#### ORIGINAL PAPER

# Citizenship status and language education policy in an emerging Latino community in the United States

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**Abstract** This article draws on a 23 month ethnographic study of an emerging newly established and rapidly growing-Latino community in the New Latino Diaspora of the U.S. in order to examine how educators and parents interpret language education policy (LEP). It analyzes how an English as a Second Language director and one undocumented Mexican mother respond to the federal education legislation of 2002, known as the No Child Left Behind (NCLB) Act, which seeks to improve educational achievement by assessing student progress through standardized testing, mandating curricular reforms, and improving teacher quality. The analysis focuses on the portion of NCLB known as Title III, which is the section of the legislation that attempts to enlist parental participation in public schooling by mandating that schools communicate with parents in a language that they can understand. Drawing on participant observations, interviews, and informal conversations, this research demonstrates the ways that participants' understandings of citizenship influence their interpretation of language education policy reforms resulting from Title III of NCLB. The findings indicate that various conceptualizations of citizenship circulate between home and school settings, and that those conceptualizations shape approaches to enlisting and offering parental participation. The article contributes to our understanding of three aspects of LEP: the way that LEP is interpreted in formal and informal educational settings, the role of parents and educators in shaping policy implementation locally, and the way individual understandings of LEP are linked to beliefs about citizenship and immigration.

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#### Introduction

In an era of rapid demographic change and globalization, scholars are increasingly focused on the ways that language policies grant or constrain immigrants' access to juridical (McNamara and Shohamy 2008; Shohamy and McNamara 2009) and cultural (Flores and Benmayor 1997; Rosaldo 1994) citizenship in receiving nations. Research on immigrants born in Latin America and residing in the U.S. has shown that they may obtain juridical and/or cultural citizenship over time (Rosaldo 1994). Juridical citizenship refers to legal citizenship status applied for by individuals and assigned by the state; in the U.S., juridical citizenship is acquired by birth and is also known as *jus soli* citizenship (Bloemraad, Korteweg and Yurdakal 2008). In contrast, cultural citizenship is a form of belonging that can be gained through local participation in civic life despite lacking legal status (Flores and Benmayor 1997). This distinction underscores the difference between obtaining state-sanctioned citizenship, accompanied by legal rights, versus negotiating access to the everyday social, economic, and democratic life of a community without such rights.

In school districts serving emerging Latino populations composed of students and family members with varying citizenship statuses, the interpretation of language education policy (LEP) is inextricable from local beliefs about the meaning of "citizenship" that influence families' participation in public schools. "Mixed-status" families like those featured in this article include undocumented migrants, U.S.-born children entitled to *jus soli* citizenship, and others in different stages of applying for U.S. citizenship (Fix and Zimmerman 2001). Undocumented migrants are referred to by the authorities as individuals living in the U.S. without U.S. citizenship status and/or permanