and enforce their own immigration laws, creating a patchwork of divergent immigration policies across the nation (Gonzales, 2016). Further, some of these states, which had implemented restrictive and punitive migration measures in the absence of a federal comprehensive mandate (i.e., Arizona's SB1070), were emboldened by the hostile, anti-immigrant stance of the Trump administration and expanded their restrictive measures to match what they viewed as tacit, if not explicit, approval by the federal government (Quinn, Hopkins & Bedolla, 2017). One such case involves a Texas law,

SB4, enabling local and state law enforcement officers to inquire about individuals' migration status even when stopping or apprehending them for non-migration related offenses (ACLU of Texas, 2018).

Illegality as a Master Status and Effects on Schooling

This section addresses illegality as a sociopolitical condition and master status (Gonzales, 2016) centering its material effects on the education of undocumented youth and on their efforts to achieve social mobility through education. The section also focuses on the concept of illegality as a master status and its implications for the auxiliary identities and the lived experiences of undocumented youth. Finally, it expands on the significance of the Supreme Court's *Plyler v. Doe* (1982) ruling for the education of undocumented youth, while also discussing its inability to mitigate the effects of illegality.

Illegality as a Master Status, Auxiliary Traits and the Role of Intersectionality

Despite being a policy generated discursive construct, illegality has material effects. For instance, sociologist Roberto Gonzales (2016) views it a salient feature in the lives of undocumented youth, coining the term "master status" (p. 213), to capture its impact on their lives. Specifically, Gonzales (2016) describes illegality as a "trait [that] carr[ies] a degree of stigma that can dominate and subsume all other traits" (p. 15), noting that while other auxiliary traits exist, they are not rendered extinct but are rather situated within the framework of the primary status of illegality (Gonzales & Burciaga, 2018).

Other migration scholars, such as Laura Enriquez (2017), challenge the concept of a master status, positing that elevating illegality to a primary attribute obscures other contextual factors in identity formation and undermines important facets of migrant youths' identities, minimizing their diversity of background and experience. On the basis of semi-structured

interviews with 45 Latinx undocumented young people in Southern California, Enriquez (2017) argues that the status of illegality, while a significant marker in the lives and identity formation of migrant youth, operates in tandem with other subjectivities, particularly race, gender, and class, to restrict opportunities for upward mobility. According to Enriquez (2017), these other identity markers and their intersections result in youth encountering intersectional frameworks of oppression which converge within educational settings and create a series of obstacles for youth well before their immigration status becomes a factor in their lives. Utilizing a conceptual framework drawing on Kimberly Crenshaw's theory of intersectionality, Enriquez (2017) posits that because undocumented children are unaware of their illegal status, race, class, and gender assume a more defining role early in their lives. Additionally, Enriquez (2017) claims that fixating on just one identity marker fails to capture the diversity of experience among migrant youth.

Enriquez (2017) further identifies five contextual factors interacting in young people's identity formation: a) socioeconomic status; b) race; c) gender; d) first generation status; e) undocumented status. Based on this formulation, undocumented youth often inherit their parents' low socioeconomic status along with a "multitude of economic, emotional, and social limitations" (p. 1532) that derive from parental lack of status. Undocumented students also attend overcrowded, poorly funded schools, and experience racial marginalization in school settings which leads to disengagement and loss of interest in education (Enriquez, 2017). When youth finally become aware of their undocumented status later in adolescence, migration status becomes an additional final impediment, the "final straw" (p. 1537), which, intertwined with the structural obstacles encountered due to other identity markers, creates an additional layer of hardship (Enriquez, 2017).

Responding to these challenges to the conceptualization of illegality as master status, Gonzales and Burciaga (2018) revisit the framework recognizing that the identities and lived experiences of undocumented youth are not monolithic and that there is considerable identity variation among immigrant groups. However, the authors also emphasize the salience of illegality, not as an inherent trait, but as derivative of policy, and continue to maintain that it functions as a primary status which retains dominance over other characteristics while also allowing other auxiliary traits to contribute to the identity formations and lived experiences of migrant youth.

In examining the construction of illegality as a sociopolitical condition and its evolution into a master status, the authors explore its connection to auxiliary traits which also become axes of difference among different groups of immigrant youth. They identify four major categories of auxiliary traits to account for these variations: a) educational attainment; b) physical location; c) attainment of DACA status; d) race and ethnicity (Gonzales & Burciaga, 2018). While the claim over the salience of educational attainment may appear to undermine Gonzales' previous assertions regarding the inconsequential nature of *Plyler v. Doe*, Gonzales and Burciaga (2018) note that while educated undocumented youth may come to enjoy certain benefits and a higher level of integration within American society relative to their less educated counterparts, these opportunities are often elusive and short-term.

Similarly, when it comes to DACA, the authors note that DACA-related benefits are contingent upon one's physical location, emphasizing the rural-urban divide which constitutes an emergent layer of variation among undocumented youth given the growing immigrant populations in rural areas across the nation (Gonzales & Barciaga, 2018). According to the authors, this physical divide merits attention both due to those growing numbers and because of

the lack of resources and educational opportunities disproportionately experienced by undocumented youth who reside in those areas.

Another significant axis of difference identified by Gonzales and Burciaga (2018) pertains to race and ethnicity which constitute powerful forces in shaping the lives of undocumented youth. The authors note the conflation of illegality, Latinx identity, and criminality, reflected in the former President's own rhetoric and other influential sites of national discourse, casting Latinx immigrants as "cultural invaders" (Gonzales & Burciaga, 2018, p. 187). Racialization of immigration is also reflected in enactments of Section 287(g) of the *U.S. Immigration and Nationality Act*, established as a local and federal partnership between ICE and local law enforcement (American Immigration Council, 2020). Enactments of the policy are replete with racial profiling (American Immigration Council, 2020; Coleman & Kocher, 2019) including in Alamance County, North Carolina, where a 2012 Justice Department investigation found that the program overwhelmingly targeted Latinos (American Immigration Council, 2020).

Gonzales (2016) also notes that illegality, while less consequential in childhood, becomes a master status for migrant youth as they transition into adolescence and young adulthood, impeding their ability to participate in society to the degree that they find themselves unable to engage in routine tasks such as applying for and procuring a driver's license, applying for jobs and other forms of identification which require legal status. Despite their disagreements, both Enriquez (2017) and Gonzales (2016) posit that illegality is less impactful during youths' childhood.

Illegality and Schooling: *Plyler v. Doe*

The peripheralization of illegality and the lack of exposure to experiences of illegality for migrant youth during childhood, according to Gonzales (2016), was achieved through their ability to attend K-12 public schools along with their U.S. citizen peers. This was made possible by the Supreme Court's 1982 *Plyler v. Doe* ruling, enacted in response to a 1975 law passed by the Texas state legislature denying undocumented children access to K-12 schooling. In a 5-4 decision, the Supreme Court ruled that the Texas law was in violation of the Fourteenth Amendment's equal protection clause (Gonzales, Heredia & Negrón-Gonzales, 2015). In his majority opinion, Justice William Brennan argued that while education did not constitute a fundamental right, denying access to it would create a "lifetime of hardship [and] a permanent underclass of individuals" (p. 319).

Yet *Plyler v. Doe* failed to live up to its promise. As Gonzales, Heredia and Negrón-Gonzales (2015) indicate, *Plyler v. Doe* falls short because of its failure to address structural educational inequities affecting immigrant youth, as well as its inability to provide status adjustment. When it comes to structural barriers, *Plyler v. Doe* made no provisions in addressing the conditions under which migrant students are educated, including attendance at overcrowded, under-resourced, low-achieving, high poverty and de facto segregated schools (Gonzales, Heredia & Negrón-Gonzales, 2015).

Indeed, structural barriers have even more severe implications for undocumented youth as their status inhibits their ability to access the tools and resources necessary to navigate these constraints. For instance, undocumented high school youth point to the slew of complications they face when appealing to their schools for help applying to colleges, or even applying for DACA status, ranging from the lack of institutional support systems to uninformed counselors

and school staff (Gonzales, 2016). This lack of institutional support at schools is particularly detrimental to undocumented youth as their parents, being undocumented themselves, are often unable to provide them with the social and cultural capital necessary to navigate constraints they face at school and beyond (Gonzales, Heredia & Negrón-Gonzales, 2015; Gonzales, 2016).

Crucially, even when undocumented youth play by the rules of the meritocratic system embedded within school structures, they are still deprived of the equal opportunities championed by that very system (Gonzales, Heredia & Negrón-Gonzales, 2015). With schools operating as sites of institutional imbalance, any integration that takes place vis-a-vis undocumented youth occurs within the context of a stratified social structure, relegating undocumented youth to the bottom of the social hierarchy. Thus, insofar as *Plyler v. Doe* does not address the underlying causes of these inequities, it cannot improve the conditions under which undocumented students are educated, or broaden their access to opportunity (Gonzales, Heredia & Negrón-Gonzales, 2015).

During the Trump administration, these structural inequities were accompanied by a deep-seated anxiety. The fear experienced by students and their families stemmed primarily from enactments of the 287(g) policy, which directs local law enforcement to cooperate with ICE in enforcing immigration law. In turn, this has resulted in the increased presence of ICE near schools, hospitals, neighborhoods, parks, and other areas frequented by migrant children (Barajas-Gonzales, Ayón & Torres, 2018).

A mixed methods study conducted by Ee and Ga'ndara (2020) found that a large number of migrant students saw little purpose in their schooling and were more concerned with finding ways to help their family financially, while others found it difficult to focus on academic tasks due to the looming fear of deportation. In addition, many immigrant students stopped attending

school altogether (Ee & Ga'ndara, 2020). Surveys completed by the study's participants, which included students, teachers, and other school personnel, further indicated that *all* students, regardless of status, were adversely impacted by the harsh enforcement tactics of the Trump era (Barajas-Gonzalez, Ayón & Torres, 2018; Ee & Ga'ndara, 2020).

Illegality as a master status has profound effects for the education of migrant youth as it effectively renders their educational achievements inconsequential in determining the future trajectories of their lives. As Gonzales (2016) points out, all of the 150 undocumented youth he interviewed for his longitudinal research study view illegality as the most salient feature of their lives regardless of educational background. As youth transition into adolescence and early adulthood, they realize that their access to K-12 education does not shield them from the devastating effects of long-term exclusion and marginalization. This leads to an increasing disillusionment with the U.S. educational system stemming from undocumented youths' exposure to the meritocratic notions championed by U.S. schools promising that hard work and high academic outcomes will be rewarded with future success (Gonzales, Heredia & Negrón-Gonzales, 2015). The fact that youth are inculcated with these expectation at school, only to never see them materialize, renders their exclusion all the more devastating.

Consequently, well-intentioned case rulings such as *Plyler v. Doe* are little more than short-term stopgap measures which do not mitigate, reverse, or eradicate the harm caused by illegality as a master status. On the contrary, such policies and rulings operate within the context of illegality by leaving unaddressed and thus perpetuating the structural barriers faced by youth. Additionally, because court case rulings, including those issued by the Supreme Court, constitute case laws rather than statutory laws (laws passed by legislative bodies), they are far less comprehensive and more vulnerable to being modified, or even overturned in subsequent court

hearings. This is particularly true in the current context as the Supreme Court, as well as the lower federal courts, are undergoing a significant shift to the right politically with unsettling implications for immigrant families and communities (Gramlich, 2020; Rainey, 2020).

Despite case law being less consequential than statutory law, it is now far more common for important issues to be decided by the courts, particularly the Supreme Court, rather than the U.S. Congress given recent Congressional dysfunction and party polarization (Willis & Kane, 2018). Relatedly, Congressional dysfunction has also given rise to the proliferation of executive decrees issued by presidents; one such executive order was the genesis of DACA under the Obama administration (Gonzales, 2016). Like court case rulings, executive decrees are also vulnerable as they can be rescinded by subsequent administrations or overturned by the Supreme Court.

In addition, executive decrees like DACA and court rulings such as *Plyler v. Doe* do little to allay migrant youths' fears over the fates of their parents. Concern for parental status and the possibility of parental detention or deportation ranks high for students who are undocumented themselves, as well as students who are U.S. born or come from mixed status families (Barajas-Gonzalez, Ayón & Torres, 2018). Migrant students carry a pervasive sense of familial responsibility, which adds to the chronic uncertainty and fear they experience (Barajas-Gonzalez, Ayón & Torres, 2018).

President Obama attempted to address this issue through another executive order aimed at instituting *Deferred Action for Parents of Americans and Lawful Permanent Residents* (DAPA) and extending DACA in order to provide relief for the parents and families of DACA-mented youth (Gonzales, 2016). However, a day before these additional programs were to go into effect in February 2015, a U.S. district court judge in Texas issued an injunction which prevented them

from being implemented (Gonzales, 2016). While DAPA, just like DACA, would not have provided relief to all the parents and families of migrant youth, its non-implementation dealt a blow to immigrant activists and immigrant communities (Gonzales, 2016).

Experiential Illegality and Socio-Emotional Trauma

This section focuses on experiential illegality (Gonzales, 2016), meaning the lived experiences of youth as these are shaped by the effects of illegality. The first part of this section focuses on the meaning of experiential illegality. The second part of this section centers the adverse effects of the current immigration policy context on the socio-emotional state of undocumented youth.

Experiential Illegality

Illegality as a master status (Gonzales, 2016) demonstrates the extent to which immigration policies frame the daily lives and lived experiences of undocumented youth. Gonzales (2016) defines illegality as a sociopolitical condition transcending juridical status which excludes and stigmatizes. Illegality and its effects, according to Gonzales (2016), shape the lived realities of youth and highlight the fact that despite their early inclusion in K-12 schooling, their worlds shrink as they mature into adulthood. In Gonzales' (2016) study, respondents' descriptions of these experiences amount to the experiential dimension of illegality, defined as the ways in which policies shape the everyday lives of migrants. According to Gonzales (2016), this experiential dimension encompasses not only the ways in which illegality shapes everyday life, but also extends to capturing the effects of illegality on migrants' bodies and psyche.

A policy generated sociopolitical condition of illegality (Heidbrink, 2020; Ngai, 2004) lends credence to Mbembe's (2019) conceptualization of the manifestation of national sovereignty as "resid[ing] in the power and capacity to dictate who is able and who must die" (p. 66). This concept carries more weight when considering that the punitive immigration apparatus of the modern era was specifically designed by the federal government in the late 19th century to operate as a deportation machine (Goodman, 2020). While Mbembe's (2019) construct may seem an extreme example of the state's power over undocumented migrants, the accounts of Gonzales' participants (2016) demonstrate how the physical and emotional toll accrued from the effects of experiential illegality renders migrant youth physically and mentally vulnerable.

Socio-Emotional Trauma

The exacerbation of the chronic uncertainty experienced by migrant youth and their families under the past administration compounded the conditions of experiential illegality with families spending more time at home, leading to a compounded state of social isolation (Barajas-Gonzalez, Ayón & Torres, 2018). This stark existence is consistent with Mbembe's (2019) notion of necropolitics, in which state power is deployed to create "*death-worlds*" (p. 92), new forms of social existence in which certain populations attain the status of the "*living dead*" (p. 92).

Living through the ramped-up enforcement in the interior and witnessing the presence of ICE around their schools and neighborhoods resulted in an increased awareness in migrant children of their illegality and how it both shapes and threatens their lives and those of their parents (Barajas-Gonzalez, Ayón and Torres, 2018). This assertion beckons revisiting Gonzales' (2016) contention that migrant youths' childhood remains largely untainted by the effects of illegality. Indeed, under the Trump administration, more and more children became exposed to

family members being detained and deported as a result of increased ICE raids around the workplaces, schools, and homes of immigrant communities (Barajas-Gonzalez, Ayón & Torres, 2018).

Goodman (2021), who studied the history of the modern immigration apparatus, concludes that what made the Trump administration unique in its approach was its concerted efforts to revive the self-deportation aspect of the modern migration apparatus by creating a climate of pervasive fear designed to make migrants' lives miserable. The study by Ee and Ga'nadara (2020) echoes this sentiment, describing how youth were "terrorized by fear of losing their families" (p. 841) due to extensive raids ICE enacted under the Trump administration. Findings yielded by the data collected in their mixed methods study also reveal that educators and school staff observed immigrant students' anxiety and expressed concern about their well-being. Specifically, 85% of their respondents reported observing expressions of fear among the student population related to ICE's increased activity. In addition, respondents reported the existence of emotional and behavioral distress, noting how this affected student academic performance (Ee & Ga'ndara, 2020).

Migrant youth and U.S. born youth who are the offspring of immigrant parents are no strangers to sentiments of chronic fear and anxiety over the fate of their loved ones. As Rojas-Flores, Clements, Hwang Koo and London (2017) attest to, mass deportations were increasingly deployed in the past decade with the Office of Immigration Statistics noting the amount of "record high deportations" (p. 352) occurring between 2002-2014 with over 250,000 parents of citizen children being deported in the two-year period between 2010 and 2012. The record high deportations which took place under the Obama administration earned President Obama the

moniker “deporter in chief” (Chishti, Pierce & Bolter, 2017, para. 1) and invoked the wrath of many immigration advocates and activists.

While the Trump administration did not record as high a number of deportations in its four years, the administration implemented a zero-tolerance policy in 2018 enforcing section 1325 of *Title 8 of the U.S. code* deeming unlawful entry to the country a criminal, rather than a civil, offense; it was the enforcement of section 1325 which laid the groundwork for the administration’s family separation policy (Wadhia, 2019). In addition, then President Trump signed Executive Order (EO) 1367 in January 2017. The order, titled *Border Security and Immigration Enforcement Improvements*, suspended prosecutorial discretion rendering all undocumented immigrants, including non-criminals with long-standing ties to the U.S. and parents of U.S. born children, targets for deportation (Wadhia, 2019). As a result, the Department of Homeland Security (DHS) no longer distinguished between undocumented persons with a criminal record, who were prioritized under the Obama administration for enforcement purposes, and non-criminals with significant community ties in the U.S. As one DHS fact sheet put it in 2017, “ICE will not exempt classes or categories of removal aliens from potential enforcement” (Wadhia, 2019, p. 41), erasing years of precedent.

Executive Order 1367 also mandated the adoption of heightened enforcement practices in the interior, resulting in an increased frequency of ICE raids in areas previously deemed “sensitive locations” (Wadhia, 2019, p. 46). For instance, Wadhia (2019) relates how a ten-year-old girl who was on her way to having gallbladder surgery was stopped by ICE while on the ambulance on her way to the hospital. ICE waited in the hospital and as soon as her surgery was completed, she was detained. ICE raids near schools have also resulted in a spike in undocumented youth missing or dropping out of school early. According to Quinn, Hopkins and

Bedolla (2017), this has been the direct result of ICE agents stopping and apprehending undocumented parents or guardians while on their way to take their children to school, citing such incidents in New Mexico and California.

The practice of targeting all unauthorized immigrants for deportation, coupled with the increase in immigration raids in communities across the United States, have resulted in an increase of exposure to potential traumatic events (PTEs) among migrant youth (Rojas-Flores, Clements, Hwang Koo & London, 2017). Exposure to such events increases the likelihood of developing post-traumatic stress disorder (PTSD) and other forms of chronic emotional and psychological distress (Barajas-Gonzalez, Ayón & Torres, 2018, p. 7). Forcible parental-child separation, parental loss and living with the fear of such loss, are PTEs which can prove detrimental to mental health and compromise one's ability to function academically and socially (Rojas-Flores et al., 2017).

In their study examining PTSD symptoms and psychological distress among 91 Latinx U.S. born children from mixed-status families, Rojas-Flores, Clements, Hwang Koo, and London (2017) found, through parent informants, teacher informants, clinician informants, as well as through interviews with children, that citizen children of detained or deported parents experience more psychological distress and trauma and are at much higher risk of developing PTSD than their peers with U.S. born parents or parents who are legal permanent residents (LPR). Alarmed by these findings, the authors conclude that immigration laws as currently enforced “pose a serious public health challenge” (Rojas-Flores et al., 2017, p. 358). Among their recommendations is the need for medical and public policy interventions, as well as a broader reevaluation of immigration policies and practices.

Negative socio-emotional effects among migrant youth are also directly associated with the assumption of criminality linked to undocumented status. In Gonzales' (2016) study, respondents reveal their frustration with the paradox encapsulated in attempting to navigate lives of illegality: namely, encountering punishment and exclusion as a result of trying to improve one's standing in life according to the American ideological principles of hard work and upward mobility. Youth relate how even mundane tasks, such as driving, carry extreme risks for them, noting that even a minor slip-up can have long-term consequences. One such respondent, Ramon, who had a troubled past but was able to turn his life around, eventually decided against applying for DACA, fearing that submitting documentation to the government would put him at risk for deportation (Gonzales, 2016).

Crucially, experiential illegality leads to adverse physical health outcomes; many of Gonzales' (2016) respondents reveal how they developed lifelong health conditions such as "high blood pressure, headaches, toothaches, and ulcers" stemming from feelings of "unresolved grief" (p. 201). Additionally, many reported experiencing chronic sadness and depression, one respondent even succumbing to suicide; such accounts underscore how living in perpetual anxiety with no hope for change can give way to crippling despair. Ultimately, experiential illegality not only limits migrants' access to opportunity and broad societal membership, but it also severely compromises their social and emotional health.

Possibilities For Agency

This section addresses undocumented young people's capacity for agency and ways to empower youth and counter deficit narratives even amid restrictive policy contexts.

Countering Deficit Narratives

The harsh realities that migrant youth face as a result of the imputed status of illegality, may frame their lives and shape their academic and socio-emotional outcomes, but do not define who they are. Portraying migrant youth as powerless victims and objects of pity reinforces dominant narratives of pathologization which further strip them of their humanity and inhibit their ability to be recognized as moral subjects.

To this end, anthropologist Lauren Heidbrink (2020) undertook a multi-sited, community-based research approach combining observations with a youth-participatory research approach aimed at highlighting the perspectives of young Central American migrants who are too often cast as the objects of policy, rather than as participants in it. Heidbrink's (2020) study exposes discourses of pathologization depicting these young people as powerless, devoid of agency, and victimized by parental neglect and malfeasance (Heidbrink, 2020). To counter these perspectives, Heidbrink (2020) invites youth to share their experiences. The youth interviewed in the study display a hyper-awareness of the hazards associated with U.S.-bound migration and yet claim migration as an act they undertake consciously to help their families. Youth thus describe "migration as an act of love" (p. 42). Importantly, these young people also demonstrate an awareness and understanding of the structural causes of migration and employ counter-discourses to combat narratives which cast them or their families as criminal liabilities (Heidbrink, 2020). In addition, they view their migratory journeys as an act of intergenerational responsibility for which they assume agency (Heidbrink, 2020).

The issue of migrant youth's hyper-awareness of migration policies is also underscored by Barajas-Gonzalez, Ayón, and Torres (2018) in their report exploring the psychological and emotional effects of heightened immigration enforcement in the Trump era. According to Barajas-Gonzalez et al. (2018), "early experiences with discrimination and increased consciousness of legal status is marked by fear, hyperawareness, and hypervigilance" (p. 11). This indicates a paradox created by the early exposure to the effects of illegality: on the one hand, awareness of one's status renders youth more susceptible to fear and trauma; on the other hand, being cognizant of status vulnerabilities and its associated challenges confers a sense of agency and resistance (Heidbrink, 2020).

Thus, youth agency and counter-narratives stem from policy awareness and understanding. Indeed, despite the deficit perspectives reflected in policy discourse and the influence of anti-immigrant policymakers and activists, undocumented youth, as policy receivers, have the ability and potential to shape policy meanings and remake policy (Yanow, 2000). Moreover, Quinn, Hopkins and Bedolla (2017), warn us to not regard policy strictly from a top-down perspective, acknowledging that there is room for agency by those affected by restrictive policies.

While mobilization is effective in swaying public opinion, however, inviting the voices of immigrant youth and immigrant advocates into the policymaking process itself can have a more immediate impact and shape policy intent and discourse itself from the perspectives and through the lens of those directly affected. Countering such perspectives by introducing the voices of youth from a position of agency and strength serves to valorize and lend legitimacy to those who have been rendered silent and invisible for far too long.

Relevance and Scholarly Significance

I selected these studies because they bear relevance to my proposed research topic and due to their scholarly significance. My study will have a policy focus, specifically in dissecting the effects of immigration policy on undocumented youth. To this end, I have included analyses of *Plyler v. Doe* (Gonzales, Heredia & Negrón-Gonzales, 2015), as well as brief analyses of DACA (Gonzales, 2016), IRCA (Barajas-Gonzalez, Ayón & Torres, 2018; Gonzales, 2016), and IIRIRA (Goodman, 2020). I incorporated the Ee and Ga'ndara (2020) research study due to its emphasis on the more recent effects of the 287(g) program. This study is also useful in that it delineates some of the academic and socio-emotional implications of harsh enforcement practices on migrant youth such as those implicated in enactments of 287(g). Where this study falls short is in capturing the perspectives of youth in their own voices and through their own words. While the academic and emotional effects on youth are communicated clearly, this is done indirectly and through the perspectives of the adults in the building via the survey cited.

To fill this gap, I included a study and a report addressing the psychological and socio-emotional impact of harsh immigration policies. The mixed methods study by Rojas-Flores, Clements, Hwang Koo, and London (2017) focuses on identifying and dissecting the effects of heightened immigration enforcement and harsh immigration practices on the mental and emotional well-being of youth from mixed-status families. The study draws upon structured interviews with children and migrant parents, as well as standardized psychological assessments performed on children, parents, and teachers to measure children's exposure to potentially traumatic events (PTEs) and their likelihood of developing long-term symptoms of PTSD and other forms of acute psychological distress due to fear of deportation (Rojas-Flores et al., 2017). The researchers describe their methods as "multiagent" (p. 352), relying on assessments

conducted with children, parents, teachers, and clinicians and using these baseline assessments to compare the level of emotional and psychological distress experienced by youth with undocumented migrant parents to those of youth who had no contact with ICE (Rojas-Flores et al., 2017). The study's findings strongly suggest that youth born to undocumented parents are far more likely to become exposed to a potentially traumatic event (PTE) and develop symptoms of PTSD and acute psychological distress because of family separation or the fear of parental loss (Rojas-Flores et al., 2017). Additionally, these adverse health outcomes are likely to be long-lasting. The Rojas-Flores et al. (2017) study is significant in highlighting how these adverse health outcomes affect not only migrant youth, but also U.S. born children from mixed-status families. Another contribution of the study is in underscoring the role of restrictive immigration policies in creating a major public health crisis afflicting the immigrant population.

To further substantiate these claims, I also incorporated a report compiled by Barajas-Gonzalez, Ayón and Torres (2018) which draws upon a multitude of qualitative and mixed methods studies exploring their findings regarding the implications of heightened immigration enforcement in the Trump era on the psychological and socio-emotional state of migrant youth. The findings of this study echo those of Rojas-Flores, Clements, Hwang Koo, and London (2017) in discussing the trauma and psychological violence inflicted on immigrant youth and communities but Barajas-Gonzalez et al. (2018) contextualize these outcomes by situating them within the prism of immigration policies and their evolution -- what they refer to as the "macrosystem" (p. 3) -- and tracing their effects on the overall emotional health and familial relationships of migrant youth -- "microsystems" (p. 4).

My reasons for including the Rojas-Flores, Clements, Hwang Koo, and London (2017) study and the Barajas-Gonzalez, Ayón and Torres (2018) report consisted of a) complementing

and expanding upon the findings by the Ee and Ga'ndara (2020) study and b) of contextualizing trauma to inform our understanding of its potency and frequency among immigrant children and the children of immigrants. This, in turn, informs our understanding of the function of emotional trauma in shaping the social and educational experiences of immigrant children. Trauma as a staple of the daily lives of immigrant youth and the children of immigrants can also add to our understanding of experiential illegality (Gonzales, 2016).

I included three studies by Roberto Gonzales (Gonzales, Heredia & Negrón-Gonzales, 2015; Gonzales, 2016; Gonzales & Burciaga, 2018) for two reasons. The first reason pertains to his expertise: Roberto Gonzales is an authority on immigration policy and his 2005-2013 longitudinal research study referenced here is the most comprehensive study ever conducted with undocumented immigrant youth. I have been following his work closely the past three years and I have come to really admire him as a scholar and researcher. The other reason I have incorporated Gonzales multiple times can be attributed to the development of my theoretical framework, specifically his notion of illegality as a master status (2016). Presenting illegality as a sociopolitical condition is a powerful concept because it allows us to draw clear connections between policies and the lived experiences of youth. In addition, the notion of experiential illegality (2016) is useful in highlighting the linkage between dehumanizing policies and the socio-emotional effects of such policies.

Finally, the researchers featured here come from a variety of disciplines: Roberto Gonzales is a sociologist, Lauren Heidbrink is an anthropologist, Ee and Ga'ndara are education specialists in their respective institutions, while Luisa Heredia is an expert on public policy and Genevieve Negrón-Gonzales is an assistant professor of leadership studies. Additionally, Dr. Barajas-Gonzalez serves as an assistant professor in the department of Population Health at the

New York University's Medical School, Cecilia Ayón is an associate professor in the School of Social Work at Arizona State University, and Franco Torres is an attorney for the non-profit organization Catholic Charities. Finally, Lisseth Rojas-Flores is an associate professor of Clinical Psychology at Fuller Theological Seminary, where Dr. Mary L. Clements also serves as provost, and Dr. Hwang Koo works for the Travis Research Institute. Judy London is the directing attorney of Public Counsel's Immigrant Rights Project.

This combination of scholars reflects my own interest in and commitment to a multidisciplinary approach. As a student in the field of the social and cultural foundations of education, my work has been heavily influenced by the historical, philosophical, and sociological dimensions of education. Consequently, as an emerging scholar, my interests encompass policy, history, sociology, law, psychology, and education, and I feel that it is important to include these perspectives in my study. In order to inform one's understanding of the U.S. immigration apparatus in all its complexity, it is imperative to draw from a multitude of perspectives reflecting the far-reaching implications of policy in politics and education, but also in public health. One must view it holistically in order to truly understand immigration and capture all its nuances.

Conclusion

This literature review provides an overview of some key learnings and takeaways that frame this study. The first key takeaway from this literature synthesis includes the understanding that the U.S. has a history of restrictive migration policies and a pattern of using deportations as a mass strategy. At the same time, however, the literature indicates that migration policies and practices have become increasingly more draconian with the establishment and implementation of the 287(g) program. Deportations skyrocketed under the last two administrations, while the

Trump administration's moves to end prosecutorial discretion, expand the 287(g) program in 2017, and institute a family separation policy in 2018, have created a climate of urgency around the material and socio-emotional needs of undocumented youth. The high occurrence of emotional trauma with a rise in their exposure to potentially traumatic events (PTEs), as well as other psychological and physical ailments afflicting immigrant youth (undocumented and mixed status families), points to the necessity of addressing these young people's needs.

We also know, based on Gonzales' claims, that undocumented youth experience schools as sites of belonging. As such, educators and other school staff who have access to these youth, can play a key role in not only continuing to cultivate feelings of belonging but in boosting their agency. The literature indicates that educators can deploy their own agency by acting as "street level policymakers" (Goldstein, 2008) to better meet student needs. Finally, the literature reveals that the capacity of educators to operate as policymakers is constrained by their lack of policy knowledge, as well as their lack of professional training and the absence of other institutional supports by their school districts to expand their knowledge pool. Additional constraints involve residing within a restrictive immigration policy context, such as that in North Carolina.

What remains to be found and where I hope my study will contribute to future scholarship is conveying the voices of undocumented and mixed status youth impacted by the enactment of these restrictive policies in North Carolina.

CHAPTER III: METHODOLOGY

Purpose of the Study

The purpose of this study is twofold: First, it sought to explore the nature of the nested contexts (historical, political, socio-cultural) within which migrants and migrant youth from mixed status families experience migration policies in North Carolina. Policies do not happen in a vacuum; thus, understandings of policy would be flawed and incomplete by divorcing those policies from the contexts in which they occur. These contexts lend meaning to policy and inform our understanding of the factors that shape policy implementers and policy receivers' responses to policies (Spillane, Reiser & Reimer, 2002; Yanow, 2000). Second, it examines how undocumented and mixed status youth, two underrepresented populations in policy discourse and two student populations whose experiences are pathologized and invisibilized within educational settings, perceive and experience the enactment of restrictive migration policies in North Carolina. Spotlighting these experiences highlights not only the structural obstacles and challenges these youth and their families face both within educational settings and in their daily life, but, importantly, underscores their capacity for agency and function as policy actors with the ability to recreate policy meaning and effect transformative change.

Research Questions

The following research questions guided this inquiry:

1. What is the nature of the nested historical, political, and socio-cultural contexts within which undocumented youth and youth from mixed status families experience restrictive migration policies in North Carolina?

2. How do undocumented youth and youth from mixed status families perceive and experience the enactment of restrictive migration policies in North Carolina?

The first question is rooted in the understanding that policy analysis is informed by the nested contexts (historical, political, socio-cultural) in which such analysis takes place (Spillane, Reiser & Reimer, 2002; Yanow, 2000). By divorcing the policy from the context in which it emerged and looking at it in isolation, one cannot form a holistic understanding of how the policy is received and interpreted by the policy actors in question (Diem, Young, Welton, Mansfield & Lee, 2014). This is true of all policy analysis but particularly salient when looking at immigration policy where analysts are met with a patchwork of migration policy contexts ranging from welcoming and integrative to extremely restrictive (Gonzales, 2016).

Drawing attention to the regional context is crucial in understanding how policy actors not only view certain policies, but also how their responses are constrained or facilitated by the particular contexts that they occupy. At the same time, the interplay between federal policy actors and local and state actors also calls attention to the broader national context and its role (Rippner, 2016). Recognizing and understanding how each contextual level (local, state, federal) interacts with, overlaps with, and informs the other, can better shape our understanding of the policy in question and the various levels of convergence and divergence in terms of policy enactment across contextual levels. Importantly, understanding context as a shifting terrain shaped by policy actors' meaning-making processes and actions empowers policy actors to engage in acts of social transformation (Freire, 2005). Finally, but not exhaustively, studying the history of immigration policy helps inform our understanding of current immigration policies. History is fluid, dynamic, and ever evolving, a constant presence in the present, rather than just a fixture of the past.

Additionally, the second question is a clarion call designed to draw attention to, and construct an understanding of, how undocumented and mixed status youth, two student populations whose voices and perspectives are generally lacking from public and policy discourse and who are the subjects of deficit framing in educational settings, perceive and experience the enactment of such policies. This knowledge is crucial in amplifying the voices of these youth and their communities, reframing the rhetoric of criminalization, as well as pathologizing and victim-oriented discourses of their identities and lived experiences, and underlining their capacity as agents of policy change and social transformation.

Qualitative Research

I chose to center my work in the qualitative research tradition as it fits best with the purposes of my research: The value of qualitative research lies in its intricate and intrinsic relationship with the human experience. Human beings engage in meaning-making processes when interacting in the social world; research, likewise, consists of making meaning of data, documents, findings, and other instruments or products of analysis (Patton, 2015). Researchers assume a central role in qualitative inquiry because their backgrounds, life experiences, social identities, and positionality shape not only the lens through which they view and read the world, but also inform the underlying assumptions undergirding their scholarship. Thus, qualitative research is an intimate act of interpretive composition in which the researcher functions as an “instrument of inquiry” (Patton, 2015, p. 39) by drawing upon life experiences and personal perceptions. This type of scholarship serves as a journey of introspection, highlighting the intersection between professional and personal growth resulting in enhancing one’s scholarship and lending validity to claims through the acknowledgement and admission of human fallibility.

An underlying value of qualitative research lies in its capacity for storytelling which, in turn, underscores its ability to effect transformative change. By relaying the stories and experiences of minoritized communities, highlighting their conceptual lens, and elevating their voices, qualitative research both acknowledges and addresses injustices faced by these communities. This problem-solving capacity (Patton, 2015) lays the foundation for transformative change. Problem-solving in qualitative inquiry occurs through an understanding of the context in which the research occurs and acknowledgment of the fact that nested contexts (i.e., historical, political, socio-cultural) vary across time and space. Once we understand how context frames the inquiry and affects the experiences of participants, we can then gain an understanding of the broader, structural factors and social institutions that shape both people's lived experiences and the problem under investigation (Patton, 2015).

Finally, qualitative inquiry is typically not prescriptive. In contrast to more traditional, positivist research orientations, qualitative research is an immersive experience focused on process, not just outcomes, illustrating the hows and whys of the problem under investigation. This approach provides a more holistic picture that captures the issue from all its angles and in all its complexity. Part of the immersive experience is a willingness to adapt and be open to change as it unfolds (Patton, 2015). The only expected element lies in our readiness to “expect the unexpected” (p. 52), following the proverbial rabbit hole wherever it may lead, and valuing the experiences accrued in the process.

There are many different research designs that fit within the overarching qualitative tradition. For the purposes of this research, I will be drawing from interpretive policy analysis (Yanow, 2000) and critical policy analysis (Diem, Young, Welton, Mansfield & Lee, 2014) in study design, both of which are described next.

Interpretive Policy Analysis

Interpretive policy analysts emphasize the role of meaning-making and interpretation when analyzing research generated data. This framework is premised upon social constructionism, the notion that the nature of reality is not fixed and does not exist independent of human experience. Rather, humans “actively construct their social worlds” (Fischer, 2003, p. 48), drawing upon their sum of their subjective experiences to create social meaning. Humans are always engaged in acts of constructing and reconstructing their worlds as they accrue more experiences. Consequently, policy analysts’ work is also informed by their knowledge bases and lived experiences shaping their understandings of the world (Yanow, 2000).

Interpretive policy analysis views research as human-created, meaning that analysts are engaging in it from within rather than observing from the outside. As Yanow (2000) posits, it is not possible for analysts to completely detach themselves from the policy being investigated. Indeed, anything we create carries our essence, and the very process of creating, reconstructs and animates that essence. In addition, interpretive analysis attaches particular importance to the context in which policies are generated and to the set of interpretive communities which engage in their creation as well as those which are on the receiving end of these policies (Yanow, 2000). Interpretive communities comprise clusters of individuals and groups who share the same or similar interpretations of policy meaning based on their common values and beliefs (Yanow, 2000). Understanding the perspectives of different interpretive communities is key to analysts’ interpretations of different social phenomena (Fischer 2003).

Social constructionism, which forms the philosophical basis upon which interpretive policy analysis is predicated, depicts the world of politics and public policy as a struggle between different policy actors and interpretive communities over the meaning underlying the competing

ideologies driving particular political stances, proposals, and actions (Fischer, 2003). The contested nature of public policy, the ambiguity which characterizes it, as well as the phenomenon of “hyperreality” (p. 59), which indicates the tendency of political actors to mask their true policy intentions, invites interpretive analysts to make sense of these competing meanings to uncover actors’ latent motives.

Recognizing that policy meanings operate covertly in the form of symbols and misleading political discourse, interpretive analysts’ work is aimed at interpreting these symbols and driving at the heart of policy meanings. These discursive constructions which couch true policy meaning also serve to legitimize the perspectives of certain policy actors over others, reinforcing existing hierarchies and unequal power relations. Discursively constructed hierarchies of deservingness reflected within policy result in rewarding groups considered deserving (i.e., white, male, middle class, citizen, able-bodied, heterosexual, and cisgender) over those who are considered undeserving and are problematized within policy (Fischer, 2003). Undocumented immigrants, including migrant children and youth, are often problematized in policy discourse which directly contributes to the perpetuation of rhetoric which pathologizes and criminalizes migrant people (Heidenbrink, 2020).

I drew upon interpretive policy analysis to construct an understanding of key policy actors’ perspectives, specifically, through the accounts migrants and migrant youth from mixed status families relaying their perceptions of and experiences with restrictive migration policies in North Carolina. Relating these experiences through their words and voices empowers migrants from mixed status backgrounds and shapes their ability to influence, not only their own educational trajectories, but also the broader discourse surrounding migration policy.

Critical Policy Analysis

I also used critical policy analysis (Diem, Young, Welton, Mansfield & Lee, 2014) to unpack the assumptions and biases embedded within immigration policies by contesting the notion of restrictive migration policies in North Carolina as value neutral and objective (Gulson, Clarke & Petersen, 2015; McNeil & Coppola, 2006). Critical policy analysis (CPA) enables the researcher to situate policy within the sociopolitical context in which it is generated and recognizes that policymakers' subjectivities and positionalities contribute to shaping policy agenda and intent (Diem, Young, Welton, Mansfield & Lee, 2014). Much like Fischer (2003), Diem et al. (2014) contend that to explore policy in all its complexity one must recognize its contestable nature, as well as the differences between policy discourse and policy practice.

Fundamentally, CPA analysts concern themselves with policy's role in reproducing inequities and perpetuating power imbalances and social stratification, while also focusing on highlighting the perspectives of marginalized groups and the ways in which the latter push back against oppression (Diem, Young, Welton, Mansfield & Lee, 2014). Focusing on the agency of those affected by policies, particularly minoritized groups, sets CPA apart from interpretive policy analysis, in that it not only identifies power imbalances and differences of perspective, but also proactively seeks to address these inequities by empowering those whose voices are typically absent to engineer social change. To this end, Diem et al. (2014) reference the capacity of CPA to expose the policy's omissions or "silences" (p. 1077) by interrogating whose voices are being included, evaluating which perspectives are being privileged, and which voices are left out altogether. Drawing upon CPA will help contextualize and frame my analysis of restrictive migration policies in North Carolina through the lens and policy-based responses of those undermined and marginalized by these policies (Diem, Young, Welton, Mansfield & Lee, 2014).

Setting and Participant Selection

In this section, I describe the setting in which this policy analysis takes place: the state of North Carolina. Next, I detail who the participants are in this study and how they were recruited, explaining why I had to revise my recruitment criteria and the process I followed to locate the eventual participants and conduct video interviews with them while also drawing upon publicly available information regarding undocumented youths' experiences in North Carolina.

Setting

This study explores the nested contexts enveloping the enactments of restrictive migration policies in North Carolina and how migrants and migrant youth experience these policies. The Southeastern part of the United States represents one of the more restrictive regional immigration policy contexts in the country despite experiencing an unprecedented rise in the numbers of Latinx and undocumented immigrants settling in those regions (Brown, 2020; Jones, 2019; Rodriguez & Monreal, 2017; Rodriguez, 2018; Winters, 2019).

In addition to population growth in its rural areas due to the growing poultry industry (Jones, 2019), the Southeast also boasts attractive metropolitan centers drawing immigrants to expansive construction projects and factories. For instance, Charlotte, North Carolina, which is one of the largest and most populous cities in its state, is an important part of the New South or Nuevo South attracting immigrants from Mexico and Central America to its burgeoning economy (Armus, 2019). At the same time, however, sheriffs' offices in sixteen North Carolina counties implemented the 287(g) program from 2010-2019 responsible for the uptick in deportations in recent years (Arriaga, n.d.; Boughton, 2019). As a result, undocumented people and families in the state have seen their social status "decline rapidly from valued worker, volunteer, parent, and neighbor to...unwanted and deportable subjects" (Jones, 2019, p. 70).

Participants & Sources

For my interview partners, my intention was to recruit at least 7-8 young people between the ages of 18-25 who identify as Latinx and undocumented. However, this plan never came to fruition due to my inability to find more than one undocumented person willing to participate in this study. This inability can be traced back to my lack of a robust network of connections within the migrant community and migrant organizations within the state of North Carolina, other than my experiences teaching Latinx students. Despite casting a wide net and contacting virtually every Latinx organization representing or interacting with undocumented people in this state, I was unable to find participants that way. While I can never be sure, the reluctance of undocumented persons represented by such organizations in reaching back to me seems to be reflective of a broader fear within the community to speak to outsiders out of fear of exploitation and status disclosure.

Once these efforts failed, I turned to what proved to be a far more effective recruitment strategy: relying on personal relationships. Specifically, I reached out to a well-known undocumented activist in North Carolina who I had met at a conference and kept in touch with, contacted some of my old students who have since graduated from high school, and two former students of mine at UNC Greensboro, while also approaching two principals, one from a rural and the other from an urban school district in North Carolina to help me develop a better understanding of the schooling and regional migration contexts.

One positive outcome of the logistical difficulties I encountered in recruiting participants was the diversity and variation of experience I have been able to capture through the individuals who participated in the study. The study focuses on the stories, or *testimonios* (Ochoa, 2016) of five individuals with distinct immigrant backgrounds and narratives: Miguel, an undocumented

and DACAmented queer man in his thirties and former activist from rural North Carolina; Marta, a 19 year old first year education major at UNC Greensboro who is a U.S. citizen with undocumented parents and a former college student of mine; Ruth, my former middle school student, now 18, who is also a U.S. citizen in a mixed status family in Winston-Salem, North Carolina; Alfredo, 18, another former middle school student of mine and member of a mixed status family; Luis, a formerly undocumented person who escaped the civil war in El Salvador in the late 1980s and now, in his fifties, resides in North Carolina.

In addition to these five individuals, I relied on publicly available information. Specifically, I watched the interviews of two undocumented young women, Valeria and Corazon, who appeared on the 2016 North Carolina Justice Center as part of its multimedia series “Home to me” (North Carolina Justice Center, n.d.). In addition to my Zoom conversation with Miguel, I drew on two of his publicly available appearances (Logo, n.d.; TEDx Greensboro, 2016). Moreover, in order to more closely examine the nested contexts (historical, political, and socio-cultural) enveloping these people’s lives and education, I interviewed two school principals, in a rural and urban school district in North Carolina, respectively. All participants were given pseudonyms to protect their privacy.

Due to my change of plans mid-course, the criteria for participation also changed and expanded to include people older than 25, as well as migrants and migrant youth from mixed status families who ultimately comprised the majority of my participants. To protect potential participants, I did not disclose the identities of people, school districts, counties, or other potential identifiers. Instead, I used pseudonyms and other de-identifying information to respect participants’ privacy and prevent data leakage which may lead to status disclosure for themselves and their families.

Data Collection Methods

Artifacts and Document Analysis

This section provides an overview of the analytical procedures I utilized and a thorough examination of the processes followed, including the use of Wolcott's (1994) D-A-I formula in extracting, interpreting, and analyzing interview generated data.

Yanow (2002) defines data collection as the process of identifying artifacts, including “words, symbolic objects, and acts of policy-relevant actors” (p. 27). The artifacts collected and used for data analysis constitute symbolic representations of the different meanings the policy issue under investigation holds for different policy-relevant publics; the task of the researcher-analyst is to extract these meanings, offer her own interpretation on these meanings, examine how they were shaped and study their implications with respect to the policy issue being studied.

The artifacts I examine for data collection purposes included: a) interview transcripts; b) Section 287(g) of the *Immigration and Nationality Act of 1965*; c) publicly available information regarding policies like 287(g) and the *Real ID Act of 2005* (policy briefs and media articles), and information posted on the Higher Ed Immigration Portal (2022) pertaining to undocumented students' access to post-secondary education in North Carolina; d) information drawn from Jones' (2019) and Silver's (2018) accounts of the state migration policy context of North Carolina. I used document analysis as my analytical tool.

Document analysis is integral to the vital process of identifying key actors and members of interpretive communities vis-a-vis the policy issue under investigation (Yanow, 2000). Another benefit of document analysis is that it helps “establish the rationale for selecting a particular site, program, or population” (Marshall & Rossman, 2011, p. 161) thereby providing

further clarity as to the area of focus and purpose of the study. Marshall and Rossman (2011) highlight its focus on the underlying meaning and symbolic use of words, echoing Yanow's (2000) conception of discourse as replete with artifactual symbols.

Interviews

For the purposes of this study, I interviewed undocumented persons and migrant youth from mixed status families. Marshall and Rossman (2011) describe interviews as sites where those involved co-construct knowledge. Marshall & Rossman (2011) invoke the term “interview” (p. 145) to capture the essence of how qualitative interviews should be conducted, namely as a mutual and balanced exchange of views. This underscores the interactional nature of the enterprise, while lending credence to the notion that qualitative interviews can and should be premised on mutual respect and equity.

Being intentional about honoring the role of participants in the interview process and the perspectives they bring to the table, I engaged in semi-structured interviews which were “dialogic” (Marshall & Rossman, p. 144) in nature and rely on a more collaborative process premised on a mutual exchange of ideas and a co-construction of meaning. This type of structure allows for “shared talk time” (p. 144), meaning the researcher also shares part of her experience with the participant which helps lessen unequal power dynamics. Recognizing and valorizing participant agency extends to asking for participants’ input in co-construct meaning generated from the data (Mertens, 2009). To this end, I followed up with participants after each conversation to address lingering questions and to enable member-checking (Marshall & Rossman, 2011) to ensure participants’ accounts were rendered accurately and were a faithful representation of their perspectives. Conducting interviews was a highly useful tool in yielding rich data as a source of further document analysis relatively quickly, as well as providing a

glimpse into the lives and experiences of participants and the types of meaning these experiences hold for them (Marshall & Rossman, 2011).

For the interviewing process, I utilized an interview protocol with specific questions and guidelines; however, since I had to adjust my recruiting strategy and recruitment criteria for the study, I also had to change the interview protocol to fit my set of participants. Additionally, given that participants and their experiences varied in age and experience, questions also varied from one participant to another. While I initially created an interview protocol for universal use among participants, I eventually had to tailor my questioning to match participants' variation in background and experience.

The pandemic upended all my expectations for conducting live interviews. Because the interviews I conducted were virtual and in some cases I used information that was publicly available on the internet, I was not able to interact with participants and interviewees in person, thus limiting my ability to gauge their emotions and reactions more readily. Despite this limitation, however, I was still able to observe some of the participants' body language in the publicly available videos and note the physical expressions accompanying the responses of participants in Zoom videos in real time.

All the interviews I conducted with former students were via Zoom and in video form. All these students are U.S. citizens and did not express concerns about appearing on screen. Additionally, I had pre-existing relationships with these individuals: Marta was a former college student of mine two academic semesters ago, while Ruth and Alfredo were longtime middle school students of mine from 2015-2018. Miguel, an undocumented person with DACA status and longtime activist for the immigrant community in North Carolina, similarly, had no reservations appearing on video despite his initial reluctance to share his story. As Miguel

shared, he is widely known for his activism, having appeared in a documentary about his life as an undocumented queer migrant in rural North Carolina (Rhynard, 2017) and been invited to a series of public events to share his experiences, including a Ted Talk (TEDx Greensboro, 2016). Miguel was also an acquaintance of mine who I had met at a panel discussing current immigration policies in 2018 and whom I have kept in touch with through social media. Eddie, who recounted the experiences of his father, Luis, was the one interviewee I spoke to over the phone for logistical reasons. Eddie was a more remote acquaintance, having set up the interview through a former student who knows the family. Moreover, the two principals I interviewed, Dr. Lucia Lopez and Dr. Eileen Stewart, were also interviewed on video via Zoom and were both individuals I had not previously met and who were solely recruited for the purposes of this study.

Video conversations were not recorded on Zoom, but they were recorded on my phone via the voice memo feature to enable transcription. Audio recordings were subsequently uploaded to the UNCG box system which provides additional layers of protection and internet security compared to other modes of storage. Once these conversations were transcribed, the audio recordings were permanently deleted from Box and from my computer hardware. At the conclusion of the study, all information was deleted.

Data Analysis Strategies

Wolcott (1994) identifies three ways for engaging in analysis: 1) a descriptive-based approach in which data are treated as factual information with little input from the researcher; 2) a systematic analysis establishing a series of patterns and relationships between the various variables identified; 3) data analysis as an interpretive act relying on sense-making and producing an understanding which could be applied beyond the context of the case study. Wolcott (1994) clarifies that the three are not mutually exclusive as each approach could be

incorporated within the analytical process to varying degrees. I drew on this analytical model to interpret and analyze the data yielded by the interviews.

Description

Following each conversation, I wrote a descriptive memo documenting my initial impressions and takeaways. I deemed this an important element in setting up the basis for subsequent data analysis. For instance, Wolcott (1994), who expounds upon three phases of data analysis as part of his “D-A-I formula” (p. 48), explains the significance of the descriptive account of the data as the “fulcrum [and] pivotal base on which all else hinges” (p. 36) and as setting the tone for the subsequent analysis. Following Wolcott’s (1994) analytical model, each of these descriptive memos focused on the factual information shared rather than its underlying meaning, the ‘what’ instead of the ‘whys’ and ‘hows’ of the data. They were also used to record observations regarding participants’ body language, expressions, and other immediate takeaways.

Interpretation

The next step after the compilation of each descriptive memo, was the interview transcription. Here, I felt it was important to listen to each interview carefully to replay it in my mind while cognitively cross-referencing it with the memos I had just completed to fill in any blanks and to clarify takeaways. This was also important in ascertaining transcript validity and remaining as faithful to each interaction as possible. In order to be most attentive in this listening process, I transcribed each interview manually, paying attention to the words expressed, as well as the tone of voice and inflections in which the words were delivered. Once the transcripts were complete, I poured over them making anecdotal notes where applicable.

During this re-reading and “immersion” process (Marshall & Rossman, 2011, p. 210), I followed Wolcott’s (1994) “I” of the “D-A-I” (p. 48) formula, using these notes to make sense of the data and contextualize it where applicable (i.e., if respondents referenced a particular law or event they were unclear about). Wolcott (1994) defines interpretation as “transcending [the] factual data” (p. 36) articulated in the descriptive account of the study in order to delve into meaning making. Interpretation was further deployed as a tool for raising critical questions that arose from the inferences drawn as well as out of lack of clarity. The latter was critical in preparing follow-up questions for participants which were promptly sent out, continuing our conversation in pieces through emails. These follow-up conversations were crucial in clarifying lingering questions, blanks that I identified in the data, as well as new questions which arose during the data dissection. It was also important to engage participants in member-checking (Marshall & Rossman, 2011) by allowing them to read the transcript of our conversation, interact with it, and offer input.

Analysis

When I finished my notes, I went back to each part of the conversation I had highlighted to identify themes, patterns and repetitive refrains (Lawrence-Lightfoot & Davis, 1997), first within individual transcripts, and then across transcripts. Revisiting the transcripts for the purpose of theme identification, I let the data dictate these patterns employing an open coding process (Emerson, Fretz & Shaw, 1995) whereby data was revisited line-by-line to reveal consistent themes. Once I identified thematic categories in each transcript, I employed a color-coding scheme to pinpoint particular quotes that brought out elements of each thematic category, extracting the most meaningful quotes. I then employed a focused coding process, re-reading each transcript to revisit initial findings.

Following this iterative process (Marshall & Rossman, 2011), I created a table for each transcript containing each thematic category as a title and filled it out with pertinent quotes corresponding to each category so I could draw on these quotes for data analysis. Quotes matching emergent thematic categories were cross-referenced from each transcript to triangulate data as they became further refined and eventually distilled to the most significant and meaningful findings. Finally, I used a constant comparison method to clarify repetitive concepts (Marshall & Rossman, 2011). The analytical process was inductive, allowing me to follow the data and, in so doing, make discoveries which prompted me to question the use of Gonzales' (2016) "master status" framework and led me to identifying the rhizome, as articulated by Deleuze and Guattari (1987) as the prism through which to examine and bring to light the experiences of the migrants I had interacted with for the purpose of this study. As categorizations emerged and continued to develop meanings through interpretations, I ensured that thematic categories remain "internally consistent yet distinct" (Marshall & Rossman, 2011, p. 215) from each other to be able to distinguish between the various carriers of meaning effectively across the multiple data sources.

Trustworthiness

Qualitative research requires trustworthiness. Trustworthiness ensures that findings are credible, that they are believable. Generating these types of findings requires staying true to one's participants and true to oneself. Good qualitative research necessitates establishing a relationship of rapport with one's participants and one premised on trust and mutual equity which elevates their voices and values their experiences (Mertens, 2009). This is challenging because building trust requires time, tremendous effort, and community investment. Challenges also include helping participants overcome their discomfort and mistrust of outsiders (Marshall

& Rossman, 2011), especially when pressed to share painful experiences or information that may place them at risk, as is the case with undocumented youth.

In order to overcome these challenges, I was prepared to deal with complex emotions in case they arose without responding to them “thoughtlessly, in an undertheorized manner” (Marshall & Rossman, p. 146). Additional limitations involve being able to use one’s positionality to create conditions of trust and reciprocity with participants even if the researcher does not share the same identity markers as her participants (Mertens, 2009). This can feature a double-edged sword as researchers who share the same or similar identity markers with their participants enter the conversation certain that their experiences will resonate; however, this is not always the case. For instance, even though I am an immigrant, the fact that I have citizenship and access to social and cultural capital, coupled with going through a migration journey not fraught with peril, potentially renders my experiences markedly different to those of my prospective participants.

This divergence in experience was crystallized when conversing with Miguel, an undocumented queer man in his thirties, who held the conviction that U.S. born people and immigrants with U.S. citizenship are not interested in advocating for the undocumented community or pushing for change in the aggregate. I remained slightly skeptical of this contention on the basis of my own experience and views. As an immigrant who only recently attained citizenship status, I remain deeply passionate about and invested in large-scale and transformative change to ensure all immigrants who live in the U.S. can enjoy the benefits of citizenship. However, it was not my place to question Miguel’s experience or superimpose my view. As a result, I paused to check my assumptions and, after reflecting on the conversation, realized that despite my scholarly investment in the community, my efforts in activism,

pandemic notwithstanding, were lacking. I realized that Miguel challenged me, albeit indirectly, to be more proactive; his demand for change was a clarion call to all of us, legal, or not, citizens or not, to make this issue a priority both through our voices and our actions.

In addition to inviting participants' perspectives to the fore, I encouraged participants to share in the ownership of the research process in alignment with the transformational paradigm (Mertens, 2009). Researcher and participant relationships should be based on "high mutual equity" (Mertens, 2009, p. 93) premised on trust and mutual respect. As such, these relationships should be more like partnerships instead of reflecting hierarchies and unequal power structures, particularly if the researcher is part of a hegemonic group and participants are members of minoritized communities. In follow up conversations, I encouraged participants to engage in member-checking (Marshall & Rossman, 2011) and invited Miguel, whose knowledge of immigration law and policy is extensive, to collaborate on the final chapter of this study with me, offering recommendations for future research. To achieve this trust and allow participants to assume a more active role in the process, the researcher must be comfortable with relinquishing a complete and utter sense of control over the process.

Limitations

While I initially intended to recruit only undocumented young people over 18 years old for the purposes of this study, I was unable to find more than one undocumented person willing to participate in the study while Miguel, my sole undocumented participant, also had his reservations. Specifically, he revealed that the source of this reluctance, in part, is the fear of exploitation that those who share their stories willingly often suffer at the hands of academic researchers, journalists, and others, who use them for their own career advancement or monetary benefit rather than enacting meaningful change. This underscored the need for those of us in the

academy and beyond to not merely display the requisite amount of sensitivity apathetically, but to work intentionally toward building an equitable partnership with participants from this community and allow them to feel ownership over the process by negotiating its various steps and components. More importantly, it highlighted the necessity for our work to be used in impactful ways and as an impetus for actionable policy change.

Despite this initial limitation, the fact that I expanded the recruitment criteria to include youth from mixed status families enhanced the study because it provided a broad array of backgrounds and experiences to draw from which ultimately paint a more complete picture of the immigrant community and its experiences.

The COVID-19 pandemic compromised certain elements of this study by making it more complex and challenging to recruit participants as I had to exclusively rely on phone calls and emails for this purpose which created delays and some of which resulted in a lack of response. I relied heavily on social media and platforms such as Facebook, to recruit participants with whom I already had a familiarity, such as Miguel, my student at UNC Greensboro, Marta, and my two former middle school students, Ruth and Alfredo. I used email to recruit the two school principals and drew on publicly available information to include the interview of two young undocumented women conducted by the North Carolina Justice Center (n.d.) in my study. As a result of interviews not being in person, I was not fully able to interact with respondents in the way that I wanted to or gauge all their reactions in real time. However, because all respondents were comfortable appearing on video via Zoom due to our pre-established familiarity and relationship, I was still able to observe their facial expressions and body language. An additional impediment concerned follow-up conversations with participants, all of which were conducted

through emails and did not leave much room for elaboration. Importantly, there was no language barrier as I initially feared, as all respondents were fluent in conversational English.

A final and notable limitation emanating from the data analysis process is that the data dissected and interpreted are not generalizable as the study centers on policy actors in one state in the Southeastern region of the country: North Carolina. However, lessons can be extrapolated regarding undocumented youths' K-12 experiences and experiences within local communities in the Nuevo South, an emerging field of scholarship (Jones, 2019).

CHAPTER IV: NESTED HISTORICAL, POLITICAL, AND SOCIO-CULTURAL

CONTEXTS

Overview and Purpose

The purpose of this major section is to answer the first research question: *What is the nature of the nested historical, political, and socio-cultural contexts that influence how restrictive migration policies are interpreted, enacted, and experienced in North Carolina?* To answer this question, I break it down into the following subsections: a) the federal policy context, which investigates the evolution of U.S. immigration policy legislation at the federal level and outlines some of the landmark policies and events which shaped the trajectory of the national migration policy landscape; b) the modern migration policy context, which delineates specific actions and policies enacted by the current and previous U.S. administrations; c) the North Carolina policy context, with particular emphasis on state policies overlapping with, and diverging from, federal policies; d) the education policy context vis-a-vis immigrant students, on the national level and in North Carolina.

Federal Immigration Policy Context

Both Sides Now

There are two notable misconceptions that govern the public perception of how the major U.S. political parties view and enact immigration policies. The first contends that the two political parties' attitudes toward the issue of immigration differ considerably, often attributed to the widely diverging types of rhetoric employed by each party to promote its particular view. This view holds that Republicans have more negative views and attitudes toward immigrants, while Democrats tend to favor migration. The second misconception stems from recency bias

premised on the Trump administration's particularly callous rhetoric around the issue of migration and its spectacle politics (O'Brien, 2020) resulting in a well-documented and widely condemned family separation policy which saw children placed in large enclosures resembling cages (Rhodan, 2018).

The first misconception is negated by immigration historian Adam Goodman (2020), who posits that exclusionary provisions have always marked U.S. migration policies since the inception of the immigration apparatus, while also contending that the focus on enforcement and reliance on mass deportations which characterize present-day policies is bipartisan in nature. The following section and subsections describe the evolution of federal immigration law and its increasingly restrictive nature under both Democratic and Republican administrations.

The Evolution of U.S. Immigration Law

Two factors have contributed to the overlap between state and federal migration policy today. These can be attributed to: a) the exponential growth of the immigration apparatus which made it difficult to manage as a single entity with a centralized authority; b) the lack of Congressional legislation coupled with the interweaving of immigration and criminal law – a phenomenon also known as “crimmigration” (Stumpf, 2006, p. 367) – necessitating cooperation with the carceral state and law enforcement across different states.

The U.S. immigration apparatus evolved from an underfunded and disorganized entity with a more centralized form of authority to a massive, well-funded, well-oiled and ruthlessly efficient deportation machine whose tentacles have spread far beyond the condensed style of governance initially envisioned (Goodman, 2020). Along with better organization, expanded funding and control, the immigration system also became increasingly callous in its tactics, continuously invoking the notion of a perpetual state of emergency following the events of

September 11, 2001 to justify its reliance on mass deportations and inhumane family separations as not only viable, but necessary policy strategies (Goodman, 2020). The end result has been the creation of an “unforgiving legislative environment” (Abrego & Negron-Gonzales, 2020, p. 7) that youth and families are left to navigate.

Provisions that led to prosecutorial discretion, relief from deportation and status adjustment, which marked a few of the legislative and executive measures of the modern era, were gradually eliminated from subsequent measures rendering today’s migration policy context particularly restrictive. For instance, two of the earlier pieces of legislation in the modern era, the 1965 *Immigration and Nationality Act* and the 1986 *Immigration Reform and Control Act* (IRCA), extended some relief to immigrants by abolishing quotas restricting migration from Latin America and providing status adjustment for some 3 million undocumented immigrants, respectively (Chishti, Hipsman & Ball, 2015; Goodman, 2020; Library of Congress, n.d.). While these pieces of legislation were by no means amnesty bills as they also included restrictive provisions, they were not as punitive as subsequent bills, particularly the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA). This law is addressed in more detail in the section below.

IIRIRA

Two pivotal points in immigration policy history marked the evolution of the immigration policy system into a ruthless deportation machine: a) the Congressional legislation known as the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA) which laid the groundwork for the 287(g) program (Macias-Rojas, 2018); b) the September 11, 2001 terrorist attacks which gave rise to nativist, anti-immigrant rhetoric that stifled any attempts

to pass comprehensive immigration reform (Goodman, 2020). The first of these is discussed in this section.

Despite being lauded as an immigration reform bill, IIRIRA, which proved to be massively consequential in shaping the immigration policy landscape for the next few decades, needs to be understood within the context of crime politics and the politics of mass incarceration which came to define much of the political climate of the 1990s. Crime bills and ‘tough on crime’ rhetoric became popular under the Reagan administration through its War on Drugs program and new detention policies resulting in overcrowding prisons. This gave rise to more deportations to free up prison space and meet increasing demand (Macias-Rojas, 2018). Immigrant arrests also increased as migrants with criminal records became enforcement targets (Goodman, 2020; Macias-Rojas, 2018).

A key change with respect to crime laws under Reagan and congressional action directed at reducing crime was that the ‘tough on crime’ rhetoric was embraced by Democrats, as well as Republicans. According to Macias-Rojas (2018), President Clinton and his advisors, such as Rahm Emanuel, as well as a number of Democratic Senators, adopted a tough on crime stance which extended to unauthorized migration to “appropriate the GOP platform” (p. 12) and appeal to more conservative voters. Amid the new rhetoric, Democrats began distinguishing between legal and illegal immigration, lauding the former with praise, and villainizing the latter.

Democratic politicians, including then House Representative Chuck Schumer and Senator Diane Feinstein, sponsored and introduced Congressional legislation restricting due process rights for immigrants convicted of crimes and making it easier to deport these individuals without providing avenues toward discretionary relief from removal (Macias-Rojas, 2018). Importantly, Feinstein also penned an op-ed in the *Los Angeles Times* in 1993 advocating for

harsher penalties on unauthorized migrants. This provided the impetus for the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA). The bill, introduced by Republican House Representative Lamar Smith of Texas, quickly gained bipartisan support and was signed into law by President Clinton in September 1996. Clinton praised the law for “cracking down on illegal immigration without punishing legal immigrants” (Macias-Rojas, 2018, p. 12).

One of the lasting effects of the law was the criminalization of unauthorized migration that up to that point was deemed a civil offense (Goodman, 2020). The law did so by expanding the grounds on which migrants could be criminally charged, creating broad criminal categories which also included some misdemeanors (Macias-Rojas, 2018). Additionally, it removed noncitizens’ avenues to due process and limited opportunities for prosecutorial discretion (Goodman, 2020). Under the bill, migrants could not be released back into their communities following arrest and had to be placed in detention until their removal from the country, exhausting prison capacity and creating the need for private for-profit prisons that continue to benefit from restrictive immigration policies (Macias-Rojas, 2018). Moreover, while the rhetoric employed to promote and discuss the bill was premised on distinguishing legal and illegal immigration, this particular law also made legal permanent residents (LPR), such as green card holders and asylum seekers, vulnerable to deportation if they had committed a crime or misdemeanor, opening the door to deporting legal residents (Goodman, 2020).

Finally, and most importantly, the law created provisions mandating the collaboration between federal immigration authorities and state and local law enforcement to identify, arrest, detain, and then deport unauthorized immigrants who had successfully crossed into the United

States (Macias-Rojas, 2018). This laid the groundwork for the 287(g) program which was first implemented in 2002 (Wadhia, 2019).

The Post September 11 Migration Landscape

The 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA) was the last piece of Congressional legislation to be passed on the issue of migration. As discussed previously, the events of September 11, 2001, proved to be a major turning point in the modern history of immigration policy. In 2000, after the election of George W. Bush to the presidency, there appeared to be an appetite for a bipartisan comprehensive immigration reform bill providing another wave of amnesty instead of being singularly focused on strengthening the border (Rosenblum, 2011). According to Rosenblum (2011), Bush recognized immigrants' important contributions to the U.S. economy, called for a new temporary worker program with benefits for those workers, and began discussing reform measures with his then Mexican counterpart, Vincente Fox.

However, September 11 completely changed the calculus, with both the government and the American public embracing nativism (Pew Research Center, 2018). This sentiment transformed the political landscape, rendering debates around amnesty or any kind of status adjustment a moot point. Additionally, immigration was suddenly framed as a national security issue (Goodman, 2020), focusing both rhetoric and what little action was undertaken at the federal level on punitive measures, such as strengthening the border, as well as immigration detention and deportation.

In the decades since, various presidents have signed an array of executive orders, including President Obama's 2012 *Deferred Action for Childhood Arrivals* (DACA), and Executive Order (EO) 13677 signed by President Trump in 2017. The latter increased the number

of Border Patrol officers stationed along the Southern border, ordering the construction of a border wall, and suspending the Obama era prosecutorial discretion vis-a-vis the apprehension of unauthorized immigrants (Wadhia, 2019). The executive actions taken with respect to immigration, with the exception of DACA and prosecutorial discretion under President Obama (Wadhia, 2019), reflect a bipartisan approach rooted in a perception of Latinx immigrants as threatening and undesirable (Rodriguez & Monreal, 2017). It should be noted that President Obama also attempted to enact what became known as *Deferred Action for Parents* or DAPA in 2014 to provide relief from deportation and extend prosecutorial discretion for qualifying undocumented parents of U.S. citizens (Silver, 2018). However, DAPA quickly became a target of lawsuits in 2015 (Gonzales, 2016). It was finally rescinded by President Trump in 2017 (Sacchetti, 2017).

The absence of Congressional immigration reform measures created a power vacuum leading to the rise of executive orders on the one hand, and on the other, a devolution of policy making and enforcement powers to state and local actors. A salient example of how state and local actors deployed such powers is detailed in the section below.

The 287(g) program

No other enforcement instrument exemplifies the convergence and overlap between federal, state, and local immigration policies better than the 287(g) program. A product of the 1996 Clinton era migration policy, *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA), the 287(g) program was designed as an enforcement measure in the interior of the country to complement border policing and militarization (Goodman, 2020). When the program was first implemented in 2002, it was designed to enable law enforcement officers to screen the status of migrants who were already in jail, also known as the jail enforcement model (Rhodan,

2017). The program was expanded under the Obama and Trump administrations (Congressional Research Service, 2021).

The program authorizes the Director of Immigration and Customs Enforcement (ICE) to enter into agreements with state and local enforcement actors and agencies that provide designated local officers with the authority to arrest undocumented immigrants. State and local actors who are tasked with this responsibility are trained by ICE officials (U.S. Immigration and Customs Enforcement, n.d.). The program is funded by the federal government – which covers the costs of local LEA training – and participating state and local governmental agencies (Congressional Research Service, 2021). To participate in the program, agencies and sheriffs’ offices enter Memoranda of Agreement (MOA) to set the terms and criteria for training and Immigration and Customs Enforcement supervision. Immigration Customs Enforcement (ICE) shares Department of Homeland Security (DHS) databases with local agencies, including fingerprint data, to help identify individuals (American Immigration Council, 2021). Once designated fit to perform these duties, local law enforcement officers are expected to stop individuals and ask them about their immigration status, enter data on shared federal databases, serve federal detainer warrants, detain individuals in local jail systems, as well as authorize the transfer of detained undocumented migrants to ICE custody (American Immigration Council, 2021). Additionally, local law enforcement officers can make recommendations on detention and removal proceedings.

According to the American Immigration Council (2021), there are two types of 287(g) agreements. The first of these, the jail enforcement model referenced above, deputizes designated local officials to interrogate individuals arrested on state or local charges about their migration status and place federal immigration detainers on them, triggering their transfer into

the federal deportation system (American Civil Liberties Union, 2021). The second type is the warrant service officer (WSO) model, which authorizes designated local law enforcement officers to serve administrative federal arrest warrants to those who they suspect are undocumented (American Immigration Council, 2021).

The 287(g) program enjoyed bipartisan support in its implementation. In 2009, the Obama administration expanded the program to eleven new locations despite its reputation for racial profiling and civil rights abuses, most notably under Sheriff Joe Arpaio of Maricopa County in Arizona (Democracy Now, 2009). By 2011, 72 U.S. jurisdictions participated in the program (Capps, Rosenblum, Chishti & Rodriguez, 2011); by the time President Obama left office, ICE's budget swelled to \$6 billion (Shahani & Lovato, 2009). The Obama administration's record-breaking number of deportations and enlargement of the immigration detention system created a lot of consternation among immigrant rights activists (Shahani & Lovato, 2009). While Macias-Rojas (2018) submits that President Obama largely inherited the immigration apparatus' infrastructure, the augmentation of the enforcement apparatus as well as the record-breaking number of deportations conducted under his watch (Shahani & Lovato, 2009), earned him the moniker "deporter in chief" (Chishti, Pierce & Bolter, 2017, para. 1).

President Trump followed in his predecessor's footsteps but also expanded the program to levels previously unseen. For instance, just days after assuming office in January 2017, he signed Executive Order (EO) 13677, which, in addition to instituting 5,000 more Border Patrol officers along the Southern border and ordering the construction of a border wall, suspended prosecutorial discretion vis-a-vis the apprehension of unauthorized immigrants (Wadhia, 2019). Prosecutorial discretion, employed by the Obama administration under its Priority Enforcement Program (PEP), prioritized the apprehension, detention and removal of immigrants who had

committed several serious crimes or posed a national security risk (U.S. Immigration and Customs Enforcement, n.d.).

Modern Migration Policy Context

The Trump Administration

The Trump administration took a series of punitive actions that matched President Trump's anti-immigrant rhetoric. For instance, it restored the Secured Communities Agreement which authorizes local law enforcement officers to issue immigration detainers to migrants in their custody indiscriminately (Center for Migration Studies, 2021). Furthermore, one of Trump's January 2017 executive orders targeted Sanctuary Cities, localities with large immigrant populations refusing to enforce federal migration law (American Immigration Council, 2020). Trump's EO ordered these jurisdictions to engage with Immigration and Customs Enforcement and enforce immigration law, threatening to withhold federal funding if they failed to comply (Rhodan, 2017). Additionally, the Trump administration added 15,000 DHS agents and authorized ICE to further expand the immigrant detention system (Rhodan, 2017). While the Trump administration deported fewer people than the Obama administration, it enacted some of the most drastically punitive migration policies in recent history, including the 2018 zero tolerance policy (Rhodan, 2018) and measures that made it easier to apprehend, detain, and deport unauthorized migrants with impunity (Wadhia, 2019).

What was even more notable under this administration, was the rise in anti-immigrant rhetoric. Prior to even assuming office, Donald Trump referred to immigrants from Mexico as criminals, drug offenders, and rapists (Reilly, 2016). While in office, the former president also instituted a Muslim ban, rescinded DACA (both these decisions were later struck down by courts as unconstitutional) and pursued a family separation policy vis-a-vis immigrants from Central

America (Rhodan, 2018). Crucially, Trump also sought ways to reduce legal immigration by proposing a merit-based system and re-instituting the ‘public charge’ rule to alter the demographic composition of incoming immigrants (Simon, 2022).

The Biden Administration

It is worth noting that while the Biden administration employs a very different rhetoric toward and about immigrants, some Trump era policies appear to still be in effect with some cosmetic changes by the Biden administration. These include: ICE deportations of non-criminals and the detention of migrant families with children still separated from relatives for periods of time in some cases (Jervis, 2021). Moreover, amid what had been characterized as a new surge of migrants and unaccompanied youth from Central America in early 2021, Ambassador Roberta Jacobson, the White House’s acting Southern Border coordinator, went to great lengths to assure the media and the public that “the border is not open” (Ordoñez, 2021, para. 12), urging people from Central America to refrain from crossing the border, a stance criticized by both immigration advocates and anti-immigrant ideologues (Ordoñez, 2021).

At the same time, the administration has encountered resistance to some of its less stringent actions by Republican governors, including Greg Abbot of Texas, who has launched “Operation Lone Star” (Ament & Brisbin, 2021, para. 1), deploying up to 1,000 Department of Public Safety officers and Texas National Guard personnel to patrol the border. Additionally, the administration confronts an array of Republican Attorneys General and anti-immigrant judges appointed by former President Trump who are already pushing back against some of the new administration’s policies such as rescinding the public charge rule introduced under the Trump administration (Garcia, 2023). More recently, the conservative majority at the Supreme Court

ruled against the administration's decision to abolish Title 42, a pandemic era restrictive policy used to block migrants from seeking asylum in the United States (Garcia & Ura, 2022).

In contrast to the previous administration, the Biden administration established a family reunification task force with the purpose of reuniting the remaining 550 children separated from their families under the Trump administration with their parents or guardians (Samuels & Beitsch, 2021). DHS Secretary Alejandro Mayorkas, the first Latino to ever serve in that position, added that families separated under the Trump zero-tolerance policy will have the opportunity to apply for lawful residency and remain in the United States upon reunification (Samuels & Beitsch, 2021). While there was early hope for the passage of a pro-immigrant Congressional bill in the form of the *American Dream and Promise Act* (Migration Policy Institute, 2021), this legislation never materialized, nor did any type of comprehensive immigration reform.

Perhaps the most significant development of the past few months, along with Republican governors expelling migrants from their states and transporting them to states controlled by Democrats (Abdalla, 2022), was the administration's introduction of a new policy which seemingly provides a pathway toward humanitarian parole for eligible migrants from Haiti, Cuba, Guatemala, and Nicaragua. However, the policy prohibits migrants seeking asylum in the United States from applying for this status while in the United States, calling upon them to instead "stay where you are" (Ward, 2023, para. 3) and promising to "crack down on those who fail to use the plan's legal pathways" (para. 1). The move has been criticized as an attempt to win over more moderate and centrist voters with immigration becoming, once again, a hot button political issue.

Federal and State Immigration Policy Context Overlap

The United States' unique and complex system of governance composed of three intersecting and overlapping tiers (federal, state, and local) makes policy watch a challenging enterprise (Rippner, 2016). While many federal policies in immigration are replicated at the state and local levels, states are often also given the flexibility of modifying these policies or enacting their own laws. This has resulted in a chaotic and disconnected system of governance, creating a patchwork of varied policy contexts embedded within a broader, dysfunctional and ineffective federal context (Gonzales, 2016). It is also why policymaking is never a linear process (Rippner, 2016). These convergences and divergences are also evidenced by the federal and state policy delineation in the timelines below.

1965 Immigration and Nationality Act: Repealed quota system and established migration system on the basis of chain migration (family connections). Intended to encourage migration from Europe but increased migration from Mexico and Latin America.

1986 Immigration Reform and Control Act: Offered status adjustment (legalization) to undocumented persons who resided in the U.S. since 1982 and farm workers who could validate at least 90 days of employment. Resulted in legalization of 3 million undocumented migrants. Also imposed penalties for employers hiring undocumented workers, bolstered border security and approved more funding for the Border Patrol.

1994 Prevention through Deterrence Enforcement Strategy: Designed to discourage unauthorized crossings by using the natural environment and treacherous conditions as a deterrent.

September 11, 2001 attacks

1982 Plyler v. Doe Supreme Court Ruling: The Court rules in favor of access to public school education for undocumented children under the Equal Protection Clause of the Fourteenth Amendment.

1996 Illegal Immigration Reform and Immigrant Responsibility Act: Rendered unauthorized crossings criminal rather than civil offenses through the codification of Section 1325 of the U.S. Code. Made more people vulnerable to deportation including permanent residents if accused of serious crimes; eliminated due process rights for migrants and severely limited prosecutorial discretion.

2002: 287(g) programs start to get enforced. **2006:** Charlotte-Mecklenburg sheriff Jim Pendergraph popularizes the task force model, racially profiling migrants to determine their status and subject them to removal proceedings.

2014: The Obama administration implements the Priorities Enforcement Program (PEP) focused on targeting persons charged with serious criminal offenses for deportation.

2018 “Zero Tolerance” Immigration Enforcement Policy: All migrants who cross the border without permission, including asylum seekers and children, will be subjected to DOJ prosecution. Resulted in large scale family separations.

2005 Real ID Act: States require SSN or proof of legal presence for driver’s licenses.

2012 Deferred Action for Childhood Arrivals (Executive Action): Undocumented persons under the age of 31 who arrived in the U.S. as children and continuously resided there since 2007, were in school, graduated high school and had joined the armed forces, were deemed eligible for prosecutorial discretion vis-a-vis removal action for two years (subject to renewal). Applicants should have no criminal record. DACA does not confer status legalization.

2017 Executive Order (EO) 13677: Increased the number of Border Patrol officers along the Southern border; ordered the construction of a border wall; suspended the Obama era prosecutorial discretion for unauthorized migrants.

The Diminishing Role of the Federal Government and Policy Embeddedness

While federal and state policies do frequently converge, a modern-day phenomenon in the creation and implementation of immigration policy is the devolution of certain decision-making and enforcement powers from the federal to the state and local levels.

This was not always the case: The federal government used to be judge, jury and executioner when it came to immigration policy design and enforcement, especially in the early days of the U.S. immigration apparatus. Laws, such as the 1965 *Immigration and Nationality Act*, transformed the policy landscape by opening the door to immigrants from Latin America through the abolition of restrictive numerical quotas (Chishti, Hipsman & Ball, 2015; Goodman, 2020). Similarly, the 1986 *Immigration Reform and Control Act* (IRCA) created major change by legalizing the status of 3 million unauthorized migrants while also bolstering border restrictions (Library of Congress, n.d.). Finally, the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA), the last major piece of Congressional immigration legislation to be passed, was of momentous consequence, as it essentially criminalized unauthorized migration and laid the groundwork for federal and state collaboration on immigration law enforcement (Macias-Rojas, 2018).

In the decades that followed, Congressional legislation on immigration has been scarce, paving the way for executive orders, court rulings, and more importantly, state policies, to create and enforce immigration law (Goodman, 2020; Silver, 2018). This has resulted in narrower forms of reform, such as the 2012 *Deferred Action for Childhood Arrivals* (DACA) program which was nearly rescinded under the Trump administration and currently remains in judicial limbo (Elkalla, 2022). It has also led to a patchwork of different immigration policies across the nation (Gonzales, 2016).

Ceding immigration policy design and implementation to the states is not an innocuous enterprise. Because of gerrymandering and voter restriction laws, many states remain under Republican control (Witherspoon & Levine, 2021), guaranteeing the pursuit of hostile, anti-immigrant, enforcement-based policies (Silver, 2018). This was compounded by the effects of the September 11, 2001 terrorist attacks that saw both the federal and state governments embrace nativist rhetoric and policies, reflected in the implementation of 287(g) programs (Sturgis, 2018). This shift was observed on both the federal and state levels, reflecting policy embeddedness, the tendency of federal policies to influence state and local policies (Rippner, 2016).

However, when the federal government and state governments were not of the same party, as was the case during the Obama administration which had to contend with an exponential increase in Republican controlled state legislatures (Ballotpedia, 2017), local and state migration-related policies were often at odds with the federal government (Silver, 2018). For instance, in North Carolina, state law explicitly bans in-state tuition rates for undocumented students (Higher Ed Immigration Portal, 2022; UndocuCarolina, 2022). This law remained in effect even after DACA was signed into law by President Obama and affected prospective students with DACA status, undercutting the access the program was designed to provide (Silver, 2018; University of North Carolina at Charlotte, n.d.). DACAmented individuals were also deemed eligible for driver's licenses under the program; however, once again, North Carolina law, namely, the 2006 *Technical Corrections Act* (Denning, 2009), would not permit this until the State Attorney General intervened in 2013 to confer eligibility (Gutierrez, 2013).

Meanwhile, undocumented persons without DACA are still barred from obtaining valid North Carolina driver's licenses (Xu, 2021), unlike their counterparts in California (State of California Department of Motor Vehicles, 2022) and in neighboring Virginia (Virginia

Department of Motor Vehicles, 2022). Thus, as Silver (2018) notes, even when integrative migration policies are enacted at the federal level, they can be undermined by policies at the state level, exposing the fault lines between federal and state policy, as well as the power of state policies in undercutting or even subverting federal level decision-making powers.

Another important point which explicates why state policies have the ability to subvert federal law lies in the fact that federal action on the issue of migration in the past few decades has only originated from presidential executive orders (i.e., DACA) or Supreme Court decision rulings (i.e., *Plyler v. Doe*), which can be rescinded by subsequent administrations and/or challenged and struck down by the lower courts or Supreme Courts of a different ideological persuasion. For instance, DACA was challenged by the Trump administration and following a Supreme Court decision which did not abolish it but did not revive it entirely either, currently remains in limbo (Elkalla, 2022) jeopardizing the lives and livelihoods of thousands of young people across the nation. A similar example is the 2014 *Deferred Action for Parents* or DAPA program which President Obama created through Executive Order and attempted to pass to provide relief from deportation by extending prosecutorial discretion for qualifying undocumented parents of U.S. citizens and DACAmented children (Silver, 2018). DAPA quickly became a target of lawsuits in 2015 and was eventually blocked before being struck down by the Trump administration (Sacchetti, 2017). While DAPA would have helped keep mixed status and other migrant families together, the fact that it was created via Executive Order rendered it vulnerable and eventually led to its downfall.

A decision which may meet a similar fate is the landmark 1982 Supreme Court ruling known as *Plyler v. Doe*, which granted undocumented students access to free, public education at the K-12 level, striking down a 1975 Texas law on the basis of the Equal Protection Clause of

the Fourteenth Amendment (Gonzales, Heredia & Negron-Gonzales, 2015). Despite the ruling comprising the law of the land these last four decades, Governor Greg Abbott of Texas brought up his desire to see the decision reversed in the wake of the early leak of the recent Supreme Court ruling to overturn *Roe v. Wade*. Specifically, the governor made the case that “we need to resurrect the case and address this issue again” (Texas Public Radio, 2022, para. 4). According to Kate McGee of the Texas Tribune (2022), the governor later doubled down on his comments, adding that the *Plyler* decision is unconstitutional because it compels states to cover expenses belonging to the federal government. Given the current Supreme Court’s tendency to overrule what was widely considered to comprise long-standing legal precedent in the case of *Roe* and the Court’s signaling its intent to revisit other cases concerning the rights of minoritized groups (Carson, 2022), it is not out of realm of possibility that Texas, a Republican controlled state, will bring a case challenging the *Plyler* ruling to the conservative majority at the Supreme Court.

Finally, the absence of immigration legislation at the federal level creates a power vacuum occupied by state policies which vary based on each state’s demographic composition and socio-political context. Thus, access to fundamental and basic rights for undocumented and mixed status families is contingent on their location, creating an impossible and unfair situation for families who do not have access to the resources and wealth that would allow them to relocate to a more inclusive state.

Federal Education Policy Context

Education in the United States is bound together by a set of interrelated systems which falls under the purview of a multi-tiered and profoundly disconnected system of governance where federal, state, and local actors vie for control (Rippner, 2016). The creation of this disparate system, according to Rippner (2016), can be attributed to the fact that the Constitution

largely ignores education, making no explicit recommendations on how the nation's educational system ought to be handled or whether one should exist at all. If anything, there appears to be an implicit understanding that issues pertaining to education should be handled directly by the states according to Article 10 of the Constitution (Rippner, 2016). Over time, the federal government assumed more control over education, but this level of control oscillated between administrations. At the same time, local governments have seen their influence grow, especially as more decision-making power is wrestled away from federal and even state education agencies, to local school boards (Rippner, 2016).

Federal education policies regarding undocumented youth have been scarce. The best-known decision to have shaped a long-lasting policy vis-a-vis undocumented youth is the 1982 Supreme Court ruling known as *Plyler v. Doe*. Following a move by the Texas state legislature to block undocumented students from accessing public education in 1975, the Tyler Independent School district pursued a policy requiring undocumented students to pay tuition to attend public schools (Peña, 2019). As a result, a lawsuit was brought forth against the district on behalf of a group of undocumented Mexican students, bringing it to the attention of the Supreme Court which subsequently struck down the Texas law on the basis of violating the Equal Protection Clause of the Fourteenth Amendment (Gonzales, Heredia & Negron-Gonzales, 2015). The Court then decided, in no uncertain terms, that undocumented students would be entitled to free, public education; however, the decision did not address the issue of access to institutions of higher education (Peña, 2019).

Even though higher education access for undocumented youth was not explicitly addressed by federal law, it was affected by certain provisions in federal migration policies like the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA). For instance,

according to Peña (2019), Section 505 of IIRIRA prohibits public state universities from providing any educational services to undocumented students unless the same services are provided to U.S. citizens with no established residency in the states where the institutions in question are located (Peña, 2019). Another federal policy, the *Personal Responsibility and Work Opportunity Reconciliation Act of 1996* (PRWORA), similarly prohibits the provision of public benefits to undocumented persons.

Despite these provisions, the College Board (2022) insists that “there is no federal or state law that prohibits the admission of undocumented immigrants to U.S. colleges, public or private” (para. 1). Additionally, federal legislation has been drafted to ensure comprehensive access for undocumented students across the nation in the form of The *Development, Relief and Education for Alien Minors* (DREAM) Act. The DREAM Act, which was first introduced in the Senate by then Democratic Senator Luis Gutierrez in August 2001 would effectively repeal Section 505 of the *Illegal Immigration Reform and Immigrant Responsibility Act of 1996* (IIRIRA), which provides legal justification for states to deny undocumented students access to higher education (National Immigration Law Center, 2011). Criteria for the DREAM Act include: a) coming to the United States as a child; b) admission to a higher education institution; c) being a high school graduate, holder of a GED or enrolled in a program to obtain a GED; d) not having participated in the persecution of another person; e) not having been convicted of certain serious crimes (American Immigration Council, 2021). Undocumented persons qualifying for the DREAM Act would also be granted lawful permanent residency status (American Immigration Council, 2021). The *DREAM Act* has been introduced at least 11 times in the last 20 years; however, none of these iterations have made it into law (American Immigration Council, 2021).

Even so, some of the DREAM Act's key provisions were incorporated within the 2012 *Deferred Action for Childhood Arrivals* (DACA), issued by executive order under President Obama. DACA, which is still in effect today, does not provide a path to legalization or citizenship but enables undocumented youth to attend institutions of higher education across the nation provided they meet the criteria outlined in the DREAM Act and adopted by DACA. However, DACA does not explicitly address or repeal IIRIRA's Section 550 which provides states, such as North Carolina, with a legal loophole in terms of refusing to grant in-state tuition to undocumented students (Higher Ed Immigration Portal, 2022).

Given the lack of federal legislation allowing access to higher education, some states have taken up versions of the *DREAM Act*, most notably California, where pro-immigrant state legislators and then Governor Jerry Brown passed the *California DREAM Act* in 2010, expanding access to in-state tuition and scholarship monies for some undocumented students. On the whole, state policies vary on the basis of state demographics coupled with state ideological leanings. For example, all the states along the West Coast, as well as Utah, Colorado, Nevada, New Mexico, Texas, Oklahoma, Minnesota, Illinois, Virginia, Hawaii, New York, Puerto Rico and most of New England, have passed laws providing comprehensive access to higher education institutions, including in-state tuition rates (Higher Ed Immigration Portal, 2022). At the same time, a number of states have no stated policy on the issue, others provide limited access on the basis of the 2012 *Deferred Action for Childhood Arrivals* (DACA), and some have laws explicitly blocking access to higher education for undocumented youth, such as Alabama, Georgia, and South Carolina (Higher Ed Immigration Portal, 2022). As a result of some of these restrictive policies, the educational journeys of many undocumented youth end following high school graduation, a number estimated at 98,000 as of 2019 (Abrego & Negron-Gonzales, 2020).

This convoluted, region-dependent higher education policy terrain underscores the significance of K-12 education for undocumented youth as one of the only areas of civic life that they can access regardless of where they live in the United States. The following section and subsections focus on outlining the North Carolina state context and specific state policies illustrating the overlap, as well as the divergence of this particular state policy context from its federal counterpart.

North Carolina State Policy Context

North Carolina has a number of exclusionary policies, including enactments of the 287(g) program, which was originally conceived by North Carolina sheriff Jim Pendergraph in 2006 (Sturgis, 2018), the implementation of *The Real ID Act of 2005* (Denning, 2009), and the explicit banning of undocumented students from access to in-state tuition at public universities and community colleges (Higher Ed Immigration Portal, 2022; UndocuCarolina, 2022).

Paradoxically, the policy context and context of reception in North Carolina have not always been exclusionary: Jones (2019), who studied the North Carolina immigration policy context extensively in her work *The Browning of the New South*, describes it as integrative and welcoming in the 1990s and early 2000s. However, noting the shift in federal policy after the September 11 attacks, she also points to its influence on state and local agencies in North Carolina with respect to anti-immigrant policies. By 2008, when she had the opportunity to interview more respondents, she sensed a change, causing her to conclude that “in 2008, to be Mexican and undocumented in North Carolina meant a life of risk” (p. 67). She also found that respondents experienced their social status “decline rapidly from valued worker, volunteer, parent, and neighbor to...unwanted and deportable subjects” (p. 70). Moreover, according to Silver (2018), state policies became even more restrictive in the 2000s, following the

implementation of the 287(g) program, a staple of the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA).

In addition to federal punitive policies influencing the state context, the absence of policy at the federal level can magnify the effect of state and local policies on the lives of undocumented people and their families. To illustrate the magnified influence of the state policy milieu, Silver (2018) focuses on the North Carolina state context, citing its rapid transformation into a destabilizing force in the lives of undocumented people. While Jones (2019) describes the pre-IIRIRA context in North Carolina as integrative and mostly welcoming, Silver (2018) characterizes it as restrictive, pointing to the 1990s as a seminal point in the state's history given the unprecedented influx of immigrants moving there. In fact, as Silver (2018) points out, despite its distance from the U.S.-Mexico border, North Carolina "emerged as a national leader in immigration enforcement action at the state level" (p. 31) and ranked second in its training of LEA officers for the 287(g) program throughout the 2000s. The restrictive policy milieu, combined with a rising nativist sentiment in the state, created an inhospitable environment which encouraged "self-deportation" (p. 31). Silver (2018) adds that even when the federal government enacted integrative policies like DACA, the secure foundation provided by such policies was undercut by state policies, thus "exposing the fault lines" (p. 30) of the policy embeddedness model. For instance, DACAmented people in North Carolina found that they could not take full advantage of their newfound opportunities. Specifically, they were initially prevented from gaining access to driver's licenses and continued to experience restrictions in attending institutions of higher education in the state (Silver, 2018).

North Carolina and the 287(g) program

North Carolina has a fascinating history with the program. To begin with, in 2006, then Sheriff Jim Pendergraph of Mecklenburg County expanded the program, allowing his officers to interrogate any member of the public they deemed suspicious (Sturgis, 2018). This triggered the implementation of the task force model, in addition to the jail enforcement model. Pendergraph's role in the expansion is considered instrumental (Nguyen & Hill, 2010; Sturgis, 2018).

According to Ordoñez (2008), the program's implementation in Mecklenburg County was held up as a national model of local and federal law enforcement collaboration. Due to this success, Pendergraph was appointed chief of ICE's Office of State and Local Coordination by the Bush administration, where he played a key role in the expansion of the task force model (Ordoñez, 2008; Sturgis, 2018).

Additionally, the sheriff's office in Alamance County, North Carolina was investigated for civil rights violations by the Department of Justice in 2012 (United States Department of Justice, 2012). The investigation found that the officers involved in implementing the program were disproportionately targeting Latinos and overpolicing Latino communities, resulting in a violation of the Equal Protection Clause of the Fourteenth Amendment (United States Department of Justice, 2012). Along with Alamance County, Henderson, Gaston, Cabarrus, Mecklenburg and Wake counties enacted the program as of 2015 (Arriaga, n.d.). More recently, newly appointed sheriffs in Mecklenburgh and Wake counties terminated their participation leaving only four counties in North Carolina (Henderson, Cabarrus, Nash, Gaston) with active 287(g) programs (Boughton, 2019).

The Real ID Act of 2005

One federal and state policy that kept resurfacing in my research of state policies was the ban on undocumented persons with respect to obtaining driver's licenses, also known as *The Real ID Act of 2005* (Denning, 2009). As Denning (2009) explains, by 2001, North Carolina had a reputation for being a state where driver's licenses could easily be procured by individuals, including those without social security numbers, by providing an Individual Taxpayer Identification Number or ITIN (Denning, 2009). The catalyst for change, as we saw in the case of many other policies, were the terrorist attacks of September 11, 2001. Following these events and a recommendation by an independent commission to revise federal standards, the North Carolina Department of Motor Vehicles adopted new guidelines in 2003 to reflect the shift in focus "from just highway safety to public safety" (The Official North Carolina DMV Website, n.d., p. 1).

Two years later, spurred by anti-immigrant sentiment, the U.S. Congress passed *The Real ID Act of 2005*. One of the main provisions of the bill was that states issuing Real ID cards had to incorporate certain information, including proof of identity and evidence of legal residency or citizenship status (Denning, 2009). Meanwhile, in 2006, then North Carolina governor Mike Easley, a Democrat, signed into law the *Technical Corrections Act*, eliminating the use of Individual Taxpayer Identification Numbers as proof of residency, thereby negating the ability of undocumented migrants to procure driver's licenses (Denning, 2009).

While all states are now reportedly compliant with Real ID (U.S. Department of Homeland Security, 2020), certain states have elected to make it optional while also adding other types of driver's licenses which unauthorized migrants are eligible for. For instance, California, by virtue of its AB60 state bill, offers two different types of driver's licenses: Real ID and Not

Real ID, specifying that the latter does not comply with federal guidelines and thus cannot be used for domestic travel or to enter U.S. federal buildings (State of California Department of Motor Vehicles, 2022). Additionally, neighboring Virginia distinguishes between a Real ID and a standard driver's license which unauthorized immigrants can qualify for (Virginia Department of Motor Vehicles, 2022). In North Carolina, even though Real IDs remain optional until May 2023 (The Official North Carolina DMV Website, n.d.), the state is still restricting driver's licenses to citizens and legal residents (Xu, 2021).

While several bills have been introduced by Democratic state representatives to expand access to driver's licenses, they have been met with stringent opposition by Republican majorities in both North Carolina legislative chambers (Xu, 2021). It is important to note that DACA recipients are now entitled to driver's licenses following a ruling by the North Carolina Attorney General in 2013 (Gutierrez, 2013). Even so, driver's licenses for DACA recipients include the words "no lawful status" (para. 7) in red capital letters.

North Carolina Higher Education Policy Context

Pursuant to the 1982 *Plyler v. Doe* U.S. Supreme Court decision, undocumented students in North Carolina are entitled to access K-12 settings in the state. However, the policy context with respect to higher education access is restrictive, with laws explicitly banning in-state tuition rates for undocumented students (Higher Ed Immigration Portal, 2022; UndocuCarolina, 2022). These laws trace back to the 2004 University of North Carolina System Policy 700.1.4 [G], which applied to all 16 public universities in the state, while the North Carolina State Board of Community Colleges has a similar policy (Higher Ed Immigration Portal, 2022). The North Carolina Community College System has undergone many revisions with respect to this policy

since 2008, allowing undocumented students to enroll for the 2009-10 academic year at out of state tuition rates, but reversing that decision since (Silver, 2018).

Additionally, these restrictive North Carolina policies also apply to students with DACA status, undercutting the access the program was designed to provide to this particular population (University of North Carolina at Charlotte, n.d.). This affects a large number of individuals since DACAmented students comprised 30,000 individuals in North Carolina according to a 2016 survey (Silver, 2018).

CHAPTER V: UNDOCUMENTED AND MIXED STATUS YOUTHS' PERCEPTIONS

Overview and Purpose

The purpose of this major section is to answer the second research question: *How do undocumented and mixed status youth perceive and experience the enactment of restrictive migration policies in North Carolina?* To address this question, I relied on my conversations with participants which informed the data analysis stage. I identified the following emergent themes with respect to undocumented and mixed status youths' perceptions and experiences of the federal immigration policy context and the North Carolina policy context: a) restrictive policy contexts with very real consequences and daily life impediments; b) the dehumanization of the undocumented experience; c) the role of intersectional frameworks of oppression (race and socioeconomic status); d) the effects of these policies on youths' self-perceptions and their perceptions of the United States; e) intergenerational responsibility.

In addition, I made some discoveries regarding youths' experiences in North Carolina K-12 school, including: 1) The lack of institutional support at K-12 schools manifested in the language barrier; 2) unaddressed socio-emotional needs; 3) cultural deficit perspectives; 4) the lack of diverse representation and resultant cultural disconnects; 5) the inability of schools to address students' socio-emotional trauma effectively.

Policy Context Perceptions

Federal Migration Policy Context

Dreams Deferred

Participants exhibited a nuanced understanding of the broader federal migration policy context and its implications for undocumented people and mixed status families. The most sophisticated dissector of immigration policy at the federal level was Miguel, an undocumented activist, now in his thirties, based in Greensboro, North Carolina. When asked his view of federal migration policy and national politicians' stances, Miguel was quick to point to the inaction and grandstanding of important actors who positioned themselves as allies to the undocumented community, specifically, members of the establishment of the Democratic Party. While, as he indicated, the Democratic Party's rhetorical posturing paints it as a supporter of the undocumented community, the lack of serious reform measures put forward by the Party are a good indication of where its true allegiances lie. Specifically, Miguel cited the expansion of the for-profit prison system under President Obama as an example of the Democratic Party sacrificing the undocumented community for financial gain. He added that many white Democrats engage in performative allyship, adopting a supportive rhetoric when politically expedient but refusing to enact meaningful change when in position to do so.

The mixed status youth participating in the study also expressed frustration with the political establishment in Washington, sharing their frustration with what they perceive to be a lack of action with respect to immigration reform. For instance, 18-year-old Alfredo pointed to the "empty promises" made by politicians. This frustration was aimed at both political parties, even though respondents did express a clear preference for the Democratic Party despite what they perceived as its failure to act. For example, Alfredo discussed what he views as a lack of

urgency by Democratic politicians to enact meaningful reform, a sentiment also shared by 19-year-old Marta and 18-year-old Ruth. However, both Ruth and Marta were quick to praise the Obama administration, describing its intentions toward the immigrant community as “genuinely good,” despite the lack of results. To this end, Ruth shared that “sometimes presidents [referring to Obama] wanna do good but other people stop them...presidents don’t have all the power.” Similarly, Marta expressed support for President Biden, referring to him as a “good man” while acknowledging that she did not expect his administration to enact immigration reform.

Conversely, participants’ perception of the Trump administration was far less ambivalent: All participants shared a less than flattering view of Donald Trump, Marta referring to him as “an ugly person who only wanted to divide,” a sentiment also shared by Ruth, who singled out the Trump administration’s governance as an unique moment of menacing policy and rhetoric in American history, calling it a “really bad time, especially for us immigrant people and people without papers.” Even so, Ruth expressed optimism for the years ahead, noting that Trumpism is “in the past.” On the other hand, Alfredo shared his long-term concerns about American politics and public perception around immigrants. Specifically, he noted that his own concern was “not so much Trump anymore, but all the people that voted for him that feel that way,” adding that even in the post-Trump era, he still sometimes feels “like everybody is against us.” Miguel offered a similar view, attributing the lack of meaningful immigration reform at the federal level to the absence of a “spirit of solidarity” among the American people regarding immigrants, compounded by what he perceived as the lack of a collective American identity “that includes all of us.” Referencing the American Dream and the “mythology surrounding it,” Miguel characterized it as a facade used to paper over the cracks in the American social fabric and as a

“weapon to divide” immigrants and people of color from those “who are supposed to form the American collective.”

Ruth, my 18-year-old former middle school student whose parents are undocumented and who resides in Winston-Salem, North Carolina, also debunked the notion of the American Dream questioning why it does not apply to immigrants. In a powerful statement, she wondered:

The United States is supposed to be where dreams come true [yet] when immigrant people come here, y’all treat them like nothing, like, you know, they’re some kind of criminal or they can’t do this and that. And I feel like they should be here to live free and, you know, just not be scared or worried about people being around to catch them.

To Ruth, the notion of the American Dream and the narrative spun around the idea of the U.S. as a nation of immigrants and a land of opportunity rings false when people like her parents leave their countries of origin to pursue a better life in the U.S., only to be met with hostile and restrictive laws. Miguel also explained that, early in life, he had felt drawn to the idea of the United States and what it represents around the world, describing the Statue of Liberty as “a beacon of hope and a welcoming sign to me and my family” (TEDx Greensboro, 2016). That early perception, he added, rendered the exclusion he subsequently experienced all the more debilitating.

Half-measures, a Cheap Labor Force, and Race

A common point of discussion was the *Deferred Action for Childhood Arrivals* (DACA) policy, an Executive Order signed into law by President Obama in 2012, to provide temporary status adjustment, including temporary work permits, to eligible young undocumented immigrants who arrived in the U.S. as children (UndocuBerkeley, 2022).

Participants offered mixed reviews of DACA. Valeria, an undocumented young person with DACA status who was interviewed by the North Carolina Justice Center (n.d.), praised the initiative, explaining that it made her dream of attending college possible. Ruth and Alfredo were also supportive; being U.S. born, neither of them needed to apply for DACA and their parents were ineligible; however, they still acknowledged that “it helped a lot of people and gave a lot of hope.” Miguel, who is also on DACA, was less enthusiastic. He explained that his stance emanates from DACA being temporary and currently in a state of limbo because of recent court rulings. Additionally, he expressed concerns about the cost of DACA renewal, which occurs at a rate of \$1,000 for two years, and which he characterized as “cost prohibitive for a lot of us.” Ruth echoed this sentiment, sharing that many of her friends who are eligible for DACA did not apply simply because they could not afford the fees. Participants and interviewees voiced other concerns as well, chiefly, the incremental approach reflected in DACA, instantiated by the fact that it only covers a certain segment of the undocumented population, coupled with the uncertainty regarding its future. For instance, Valeria shared that she worried about her parents who were ineligible and for whom such a program does not exist (North Carolina Justice Center, n.d.); similarly, Alfredo offered that DACA is “great for those who can benefit, but my mom is still without papers.” Valeria also expressed trepidation over her long-term future, expressing gratitude that “I can be here legally now [but] what happens when those two years are over?” (North Carolina Justice Center, n.d.).

Additionally, Miguel, whose knowledge of immigration policy and history is extensive, described initiatives like DACA as insufficient in addressing the structural obstacles that undocumented people navigate in the United States. Comparing DACA to the 1986 Reagan era *Immigration Reform and Control Act* (IRCA), which offered a pathway to legalization and

citizenship for 3 million undocumented people, he lamented that initiatives like these, while seemingly positive, also show that “we are not serious about immigration reform” because they do not include provisions aimed at addressing the socio-economic inequities embedded in undocumented people’s lives. To illustrate this point, he offered that IRCA was colored by the intent to perpetuate the financial exploitation of farm workers because “even though they were citizens, they were still farm workers, right?” He continued, opining that even if immigration reform were to happen, that would not guarantee opportunities for upward mobility or a social safety net for undocumented workers, wondering: “Are they going to be unionized, are they going to be reunited with their families, are they going to be guaranteed healthcare, retirement, social security money?”

When probed further, Miguel explained that the problem lies in the perception that the structural causes of migration are political when their roots are economic, shaped around the need for a cheap, exploitable labor workforce. He further posited that the evidence for this lies in the interrelationship between economic and immigration policies. Specifically, he cited the case of the 1995 *North American Free Trade Agreement* (NAFTA), which resulted in the disruption of Latin American workers’ lives and their ability to make a living, leading to the economic and social destabilization of countries like Mexico. Navigating this destabilization and the need to make a living under challenging conditions, compelled some workers to flee Latin America and relocate to the U.S. in search of better job opportunities. At the same time, however, as Miguel argued, the economic policies that push people to migrate to the U.S., are typically accompanied by restrictive migration policies that make it increasingly difficult for those same people to pursue opportunities. For instance, NAFTA was immediately followed by the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA) which criminalized

unauthorized migration. This combination of policies, Miguel explained, happened by design to produce an “indentured, slave labor force” designed to generate profits for those in power. He added that this necessity often overrides political concerns, such as in the case of the *Bracero* program, a 1950s era program established by the U.S. government in cooperation with Mexico, to lease seasonal farm workers who were provided with as many as 100,000 work visas annually “without any kind of uproar.”

Participants also noted the role of race in national immigration policy. According to Miguel, a perfect illustration of this is the U.S. immigration policy on Cuba, arguing that Cubans’ phenotypical appearance and white-passing features played a role in the lack of restrictions they encounter and enabled them to access institutional power because “proximity to whiteness is proximity to power.” Furthermore, Miguel contended that the immigration system in the U.S. is not only racialized, but also Mexicanized. As he put it, the term has come to encompass any immigrant considered undesirable on the basis of race and ethnicity: “Mexicans can mean anyone who’s an immigrant who’s brown, it can also mean Greek people, it can mean Italians, it can also mean Haitians, it can mean Salvadorians.” Similarly, Alfredo, expressed discomfort and frustration with the fact that national immigration policies appear to target Mexicans primarily, sharing that it is evident that “the government feels some type of way about us” and explaining that “it makes you mad ‘cause that’s your culture, that’s you.”

State Policy Context

“They accepted him as one of their own”

Two major themes that emerged initially from conversations with participants regarding their perceptions of the North Carolina immigration policy context primarily concerned the growing numbers of Latinx immigrants settling in the state and the change in how immigrants

have experienced and now experience the context, which shifted from welcoming and integrative, to restrictive and hostile.

On the first point, Eileen Stewart, a principal at a high school in a rural North Carolina county, noted how this demographic shift was reflected in her own work with students, going from having “no Hispanic students, to about 50% of my students being Hispanic.” Adding that the demographic shift in rural areas of the state was more incremental than elsewhere, she explained that the growth in Latinx immigrants is attributable to the establishment of a chicken processing plant in the adjoining county, offering job opportunities for migrants. In addition to rural areas, large metropolitan areas in North Carolina saw a sharp increase in the number of immigrants from Mexico and Central America. The ethnic composition of Charlotte, one of the largest cities in North Carolina and a metropolitan hub in the Southeast, reflects this demographic reality. Dr. Lucia Lopez, a longtime resident of Charlotte and former principal of Pinehurst Elementary, pointed out that during her tenure 80% of her school’s student population identified as Latinx and undocumented, the overwhelming majority hailing from Honduras and Nicaragua.

Participants also described the political and socio-cultural state context in North Carolina as initially welcoming. Miguel, who left Mexico to relocate to the United States with his parents at only eighteen months, recalled how he and his family became friends with the farm owners who employed them and how those friendships made them feel welcome. Eddie, 25, whose father Luis, now in his fifties, relocated, initially to Texas, and then to North Carolina, also described his father’s initial impressions of the state as overwhelmingly positive. This, according to Eddie, was in stark contrast to his father’s experiences in Texas, where his non-immigrant co-workers routinely subjected him to ridicule and humiliation. As Eddie put it, his father’s co-

workers and acquaintances in North Carolina “accepted him as one of their own.” Valeria, an undocumented immigrant who was interviewed by the North Carolina Justice Center about her experiences in North Carolina, similarly, praised the state which she characterized as “home to me” and as a “place that has provided me with so many opportunities” (North Carolina Justice Center, n.d.).

“The South I see now is not the South I remember”

While Miguel reminisced about the welcoming nature of the state and its residents when he and his family first arrived in North Carolina, he also admitted that “the South I see now is not the South I remember.” When probed further, he identified a moment after his high school graduation when he realized that he could not attend college in North Carolina because of a ban on in-state tuition offers for undocumented students, describing that moment as “the beginning of my American nightmare.” He added that his dream had always been to attend college at the University of North Carolina Chapel Hill, a dream that was “crushed so suddenly and irrevocably.” Additionally, Miguel stressed the significance of state policy in the current context, noting that “tuition prices for immigrants are dictated at the state level, we have drivers’ licenses, we have local ordinances – the cooperation between ICE and local police officers – this is all dictated at the state level.”

Miguel posited that, in the case of North Carolina, electoral politics and activism on the local and state level is even more critical for those advocating for immigration reform. He attributed this to the state’s long history of gerrymandering causing it to skew heavily Republican, a situation he described as seemingly intractable. To Miguel, this represented a vicious cycle where people’s intention to participate in local elections is colored by the perception that Democrats or progressives who push for immigration reform can’t win elections

which, in turn, dissuades people from participating in the process. This abstention, Miguel explained, then leads to conservative, anti-immigrant politicians winning and adopting punitive migration policies. The following subsections outline state specific policies and events that shifted youth's perceptions vis-a-vis the state context and shaped their lived experiences.

2006 Technical Corrections Act

The policy that was characterized as one of the most consequential in terms of limiting undocumented people's capacity to navigate everyday life in North Carolina, is the ban on valid driver's licenses for undocumented people. Miguel referred to becoming aware of the ban as the moment he became viscerally aware of his migration status and its limitations. As he explained, the ban on driver's licenses emanated from the enactment of *The Real ID Act* passed by the U.S. Congress in 2005 and the statewide bill it inspired in 2006, known as the *Technical Corrections Act*. According to Miguel, this law, which is still in effect today, mandates that driver's license applicants provide a social security number or other proof of legal presence. 18-year-old Ruth also pointed to the need for reform on this issue, calling it "the least the government can do to help immigrant people because...in North Carolina, it's really really hard to get around without a car."

19-year-old Marta was perhaps the participant most aware of the consequential nature of the issue, as her mother was stopped by a police officer while driving her little sister to school, resulting in a traumatic experience for the family. While relaying the incident, Marta described how the officer accosted her mother, "yelling at her for a valid driver's license." After her mother failed to produce one, she was asked to step out of the vehicle, "like a criminal," as Marta recalls. While Marta's mother was not apprehended by the authorities, she was instructed to abandon the car and walk home. While acknowledging that things could have gone a lot worse,

Marta described the situation as “very difficult,” especially as her mother struggled both to explain things to her younger daughter and navigate the situation. She shared that her mother “felt so scared and prayed to God that nothing was going to happen.” Following the event, Marta’s parents discussed relocating to Virginia, a state with access to driver’s licenses for undocumented people but changed their minds because of her father’s job security in North Carolina.

Low wage, low-skilled jobs

Another theme that reverberated clearly across interviews with participants were the limited options of undocumented people when it comes to pursuing job opportunities that provide a pathway to social mobility. In the case of Miguel, his lack of options was directly linked to his inability to attend college, forcing him into a series of low-wage and low-skilled jobs, ranging from jobs in factories and vineyards to helping out his father who worked as an electrician to make ends meet. His last job at a factory was particularly upsetting for Miguel to discuss. He recalled how depressed he felt at the time and that his interactions with homophobic co-workers “literally put fear and terror into my everyday life.” The situation at work became so untenable and his life outside of work so emotionally and socially isolating, that it almost drove Miguel into taking his own life. Recalling the experience, Miguel remembers coming back home “too exhausted to do anything other than eat and sleep.” The rest of his time was spent thinking about his high school friends who had moved on to college and forward with their lives, while he remained stuck in place. Thankfully, Miguel was able to put the experience behind him and find purpose and meaning in community activism, but he still remembers how close he came to “that being the end of Miguel.”

Marta and Ruth, who are both U.S. citizens, also discussed their parents' lack of job options. Marta's father, who has been undocumented since he arrived in the U.S. in the early 1990s, has worked in construction for a number of years, engaging in physically demanding labor that becomes more challenging as he ages. Marta did express appreciation for her father's employer, a "good man who has no problems with undocumented people," but also revealed her concern about her father's long-term health and safety, lamenting his lack of job related health benefits. Similarly, Ruth's father and boyfriend both work in construction and while Ruth, like Marta, is grateful to her father's employer, she worries about her father's health and the job's physical toll. She seemed especially concerned that her father "has always been working, started working at a young age, you know, and I always wonder, well, how is his health?" She explained that her father's reluctance to see a doctor and get regular wellness exams out of fear of status disclosure and cost related concerns, make her even more worried about her father's situation. These questions made Ruth seek out answers which, in turn, fueled her burgeoning interest in the medical field, to help increase health coverage and care opportunities for undocumented immigrants.

18-year-old Alfredo, who grew up as part of a single-parent household, also described his mother's job situation as "difficult." He remembers the family's frequent relocations and living in dilapidated apartment buildings where he, his mother and sister all had to share one bedroom with "cockroaches all over the place, even in the bed." During this time, Alfredo's mother worked two, and, for a time, three jobs, to try keep the family afloat. Alfredo recalled that he rarely saw his mother and was looked after primarily by his sister. Both children struggled at school at this point which Alfredo attributed to the living situation: "I think just living in a crowded space, not getting to see my mom that much." Even after things improved, his sister's

pregnancy, dropping out of school and having to take care of a baby, all added its toll on what was already a taxing situation, made worse by the fact that Alfredo's mother could not apply for a higher wage job. Corazon, one of the interviewees in the "Home to me" series (North Carolina Justice Center, n.d.), also mentioned that while her parents always worked hard, conditions were difficult for the family when she was growing up as they had to share a small apartment space with four other families. In the same set of interviews, Valeria described her parents as hardworking and "not ever missing a day of work unless they were laid off." She added that her parents always paid their taxes, a point Marta was also keen to make.

Youth Experiences and Self-Perceptions

Experiences of dehumanization: "I was supposed to remind you of my humanity"

Miguel, a longtime undocumented activist in North Carolina, explained that the purpose behind using storytelling as a means of activism, was to illumine the undocumented experience, thereby humanizing it and combating normative assumptions undergirding dominant narratives about undocumented immigrants. In his words, this amounted to "eliminating the stigma by vocalizing it" and hoping to remind non-immigrant others "of our shared humanity." However, in the process of sharing his story with non-immigrant, white audiences, Miguel found the experience to be traumatizing and dehumanizing, which caused him to "lose all the faith I had in the American people." The source of his frustration was that white audiences were just consuming his story without taking any action to advocate on behalf of undocumented people.

This "cannibalization," as Miguel put it, was accompanied by a painful process of re-traumatization. Instead of audiences recognizing his humanity, he revealed, "people were reminded of their humanity through my suffering." Miguel ultimately decided that sharing intimate parts of himself with people who took no action toward materially improving the living

conditions of undocumented people was damaging both to himself and the undocumented community.

Dr. Lopez, a former principal at Charlotte-Mecklenburg schools, also referenced dehumanization as part of the experiences of the undocumented community in Charlotte, North Carolina, one of the cities with the highest numbers of undocumented human trafficking victims in the country. Specifically, she recounted how two of her former students, at ages 12 and 13, were abducted and transported to Texas with the intention of trafficking them to Mexico. According to Dr. Lopez, while the incident garnered the attention of the Spanish speaking media in Charlotte, it had not been picked up by any of the English stations, nor had any Amber alerts or other notifications been issued by the local authorities. In addition, Dr. Lopez characterized the response of law enforcement as “lackluster at best.” The situation was eventually resolved when a white teacher intervened to ensure more media coverage, leading to the suspects’ apprehension and the safe return of the girls 21 days later. Dr. Lopez, however, explained that this gesture of good will revealed a sad reality as it took a white teacher practicing her “informal authority and contacts that a Latino family wouldn’t have” for the situation to be rectified. She also referenced the stark dichotomy when it comes to the public response to undocumented victims of child abuse and white children in similar situations, a sign that, as Lopez put it, “our children’s lives and bodies are worth less.”

In addition to these more overt acts of dehumanization and discrimination, respondents also reported experiencing acts of microaggression. For instance, 18-year-old Alfredo recalls an incident when he was young and “this white lady at a Food Lion said something to my mom.” Alfredo admitted to not hearing what was said but later inferred that it must have been offensive because his mother “got really upset...she left all the things, the groceries there, and picked us up

and left.” He mentioned that following the incident, the family does their grocery shopping at Mexican chain stores like Compare Foods and El Rincon. Similarly, Eddie, whose father Luis is now in his fifties and who crossed into the United States in the late 1980s, shared the harsh treatment his father received by locals in Texas when he first arrived in the United States. While Luis was not subjected to physical abuse in Texas, he was constantly singled out for ridicule, at one point, being offered a can of dog food by locals who laughed at his expense. Eddie described the situation as “really rough” for his father who had already endured systematic abuse and torture at the hands of guerillas and warlords in his native El Salvador. Even after Luis settled in North Carolina, found a job and married Eddie’s mother, he recalls his father having “night terrors...waking up at night screaming.”

Youth Self-Perceptions

“Oscillating between two points”

Participants revealed that their complicated feelings for, and relationship with, the United States, shaped their self-perceptions. For example, Miguel described his identity as straddling two different worlds, “oscillating between two points, dancing between Mexican and American, brown and white, gay and straight, love and hate,” adding that this affected his sense of belonging, making him feel that he’d “never really found a home” (TEDx Greensboro, 2016). He explained that early in life, he had felt drawn to the United States and what it symbolized around the world. He described the Statue of Liberty representing “a beacon of hope to immigrants and a welcoming sign to me and my family” (TEDx Greensboro, 2016). This made the exclusion he later experienced all the more shocking. In an interview promoting his documentary, *Forbidden*, Miguel recalled the disorienting feelings accompanying the realization that “my country wants to deport me” (Logo, n.d.).

In our own conversation, Miguel revealed that his fraught relationship with the United States also made it harder for him to come to terms with his own identity, suggesting that this constitutes a common struggle for undocumented youth, “figuring out who they are amid the persecution they’re facing.” I wondered if this struggle made him pivot back to the country of his ancestral origins, Mexico. However, Miguel described his relationship with Mexico as equally complicated. He explained that, partly due to his inability to travel as a DACA recipient, “I don’t know about my heritage, never met my grandparents, I don’t have any connections to who my history was, to who I am, I can’t do any of that.” Valeria and Marta expressed the same disconnect. In the “Home to Me” series (North Carolina Justice Center, n.d.), Valeria admitted that she remembers very little of Mexico, offering that she would “feel lost” if she had to move there. Marta, similarly, expressed ambivalence about even visiting Mexico, partly deriving from the fact that her parents are unable to travel there, and partly because she has mixed feelings about a place that she doesn’t really know.

In contrast, principal Stewart shared that her Latinx students identify primarily as Mexican and not American, despite being born in the United States. Ruth, a U.S. citizen with undocumented parents, similarly, exalted at her Mexican roots while also expressing frustration that the U.S., which “is supposed to be where dreams come true,” treats immigrants so harshly. In the same vein, Alfredo, whose mother is undocumented, could not reconcile his own positive feelings toward American culture with the broader rhetoric around undocumented migrants in particular: “It makes you mad, ‘cause, like, that’s your culture, that’s you.”

Intersectional identities: “There were no safe spaces for people like me”

For Miguel, part of his struggle in acknowledging and reconciling with his identity included coming to terms with his sexuality, particularly the ways in which it interacted with his migration status. Describing his experiences at school and at work, he noted that “there were no safe spaces for people like me; not at school, not at work, and sometimes not even at home” (TEDx Greensboro, 2016).

He also shared that publicly disclosing both crucial aspects of his identity was seamless, characterizing the processes as virtually identical. As Miguel explained, the stigma attached to being undocumented can function as a lingering source of shame, so that opening up about it feels as liberating as coming out as gay. He likened speaking his intersected identities into existence to “eliminating the stigma by vocalizing it.”

Finding Purpose in Activism?

In a video response about what drove him to activism, Miguel explained that political and community engagement and advocacy is inevitable because “every second of my life is political” (Logo, n.d.). Moreover, becoming an activist for his community lent purpose and a new meaning to Miguel’s life: The darkest moment in his life, that moment in 2010 when he pondered ending it all, led to an epiphany which opened the door to activism. Realizing that he had “so much love inside me for my family, for my community,” Miguel began sharing his story for the purpose of transforming his community.

While Miguel found purpose in activism, he also shared that sharing his story repeatedly to no avail disheartened and discouraged him. He recalled a specific incident when a white girl who attended one of the screenings of *Forbidden* (Rhynard, 2017), a documentary detailing Miguel’s experiences as an undocumented migrant and activist, later reprimanded him for the

tone of the documentary which she claimed was too combative. Miguel expressed incredulity over her reaction which, as he admitted, disturbed him because it came across as “self-serving” and “just a way to allay white people’s fears” instead of committing to enacting real change.

Recounting “all the events, my advocacy, all the work I’ve done,” Miguel also expressed frustration that the social networks and relationships he thought he had formed with non-immigrant people in the process would also open some doors for him personally and professionally, which did not come to pass. When probed further, he also revealed that storytelling for the undocumented experience had reached a point of saturation. He added that, in the current political moment which is overtaken by concerns regarding the pandemic, inflation, and the war in Ukraine, media and political pundits no longer considered undocumented immigrants and their stories “sensational or newsworthy.” Moreover, he attributed the mental and emotional fatigue he experienced to the fact that this exercise exacted a price through the process or re-traumatization.

Intergenerational Responsibility: “Being able to help would really make a difference.”

Principal Stewart made a point of mentioning how she bore witness to a “great act of love and sacrifice” in her conversations with undocumented parents and students through the years, which she viewed as an intrinsic identity marker of the undocumented community. Referencing the parental sacrifice people make to send their children to the United States in search of better life opportunities, Stewart stated that she could not “imagine the love it takes to do a sacrifice like that.” She also recalled how, early in her career, her undocumented students shared accounts of crossing the border with their younger siblings who they assumed responsibility for once they left their countries of origin. This responsibility, according to Stewart, “fully colored their experience from then on.”

With mixed status families becoming far more common in recent years (Connor, 2021), the kind of intergenerational responsibility that U.S. born children in mixed status families undertake to help their parents cope with status related obstacles ranges from caretaking to navigating bureaucratic processes. In Marta's case, as the oldest child in the family, she assumed many responsibilities to support the family from a young age. As she related, her citizenship status combined with her fluency in English conferred upon her the role of part-time interpreter, negotiator, mediator, and all-around helper. Specifically, Marta vividly recalled being on the phone with people from various governmental agencies and service providers, as well as helping her parents fill out bureaucratic paperwork. When asked how she was able to do this, she admitted that she found it challenging because she was young. Despite this, Marta does not resent helping her parents; in fact, she expressed pride in doing what she could to provide assistance to the people who, as she put it, "went through a lot to try to give us a better life."

Ruth's undertaking of intergenerational responsibility extends to providing her parents with a pathway to status adjustment and legalization. Specifically, she shared that an immigration attorney who spoke to Ruth's mother, singled out Ruth, as the oldest child with U.S. citizenship, as a potential green card sponsor for her parents following her 21st birthday. When probed further into the details of this plan, Ruth was unable to elaborate, mentioning simply that "she told me I can give her papers, but I don't know how," adding that "I have to be 21 and I can't be married or it won't work." Ruth admitted that waiting to get married is a sacrifice because she and Nestor are in a serious relationship and "he doesn't want to wait" but one that she is willing to undertake nonetheless, because "if there is anything I can do to help them, I will do it." Ruth did express some concerns regarding the process and the length of time it would take, mentioning that a family friend, Valentina, who was now older and a citizen, also attempted

to sponsor her parents, but her father is still “waiting for his papers,” 22 years after the application was filed.

As principal Stewart mentioned, intergenerational responsibility also manifests in caretaking, particularly vis-a-vis older children and their younger siblings. In Ruth and Marta’s case, this type of caretaking has less to do with cooking dinner and more to do with ensuring their younger sisters are doing their homework and bringing home good grades. For instance, when asked how she makes sure of her sister’s good standing in school, Ruth shared that “I ask her to show me her work and tell her to keep it up.” 18-year-old Alfredo, the youngest of two siblings, confirms that his sister, too, “checked on me,” particularly in his mother’s protracted absence due to work. Additionally, Ruth acknowledged parental sacrifice during a particularly difficult time for the undocumented community. Specifically, when asked how the Trump presidency affected her family, Ruth recalled that her mother put on a brave face and “did not let anything get her scared or panicked” to protect the family from experiencing these feelings. She added that both her parents modeled this behavior for her family by “continuing to go about their day, they were regular about it.”

Alfredo’s account reflects both parental and offspring intergenerational responsibility. His mother, Monica, left her hometown of Cuajinicualapa, Mexico, at 16 to elope with his father and make her way to the U.S. after being disowned by her family. When Alfredo was an infant, his father abandoned the family and took most of their money and belongings, forcing Monica, a single mother of two, to seek refuge at her uncle’s house in Winston-Salem, North Carolina where the family spent the next three and a half years, cramped in one bedroom. The family eventually moved out and into a dilapidated apartment building replete with pests with Monica struggling to hold down two and sometimes three jobs to keep the family afloat. Alfredo looks

back on those days with sadness, “like they happened to someone else.” Their fortunes took a turn when Monica took a more stable job at a restaurant. Alfredo viewed that as the turning point in their lives and the moment when he realized how much his mother had sacrificed for her children, triggering a pervasive sense of responsibility on his part.

Alfredo’s way of giving back assumed the form of academic success, an incessant drive to not just study hard and be a good student, to not just outperform others, but to constantly outperform himself. He is now studying to become a doctor, adding that “me being able to help [the family], that was important.” Mentioning that his mother had a habit of calling him “el doctor” since he was a child and showing me a picture of his mother beaming with pride at his high school graduation, Alfredo added that “so many people depend on me and I want my mom to be proud.” He also pointed to the necessity of developing a hardworking ethos to disprove deficit-based notions around the immigrant experience. For instance, he relayed that “for immigrants and kids of immigrants, you have to work that much harder sometimes and go the furthest to prove you can do it.”

Educational Experiences in North Carolina

Participants’ responses regarding their perceptions of, and experiences with, public education at the K-12 level were mixed, while their perceptions of the state of higher education in the state were decidedly less ambivalent. Miguel referenced the ban on in-state tuition as a significant impediment to undocumented youths’ ability to attend higher education institutions in the state, characterizing his awareness of the ban as the “beginning of my American nightmare.” Similarly, Valeria, one of the young people and DACA recipients interviewed by the North Carolina Justice Center (n.d.) as part of its multimedia series “Home to me,” explained that she was unaware of her status and its implications until her junior year of high school when she was

trying to apply to college. When she finally became aware of her ineligibility, she described feeling for the first time “that I am not welcome here.” While she is grateful that she was able to attend college through DACA, she remains torn over what the future holds, especially her post-collegial future, wondering “if this [attending college] is even worth it, but I have to keep telling myself [it is] to keep going.” The following subsections address and dissect particular issues in K-12 education that mixed status and undocumented youth raised as part of their educational experiences in North Carolina.

The Language Barrier

For some undocumented and mixed status youth, feelings of inadequacy in schools result from language struggles unfolding during exclusively English instruction. For instance, my former middle school student, Ruth, now 18, shared that her early struggles with English were compounded by the lack of assistance she received at school. She explained that the difficulties began at home where her parents, who came to the U.S. when they were teenagers, had received no support adjusting to their new way of life, including language acquisition. As a result, they both continued to struggle with the language and spoke only Spanish at home. She added that her mother tried her best, even attending English classes, which were, however, cut short when she had her little sister and had to stay at home full time. Ruth also noted that she began to catch up while in kindergarten but a move to a different neighborhood and school stunted that growth as she joined a class where “everyone already knew how to write and knew all these things that I didn’t.”

The realization that every other child seemed to be so ahead of her affected Ruth deeply as it resulted in feelings of inadequacy and discomfort. As she explained, “that made me struggle more because they all knew how to do more things than I did,” noting that these struggles

resulted in her having to repeat kindergarten. When asked whether teachers or school staff offered any additional support at that point, Ruth shrugged and offered: “Not really...I don’t know if [they] really noticed or because I was the only one [they] just moved on...I really don’t know.” Ruth did share that she received more support in first and second grade, having qualified for English as a Second Language (ESL) services. This was helpful to her because, as she put it, “we would practice all of the things we did in class a little bit more.”

Even though Ruth said she improved to the point of testing out of ESL in third grade, she made a point of mentioning that her language struggles continued as school material increased in complexity and that whatever support or scaffolding she received was not sufficient to bridge these gaps. Ruth also expressed that a lot of her struggles stemmed from the fact that she constantly found herself code switching, not only from Spanish to English as she transitioned from home to school, but also from the conversational informal Spanish she had mastered at home to a more formal version taught in Spanish class in school. Specifically, she shared that “there would be some stuff that I didn’t know how to say in Spanish, you know, because in Spanish, what I learned in the classes that I’m taking, is that you can speak it a certain way but [not] the way that we speak it...so that, and then English.” Ruth shared that school did not help her adjust to these variations. Additionally, she seemed to have adopted a deficit-based perspective around her codeswitching, offering that “I guess I can’t really speak any language.”

Rosemount High principal Eileen Stewart, who serves at a rural school district, echoed Ruth’s claims about schools lacking institutional mechanisms of support to help students and families navigate the language barrier. According to principal Stewart, this makes it particularly challenging to develop relationships of trust between families and school staff, a key component of school community building and even more important when dealing with undocumented

parents who live in constant fear of status disclosure. Specifically, principal Stewart identified the language barrier as a “big communication issue” compounded by the fact that her rural district does not provide interpreters or Spanish speaking parental liaisons. To address the issue, Stewart informally recruited a member of her custodial staff who has a good command of conversational Spanish to reach out to parents on a regular basis but acknowledged that the plan is not always effective and violates district protocol.

Cultural Deficit Perspectives

Both the administrators and former students interviewed for this study made extensive references to discriminatory behavior and prejudicial comments being employed by administrators, educators, and other school staff. Principal Stewart, for instance, discussed at length some of the preconceptions and biases carried by members of her staff. Specifically, she explained that lack of student motivation among Latinx students at her school stems from teachers’ lack of expectations which students are fully aware of. She shared that, in one student’s words, a teacher “didn’t think I could do it cause I’m Mexican.” These cultural deficit perspectives are also instantiated by teachers’ reluctance to provide opportunities for bilingual instruction. As Stewart relayed, some teachers “are resistant to using any kind of translator or any kind of software to help put it back in Spanish.”

When probed as to how she deals with such resistance, Stewart offered that she tries to find ways around it, such as citing legally binding documents requiring the provision of such services. She also acknowledged that she’s “not going to fundamentally change how they feel about that.” She further explained that teachers’ biases stem from a fundamental lack of understanding of students’ culture and “the cultural expectations for family care,” which require older youth to help parents with housework and childcare. She attributed the lack of institutional

support at schools, in part, to the absence of professional development sessions designed to help teachers develop a better understanding of the types of structural issues Latinx students face. In Stewart's words, this does not allow teachers, most of whom are white, "to build that empathy and to be able to look at it from the standpoint of what do we need to provide, how do we need to change our practices to provide support for the kids."

Additionally, while both Alfredo and Ruth described their middle school years as positive experiences, Alfredo did identify instances of covert racism and microaggression by individual teachers. For instance, he recalled a time when his 7th grade science teacher, an older white woman, kept pushing a newcomer student from El Salvador to speak English in class "when she literally couldn't" and that she routinely made derogatory remarks about students' families who she accused of "not caring about education." Ruth also remembers a classmate who had a failing grade in a math class not receiving adequate support because his teacher refused to provide language scaffolding and accommodations for the student on the basis that it "wasn't her problem."

The lack of understanding that Dr. Stewart referenced earlier was also reflected in the way various school districts tried to address virtual learning challenges presented by the pandemic, most notably the lack of access to broadband internet, coupled with the absence of in person teacher support. Principal Stewart's district dealt with the issue by establishing internet hotspots around the county for youth to access. However, as she noted, this was not an adequate solution for her Latinx students, many of whom were also engaged in caregiving during this time and could not leave their home to access these hotspots.

18-year-old Ruth also found this period of virtual learning particularly challenging, mainly because she "didn't have much space," but also because she felt that teacher support was

lacking. As she put it, “I didn’t have motivation and everything was so hard because, like, I need teachers to help me,” adding that only one teacher reached out to her for additional support.

While Ruth was able to get through this difficult time “by focusing on my goal to go to college,” she mentioned that her boyfriend, Nestor, dropped out during that virtual learning year “because things got so hard for him and he just couldn’t do it.”

Lack of Representation and Cultural Disconnect in Schools.

The absence of institutional systems of support within schools is compounded by the mismatch between students’ and teachers’ identities and backgrounds resulting in a cultural disconnect which spurs misunderstandings. Principal Stewart, who works at a rural school in North Carolina, shared that virtually all her school staff are white, including all her teachers. She explained that the lack of representation among educators and in leadership positions throughout the district has a detrimental effect on Latinx students who do not see themselves or aspects of their cultural identity reflected in positions of authority that shape their daily schooling experiences. She shared her frustration with the staff’s makeup, wishing that “we had adults in our building that had the kids’ cultural and physical characteristics, but we just don’t...we just do not have what I feel like they should be able to see.” Citing her own positionality and how it differs from that of her students, Stewart acknowledged that “I don’t have those same experiences,” revealing that most the district’s school board members are also white, representing a demographic disconnect with the student body they serve.

Conversely, Dr. Lopez, a longtime principal with Charlotte-Mecklenburg schools who hails from Puerto Rico and takes great pride in identifying as Latinx, made ample references to how her positionality enabled her to both establish and sustain channels of communication with parents who “saw me as one of them.” She also revealed that, as a victim of racial discrimination

herself, she instinctively understands undocumented and mixed status families' experiences and cited this as the reason she advocated for students so strongly. As she relayed:

I had never experienced any discrimination or any difficulty [in Puerto Rico]
...and when I came to the States I saw the difference and started feeling that this
wasn't right.

Relying on her positionality as a shared identity marker with parents, she was also able to involve them in discussions about emotional trauma and help develop coping strategies which, prior to their interactions, she admitted, included “a lot of self-medicating to forget what they lived through.” When probed further, Dr. Lopez mentioned being able to draw from her background, counseling expertise, and her experience with bilingual education, as determining factors in creating strategies to support her students. For instance, she shared that she piloted a dual language program at Pinehurst Elementary, praising the program for making students feel “like they were the authority in learning.”

To attain a student's perspective on this issue, I asked Ruth about diverse representation among educators and school staff throughout her educational journey. She went on to explain that even though she did have some racially and culturally diverse educators – mostly African American – she only encountered one teacher of Mexican heritage. While she insisted that the lack of Latinx representation did not have a negative impact on her schooling experience – “all my teachers were really nice” – she did point out that it did not bother her as much because the student population at her middle school and high school was heavily Latinx. As she relayed, “there was a lot, a lot of Latino students at Browning [middle and high school]” in contrast to her elementary school where “sometimes I feel like I might have been the only one who was Latino.”

Yet the importance of Latinx representation at the teacher level did not go unnoticed. “Ms. Q,” the only teacher of Mexican heritage to teach Ruth, made a big difference in her life. As Ruth related, when Ms. Q taught a unit on Latin American history and asked the class to research a topic related to Latinx experiences, Ruth was surprised and excited: “I did my topic on healthcare and I learned so much...it taught you about Latinos and what opportunities they have...I was, like, okay, I don’t know all this stuff.” Ruth admitted that while her other teachers were “nice,” the opportunity provided to her to learn about her own culture through Ms. Q’s class was unique and more meaningful to her. Similarly, when asked about her support system at school, 19-year-old Marta first pointed to her ESL teacher, an immigrant from Colombia, who she characterized as her “favorite person in school.”

Unaddressed Socio-Emotional Needs and Trauma

In addition to cultural deficit perspectives, the increasingly hostile migration policy context in North Carolina and at the federal level presents challenges of a different magnitude that make their way into schools. This is particularly true in the case of Charlotte-Mecklenburg Schools, a district which boasts large numbers of immigrant students who experienced interruptions in their education and emotional trauma while trying to flee civil unrest in their countries of origin. According to Dr. Lucia Lopez, formerly a principal with the district, the provision of services to immigrant students was very much contingent on “hav[ing] somebody at the top championing certain initiatives.”

To illustrate the significance of district level support, Dr. Lopez recounted a traumatic incident which in February 2019, following Immigration Customs Enforcement (ICE) raids which resulted in the apprehension, detainment, and eventual deportation of a number of her students’ parents. Dr. Lopez singled out the district’s superintendent at the time who did not take

action to protect undocumented youth from ICE despite being urged by principals across the district to do so. She shared that she was personally involved in these efforts. The emotion evident in her eyes, she recollected how two children from her school, a third grader and a first grader, returned to their motel room to find their father gone. The children, according to Lopez, had no way of contacting anyone and spent 36 hours alone in the room where they got harassed by passersby. Lopez added that, at one point, someone broke into the room and “held a gun to my baby’s [the third grader’s] head.”

In the aftermath, the issue of socio-emotional trauma became central to Lopez’ work at the school. As she mentioned in our conversation, the number of undocumented children requiring therapy rose exponentially. To address this, Lopez partnered with a local mental health facility which assigned three therapists to Pinehurst, in addition to the two school counselors already there, to meet increasing demand. She credited the mental health professionals at her school for “uncovering a lot of trauma,” highlighting the need for such interventions because children “don’t have the vocabulary to tell you the deeper issues that are going on.” Moreover, she noted observing physical manifestations of suppressed emotional trauma, such as children complaining of stomach aches close to school dismissal out of fear that they would be returning home to find their parents gone. She added that teachers at her school had to be coached to not misread these reactions as attempts to get out of class.

Miguel’s account also reflected experiences of socio-emotional trauma. Specifically, Miguel shared that school settings caused him to experience social isolation because of his doubly minoritized status as a queer undocumented person. According to Miguel, his high school experience entailed not only the typical challenges associated with coming of age, but encompassed additional layers of hardship, including harboring “dark secrets I hoped no one

would ever find out.” In his Ted Talk (TEDx Greensboro, 2016), he recalled an instance in his algebra class, when his teacher asked students to share their social security numbers for a class project. As students volunteered the information one by one, Miguel stayed hunched over his desk, pretending to work on an earlier problem. In his words, while the conversation unfolded around him, Miguel’s “heart raced” and he wondered “what they would do if they found out” (TEDx Greensboro, 2016) that he lacked a social security number.

Even though nothing came of the incident, its resultant fear lingered within him. And it did not all emanate from his migration status. As Miguel explained, “as an undocumented and queer person, there were no safe spaces for people like me.” To illustrate the point, he recalled how a peer, formerly a friend, accosted him in the schoolyard, yelling “look at that faggot walking right there!” Miguel was visibly shaken at the recollection, offering that “my world froze.” (TEDx Greensboro, 2016). As a doubly minoritized individual, Miguel had to make a conscious effort to conceal both identity markers and remain vigilant, which, he admitted, was “emotionally draining.” While Miguel shared that he was a high achieving student at school, he also revealed that he did not feel comfortable expressing safety concerns to the adults at school.

CHAPTER VI: INTERPRETIVE DISCUSSION AND CONCLUSIONS

Commonalities Across Participants

The Effects of Illegality

A striking element that stretched across conversations with participants, was the similarities they all shared with respect to their lived experiences and how these were constrained both by the effects of illegality in conjunction with other structural inequities based on race, socio-economic status, and sexual orientation. These impacted all participants, regardless of status. Restrictive policies responsible for the genesis of the discursive construct of illegality have very real consequences that shape the contours of undocumented young people's lives, inhibiting their ability to lead fulfilling lives and realize their hopes, desires, and visions for the future. Just as their excitement to begin their lives as young adults begins to take shape, the effects of these policies only come into sharper focus, pushing them deep into the shadows and culminating in a state of perpetual anxiety and despair.

Additionally, restrictive immigration contexts not only institute structural obstacles affecting major and potentially life-altering events and decisions, but also add complications to mundane tasks that shape routines and make navigating daily life possible. These include driving, securing a job with a living wage, and being able to provide for oneself and one's family. As Dr. Lucia Lopez, a former principal at Charlotte-Mecklenburg schools put it, the putative status of illegality "colors everything" in the lives of undocumented people and their children.

Moreover, as a result of their lack of access to higher education institutions in North Carolina and higher paying jobs, all participants grew up in a low socioeconomic status

household, with parents having to work multiple jobs that were laborious, low paying and offered next to nothing in the way of benefits. For instance, Miguel's parents were farm workers who would work long hours and who did not receive health benefits or pensions. Similarly, Ruth and Marta's fathers worked in construction for multiple years only out of loyalty to their respective employers coupled with the fear of status disclosure, given poor compensation and the absence of social security benefits. Additionally, Alfredo's mother had to work multiple jobs at a time just so that the family could make ends meet. Even Eddie's father, Luis, spent years as a construction worker while the family lived in a small mobile home in rural North Carolina.

Structural Obstacles in Education

Participants faced structural obstacles at school which made them experience marginalization and, at times, fear. Ruth and Marta both experienced inadequacy and inferiority on account of the language barrier they faced at school and the lack of mechanisms of support to help them address this obstacle. Both Miguel and the migrant youth served by Dr. Lopez and Dr. Stewart expressed fear and encountered socio-emotional trauma caused by concerns over status disclosure and parental deportation. In the case of all participants, school actors' actions to address and mitigate these fears were not successful even in the best of situations due to the lack of institutional support at the school district level, as in the case of Dr. Lopez.

According to participants' accounts, the absence of these institutional systems of support was compounded by the cultural deficit perspectives embraced and displayed by school staff and district level officials. Dr. Stewart referenced these among her staff, explaining their impact on Latinx students. Similarly, Alfredo and Ruth both referenced indifference and even outward hostility among school staff toward Latinx migrant families. In each case, these cultural deficit perspectives derived not so much from concerns about students' and families' statuses; instead,

they seemed to focus on students' ethnicity, culture, and linguistic background. Other factors of structural discrimination also came into play: For example, Miguel recalled being bullied at school because of his sexual orientation. As he relayed, administrators refused to intervene.

American't

Finally, a crucial similarity across conversations with respondents revealed that both undocumented and U.S. born youth from mixed status households experienced hostility both in the form of restrictive government policies and in microaggressions committed by everyday people. As a result, most respondents expressed a disillusionment with the notion of the American dream and the image of the U.S. as a beacon of hope and as a land of opportunity. While participants singled out the Trump administration for its cruelty, they also expressed apprehension about what they perceive to be anti-immigrant sentiments embraced by a larger segment of the American public.

Consequently, the participants shared that their feelings for the United States are complicated, ranging from an admiration for the country's ideals and feelings of belonging, to hostility due to feelings of exclusion and marginalization, particularly when these are experienced by their loved ones. Monico (2020) in her piece contesting DREAMer narratives, also references mixed status youths' complicated feelings about the U.S., even citing some participants in her study who are so disillusioned with their parents' civic exclusion that they have figuratively renounced their U.S. citizenship. For instance, one participant states that they cannot "call myself American" (p. 99) even though they are a citizen because an American is "somebody who has power" (p. 99). This issue is discussed in more detail in the following section by revisiting the notion of the American Dream and how participants have experienced it.

Discussion

American Dream or American Nightmare?

The notion of the American dream has long shaped narratives about individual fulfillment and the pursuit of happiness. It has seized and animated popular imagination around the world, beckoning people from every corner of the globe to stake a claim and carve out a piece of the proverbial American pie. Indeed, the mythology around the American dream has been widely marketed abroad, including to my own native country of Cyprus. As a child, I remember seeing black and white pictures depicting families with very few belongings arriving at Ellis Island, smiles marking the corners of their mouths. But, as usual, reality is far more complex than the fantasies inhabiting our collective dreams.

The American dream was a phrase coined by historian James Truslow Adams (1931) to describe what he considered to be a uniquely American proposition for a life of perpetual contentment. Adams (1931) defined the American dream as that “of a land in which life should be better and richer and fuller for every man” (p. 373), adding, however, that this opportunity for social mobility would be accorded to “each according to his ability or achievement” (p. 373). This invokes the notion of meritocracy, a staple of the American dream, which holds that opportunity and success will come through hard work and determination (Sandel, 2020). Adams (1931) presented the dream as an equal opportunity provider, arguing that it can apply to persons of low socioeconomic status on the condition that they possess some innate talent and a hard-working ethos.

Adams (1931) was not the first author or public figure to promote meritocratic beliefs. Plato popularized them globally in *The Republic* (Plato, Grube & Reeve, 1992), and Thomas Jefferson did so in the United States in the 1780s and early 1800s (Patton & Mondale, 2001).

Jefferson's meritocratic ethos permeated the spirit of *The Declaration of Independence* (1776), where he pushed for "all men" to be recipients of universal rights, including "life, liberty and the pursuit of happiness." However, neither Adams (1931), nor Jefferson made an appeal to extend these rights to other segments of the population, including women, persons of color, or immigrants. This omission, according to Hannah-Jones (2021), happened by design to exclude minoritized groups from the construct of "We, the People" and normalize a social hierarchy where the sole beneficiaries of these enumerated rights were white men. Indeed, as one of the participants in this study put it, "America has never been a collective" since every effort at the construction of a collective American identity has been construed on the basis of the exclusion of racialized and gendered others.

This has led to a complicated relationship for undocumented and mixed status youth and the only country they know, a country that has been their home, but which rejects and marginalizes them. Statements made by participants in this study reflect this tension: Most of the youth cited in this study expressed their love for aspects of the country and symbols that they have associated with equality of opportunity, such as the Statue of Liberty. At the same time, they conveyed their disappointment, confusion, and disillusionment with narratives and policies that target, dehumanize and ostracize them and their families. Participants were fully aware of narratives spun on the notion of American exceptionalism and the mythology of the American dream and how wildly inconsistent these narratives are with the treatment of those who come to this country, seeking their own version of the American dream. Ruth, for instance, explicitly noted that the treatment of immigrants in the United States is thoroughly incompatible with the projection of the country as one where "dreams come true." Similarly, Miguel described becoming aware of the policy-imposed limitations emanating from his status as the "beginning

of my American nightmare,” a journey so fraught with emotional turmoil that he even considered taking his own life.

While all participants expressed frustration with their marginalization in the U.S., which they directly attributed to policy and governmental action (or inaction), they also pointed to a disconnect vis-a-vis their relationship with their countries of ancestral origin. They did, however, share an affinity for their heritage, albeit a culture that, as they admitted, they do not know very well. Ruth, a mixed status youth, for instance, shared that she realized she knew very little about her heritage after researching Latinx history for a school project. Miguel, a queer undocumented activist, echoed this sentiment, noting that he remains largely ignorant of his Mexican heritage and has no connections to his history. Then, there is the case of Luis, who was forced to leave his native country of El Salvador as a 19-year-old young man in the 1980s to escape violence at the hands of guerillas who tried to kill him. His son, Eddie, shared that Luis, who was deeply traumatized by the violence he endured, has not returned to El Salvador in three decades. Instead, according to Eddie, Luis fully assimilated to the American way of life.

On the other hand, another participant, Dr. Stewart, who serves as a principal in rural North Carolina, shared that her mixed status youth students identify more as Mexican than American, despite being born in the United States. Monaco (2020), in her piece on how youth contest DREAMer narratives, reaches a similar conclusion, noting that mixed status youth who experience the effects of social marginalization along with their families, realize that meritocracy is exclusionary and reject the American Dream. This dichotomy, illustrated in how youth choose to identify exclusively as Mexican in some cases while the participants in this study do not, is interesting and worth exploring in future studies.

However, it may also not be as absolute or linear a divergence as it first appears. Rather, it seems reflective of the various stages in the evolutionary journey of mixed status youths' feelings toward the United States. For instance, participants in this study also hinted at a progression in their perceptions and attitude vis-a-vis the United States due to increasingly restrictive policies and vicious anti-immigrant rhetoric. For example, 18-year-old Alfredo, who is U.S. born with an undocumented parent, lamented that even favorable policies like DACA are not sufficient in moving the policy needle and providing protections for his mother who remains trapped in a low wage job. Alfredo and Ruth both pointed to the charged political climate and a legislative environment of hostility toward immigrants which, they argued, also permeated U.S. public opinion. Specifically, Alfredo expressed a concern that the callous rhetoric and policies under the Trump administration were not the cause, but, rather, the symptoms of an American society increasingly embracing hatred and intolerance toward immigrants. Alfredo's growing discomfort with U.S. popular discourse emanates from the feeling that "everyone is against you."

Meanwhile, Miguel, who is undocumented, conveyed a deep disillusionment with the U.S. and its social hierarchy which, he argued, is upheld not only by those with publicly anti-immigrant stances, but also by many posturing as progressive allies. He has also progressively lost faith not only in the U.S. government but also in the American people. What was most troubling to Miguel was not the nature of the policies themselves but the role of the American public, even some of those he considered allies, in embracing narratives of dehumanization.

While all participants identified government policies, media discourses and public sentiments as anti-immigrant, interviews conveyed that hostility toward immigrants by members of the public was the most difficult to come to terms with. It was also the biggest source not only of their anxiety for the future, but also their disillusionment with, and growing dislike for, a

country that continues to reject them despite their best efforts. In the following section and subsection, I explore the role of meritocratic narratives in creating hierarchies of deservingness reflected in proposed policy discourse framed as pro-immigrant. I also discuss the role of schools, as socialization hubs, in conditioning students, including undocumented and mixed status youth, to embrace these narratives.

Hierarchies of Deservingness

DREAMing Small: Migrant Youth and Meritocratic Narratives

While participants questioned the American Dream, they did not all interrogate its meritocratic premise. For instance, I was surprised to find that certain participants internalize hierarchies of deservingness which position some migrants as worthy of status adjustment and opportunities for social mobility while dismissing others as undeserving of these opportunities on the basis of meritocratic principles. When asked about his father's status, for example, Eddie mentioned that his father, Luis, left for El Salvador before receiving his American citizenship and returned to the U.S. "the right way," implicitly drawing a contrast between his father's actions and those who he sees as engaging in wrongdoing. Even though Eddie was unclear as to how his father obtained legal status other than commenting that "he took his [citizenship] test and everything," he made it a point to remark that his father "worked hard to get here" and rose to the top as a "bossman," managing a roofing business in rural North Carolina.

Eddie's comments invoking his father's success story echo dominant meritocratic notions promoting the concept of earning one's citizenship through hard work. Such notions also surface in Valeria's remarks about her parents being deserving of status adjustment because "they work so hard, never take a day off." 18 year-old Alfredo also internalized the meritocratic values of hard work as a premise for future success and individual worth, bemoaning the fact that people

like his mother have to suffer through the effects of harsh immigration laws when “all me and my family have done is work hard and do the right thing.” Again, the implication here seems to be that as long as one proves one’s hardworking ethos and commitment to meritocracy, one should be entitled to citizenship and related benefits.

Giving rise to and cementing these discursive hierarchies is the so-called “DREAMer narrative” (Abrego & Negron-Gonzales, 2020). The phrase “dreamer” rose to prominence when a federal bill known as the *Development, Relief and Education for Alien Minors (DREAM) Act* was introduced in the Senate in August 2001, for the purpose of granting eligible migrants lawful permanent residency status (American Immigration Council, 2021). Criteria for the original *DREAM Act*, many of which have carried over to subsequent versions of the bill, included: a) coming to the United States as a child; b) admission to a higher education institution; c) high school graduate status, GED holder, or GED program enrollee; d) not having participated in the persecution of another person; e) not having been convicted of certain serious crimes (American Immigration Council, 2021).

The *DREAM Act* has been introduced at least 11 times in the last 20 years, most notably by Illinois Senator Richard Durbin; however, none of these iterations have made it into law (American Immigration Council, 2021). Even so, the language in that legislation had a lasting effect on shaping policy discourse, particularly in terms of demarcating metaphorical boundaries of belonging (Sati, 2020). The narrative created through this language was quickly popularized via media outlets and Democratic politicians pushing for incremental immigration reform, giving rise to new hierarchies of deservingness that did not merely distinguish between legal and illegal immigration, but undocumented migrants who were deserving and those who were undeserving of status legalization. These hierarchies were further legally codified with the passage of the

2012 *Deferred Action for Childhood Arrivals* (DACA). While many undocumented students rightly took up this narrative to contest and “make a strategic appeal for their rights” (Abrego & Negron-Gonzales, 2020, p. 9), the DREAMer narrative undermines a segment of the undocumented population who are not high school graduates and/or who have not gained college admission or enjoyed academic success, creating a division within the community (Cabrera, 2020).

Additionally, many of the so-called DREAMers who benefit from such measures, would still suffer adverse consequences as their parents and other loved ones would be excluded from the process (Abrego & Negron-Gonzales, 2020). By leaving loved ones outside of efforts to expand inclusion, politicians and the media continue to villainize members of the undocumented community, especially parents, who are painted as neglectful, exploitative and ultimately responsible for law-violating behavior and parental malfeasance (Heidbrink, 2020). Valeria, a beneficiary of DACA who was interviewed by the North Carolina Justice Center (n.d.), made this very point, lamenting the fact that her parents were excluded from the policy and asking politicians to “just consider our voice a little bit more.” Furthermore, as Heidbrink (2020) relays through her conversations with Central American youth, attributing youths’ migration to parental malfeasance also does a disservice to the youth themselves by discarding their potential for agency.

Ultimately, what makes the DREAMer narrative most dangerous is its intrinsically meritocratic ethos and its reliance on the same bootstraps mentality that has always divided American society: Hard work and resultant success as the measure of a person’s worth without taking into account the contextual factors that inhibit them from reaching this arbitrary measure of success (Mondragon, 2020). As they elevate the so-called DREAMers to become a part of the

collective “we,” these narratives echo the Jeffersonian ethos of constructing a collective American identity on the basis of othering and then excluding minoritized groups. As Ahmed (2000) posits, national identity “is produced through the differentiation between familiar and strange...you know who you are, only by knowing who you are not” (p. 100).

Moreover, the DREAMer narrative is spun and disseminated by non-immigrant people in power to manipulate and create fissures within the immigrant community; it was not undocumented people who negotiated the terms of Dreamer inclusion, but non-immigrant politicians and lobbyists aimed at recruiting docile neoliberal subjects to serve the economy. As Abrego and Negron Gonzales (2020) explain, it is “their potential as neoliberal subjects that...have earned [Dreamers] a chance to live in the United States” (Abrego & Negron-Gonzales, 2020, p. 9). Thus, rewarding these particular individuals hinges on their “proximity to Americanism...implicitly and explicitly celebrat[ing] their affinity with ‘American’ values” (p. 9).

The paradox of undocumented and mixed status youth embracing these bootstraps narratives at the expense of other members of their community can be explained by the phenomenon of socialization, particularly at schools and through popular culture in the United States (Sensoy & DiAngelo, 2012; Spring, 2018). Sensoy and DiAngelo (2012) offer an interesting explanation premised on what they refer to as “internalized oppression” (p. 49) wherein members of minoritized groups unintentionally internalize and then pass on messages they receive from dominant social groups regarding their group’s cultural inferiority. According to Sensoy and DiAngelo (2012), internalized oppression can assume many forms, including constantly seeking the approval of dominant groups, having low expectations of oneself and one’s community, and attributing forms of structural injustice to presumed cultural inadequacies.

The role of schools in perpetuating internalized oppression through socialization cannot be overlooked. This study views education through a critical lens, adopting the view that schools operate as sites of social and ideological control, transmitting and disseminating values that only reflect the views and experiences of dominant groups and superimposing these perspectives onto the entire student population to consolidate power (Althusser, 1970; Gramsci, 1929; Sadovnik, 2009). For instance, Gramsci (1929), posited that schools portray the dominant group's beliefs as universal and as part of a common sense worldview, prompting even students from minoritized groups to adopt them, thus normalizing their oppression. Indeed, internalized oppression happens through a repetitive exposure to the values of the dominant racial and cultural group (Sensoy & DiAngelo, 2012), represented in the United States by white, upper middle-class Protestant, heterosexual, able-bodied cisgender male perspectives (Patton & Mondale, 2001; Spring, 2018).

This study also abides by the concept of social constructionism, the notion that humans “actively construct their social worlds” (Fischer, 2003, p. 48), drawing upon the sum of their subjective experiences to create social meaning. Because educators navigate the world as social actors, their views and actions are informed by their particular knowledge sets and experiences. Since school staff, educators and administrators are majority white, even in schools which disproportionately serve students of color and other minoritized students (Meckler & Rabinowitz, 2019; Will, 2020), these educators and their students experience cultural and social disconnects, emanating from a positionality mismatch, that result in student disengagement, and low self-esteem (Gordon, 2005). This issue is compounded by culturally biased curricula which include covert rules conferring cultural legitimacy to dominant groups (Apple, 2013) at the expense of others whose experiences, perspectives, and contributions to the nation are obscured or entirely omitted from formal school curricula. Meanwhile, academic tracking that

disproportionately affects students of color and English language learners can also reinforce feelings of inadequacy and isolation (Harris, 1993; Mansfield & Lambrinou, 2021).

Another important aspect to the role of schools as socialization sites is their propensity to celebrate diversity and inclusion but only on a surface level through ethnic celebrations that tokenize, objectify, fetishize, or appropriate other cultures (Sensoy & DiAngelo, 2012).

Meanwhile, rhetoric in schools assumes the guise of neutrality on issues of structural injustice. Beyond offering platitudes on issues of racial inequality loosely based upon out of context remarks within Martin Luther King's "I have a dream speech," school discourse promotes a colorblind (Bonilla-Silva, 2003) or color evasive (Diem & Welton, 2020) perspective rooted in notions of meritocracy and individualism that give rise to a covert form of racism focused on individual dispositions rather than systems and institutions. Given the significance of the role of school, both in terms of policy and practice, I outline recommendations for policymakers and practitioners in the Implications section of this chapter. The following section discusses the real-life effects of policies in shaping the contours of one's life through its imposed limitations.

A Life Circumscribed by Policy

What struck me the most throughout my conversations with participants and my viewings of the "Home to me" interview series (North Carolina Justice Center, n.d.) was that participants explicitly recognized that policies shaped their lives. For instance, in an interview about his documentary, *Forbidden*, Miguel shared that his interest in public policy derived from the realization that "every moment of my life is political" (Logo, n.d.). Valeria, who was interviewed by the North Carolina Justice Center (n.d.), also acknowledged that policies essentially govern her life. When discussing DACA, she recognized its enormous benefits but also remarked that policies, despite their tremendous weight, can be transitory. For this reason, she shared that she

prefers not to think about the future. Her words stayed with me for a long time, appearing unsummoned as I closed my eyes. They made me wonder; how could someone live like this? And yet, I forgot that, not too long ago I, too, lived like that.

In 2009, I arrived in the United States, immersed into a vision of a future seemingly pregnant with possibility: Barack Obama, the first black president who ran a campaign on hope and who inspired millions of people around the world – myself included – with his charisma and eloquent speeches, had just been elected. I had just moved to Washington, DC, an amazing city that filled me with awe as I walked its streets daily. My job was fulfilling, I had a new circle of friends and I had just met my soulmate. After more than a year of friendship and dating, we married in the summer of 2011 in Washington, DC, one of the few states and U.S. territories that recognized and performed same sex marriages at the time. We were beyond excited that a governmental entity had given us a chance to celebrate our love in front of close friends, something I would have never thought possible growing up in a homophobic and patriarchal society.

But then, months later, when I decided to move on from my job and my wife felt the need to relocate to North Carolina to be closer to family, the country's policies slapped us in the face. We learned that, unlike heterosexual binational married couples, my wife would not be able to sponsor me for a green card because our marriage was not federally recognized by virtue of a 1996 Clinton era policy known as the *Defense of Marriage Act* (DOMA). Under DOMA, same sex marriage recognition was left up to the states, meaning that federal benefits extending well beyond migration were denied to married same sex couples (GLAAD, n.d.). For us, the implications were clear: Since my wife could not sponsor me, if I had any chance of leaving my job, this would hinge on my finding a sponsorship opportunity through a prospective employer.

However, that door was also closed. With my background in English Literature and International Relations, employers for all the positions I was interested in and qualified for were not open to spending large amounts of money to employ someone like me when hiring a U.S. citizen or legal permanent resident (green card holder) was far more affordable. Thus, I had no choice but to remain in my job at the Cypriot Embassy where my government was sponsoring my stay in the U.S.

Even though we were in a better position than most in that I at least had a job at the time, experiencing this outright rejection was painful for both of us. For me, it felt like a personal betrayal by a country I had admired for a long time from afar, a country that I had seen as a refuge where I could be myself and live out my identity as a queer woman free from persecution and judgment. America had meant all those things to me and more: As a child, it had represented an intercultural and multicultural mecca of sorts, my first exposure to the type of diversity I would later come to love and value above all else. But the rejection also exposed my naivete and, as such, was also experienced as a type of self-betrayal. I realized that I had bought into the mythology of the American Dream, and I felt duped and thoroughly demoralized.

Yet, the rejection was also the beginning of a profound awakening, one that kindled my critical consciousness: I quickly researched and consumed every ounce of information I could find about DOMA and the communities impacted by this cruel ruling. I came across the organization Immigration Equality, volunteered for them, and became acquainted with couples who had been suffering through the effects of the ruling for years, many of whom had either been forced into dissolving their marriages or had been compelled to relocate to save them. I felt the anger and the sense of injustice rise in me and, instead of paralyzing me, it pushed me into action. I reached out to the organization, to immigration attorneys and found a way for us to

move to North Carolina when I applied and got accepted to a graduate teacher education program as an international student. It was only a temporary solution, but I clung to hope. A passionate follower of U.S. domestic politics, I had witnessed the tide turning ever so slightly in our favor, buoyed by then Vice President Biden's off the cuff remarks in favor of same-sex marriage legalization on *Meet the Press* (Yellin, 2012), followed by President Obama's self-professed "evolution" on the issue on *Good Morning America* (Gast, 2012). There were also rumblings of the Supreme Court taking up a lower court case ruling challenging the constitutionality of Section 3 of DOMA (ACLU of New York, 2022). Finally, that summer, in a momentous 5-4 decision, the Supreme Court struck down Section 3 of DOMA, paving the way for the conferral of federal benefits to married same-sex couples in a case known as *United States vs. Windsor* (ACLU of New York, 2022).

In the days that followed the *Windsor* ruling, I realized how much stress and pressure I carried every single day when living in uncertainty and not being able to plan for the future. But I also felt vindicated: Finally, the country saw us and valued us. Two years later, in the summer of 2015, the Supreme Court issued another favorable ruling in a landmark case known as *Obergefell vs. Hodges*, guaranteeing marriage equality nationwide (ACLU of Ohio, 2022).

Following *Obergefell*, my elation turned into complacency. It seemed that marriage equality was here to stay, that no one would deign turn the clock back on the issue. I forgot the years of turmoil, of silent rage and determination; that is, until I met my students. Had it not been for my students, my passion for equity and social justice may not have been revived. Working as an educator at a Title I school in Winston-Salem, NC, where I served mixed status youth for the better part of four years made me realize that just because inequity was no longer shaping my own life, did not mean it was suddenly eviscerated.

The more I got to know my students and the more they shared with me about the myriads of injustices framing their lives and those of their families, the anger at the notion of pervasive inequity that I had carried with me all those years ago returned in spades. I had a student who shared that a callous landlord was threatening to disclose the family's status if they refused to pay an exponential increase in rent; I had students who shared the violence visited upon them and the loss of family members which prompted them to make the difficult journey to the U.S. only to feel excluded and discriminated against. I saw my students' faces sink and fill up with tears the day after the 2016 presidential election, asking why this country hated them and wondering out loud what would happen to their parents. I saw children and young adolescents who were supposed to be enjoying a carefree stage of their lives become consumed by the question of what was to become of them if their parents got deported under the Trump administration. And then, I realized: That pain and turmoil that I experienced for three years affected these children and adolescents their whole lives. It was a type of pain and anxiety that had far exceeded my own and was almost impossible to imagine, to put into perspective. The realization that their lives were circumscribed by policy exacerbated their sense of powerlessness as well as my own as someone who, try as I could, could not mitigate the harmful effects of those exclusionary policies on my students.

In a sense, this was the catalyst for me embarking on an academic journey and embracing scholarship as activism. Having once felt what it was like to have your lived experience, your major life decisions, be determined by others who do not look, speak, think, feel, or live like you, awakens a visceral reaction in you, of anger, of pain, of determination mixed with helplessness and despair. Thus, the question I posed to myself most sleepless nights of "how can one live like this," I had come to realize, already had an answer I had arrived at both through personal

experience and by bearing witness to my students' experiences: You live like this because you have to. This does not mean that it is not painful, that it does not render the present a stressful enterprise and the future an enormous question mark. Importantly, it does not mean that the stress will not affect you in significant ways or that it will not make you question not only your own life, but your desire to even live it, as evidenced by Miguel's brief encounter with suicidal thoughts.

Gonzales (2016) expounds on this in his longitudinal study in California with 150 undocumented youth, sharing how participants developed physical ailments over time, including high blood pressure, migraines, ulcers, as well as socio-emotional disorders such as chronic anxiety and depression. Similarly, a mixed methods study by Rojas-Flores, Clements, Hwang Koo, and London (2017) on the effects of current immigration policies, suggests that mixed status youth are likely to become exposed to a potentially traumatic event (PTE) and develop symptoms of PTSD over their lifetimes. In a report drawing upon a multitude of qualitative and mixed methods studies on the effects of immigration policies under the Trump administration, Barajas-Gonzalez, Ayón, and Torres (2018) also highlight the urgency in addressing the emotional trauma afflicting mixed status youth, which, as they warn, will become the next major public health crisis.

But revisiting my experiences and interactions with my students in the context of this study was also humbling, eye opening, and perspective altering. When I first brought up my own immigrant background to my middle school students, they were immediately elated and intrigued, while also mystified that an immigrant, especially one that looked like a Latina, would not have a good command of Spanish. I used this common identity marker to grow closer to them, and it was effective: In a school where the majority of adults were white and non-

immigrant, and who students judged as unfeeling and disconnected from the realities of their home lives, I was cast as somewhat of an olive-skinned outsider, who, by virtue of her positionality, was similar to them and who was, by extension, better positioned to understand them. I was invited into their worlds, and it was thrilling and gratifying.

However, it was, in retrospect, also a little manipulative on my side. It was wrong to claim that we were similar. For, at the end of the day, there were many more differences than similarities, and ones that set us worlds apart. Despite my protestations, I was white: I look white, I come from Europe, and with that comes an amount of privilege that most of my students will never get to experience in this country. I had legal status: The striking down of *The Defense of Marriage Act* (DOMA) by the Supreme Court, enabled my wife to sponsor me, and I was, at that point, a legal permanent resident (LPR).

Furthermore, I had access to financial and cultural capital my entire life: My parents both had access to higher education and good jobs; we were not affluent, but we were solidly middle class. We never lost our home, they never lost their jobs, we traveled. And, importantly, we were part of the ethnic majority within a racially homogeneous population and, as such, we never navigated racial injustice. Even my mother, whose family experienced internal displacement as a result of the Turkish invasion of her hometown of Famagusta in 1974, otherwise lived a comfortable life. Indeed, despite the trauma of the war, my mother's family had access to opportunities and social mobility following their displacement. The incident changed their lives, but it did not shatter them.

Moreover, as a child, I had ingrained within me the understanding that I would one day attend college. Not only that, but when I turned 13, my parents, now amicably divorced, sponsored after school lessons that served as preparatory sessions for the UK university entrance

exams I would one day complete. And when the time came, my parents financed my studies in the United Kingdom, supporting me through both my Bachelor's and first Master's degrees.

For most of my childhood and adolescence, the only struggle I experienced was largely internal: Coming to grips with my queerness, which cast a pall on my existence, dampened my goals for the future and even seemed to jeopardize the extraordinary sense of ambition I had nursed as a child. I realized that education would be my ticket out of Cyprus, a patriarchal, conservative society that expected women to work, but not to have careers, and, certainly, to not engage in same-sex relationships. But even the possibility of fleeing did not seem as emancipatory and seductive as it may have first appeared, because the shame remained; the fear of going through life alone, rejected by everyone I loved, remained. The sense of being a disappointment, especially to my mother, overshadowed any pretense I nursed that I would one day lay claim to happiness or some kind of contentment. After daring to scribble the words "I am gay" on a piece of paper and reluctantly handing it over to my mother who proceeded to summarily dismiss the journey that led to that emotionally charged moment as "just a phase," I stopped bringing it up. And I did not act on it, not at home, and not in England. Instead, I kept pretending, putting up with conversations and matchmaking suggestions by my family while internally cringing, until those protestations, once silent screams, rose to the top of my throat and I could not silence them anymore.

Hence my escape to the United States, because if I am completely honest, that is what it was: An escape, despite being couched as a professional opportunity to join the Cypriot Embassy in Washington, DC. I knew that it was not about the opportunity, but about what the opportunity represented: A return to the United States, the international, multicultural mecca of my childhood that I kept seeking in other places but was now convinced that I would not be able to find

anywhere else. I was deeply and irrevocably enamored with the United States; an incurable romantic, I was swept head over feet by the mythology of the American Dream. And it helped that the U.S. was undergoing a moral and spiritual revival of its own at the time, or so I thought: The election of Barack Obama, a black man straddling two worlds by virtue of having a white American mother and a Kenyan father, a man who was charismatic, eloquent, and the embodiment of the American Dream itself was captivating and enthralling. Here was material proof that America was everything that I thought it was: A place that was flawed and seemingly recognized its flaws; a place perfected, in my eyes, through the way it navigated its imperfections. And, ultimately, the place that would also liberate me.

But what I encountered was not the America I thought I had known or dreamed about. And for my students, it was the American nightmare their parents were trapped in, a labyrinth from which there was no escape. So, no, we were not the same and any claim I make to the opposite would be insincere, misleading, and disingenuous. Hence, my shame resurfacing when Miguel, unknowingly, exclaimed that despite what has been deemed as progress through DACA, he was “still undocumented,” while I, on the other side of the screen, now live with the benefits conferred by U.S. citizenship.

Intersectional Networks of Oppression: Socio-economic and Racial Factors

One of the highlights of my interviews with participants came during my conversation with Miguel who is deeply knowledgeable about immigration policies and the history of U.S. migration law. One of our greatest mistakes in scholarship when conducting interviews like these, is giving way to the blanket assumption that we are the only experts in the room, accompanied by the resultant humility that comes from admitting that we don't know what we don't know. I had a moment like this when Miguel introduced his framing of the structural

causes of migration policy as stemming from capitalism and the need to foster and sustain a cheap, indentured labor force. This, he posited, also explained the complicity of the Democratic Party and those who position themselves as allies to the undocumented and immigrant communities.

While I vaguely knew of the connections between unjust trade and economic policies and migration laws, Miguel's framing made me look at the issue with fresh eyes. It was not simply that generally favorable policies like the 1986 *Immigration Reform and Control Act* (IRCA) appeared to offer status relief on the basis of interest convergence by guaranteeing the continued existence of inexpensive farm workers. Rather, looking at the issue through an economic policy lens also elucidates why both political parties have shied away from legalizing the more than 11 million undocumented people who have lived in the country, contributed to its financial growth, and established familial and communal ties in the U.S. Chiefly, it all culminated in this key question: If undocumented migrants were legalized and given a voice, would they be as exploitable?

“It's the economy, stupid”

A long-time student of the history of immigration policy, Miguel discussed what he viewed as the structural causes of migration that would need to be addressed “if we are truly serious about immigration reform.” The problem with proposed solutions and reform efforts thus far, as he put it, lies in how the issue is being framed. Specifically, Miguel posited that the role of economic factors has been widely undertheorized. The root of migration, he argued, is not politics, but capitalism, adding that the hyper focus on political rhetoric highlighting national security concerns only distracts from the real cause of the issue, diverting from what has always shaped migration: the need for a cheap and exploitable labor force.

Miguel shared that economic policies like the 1995 *North American Free Trade Agreement* (NAFTA), resulted in the destabilization of Latin American countries and the disruption of workers' lives and their ability to make a living. The insidiousness of the system, he explained, is that such economic policies that push people to leave in search of better job opportunities are typically accompanied by restrictive migration policies that make it increasingly difficult for those same people to pursue opportunities in the United States. For instance, NAFTA was immediately followed by the 1996 *Illegal Immigration Reform and Immigrant Responsibility Act* (IIRIRA) which criminalized unauthorized migration. This combination of policies, Miguel explained, happened by design to produce an "indentured, slave labor force" designed to generate profits for those in power.

Miguel also posited that legalization alone is not sufficient in addressing the economic inequities embedded within the lives of undocumented people. To illustrate this point, he reflected on the 1986 *Immigration Reform and Control Act* (IRCA), offering that even that bill, which provided a pathway to legalization for over 3 million people, was colored by the intent to perpetuate the financial exploitation of farm workers. He continued, opining that even if immigration reform were to happen, it would not, in and of itself, guarantee upward mobility opportunities for farm workers, who would still be without a living salary, health benefits, pensions, or union membership protections.

Referencing the 1950s *Bracero* program, Miguel also wondered why there was no uproar to the provision of hundreds of thousands of visas on an annual basis to recruit Mexican farm workers. In Miguel's opinion, both developments – the *Bracero* program and IRCA– were inspired by circumstances of interest convergence (Bell, 2004) where legalization was used to guarantee the continuing presence of a subjugated labor force generating large profits for the

American state and American companies at a small cost. Miguel's point here reinforces Nicholas De Genova's (2004) argument that "every legalization is also an illegalization" (p. 167) and Abrego and Negron-Gonzales' (2020) assertion that waves of legalization are always accompanied by the "reinforce[ment] of marginalization and subjugation" (p. 5).

The issue of the financial exploitation of undocumented workers reverberated in other conversations as well. For instance, Marta shared that her father, an undocumented migrant, pays taxes annually, contributing to the American economy, by providing his Individual Taxpayer Identification Number (ITIN) in lieu of a Social Security Number that he does not have. The fact that this loophole exists for undocumented people to contribute to the economy but that there is no similar technicality to exploit when it comes to gaining access to federal and state conferred benefits for undocumented people, reaffirms the veracity of Miguel's claim about the commodification of undocumented people and their function as human capital. In the case of Marta's parents, this holds true not only when it comes to her father's taxes, but also in terms of the house and vehicles they purchased, none of which could be claimed under their name. Ruth's father, like Marta's parents, also pays taxes; yet, as she shared, he does not get to benefit from a system that he helps fund.

Reflecting on Miguel's point, I thought about America's history of exploitation of minoritized people and communities and how that history was, as he posited, inextricably linked with the ravenous appetite for increased profit-making. For instance, the origins of chattel slavery, the U.S.' most insidious institution, were grounded in capitalism, the "conversion of human beings into currency...machines who existed solely for the profit of their owners and for an economy from which they drew no profit" (Wilkerson, 2020, p. 45). There are striking parallels here between this system of exploitation and undocumented workers' current condition.

Indigenous, black, and brown bodies have labored to build this country's underlying economic foundation and have been deemed essential in the performance of backbreaking labor without so much as an acknowledgment of their contributions.

Just as chattel slaves could not own land, undocumented migrants are also denied the right to claim assets they put their sweat and blood into. While the tax and social security systems provide a loophole through which undocumented people can make financial contributions through their Individual Taxpayer Identification Number (ITIN), they are not allowed to reap the benefits of a system which they helped create. Brown bodies, just like black bodies, have thus been stripped of their human essence, repurposed, and “conscripted for the raw productive capacity of [their] human life as living labor” (De Genova & Peutz, 2010, p. 47). The next section further discusses the exploitative use of undocumented migrants as human capital through their entrapment in low-paying jobs that are dangerous, arduous, and life threatening.

“Bare Life”

Based on conversations with participants and other research data, out of the few jobs that are often available to undocumented migrants, none are more common than farm work, jobs at chicken processing or meat packing plants, and construction jobs. These occupations, in addition to offering very little compensation and virtually no benefits, are arduous, laborious, and dangerous. For instance, two of the participants I interviewed, Marta and Ruth, have family members working in construction and both shared concerns about their well-being, such as the possibility of falling and sustaining a serious injury without recourse to workers' compensation or quality healthcare as many undocumented people are uninsured or afraid that doctors will disclose their migration status. Indeed, according to a report by the New American Economy Research Fund (2020), one quarter of construction jobs belong to immigrants.

Additionally, chicken processing plants which principal Stewart referenced as major sources of employment for her students' parents, and meat packing plants, which comprise a large portion of immigrants' and undocumented workers' places of employment (Stuesse & Dollar, 2020), pose serious risks to their employees' health. Meat and chicken packing industries, which are estimated to employ Latinx people more than any other racial and ethnic group (Stuesse & Dollar, 2020), are hotbeds for limb injuries, exposure to dangerous chemicals, and saw large outbreaks of the COVID 19 virus at their facilities (Human Rights Watch, 2019). According to an OSHA report, employees at these facilities are also barred from using the restroom and allowed no breaks or vacation time (Human Rights Watch, 2019).

Meanwhile, as Miriam Jordan (2020) of the *New York Times* notes, the vast majority of farm workers are “undocumented...parents of American born children...with the cloud of deportation hanging over their households” (para. 5). As Miguel, whose own parents were farm workers, shared, these individuals have no access to work benefits, healthcare, or pensions. Moreover, during the worst phase of the COVID 19 pandemic when most businesses were in lockdown, farm workers, considered essential workers, were instructed to continue working, brushing aside any health concerns. And yet, despite the vital nature of their work, farm workers are not protected from arrest, detainment, or deportation due to their migration status (Jordan, 2020).

The financial exploitation that undocumented people endure and their function as pawns of a capitalist system attributing worth to individuals based on their accumulation of wealth exposes their dehumanization through the instrumentalization of their bodies for profit-making. De Genova and Peutz (2010) borrow a term from Agamben (2005) to theorize this existence as “bare life” (p. 37), defined as “what remains when human existence, while yet alive, is...bereft of

all the qualifications for political inclusion and belonging” (p. 37). Undocumented migrants are excluded from participation in civic life, their presence unwanted and unvalidated while their bodies, “conscripted for the raw productive capacity of [their] human life as living labor” (p. 47), are considered essential for providing the cheap labor force that forms the backbone of the U.S. economy.

The Racialization of Immigration Policy

Race plays an important role in how one is perceived and treated. Omi and Winant (2014), for instance, theorize race as a social construct, but one which, nonetheless, has very real consequences due to its miscategorization as a natural phenomenon rooted in pseudoscientific notions of biological determinism. Omi and Winant (2014) further argue that the real consequences of race emanate from the act of racial signification, a phenomenon they call “racialization” (p. 111), wherein social actors assign racial meaning to persons they encounter in the social world. The act of racialization is colored by the struggle for power and quest for domination over racial others, thus always involving a degree of othering of different racial groups (Omi & Winant, 2014; Zuberi & Bonilla-Silva, 2008).

Racialization and racism are not unique to the United States; what is unique, however, is the bipolar racial hierarchy (white/black) propagated by the dominant white caste since the country’s inception or, indeed, as part of the country’s inception (Wilkerson, 2020), which is so deeply entrenched within its social fabric and its institutions, that it forms the skeleton, the bone and marrow that sustains the very infrastructure of the country. Immigrants realize this as they settle in the United States: The fact that you have to pick a side or that a side will quickly be assigned to you within the country’s racial hierarchy, which will determine your life’s trajectory in the U.S. and your ability to access opportunities. As an immigrant from a country that is closer

to the Middle East but conceives itself as European, my understanding of race, extending to the usage of the term, was quite limited while growing up. It was a largely foreign concept.

As a result, when I “walked into a preexisting [racial] hierarchy” (Wilkerson, 2020, p. 49) when navigating life in the United States, I was bewildered. What did this racial status quo mean for me and where did I fit? Obviously, I was not black, but I never considered myself white either. Back home, we were defined by our nationality, not our race, so, as far as I was concerned, I was, and had always been, Greek. But, this particular form of categorization did not suffice, as I quickly learned. Americans were perplexed by the term ‘Greek’ and demanded that I explain myself in accordance with the racial categorizations emanating from their caste system. Not only that, but white Americans, transfixed by my presence, were beginning to size me up in an attempt to categorize me; I would catch furtive, searching glances cast in my direction, ostensibly to confirm that I was, indeed, one of them.

Eventually, I was categorized as white, a fact which made me deeply uncomfortable. When I met my partner’s grandparents who hail from a rural county in North Carolina, they openly expressed relief that I was white, seemingly more concerned about my race than my gender, while our neighbor, an older white woman, felt comfortable enough to hurl racial epithets at people of color in my presence. Similarly, at the school I worked at, where most of my colleagues were white and most of our students were Latinx, there seemed to be a conspiratorial attitude among the white teachers, particularly when sharing their deficit perspectives of students and their families. The way I was invited to be a part of those side conversations in the hallways as students changed classes, and the nonverbal communication signals that were imparted let on that I was part of the proverbial joke, a fact which added to my

discomfort. To avoid this, I would remain in my classroom, waiting for students to arrive and greet them as they came in.

During my doctoral program, I developed a far more nuanced understanding of the role of race and racism in America. Still, I could not partake in any meaningful attempt to categorize myself according to America's racial signifiers. It is true that I look white, although my olive skin and complexion had led many into thinking I was Latinx. Even so, I refused to accept the white label. When a peer and I had a discussion around where we fit along the racial spectrum, I admitted that I did not "feel white," but I was obviously not black, expressing my frustration at the need to categorize ourselves in that way. To me, white meant Anglo-Saxon, Protestant, a person with power. For all my access to capital, I did not consider myself someone with power.

Moreover, Cyprus' colonization history which I did not experience but was socialized to accept as part of my identity as a Greek-Cypriot, made identifying with white folks even more challenging. Did accepting the white label also amount to seeing myself as being on an equal footing with British folks, whose country had colonized mine for nearly half a century? And now that I am an American, does that heighten the urgency of selecting a racial signifier for myself? After all, "it was in becoming American that [European immigrants] became white, Wilkerson (2020, p. 51), posits.

But this study also made me realize that, despite my protestations to the white label and, indeed, perhaps because of them, I was also becoming part of the problem. I was actively choosing to be blind to the privileges and benefits that I have access to by virtue of my skin color, just because I felt uncomfortable. But my inability to accept that being perceived as white essentially meant being treated as white and having privileges accorded to you which, in turn, meant you were white no matter how you felt about the situation, complicated my efforts to be a

true and genuine ally to people of color whose experiences I could never truly understand, precisely because I am white. I had to accept that my skin color and my Europeaness amounted to whiteness in the United States, and that this whiteness, in turn, amounted to power. As Wilkerson (2020) notes in reference to European immigrants of the twentieth century, “it was their whiteness, not any kind of New World magnanimity that opened the Golden Door” (p. 50). My whiteness was my key to that Golden Door.

Immigration policy itself is also deeply racialized, as is reflected in different admission-based criteria for divergent racial groups and within the differential treatment accorded to different groups by governmental and political actors. As Miguel pointed out in our conversation, certain groups who immigrate to the United States are immune from persecution and social marginalization. Europeans, for instance, who comprise 4% of the undocumented population in the United States (Migration Policy Institute, n.d.), are never villainized or criminalized in the way their Mexican and Central American counterparts are by political pundits and the press. Similarly, Cubans, who share phenotypical traits with whites, are subject to favorable legislation, beginning with the *Cuban Adjustment Act* of 1966 under the Johnson administration, which provided access to work authorization permits and lawful permanent residence a year into a Cuban migrants’ presence in the United States (Library of Congress, n.d.). In 1995, the Clinton administration extended this preferential treatment by enacting the “wet foot/dry foot” policy (para. 2), enabling Cubans who reach American shores to apply for legalization right away. While these policies were modified by the Obama administration in 2017 once it established diplomatic relations with Cuba, their existence for that length of time points to race-derived favoritism.

In our conversation, Miguel singled out Cubans as an illustration of his belief in the prominent role of race in shaping migration policy. Specifically, he cited Cubans' "white-passing...blond and blue-eyed" features to explain that racial identification and phenotypical appearance shape power dynamics reflected in policy. For example, immigrants who look white or are white passing, tend to hold more power because "power is associated with their proximity to whiteness." This power, in turn, translates into more favorable policies which ensure opportunities for social mobility, including access to institutional power and citizenship. According to Miguel, the immigration system in the U.S. is not only racialized, but Mexicanized, pointing out that the term has become a synonym for undesirable.

Miguel's perceptions are echoed within research; Jones (2019), who examined the North Carolina migration policy context in depth, came to the conclusion that race played an important part in shaping North Carolina residents' attitudes to the growing numbers of immigrants entering their communities. For instance, she relays that "in 2008, to be Mexican and undocumented in North Carolina meant a life of risk" (p. 67). Additionally, she found that the biggest source of hostility could be traced to white residents and that black residents, in contrast, "condemned efforts to criminalize immigrants... and remained largely welcoming to their Latino neighbors" (The University of Chicago Press, 2019, para. 5).

The racialization of U.S. immigration policy became particularly evident during the Trump era, callously exposed through the former President's vicious, anti-immigrant rhetoric vis-a-vis certain racial and ethnic groups. Prior to even assuming office, Donald Trump referred to immigrants from Mexico as criminals, drug offenders, and rapists (Reilly, 2016). While in office, the former president also instituted a Muslim ban, rescinded DACA (both these decisions

were later struck down by courts as unconstitutional) and pursued a family separation policy vis-a-vis immigrants from Central America (Rhodan, 2018).

Crucially, Trump also sought ways to reduce legal immigration by proposing a merit-based system and re-instituting the ‘public charge’ rule in order to alter the demographic composition of incoming immigrants (Simon, 2022). The administration’s rhetoric continued to match these actions, the president characterizing a migrant caravan from Central America composed mainly of women, children, and other vulnerable people, as an “invasion” (Fabian, 2018, para. 2). Moreover, in a now infamous meeting with a bipartisan group of senators in January 2018, the former president referred to El Salvador, Haiti and some African nations as “shithole countries,” (Aizenman, 2018, para. 1) while lamenting the lack of immigrants from countries like Norway.

Moreover, policies governing the issuance of work authorization visas with sponsorship opportunities for legal permanent residence (LPR) status also favor immigrants from wealthier countries with access to social and cultural capital through the establishment of “categories of preference” (American Immigration Council, 2021, para. 14). These include visas issued exclusively to “persons of extraordinary ability in the arts, science, business, or athletics...members of professions holding advanced degrees...skilled workers...persons who will invest 500, 000 or 1 million dollars in a job creating enterprise” (American Immigration Council, 2021, Table 2).

Also, while family-based migration is very common in the United States, the family members who sponsor other immigrants must themselves have been granted permanent legal residency (LPR) status and eventually citizenship, in order to be eligible for sponsorship. Further, LPR status can only be achieved through the employment-based visas discussed above

or through marriage (American Immigration Council, 2021). At the same time, the law makes it extremely challenging for mixed status youth who are U.S. citizens to sponsor their undocumented parents; the process may take up to more than a decade and requires that parents leave the U.S. and return after 10 years if they have lived here illegally for more than a year (Law Office of Jennifer L. Bennett, 2021). This stringent rule is inflexible and there are no exceptions for any families.

The accommodation of socio-economic privilege in U.S. immigration law cannot be viewed in isolation from other factors. According to the theory of intersectionality, for example, in the United States and globally, socio-economic disparities overlap with race and ethnic identification (Center for Intersectional Injustice, n.d.). In other words, economic injustice intersects with and forms part of racial injustice; the two are derivative of each other and mutually reinforcing.

Additionally, to Miguel's point about the roots of migration being economic, specifically, an extension of predatory capitalism, it could be argued that race itself, as a product of a socially and discursively constructed caste system, was a hierarchy contrived and developed to enable and justify the exploitation of pathologized and stigmatized others. Wilkerson (2020), for instance, notes that the colonists in America specifically designed a caste system to create an indentured class that they could perennially profit from, citing Montagu in stating that "the idea of race was...the deliberate creation of an exploiting class seeking to maintain and defend its privileges against what was profitably regarded as an inferior caste" (p. 66).

Thus, if the origins of the racial caste system or hierarchy stem from capitalism, class and race are inextricably linked, an intersection which also manifests in migration policy. This made me reflect more deeply on some of the points Miguel made, especially with regard to the U.S.

government's *Bracero* program which enabled millions of Mexican farm workers to work in the United States via short-term contracts and supplied them with work visas for that very reason. In that instance, racism took a back seat to the need to find an exploitable source of cheap labor.

Further, the case of Cuban migration referenced earlier, is perhaps the most, or at the very least, one of the most illustrative examples of how the interlocking caste systems of race and class shape migration policy. To probe this phenomenon, it may be useful to examine the various waves of Cuban migration. The most notable and largest exodus took place with the advent of the Castro regime in 1959. While it is true that that particular wave of Cuban immigrants was afforded preferential treatment as a symbolic gesture reflective of the U.S.'s stringent opposition to the Castro regime, one cannot discount the fact that Cuban migrants' phenotypical appearance, as noted earlier, in conjunction with their higher social standing, aided in the expedited provision of permanent residency rights and citizenship. After all, people fleeing the Castro regime at that point in time were affluent businesspersons, military officers, former government officials and landowners who had all been affiliated with the previous Batista regime and had profited under it, prompting many to dub the first post-revolutionary migratory wave the "Golden Exile" (Duany, 2017, para. 12). Many of these earlier Cuban immigrants were "well-educated, light-skinned, white-collar workers" (para. 11).

The Golden Exiles' warm reception in the United States, instantiated by their easy access to citizenship and its related benefits, can, in part be traced to their ability to pass as white, but is also illustrative of Stuart Hall's (2021) notion of race as a "floating [and] sliding signifier" (p. 359) where racial and ethnic categorizations shapeshift, expanding to include other groups in the upper strata of the caste system to accommodate capitalist considerations. This notion is also reminiscent of how Irish, Eastern and Southern European immigrants, initially treated with

disdain in the United States, were gradually assimilated within the dominant racial caste because of their Europeanness which earned them access to whiteness (Wilkerson, 2020).

If racial signifiers are assigned this fluid status to accommodate class, what happened when Cubans of lower socio-economic status arrived on American shores? Were they similarly accommodated? The case of the “Marielitos” (Duany, 2017, para. 18) is particularly instructive here. The third wave of Cuban immigrants who fled the island circa 1980, the marielitos, who were got their name from the naval port through which they fled Cuba, contained lower skilled and blue collar workers, along with persons whom the Castro regime considered undesirable, including sex workers and persons who identified as LGBTQIA+. In contrast to the Golden Exiles, marielitos were not privy to citizenship rights; instead, they assumed a migration status assigned to those with the intention of seeking asylum in the United States, but who had to furnish proof of their persecution to attain refugee status with permanent residency rights. While not outright rejected for the purposes of immigration, the hurdles that marielitos faced make their experience markedly different from that of earlier Cuban immigrants, a policy shift which can be attributed to their lower social standing, as well as their sexual orientation and gender identity. This illumines the role of intersectionality, what hooks (2010) referred to as “interlocking systems of domination” (p. 1), pertaining not only to class and race, but also to other identity markers whose intersections shape policy considerations.

The next mass exodus, bolstered by an abrupt exit precipitated by a dire economic recession associated with the fall of the Berlin wall known as the balsero crisis (Duany, 2017), was once again met with generosity by the U.S., which, a year later in 1995, also instituted the Clinton era “wet foot/dry foot” policy (Library of Congress, n.d., para. 2), enabling new Cuban immigrants to immediately apply for and be granted citizenship rights, an unprecedented move.

This particular preferential treatment appears to be more race than class-based, given that this new wave of immigrants was low-skilled and working-class (Duany, 2017) and considering the differential treatment received by Cuban and Haitian immigrants, the latter of whom were intercepted and ordered to return to their island as a result of concurrent U.S. policy toward Haiti.

Perhaps most striking of all when it comes to U.S. migration policy vis-a-vis Cuba, is the Pedro Pan operation, a clandestine process which enabled families of Cuban dissenters to send their children to the United States in the immediate aftermath of Castro's rise to power. As a result of this operation, which was sanctioned by the U.S. State Department, 14,000 unaccompanied children fled from Cuba to Miami (Anderson, 2017). Revisiting this case is important and timely, given the treatment of another group of children who fled their Central American countries with their parents to seek asylum in the United States in 2018. Those children, fleeing structural poverty and systemic violence, were not greeted with citizenship rights or welcomed by U.S. government officials; instead, they were separated from their parents and imprisoned in makeshift enclosed structures policed by U.S. officials under then President Trump's Zero Tolerance policy. What was it that made Cuban children more deserving of humanity compared to their Central American counterparts decades later? It could be the fact that the U.S. immigration system has become increasingly more punitive and restrictive, but, given the U.S.' history, it could also be that racial and ethnic origin played a part, especially considering the presence of Indigenous families and children among the 2018 asylum seekers.

Today, the intersections of race and class are once again on display. According to Fajardo (2016), members of the affluent Latin diaspora continue to flock to Miami due to the business expanding opportunities it affords. These immigrants include Cubans, but also wealthy

Colombians, Argentinians, Venezuelans, and Brazilians. Due in part to the proliferating presence of these upper class and upper middle-class immigrants, Miami-Dade County in Florida tops the list of U.S. counties with the highest concentration of South American immigrants (Lorenzi & Batalova, 2022). Yet, none of our national conversations around migration and migration policy involve a discussion of this significant subset of immigrants whose escape from national attention appears to bolster their already advantageous social position.

In a nation whose very inception and social fabric has been steeped in an enduring legacy of institutionalized and systemic racism (Hannah-Jones, 2021), the fact that U.S. immigration policies are racialized should come as no surprise. However, a country that prides itself on comprising a “nation of immigrants” (Kennedy, 2008) and, as Miguel noted, is known to preach xenophilia and present itself as the land of opportunity and a beacon of freedom around the world, U.S. immigration law contradicts and undermines this sunny discourse. Structural inequities for undocumented and mixed status youth and families are also reflected in schools, which form part of the insidious ecosystem of structural oppression. These are discussed in more depth in the section below.

Schools and Migrant Youth: Access ≠ Inclusion

One of the only areas of civic life that undocumented youth are allowed access to is K-12 education by virtue of the 1982 *Plyler v. Doe* Supreme Court case ruling (Gonzales, Heredia & Negron-Gonzales, 2015). The decision and its enduring presence led to Gonzales (2016) making the case that during childhood, undocumented children experience feelings of inclusion and belonging by virtue of occupying the same educational settings as their U.S. born counterparts. These feelings of inclusion, Gonzales (2016) argues, shield undocumented children from not only experiencing but also perceiving the effects of illegality.

However, the findings of this study suggest that the current migration policy context is such that children become aware of the effects of illegality early in life and that even the most inclusive of school settings cannot single-handedly protect undocumented children from these adverse effects. Perhaps more importantly, conversations with participants revealed that access to K-12 educational settings alone does not guarantee feelings of belonging and that schools in North Carolina lack supportive institutional mechanisms to help both undocumented and mixed status youth navigate challenges related to migration status. Finally, the challenges that these youth face are structural and do not solely emanate from their migration status; instead, these challenges are multifaceted and manifest across the diverse spectrum of youths' identities to involve race, socio-economic status, sexual orientation, and other identity markers in conjunction with migration status.

On the first point, regarding youths' early awareness of their own or their parents' illegality, I circle back to my conversation with Dr. Lucia Lopez, a Latinx former principal at Pinehurst Elementary (Charlotte-Mecklenburg Schools). Dr. Lopez is a great example of a school leader well poised to make a positive and transformative impact on the academic achievement and socio-emotional well-being of the undocumented and mixed status youth she served. She identifies as Latinx, grew up in Puerto Rico, is a native Spanish speaker and, as a victim of racial discrimination herself in various academic and job settings in the United States, she possesses an instinctive understanding of the type of structural inequities that undocumented families face.

In addition, Lopez is equipped with an expertise in bilingual education and counseling, the type of strategic knowledge essential in operating as a street-level policy actor (Goldstein, 2008; Mavrogordato & White, 2020) to support her students even in the absence of institutional

levels of support across the school district. Accordingly, she founded a bilingual education program that helped her students feel like “they were the authority in their learning” and established partnerships with mental health professionals to help address the abundance of emotional trauma her students experienced because of parental deportations. More importantly, she is fully aware of the restrictive migration policies framing the lives of migrant families and fought tirelessly to protect her students from harassment by Immigration Customs Enforcement (ICE) agents. This included advocating for students to the Superintendent and other high ranking school district officials.

Yet, as she admitted, all these measures were not sufficient in completely shielding her students from the grim realities they experienced at home, including a third and first grader returning home to find their father gone, as well as two young girls being abducted and trafficked to Mexico. Perhaps the most powerful indicator of North Carolina schools’ inability to fully protect undocumented children from the harmful effects of immigration policies even in the best of circumstances, came when Dr. Lopez shared an account of her students’ stomach aches, a physical manifestation of their emotional turmoil. Her acknowledgment of this reality came with a sadness that was palpable and written across her face through the Zoom screen we shared. She knew that despite her school’s best efforts, her students could not feel safe. Her efforts were also complicated by an indifferent Superintendent and a lack of support from the higher levels of the school district.

Dr. Lopez’ remarks are supported by scholarship. For instance, a mixed methods study by Rojas-Flores, Clements, Hwang Koo, and London (2017) on the effects of current immigration policies on the emotional state of mixed status youth, indicates that they are likely to become exposed to a potentially traumatic event (PTE) early in their lives and develop symptoms of

PTSD over their lifetimes. Similarly, a report drawing upon a multitude of qualitative and mixed methods studies on the effects of immigration policies under the Trump administration highlights the urgency in addressing the emotional trauma afflicting undocumented and mixed status youth (Barajas-Gonzalez, Ayón & Torres, 2018).

The absence of institutional mechanisms of support designed to meet the needs of undocumented and mixed status youth create conditions of exclusion that mirror and reinforce the broader structural inequities these youth and their families face. Feelings of exclusion and inadequacy also stem from other minoritized identity markers, notably race, socio-economic status, and sexual orientation. This leads to intersectional forms of oppression manifesting in educational settings. Further, several of these structural obstacles overlap to compound conditions of exclusion. For instance, the way the language barrier that youth confront is addressed in schools reflects the cultural deficit perspectives and overall lack of understanding educators, school staff, and school district officials exhibit toward them. As Dr. Lopez explained, implementing bilingual education programs like the one she piloted at Pinehurst, is an effective and identity affirming way of bridging the language gap for Latinx migrant youth. Research also supports this claim (Lam & Richards, 2020). However, most schools and school districts across the nation do not implement bilingual or dual language programs as their primary means of instruction (Lam & Richards, 2020). In the case of North Carolina, despite the state proclaiming itself a pioneer in the implementation of dual language programs (North Carolina Department of Public Instruction, n.d.), none of the participants, other than Dr. Lopez, referenced the use of such programs.

Ruth, for example, described her struggles in kindergarten within an English-only instructional setting that only magnified her feelings of inadequacy and inferiority. She also

shared that she was often the only Latinx student in her elementary classroom and did not generally feel supported by the classroom teacher. Even as her language skills improved through English as a Second Language (ESL) small group instruction in a separate setting, she still struggled as school content and material increased in complexity. Importantly, she not only struggled with English, but also experienced difficulties in switching from her form of conversational Spanish to the written and more formal version of the language, an area bilingual education programs also assist with (Kamenetz, 2016).

Dr. Eileen Stewart, current principal at Rosemount High in a rural county in North Carolina, also identified the language barrier as a “big communication issue,” compounded by the fact that her district does not provide interpreters or Spanish speaking liaisons tasked with parental and familial outreach. Efforts to address the language barrier are further compromised by the cultural deficit perspectives educators and others nurse toward students. For instance, Dr. Stewart has been asking teachers to use a software program that translates material from English to Spanish to support her students, most of whom are emergent bilingual learners. However, some of her teachers, all of whom are white, have been resistant to incorporating this tool.

As a former middle grades educator in North Carolina, I witnessed some of these deficit perspectives first hand. Notably, many white educators I worked with had no knowledge of, or previous interactions with the undocumented community, allowing hostile media depictions of immigrants to shape their perceptions. As a result, they viewed students’ families as culturally deficient, lazy, and uninterested in their children’s education. Moreover, many were intentional in conveying these perceptions to other staff and administrators, complaining that they had to make the extra effort to reach out to parents who could not speak the language and often refusing to engage with them. As Alfredo noted in our conversation, some educators even communicated

these prejudicial sentiments to students, making them feel inferior and inadequate in the process. Indeed, while many of my fellow educators knew that families were struggling financially and that in many cases parents worked two or three jobs, they refused to connect this to parental inability to initiate engagement with the school. Therefore, part of the investments that school districts have to make includes educating white teachers about these issues so they can develop cultural competency.

Further, the lack of Latinx representation within schools and at the district level exacerbates this issue. As Dr. Stewart indicated, the lack of representation is particularly problematic because “we just do not have what I feel like they should be able to see.” Even as an advocate, she admitted that as someone who “did not have those same experiences,” she cannot fully resonate with her students. This is an important point and one which is illustrated in Dr. Stewart’s reaction to many of her students who identify as Mexican despite being born in the United States, something she admitted that she finds problematic. Further, Stewart shared that she discourages students from referring to the downtown area of their town as “Little Mexico,” offering that the name is offensive. Principal Stewart did not seem troubled by the fact that she found students embracing their heritage problematic. Moreover, even though she admonished her staff for adopting cultural deficit perspectives, she, too, engaged in similar rhetoric, especially around the notion of parental malfeasance vis-a-vis mixed status youth. For instance, pivoting to the issue of caregiving by her female Latinx students, she expressed frustration with the fact that Latinx parents have these expectations of their daughters. As she put it, “I understand that the parents have to work to support the family but they’re not giving these students the room to grow because they have to do so many adult roles in between.”

The fact that Dr. Stewart's extensive experience with and keen awareness of the issues impacting migrant youth and their families did not insulate her from developing deficit perspectives around these youths' home lives and self-perceptions, highlights the significance of the presence of educators and administrators who share the experiences and positionality of these youth. Thus, while providing professional development opportunities to develop white educators' and administrators' cultural competencies is important, increasing the presence of Latinx educators and educators of color who have an intrinsic understanding of these youths' lived experiences is paramount. The fact that white educators who consider themselves allies of undocumented and mixed status youth still have biases and nurse blindspots regarding their preconception, highlights the importance of having administrators, educators, staff, and officials at the district level who share the linguistic and socio-cultural backgrounds of these students. During my conversation with Ruth, for example, she noted that all her teachers in middle and high school were nice and supportive, but she singled out Ms. Q, her Mexican American World History teacher, who used culturally revitalizing and identity affirming strategies, increasing Ruth's appreciation of her cultural heritage.

In addition to cultural deficit perspectives and lack of representation, the absence of mechanisms of support at schools also derives from economic inequities embedded within social structures and reflected within educational settings. For instance, during the virtual learning period of the pandemic, many undocumented and mixed status youth lacked access to the internet resources necessary to attend classes regularly and without interruptions. Dr. Stewart, for example, noted that her school district made internet hot spots available in various areas around the county to enable youth to connect and attend classes remotely. However, most of her students could not take advantage of this opportunity since they had to stay at home to take care of their

younger siblings while their parents were at work. While the district theoretically had good intentions, this is another case of not being able to decipher the particular needs of this student population and blindly assuming that a one-size-fits-all type of solution would benefit all students.

Perhaps the biggest challenge for schools to take on in the current socio-political climate, is meeting the socio-emotional needs of undocumented and mixed status youth, many of whom suffer from chronic fear and anxiety due to the possibility of their parents or family members getting deported (Barajas-Gonzalez, Ayón & Torres, 2018; Rojas-Flores, Clements, Hwang Koo, and London, 2017). For instance, Dr. Lopez references the abundance of trauma that the therapists she recruited uncovered when they interviewed students at her school.

Identity formation is a complex process for all young people, especially those from minoritized communities who have to contend with coming of age in a world which deprives them of access to equal opportunity and social mobility. It is also a fluid process that can vary based on an individual's life journey, particular set of lived experiences, and the diversity in the identity markers that they claim as their own. For undocumented and mixed status young people, this already challenging process is further amplified by an increasing awareness and experience of the effects of illegality in conjunction with other identity markers such as race, language, and sexuality that society attaches stigma to. Sharing that he “did not feel safe at home or at school” growing up, Miguel recounted being harassed and bullied by other students at school for his sexual orientation. Due to his doubly minoritized status, Miguel experienced increased social and emotional isolation at school.

I can also attest to undocumented and mixed status youth who were questioning their sexuality or gender identity experiencing this kind of social and emotional isolation. Suspicion

that a student was gay alone was enough to result in marginalization among that student's community of peers and educators often refused to become involved. Instead, when I attempted to establish an after-school club for LGBTQIA+ students, I was rebuffed by administrators. All I could do, indeed, all any educator could do at our school, was make sure that our classroom was a safe and inclusive space for these students. But efforts by individual teachers, while laudable, are not enough in creating lasting change. Students who are undocumented or from mixed status families that identify as members of the LGBTQIA+ community need additional support because the marginalization and exclusion they experience sometimes comes both from home and school.

These examples from my conversations with participants, my own experiences, and the literature support the finding that access to K-12 educational settings alone does not guarantee feelings of inclusion and belonging within these settings for undocumented and mixed status youth. As Gonzales, Heredia and Negron-Gonzales (2015) argue, the *Plyler v. Doe* ruling, while important, does not mitigate the effects of illegality that these students experience. Additionally, and perhaps more importantly, the ruling does not address the systemic inequities confronting these young people because of how they identify and how they are perceived by others based on race, gender, socio-economic status, and sexual orientation, among others. Unless these systemic inequities are uprooted through meaningful structural changes, these institutional barriers will remain.

Storytelling as Activism and My Reckoning

In late 2018, I attended a panel discussion about immigration reform and community engagement at the public library in Greensboro, North Carolina. Leading the panel were local immigration attorneys joined by two guest speakers willing to share their stories. At that event, I met Miguel, who was there to share his personal story and his experience as a queer

undocumented young person in North Carolina. Miguel's story spoke to me even though our circumstances were vastly different: I was, at the time, a green card holder, fortunate to have lived at a time when my wife was able to sponsor me for spousal immigration benefits. He, on the other hand, had lived his entire life as an undocumented young person, much of it spent in rural North Carolina. Our stories converged through our immigrant experience, colored by our queerness. And even though I had, through the privilege afforded me by my positionality, arrived at the point of being a green card holder, that sense of powerlessness, emotional and mental exhaustion mixed with an air of rugged determination that emerges as a reaction to a life circumscribed by hostile policies, reflected some of my own experience. I spoke to Miguel after the event, sharing how empowering his story felt to me; we exchanged information and vowed to stay in touch. Then, life happened: For me, it was starting my doctoral program and immersing myself in that journey; for him, it was traveling across the Southeast to promote his documentary and advocate for his community. And then, of course, the pandemic upended everything, forcing a realignment of our collective priorities.

Even so, Miguel's story stayed with me and his advocacy continued to inspire me, which is why I reached out to him immediately after I began this study. But I was met with a stark reality in that Miguel had decided not to share his story anymore. When we first exchanged messages on social media, it was not clear what was driving the decision, leaving me disappointed and demoralized. It was not just that his story inspired me in so many ways and resonated with my experience: To me, storytelling represents a powerful medium through which to humanize not only the undocumented, but the entire immigrant experience. It represented a way to reclaim the narrative and fight back against the lies and disparagement we had suffered through the xenophobic and openly vile rhetoric of the Trump years. Cruz (2020) in her piece

about the experiences of undocumented women activists, for example, shares that storytelling is a form of activism, allowing undocumented people to “develop a sense of belonging through... political and community engagement processes” (p. 121). If we gave up on sharing our stories to anyone willing to listen, I wondered, how would we ever change people’s minds?

When we finally met virtually for his interview, Miguel’s explanation for his retreat from storytelling was eye-opening and humbling. He shared that repeatedly exposing some of the most intimate parts of yourself to the world was emotionally draining, particularly when met with indifference and inaction. This kindled the realization that despite some of the commonalities in our immigrant stories and our identities, there was one fundamental difference: My three years of limbo ended, but Miguel, now in the third decade of his life, was still undocumented.

Thus, for him, it did not simply come down to the fact that his country of 30 years had wanted to deport him; rather, it was the fact that it was still trying to deport him all these years later. Witnessing audiences and influential people sympathize with his story only to move on and not use their influence and power to enact change caused Miguel to lose his faith in people. Instead, he saw ruthless cannibals who refused to recognize his humanity, becoming consumed only with the humanity they could momentarily glimpse in themselves. This also echoes Cabrera’s (2020) point that “storytelling grants us agency...but it has also become commodified by the public discourse” (p. 81).

Therefore, it became clear that Miguel’s retreat from activism was not some self-serving act, but a form of self-care. As I listened to Miguel, I began to question my own actions and, more importantly, my inaction. On the harrowing morning that followed the 2016 election, my students’ breakdown mirroring my own, I experienced a resurgence of the visceral fear I felt when my life, like Miguel’s, was circumscribed by policy. I was genuinely scared, shaken by

Trump's rhetoric around immigrants, and his intention to reduce minoritized groups' rights, including those of immigrants and members of the LGBTQIA+ community. When my fears and suspicions were validated through the administration's 2018 cruel family separation policy and its re-instituting of the archaic public charge rule targeting some green card holders for deportation (Simon, 2022), I started engaging in acts of self-censorship, regulating my online comments and restricting public remarks about the administration. I had also abandoned any plans to pursue more overt forms of activism, such as pursuing community engaged advocacy for the undocumented community. As I reflected on this inaction, I felt a pang of guilt, not only for initially judging Miguel's retreat from storytelling so harshly, but also because I thought his words applied to me. I reflected on my actions wondering if they weren't self-serving. These thoughts have remained with me. While I plan on engaging in activist scholarship, my conceptualization of activism stretches far beyond words on paper, comprising material and meaningful actions undertaken to stand in solidarity with the communities I am advocating for.

Thus, as Miguel referenced performative allyship, implicating members of the academe who exploit the *testimonios* of undocumented people without crediting them to further their own careers, I also felt culpable. My naivete in not recognizing this as an issue was exposed, further complicating the power dynamics between us. As Abrego and Negrón-Gonzales (2020) note, "there is a pattern of researchers entering spaces of organizing...only to gather information...rarely using their skills to support the advocacy work that they document" (p. 12). This is a lesson and a responsibility that I took to heart following our conversation, realizing that if those of us in academia want to highlight the voices and experiences of undocumented people without speaking for them, we need to do more than just relay these experiences. Instead, we need to advocate for this community on their terms rather than our own. Moreover, we need to

collaborate with undocumented scholars and highlight their work to allow them to chart their own path in academia and help carve out a space for voices that are critical to the field of immigration and education scholarship and crucial in envisioning and enacting pathways to structural change.

This was not the only aspect of my conversation with Miguel that urged me to reconsider my behavior of the last few years. Specifically, Miguel's thoughts on citizenship and the role of U.S. citizens in perpetuating injustice for the undocumented community, sparked self-doubt and a reckoning that I should have seen coming. The fact that citizenship and power are intrinsically connected was something we immediately agreed on. That U.S. citizenship confers many benefits that could be weaponized to wield more influence and authority globally, is not in dispute. What was unexpected was Miguel's pushback when asked about establishing a coalition comprising documented and undocumented immigrants, which, through my rose-colored lenses, seemed like a step in the right direction. This suggestion, however, was immediately met with apprehension, Miguel referencing the complicity of immigrants with citizenship or permanent residency status, whom he characterized as "gatekeepers."

Not pushing the envelope resonated with my experiences of self-censorship in the months preceding my citizenship interview in early 2020. Yet, I still struggled to see myself as a gatekeeper or someone with power. Moreover, citizenship never represented a power grabbing opportunity for me; it stood for stability, a safe harbor, protection. I conveyed this to Miguel, and together we reached an understanding that immigrants like me who toil for years to reach that safe harbor are perhaps conditioned to only see it as that, not realizing the other opportunities it represents. Our conversation also made me understand that, just as mixed status and undocumented youth internalize oppression, newly legalized immigrants may suffer from the

effects of internalized fear, viewing the protections conferred by citizenship as precarious and fleeting instead of markers of benefits and privilege here to stay. The window into self-examination that this opportunity afforded me, therefore, illustrated that fear was still alive within me, re-animated by the recent trajectory of domestic policy in the United States. This phenomenon is also referenced in a study by Rodriguez and Macias (2022) where Latinx undocumented migrants dismissed the notion of citizenship as privilege since “even Hispanics who have citizenship are...scared to talk” (p. 10).

Nevertheless, the imminent danger represented by the current socio-political moment also exposed the necessity of engaging in community informed and community embedded activism as a material symbol and praxis of solidarity and as resistance to externally imposed and internally derived fears and anxieties. This resistance is meaningful both as a tool of self-affirmation and in highlighting the coalition building capacity of the immigrant community. Representation matters and for those of us privileged with citizenship or permanent residency rights, it is imperative that we take advantage of the opportunities afforded us by our conferred status to advocate for our undocumented brothers and sisters in meaningful ways. This includes exerting pressure on local governments and politicians to put protections in place for the undocumented community. Coalition building among immigrants regardless of status is essential, not only because we all navigated immigrant journeys, but also because we are invested in each other’s futures, not solely through political association and community membership, but also within family structures in the form of mixed status families, now proliferating across the United States.

The following section delves deeper into the interconnectedness between the lives of undocumented and U.S. born people in mixed status families. In that section, I also outline the

shift in my conceptualization of illegality and the process I followed to analyze the data inductively to accurately reflect and capture participants' perspectives and lived experiences.

Mixed-Status Family: Rhizomatic Familias

In Botany

The word “rhizome” originates in botany, referring most commonly to ginger roots or planted irises. According to the Oxford English Dictionary (1989), the term derives from the Greek for “taking root” (p. 3) and encompasses root-like stems growing underground as an interconnected subterranean assemblage. Because the rhizome essentially lives and grows underground, most of it is not visible to the naked eye (Oxford English Dictionary, 1989). In addition, rhizomatic plants grow horizontally in contrast to tree growth which typically occurs vertically. While its upper visible part withers away and falls off, the rhizome continues to expand (Oxford English Dictionary, 1989).

Deleuze and Guattari

In their celebrated work *A Thousand Plateaus* (1987), philosopher Gilles Deleuze and clinical psychoanalyst Félix Guattari developed an ontological and epistemological theoretical model on the basis of the rhizome. Specifically, they conceptualize the rhizome as a non-hierarchical, multiplicitous, deterritorialized, and acentered theoretical entity and mode of being. This operates in contrast to the Western ontological model which rests on a linear, essentialist and binary premise (Deleuze & Guattari, 1987).

The two applied their formulation to an array of fields, including linguistics, psychoanalysis, and human organization, all of which function on the basis of dualist systems exemplified by the idea of the tree. In Deleuze and Guattari's (1987) work, the rhizome works in opposition to the typified perception of the tree: Its principles of multiplicity and heterogeneity

within interconnectedness clash with the notion of a hierarchical order, centralized power, and dominance. In theorizing the rhizome, Deleuze and Guattari (1987) propose an alternative mode of life, thought, and governance exemplifying liberation from absolutism.

In Migration Scholarship

Some migration scholars make use of the rhizomatic concept to explicate immigrants' identity formation. For instance, Ramirez (2020) employs the notion of the rhizome to combat frameworks she views as reductionist, including Gonzales' (2016) master status concept, dismissing the notion of illegality as a dominant identity marker. Instead, she argues, undocumented migrants' identities present as multiplicitous, co-existing without superseding one another. According to Ramirez (2020), the concept of a master status reinforces essentialist tropes by reducing youths' identities to their migration status. She also characterizes that framework as a "voyeuristic narrative" (p. 148) that situates the stories and testimonies of these youth squarely within their status limitations and, in so doing, encourages their pathologization by fixating on narratives of violence and trauma.

Drawing on Deleuze and Guattari's (1987) concept of the rhizome, Ramirez (2020) presents undocumented youths' identities as polyprismatic, representing "a fluidity in understanding the self that is not totalizing" (p. 149). Similarly, Silvestre (2020), in her analysis of the experiences of transgender undocumented women, refers to the "limitations of single issue analysis" (p. 173), noting the fallacy in viewing these experiences through the lens of a singular identity marker. In the following section, I explore the use of the rhizomatic model in this study as the conceptual framework through which to explore the experiences of youth in mixed status families.

In My Study

In my work, I draw upon the concept of the rhizome as articulated by Deleuze and Guattari (1987) to theorize mixed status youth and their families as a heterogeneously constructed indivisible assemblage. Like the rhizome (Deleuze & Guattari, 1987), members of mixed status families share a network of interconnected identities which make them experience the effects of illegality in unison despite the difference in status between U.S. born and undocumented family members. Moreover, just as a rhizomatic plant's survival hinges on its underground connections and appendages remaining intact (Oxford English Dictionary, 1989), the mixed status family grows together, each member contributing to the survival and ability of the whole to thrive. This does not mean that there is no variation in individual members' identities, expressions, and experiences; rather, familia members retain and express their heterogeneity while still forming part of one multiplicitous entity. Lack of binaries and hierarchization, both central themes within the rhizomatic concept as developed by Deleuze and Guattari (1987), are reflected here. Just as the rhizome grows horizontally, families' experiences cause them to evolve organically rather than as disparate parts within a stratified hierarchy.

While citizenship status confers benefits, the capacity to enjoy them is severely constricted when living with or sharing a home or a familial relationship with undocumented loved ones whose trials and tribulations shape one's own. Moreover, if illegality truly superseded all other identity markers and aspects of a person's life, then it follows that legalization would resolve all the challenges undocumented people face while navigating daily life. Instead, as exemplified by the case of the 1986 *Immigration Reform and Control Act* (IRCA), status adjustment in and of itself does not eradicate the structural obstacles confronting migrants. This is also illustrated in participants' accounts. For instance, Ruth's citizenship status did not insulate

her from the language barrier she confronted at school, no more than Alfredo's citizenship protected him from poverty and difficult living conditions while growing up. More importantly, in the cases of Marta, Ruth and Alfredo, their citizenship status could not be used to shield their parents from the effects of illegality.

In addition, holding that illegality overshadows other identity markers would mean downplaying the effects of gender, race, sexual orientation, socio-economic status and other important factors on an individual's identity formation process and how they experience life. This study demonstrates that illegality does not exist in a hierarchical relationship vis-a-vis these identity markers, but rather interacts with them through a dynamic and fluid relationship. In the case of Miguel, for instance, his queerness did not exist independently of his undocumented status; rather, the two worked in concert when he experienced feelings of isolation and exclusion in school and at work.

Finally, just as the rhizome remains indivisibly invisible in its subterranean form, so do U.S. born children in mixed status families who join their undocumented parents in the shadows. Depicting mixed status youth solely through the prism of their citizenship loses sight of their tight family bonds, rendering the story of who they are far from whole. Next, I examine some of the implications of using this framework to capture migrants' experiences, specifically those from mixed status households.

Rhizomatic Familias Framework Implications

A series of implications emerge on the basis of a rhizomatic conception of mixed status families' identities. This conceptual framework: a) highlights the diversity of the immigrant community; b) underscores the need for policy changes to address existing challenges for this immigrant population; c) affords new opportunities for coalition building and counter narratives.

Highlighting the Diversity in the Immigrant Community

This study demonstrates that the immigrant youth population, and indeed, the immigrant population more broadly in the U.S., is not a monolithic community. In recent decades, media coverage and dominant political commentary have created and pushed a singular view of immigrants premised on criminalization and narratives engrossed with the so-called perpetual Southern ‘border crisis.’ This rhetoric is further layered with underlying racial connotations (Jones, 2019) and is primarily focused on incoming immigrants, completely ignoring the scores of undocumented people who created families and communities across the nation for decades. Even less attention is being paid to the composition of these families, which include U.S. born children or other family members with legal residency rights. As Connor (2021) relays, upwards of 22 million people in the U.S. reside in mixed status households, including almost 6 million U.S. born children who attend public schools in the United States.

Despite their citizenship status, these children are precluded from accessing important benefits, such as socio-economic assistance, healthcare benefits, or even Covid-19 recovery assistance monies (Connor, 2021). For example, the U.S. Department of Housing and Urban Development (HUD) under the Trump administration proposed a rule prohibiting access to public and subsidized housing for mixed status families. While the rule was subsequently rescinded by the Biden administration, it is an illustration of some of the ways in which federal, state and local governments routinely discriminate against mixed status families (National Housing Law Project, n.d.). Additionally, during the pandemic, which has had more adverse impacts on communities of color and minoritized people, mixed status families were excluded from federal pandemic stimulus checks designed to provide relief under the Congressional CARES Act (Migration Policy Institute, 2020).

These examples highlight the fact that governmental entities on multiple levels enact harmful policies on undocumented families, ignoring the ripple effects of these policies on U.S. born children with citizenship status (California Immigrant Data Portal, 2020). For instance, Singer, Gutierrez-Velez, Rhodes and Linton (2019) in their study on the effects of policies on mixed status youth in North Carolina, conclude that children in mixed status families “experience...discrimination in multiple settings” (p. 3), while also pointing to the “inability of citizenship to protect against the effects of discrimination” (p. 3). These policies created a climate of pervasive fear, particularly under the Trump administration (Singer et al., 2019), which had the effect of dissuading families from even attempting to access critical public services (California Immigrant Data Portal, 2020). Moreover, such exclusionary policies were not exclusive to the Trump administration. For instance, mixed status families were not eligible for health insurance coverage or subsidies under President Obama’s Affordable Care Act (National Immigration Law Center, 2014). Disparities, particularly in terms of healthcare access and treatment account for adverse health outcomes and conditions within mixed status families (Castañeda & Melo, 2014).

In addition, mixed-status families are particularly vulnerable to poverty. In this study, this was best encapsulated in the case of Alfredo, a U.S. citizen participant whose single parent household could barely afford to make ends meet as he was growing up. This finding is echoed by Rodriguez (2018), who points out that, in addition to subsidized housing, mixed status families are ineligible for food stamps. Accordingly, she concludes that these restrictions result in U.S. born children being “blocked from resources that are rightfully theirs” (para. 3). As further illustrated in this study, the fact that undocumented parents are blocked from accessing higher paying positions or the higher education necessary to qualify for these positions, means

that they are essentially trapped in low-income, physically draining, and long hour jobs with ripple effects on their families.

The Need for Policy Change

Given that mixed status families will continue to increase in the future (Connor, 2021), both scholarship and public discourse need to spotlight these families' experiences and particular challenges, while underscoring the variation that exists within the immigrant community. Focusing on the diversity within the community would also help illustrate that the arbitrary distinction between citizenship, legal and illegal immigration that politicians manufactured and have relied upon for decades, is not only wrong on moral grounds, but it is also no longer a pragmatic or realistic notion. U.S. citizens form part of families composed of undocumented persons and vice versa, and, as such, constitute intricate, integral, and intimate parts of each other's lives. Additionally, reductionist frameworks that wittingly or unwittingly home in on this distinction, further reinforce this divide, giving rise to hierarchies which invisibilize mixed status households. Importantly, such discourses fundamentally ignore the fact that mixed status households experience restrictive policies as one indivisible entity, not just individually.

Crucially, U.S. born children's own citizenship status does not provide them with an easy path to sponsor their parents, siblings, or other family members, for a green card (LPR) status to keep their families together. Indeed, even though family-based migration comprises 65% of annual authorized immigration to the United States and a whopping 85% of new immigrant arrivals in the last decade, U.S. born children with undocumented parents or siblings do not enjoy this advantage. Specifically, the sponsorship process requires that undocumented parents leave the U.S. and return after 10 years if they have lived here illegally for more than a year (Law Office of Jennifer L. Bennett, 2021) which applies to most undocumented persons with

families. Added to this complication is the fact that sponsors need to prove that their income is at least 125% over the poverty line (Rodriguez, 2018) while also contending with expensive legal fees that are often prohibitive. For family members who have been deported and were able to subsequently return to the United States, these penalties are even steeper and may result in lifelong bans regardless of their family affiliations in the U.S. These sponsorship restrictions are not only morally wrong, but also effectively guarantee that these families will be precluded from access to upward social mobility and will continue to live with the fear of deportation.

Thus, it is paramount that political, public, and scholarly discourse re-conceptualizes the immigrant community as a heterogeneous entity, composed both of undocumented, citizen or LPR households, and of mixed status households which are increasingly becoming the norm in the United States and which, as such, should command more attention. Yet, unless and until the presence of mixed status households is highlighted within the broader discourse that frames the immigration debate, none of this will translate into policy. If our policies do not reflect these changes and continue to target undocumented people ruthlessly and indiscriminately, this will also affect a score of U.S. citizen children who belong to these households and who, according to numerous studies, live with the fear of displacement or losing their parents.

Acknowledging the diversity in the immigrant community would also help combat one-sided discourses, such as the DREAMer narrative, which praises young people who have demonstrated high achieving academic ability or otherwise fit dominant bootstraps-based frameworks, while vilifying their parents, siblings, or other members of their communities. Highlighting the existence of mixed status households demonstrates that young people do not exist in isolation from their parents, siblings, or other family members, and that their experiences and challenges are organically interconnected in ways that current policy does not reflect. If

politicians and the public truly wish for these young people to become integrated as current polls suggest (American Civil Liberties Union, 2021), this cannot happen if their parents, siblings, and families are forcibly deported to another country.

More Opportunities for Activism

The effort to make gains for the immigrant community needs to include a coalition where activists demanding change reflect the variation in the immigrant community at large. As such, it should incorporate undocumented people, legal permanent residents, people seeking asylum or with asylum status, and members of mixed status households, including U.S. citizen children, siblings, or parents. The unfortunate reality is that because citizens have access to power through their ability to vote and participate in civic institutions and social life in the United States, their voices currently carry more weight in the policy arena. Consequently, there is a strong practical benefit to including citizen children's voices in advocacy and allowing them to share their experiences with illegality as integral members of mixed status households. This would achieve the dual goal of increasing visibility for that community and pushing for structural change that could benefit multiple immigrant communities. These stories can serve as powerful counter-narratives to the typical one-dimensional representations of the immigrant community popular in media and political discourse. Specifically, they could serve to subvert the trope of the 'bad illegal immigrant' by presenting undocumented migrants as people with ordinary lives and families that include U.S. born children.

Study General Implications

Recommendations for Educators and Schools

The Latinx population in North Carolina has been steadily rising in the past few years. According to U.S. Census Bureau data released in 2020, Latinx people accounted for 1,118, 596

North Carolina residents (Hurtado, 2022). Additionally, 1 in 6 children in North Carolina identify as Latinx with 93% of those children being U.S. born (Hurtado, 2022). K-12 schools are one of the only areas of civic and social life that undocumented youth and mixed status families have access to. However, this study illustrates that access alone does not reflect inclusion and that access to classrooms is accompanied by a lack of institutional systems of support. These pertain to family outreach issues, language barriers, cultural deficit perspectives by teachers, administrators, and staff, and a lack of representation across school and district levels. They are accompanied by inequities rooted in racial, ethnic, and socio-economic based discrimination, among others.

The study's findings regarding education's role in the lives of mixed status and undocumented youth should serve as a clarion call for structural reform in K-12 schools. With schools playing such a large role in young people's socialization and resultant identity formation processes, it is pivotal that they become sites for transformational change and equity instead of mechanisms of ideological control. This may appear challenging, but, as the examples of the two principals interviewed in this study highlight, school actors such as administrators, educators and other school staff, can take steps to help undocumented and mixed status youth navigate challenges even in states with restrictive migration policy contexts, such as North Carolina.

According to the policy implementation literature, policy implementers and receivers have the capacity to contest, negotiate, and reshape policy meanings (Rippner, 2016; Yanow, 2000). These policy implementers and receivers are referred to as street-level policy actors (Goldstein, 2008; Mavrogordato & White, 2020) with the capacity to reshape policy meaning according to their particular policy interpretations, derived from their positionality, backgrounds, and lived experiences (Yanow, 2000). As a result, educators and administrators who routinely

interact with undocumented and mixed status youth determine not only their educational trajectories but also whether they experience feelings of belonging that mitigate their civic and social exclusion. By shaping the context in which these young people experience schooling, educators, administrators, school staff, and even high-level district officials, can play a key role in boosting their agency and self-esteem.

The case of Dr. Lopez and the steps she took at her school to meet the needs of her undocumented students, is particularly instructive. Working from an instinctual understanding of these young people's needs and challenges and pairing that with her expertise in bilingual education and counseling, Dr. Lopez implemented a holistic support system designed not only to boost academic achievement, but to also address youths' socio-emotional challenges, involving their families in these efforts and working with them to support them through their own traumas. This was key in earning undocumented parents' trust and creating a safe haven encompassing not only the school's students, but also their community. In addition, Lopez advocated for her students and their community at the district level, pushing for steps to protect students and their families from Immigration Customs Enforcement (ICE) raids. As shown, her efforts did not suffice due to resistance from her Superintendent, which is why it is imperative that high level school district officials are also individuals who are familiar with the undocumented community and its needs, whether through direct exposure or intensive training.

Both principals' situations demonstrated that the lack of support from the upper echelons of their respective school districts directly affected their schools' ability to address the needs of this student population. Thus, even in the case of principals who resonate with the lived experiences of undocumented and mixed status Latinx youth such as Dr. Lopez, individual

schools can operate as safe havens for them, but they are limited in providing systemic protections for students in the absence of district level support.

Further, as this study also demonstrates, for school actors to truly support and meet the needs of this student population whilst effectively navigating the constraints of their state restrictive policy contexts, they need to a) be knowledgeable about the migration policies that affect them, and b) possess the cultural competency necessary to develop an understanding of their backgrounds and experiences. As illustrated in my interview with Dr. Eileen Stewart, having a supportive and empathetic principal alone cannot overcome the lack of cultural competency and cultural deficit perspectives among teaching staff that result in a fundamental lack of understanding of students' perspectives and challenges. Consequently, there must be some form of mandatory training for educators, staff members, administrators and district officials, to help them develop knowledge of the local, state, and federal immigration policies that shape the contours of these students' lives.

Understanding these policies would enable educators, administrators, and other school officials to act as street level policy actors (Goldstein, 2008). This would include awareness of the fact that, pursuant to the 1982 *Plyler v. Doe* ruling, Immigration Customs Enforcement (ICE) officials do not have the authority to enter a school and inquire about students' migration status (Gonzales, 2016). Similarly, school staff and officials are prohibited from inquiring about and/or disclosing information regarding a student's status. Additionally, according to the American Civil Liberties Union (ACLU, 2022), both ICE and U.S. Customs and Border Protection (CBP) are subject to a Department of Homeland Security (DHS) policy stating that they have no authority to conduct immigration raids or other searches in sensitive locations such as schools or encroach upon these locations in any capacity.

Understanding these two key points alone, can enable schools to establish preparedness plans in consultation with legal professionals and immigration rights organizations, to have in hand in case ICE or Customs and Border Protection (CBP) attempt to breach or violate their own policy. K-12 schools can access resources such as those prepared by the Latino Education Advocacy Coalition (2020), the National Immigration Law Center (n.d.), the University of Illinois Chicago (2022) or by the U.S. Department of Education (2015). It is also imperative that schools establish partnerships with legal professionals or entities that could help inform families of their rights and options as they navigate a complex immigration policy terrain. As Dr. Lopez attested to, these can go a long way in empowering families and creating the trust necessary between families and school personnel to support students effectively. Such preparedness plans would enable schools to combat the culture of surveillance (Rodriguez & Monreal, 2017) enacted by ICE encroaching upon schools, leading to what Verma, Maloney and Austin (2017) refer to as the school-to-deportation pipeline.

Many of these issues, as illustrated through my conversation with Dr. Stewart, stem from the lack of Latinx representation across district and school levels. Representation matters, especially in the case of undocumented and mixed status youth who experience social marginalization and routinely encounter efforts to dehumanize their families and their communities. Representation, especially in the form of people from mixed status backgrounds, creates more opportunities for visibility in the community and ensures the presence of those who possess a visceral understanding of these young people's experiences. Thus, another recommendation of this study is to push for intentionally expanding the hiring pool to recruit administrators, educators, counselors, parental liaisons, and other school personnel with intimate

knowledge not only of the policies affecting mixed status and undocumented youth, but also the particular needs and challenges confronting their families and communities.

However, representation alone is not enough: As illustrated in a project conducted by Latinx Ed, a North Carolina non-profit organization focused on supporting Latinx students and their families in the state, even in schools where Latinx educators exist, these educators are often unsupported by their administrators and the district and left to navigate a complex terrain where they are tasked with teaching, interpreting, and emotionally supporting Latinx students on their own. Thus, in addition to expanding the hiring pool to ensure representation, institutional supports need to be in place to assist Latinx educators in their efforts to address their students' needs.

The study also recommends implementation of dual language programs to facilitate the transition from Spanish to English, the utilization of pedagogical approaches drawn from student socio-cultural backgrounds and rooted in their epistemologies, such as culturally relevant and culturally sustaining and revitalizing pedagogies (Ladson-Billings, 2014; Paris & Alim, 2017). Additionally, for white educators, professional development aimed at building cultural competency has to include practitioners conceptualizing themselves as social actors, reflecting upon their biases, and confronting truths which may make them uncomfortable (Mertens, 2009). Importantly, this self-knowledge and evolution must extend beyond the personal or individual level to community membership and encompass white people's complicity in the perpetuation of systems of social and cultural domination. Finally, the study embraces the need for structural changes to combat school re-segregation, the poor funding of schools which disproportionately serve minoritized students, and other systemic issues which exacerbate institutionalized discrimination.

All these actions would go a long way toward fostering feelings of belonging among undocumented and mixed status youth. Circling back to Miguel's point about the lack of a true collective identity in the United States, schools can play a pivotal role in developing this collective identity. As one of the only areas of civic life that undocumented students and families can access in the present policy moment, schools should take advantage of their status to foster a collective identity based on inclusion and social equity.

Recommendations for Policy Actors

Given the increasing significance of the state and local policy level context, this study recommends that more attention is paid to state and local elections and that steps are taken to boost grassroots action targeting these particular tiers of governance. While what happens on the federal level will always be of import, current political reality indicates that federal attempts at comprehensive immigration reform will likely be stymied given present Congressional composition.

Thus, in the interim, activists, advocates, and allies of the undocumented and mixed status communities need to focus their efforts on reshaping their local and state political landscapes, including the selection of local and state representatives, senators, law enforcement officials, city council officials, and school board members, among others. This is particularly important in North Carolina where the state legislature is controlled by Republicans. In my conversation with Miguel, he rightly pointed out the paradoxical state of witnessing the huge level of influence state and local politics have on our lives while also considering them unimportant. If structural change is to occur in the present moment, it is imperative that people participate in their local and state politics either through voting, running for office, volunteering for a campaign, helping organizers and activists, or simply reaching out. For those of us

privileged with citizenship and voting rights, these efforts need to be even more amplified.

Finally, immigrant coalitions composed of a variety of immigration statuses need to emerge to push for the kind of structural change that is all inclusive.

Furthermore, protections for undocumented and mixed status families and communities and access to resources need to be codified within Congressional legislation or through a Constitutional amendment (Cornell Law School, n.d) to have real, meaningful, and long-lasting effects. An immigration reform package that goes beyond the conferral of temporary legal status and protects undocumented and mixed status families by including support systems throughout social institutions within its provisions would go a long way toward addressing the systemic barriers they face.

In terms of mixed status families specifically, existing policy continues to invisibilize these communities by resting on a false premise created around the policy constructed disingenuous distinction between legal and illegal, citizen and non-citizen. These fallacious binaries, designed to spur divisions, stratify and exclude, are not only morally wrong, but as the case of mixed status families demonstrates, also unrealistic. Immigrants with different status designations are not only bound to each other through their membership in the broader immigrant community in the United States; they are also, in many cases, part of the same family unit. Resultantly, policy needs to reflect the nuanced reality of these families' lives and stop scapegoating undocumented parents who created families and communities in the United States in search of better life opportunities which constitutes the very premise of the American Dream.

Further, structural change in immigration law and the immigration apparatus is necessary to enact meaningful, comprehensive immigration reform that is socially just and equity oriented. For such reform to take place, immigrant coalitions and immigration activists need to mobilize to

elect progressive, pro-immigrant voices to state legislatures, many of which are currently composed of anti-immigrant lawmakers. In order to achieve this, immigrant and pro-immigrant advocates and activists need to join multiracial coalitions pushing for voting rights and voting transparency, particularly in Republican controlled states. Moreover, the presence of elected representatives and policymakers with immigrant backgrounds who understand and resonate with the experiences of the undocumented community needs to increase. Ideally, activists and community members who are undocumented, mixed status, or DACAmented should be consulted when drafting immigration policy to reflect these voices and perspectives (Heidbrink, 2020). Anti-immigrant lobbyists and think tanks have influenced policymaking for far too long; thus, inviting these perspectives to the table and allowing them a voice in the formation of policy which directly shapes their lives is long overdue and is of critical importance.

Finally, structural policy reform needs to put an end to the criminalization of immigration. Legislation like *IIRIRA*, which criminalizes unauthorized border crossings, needs to be off the books; similarly, the 287(g) program which authorizes local law enforcement officials to arrest, detain, and designate migrants for deportation, needs to be relegated to the dustbin of history. The Immigration Customs Enforcement (ICE) agency needs to be abolished and with it, migrant detention centers, and any connection between the migration apparatus and the carceral state, including private for-profit systems that house immigrants and make profits off them. The U.S. must pivot to a humane immigration system that provides relief to refugees, asylum seekers, and other economic or political migrants who come to this country seeking refuge because they too, have been raised on the notion of the American dream.

These measures would be bold and would undo years of planning and funding that went into shaping the immigration system into the ruthless punitive machine that it has become. But

we need bold, structural reform, not only to live up to that age-old promise as a nation, but to create a new one, one rooted in inclusion, equity, social justice, and social safety nets for the most vulnerable among us.

Limitations

Due to the COVID-19 pandemic, all recruitment efforts were conducted virtually and all interviews took place remotely via Zoom. This created certain disadvantages. For instance, when I first conceptualized the study, I had envisioned embedding myself within the immigrant community in Greensboro, North Carolina, and visiting organizations throughout the state that advocated for undocumented young people. I was also hoping to establish some connections and eventually recruit my participants through networking. Unfortunately, this did not come to pass due to initial lockdowns and subsequent high COVID infection rates which persist to this day.

Reckoning with this new reality forced me to establish new recruitment criteria and dive into my own background as a former K-12 educator to find participants. This had the positive effect of netting participants from a wide variety of backgrounds and experiences which enhances the study and illustrates the variation that exists within the immigrant community. At the same time, however, it forced a further revisioning of the study since undocumented youth, the population I had initially planned on conducting the study with, was underrepresented. In addition, even though I witnessed accounts shared by undocumented youth through publicly available videos (North Carolina Justice Center n.d.), I was only able to watch them share their stories without being able to pose follow-up or clarifying questions.

Consequently, it remains critically important to me to collaborate and discuss issues with undocumented people to highlight the visibility and voices within that community. While I do not feel that that particular goal was achieved in this study, I will strive to conduct future studies

featuring undocumented youth more exclusively. Through my discussions with Miguel, I also decided to begin collaborating with undocumented scholars to highlight their perspectives in their own words.

Another disadvantage pertaining to remote interviewing was the inability to converse with any of the participants in person. While I was able to gauge some of their reactions and observe their expressions in real time through the live video interviews, in person interactions in qualitative interviews confer a greater sense of intimacy and understanding. My other concern was that conducting video interviews may have placed some participants in danger of status disclosure even though most of them preferred this mode of communication. To allay my concern, I recorded participants on my phone via Voice Memos during the interview so I could delete the video interview as soon as it was over. However, it was not lost on me that Zoom sessions are known to have been hacked, so I would revisit using this platform with undocumented and mixed status participants in the future.

A further limitation of this study concerns the lack of ethnic and racial variation in terms of participant background. Apart from Dr. Lopez, who identified as Puerto Rican and Luis, who hails from El Salvador, all other participants identified as Mexican. While it was important to have participants from Mexico given that country's strong connections to the history and evolution of the U.S. immigration system, I think that a study focused on immigrant youth in the current context would be remiss if it did not include more youth from Central America, especially countries like Guatemala and Honduras, where immigration to the U.S. has been on the rise. To address this gap, I plan on being more intentional with participant selection in the future to ensure more variation, including the recruitment of Indigenous migrants from Latin America whose migration journeys and perspectives are often obscured in broader debates about

migration. Additionally, I plan on conducting studies more closely examining the role of race in immigration policies which would also require greater racial diversity.

While an inadvertent advantage of this study was the variation that emerged in terms of participants' backgrounds and experiences, it remains important to me to capture the voices of immigrant youth who are minoritized both because of their status and because of their age. Student voice in general has been ignored and pushed to the side in the educational and broader public realm as students are not considered to have valid opinions or be capable of rational decision-making (Mansfield & Lambrinou, 2021). Minoritized students experience this exclusion even more intensely. As a result, future studies will ensure greater participation by current K-12 students to allow the voices of this population to lead the way for change.

Moreover, because most participating former students in this study were high achieving, future studies will center participants with a variety of academic backgrounds in order to reflect their perspectives as well. Finally, future studies will aim to explore the nexus between education and immigration policies in more depth and in a variety of state contexts, for the purpose of yielding data leading to recommendations for particular regional contexts through the comparison of schools in restrictive and more integrative contexts. This would be critical in moving the needle in the direction of structural change.

Conclusions and Contributions

Rhizomatic Familias

This work contributes to our understanding of a mixed status family as one organic entity, an assemblage whose members retain their intrinsic and integral connections to one another while displaying their heterogeneity in status and other identity markers.

Conceptualizing mixed status families and households in this way, as a rhizome (Deleuze &

Guattari, 1987), develops a more holistic understanding of the experiences of these groups of people who, while distinct in terms of their migration status, share a network of interconnected identities which make them experience the effects of illegality to the same effect. As illustrated through participants' accounts, U.S. born children with citizenship who live in mixed status households with undocumented parents or siblings, are not insulated from the structural barriers and challenges emanating from their family members' lack of status.

Consequently, dominant political narratives relying on the distinction between citizenship, legal, and illegal immigration, rest on a false premise which does not reflect the reality of mixed status youths' lived experiences. This false understanding is reflected in policy language leaving no room for the nuanced reality of these families' experiences. As such, current policies engender dangerous consequences resulting in family separations and feelings of exclusion among U.S. born people who are denied access to resources and civic and social inclusion. This study calls for reframing the immigration policy debate to recognize that citizens and undocumented people form integral parts of each other's lives and that efforts to integrate one without the other are both morally wrong and nonpragmatic. Future legislation must acknowledge this reality and push for immigration reform that prioritizes keeping families together and provides status adjustment opportunities for the nearly 12 million undocumented people who work, live, and love in the United States.

The Danger of Dominant Narratives

The study also exposes the fact that discourses such as the DREAMer narrative, are not innocuous or well-intentioned plans to benefit the undocumented community; rather, such narratives are crafted and disseminated by those in positions of power to hierarchize immigrant groups and sow division within the immigrant community. This is achieved by embracing some

undocumented migrants as assimilable and desirable on the basis of their suitability for integration within the American value system and rejecting others as unfit. Moreover, this process of determining and conferring eligibility, reflected in the criteria of DACA and the DREAM Act, is racialized and predicated on a caste system which favors racial privilege and access to capital. This study makes the case that discourses around inclusion in policy language need to be developed and embraced by the immigrant community to push for equity and inclusion for the entire community.

The study also seeks to spotlight the exploitation suffered by undocumented immigrants, many of whom comprise the essential worker population the nation relied upon in the darkest days of the pandemic to keep the supply chain moving at risk to their own health. Undocumented immigrants, through their invisible yet arduous labor, form the backbone of the economy in a country which still refuses to accept them as its own.

The Need for Immigrant Coalition Building

To transform the current migration policy landscape, the study raises the need for the establishment of an immigrant coalition composed of people with a variety of backgrounds and statuses to reflect the diversity of the immigrant community and feature the plethora of perspectives within it, including those who belong to mixed status households. The inclusion of this population within advocacy would offer many possibilities in pushing for structural change while also honoring the voices and perspectives of migrants who are invisibilized within the media and political discourse. It is vital that immigrant communities mobilize and combine their efforts across the nation and particularly in states with restrictive contexts, to exhibit resolve and determination for change. It is also key that during these efforts, immigrants who are privileged with permanent residency rights and citizenship take advantage of their access to civic rights to

educate others about status-based discrepancies and promote people in elected positions who are of immigrant backgrounds and share an intrinsic understanding of the challenges undocumented and mixed status people face.

Importantly, the study recommends that more attention be focused on local and state level politics as the impetus for structural change in migration policy. Activists, advocates, and allies of the undocumented and mixed status communities need to invest more time and effort in alerting the public to the importance of local and state elections in reshaping the political landscape. Such efforts need to include educating the public about their voting options and other forms of contribution, such as volunteering or participating in a political campaign. Ultimately, the selection of local and state representatives, senators, law enforcement officials, city council officials, and school board members, among others, is key to creating the momentum for change locally and statewide in North Carolina and elsewhere.

The Need for Structural Educational Reforms

Finally, this study is a clarion call for structural changes in K-12 schools to allow for institutional mechanisms of support that address the needs of undocumented and mixed status youth and eliminate systemic barriers for these youth within educational settings. Such changes would involve an exponential increase in Latinx representation across school staff, school boards and district official positions, coupled with the implementation of identity affirming dual language programs. Crucially, schools and school districts need to form partnerships with communal entities and organizations with expertise in understanding and serving the needs of undocumented and mixed status families and communities. Community engaged practices would also facilitate family outreach and help establish the presence of counselors with an expertise in the type of socio-emotional trauma experienced by youth and their families. Further, schools

need to ensure that staff members and district officials possess a clear and thorough understanding of immigration policies, can help families understand their rights, and develop preparedness plans designed to protect students from ICE raids and minimize the risk of status disclosure and deportation.

Addressing other structural inequities, such as race, gender, or socio-economically based injustices are also key to supporting undocumented and mixed status youth who experience intersectional forms of oppression in school and beyond. Some crucial steps in combating these inequities include increasing the presence of educators and school officials of color, desegregating schools, and implementing training aimed at increasing the cultural awareness and competence of educators and others in the school system. Finally, schools should make identity affirmation a staple of instruction by utilizing culturally relevant (Ladson-Billings, 2014) or culturally sustaining (Paris & Alim, 2017) pedagogical approaches.

As one of the only areas of civic life that undocumented students and families can access in the present policy moment and as social institutions that shape belief and value systems, schools have a responsibility to promote principles of inclusion, equity, and justice that foster feelings of belonging for undocumented and mixed status youth, while using their role in society to advocate for the inclusion and these youth and their families in the social and civic sphere.

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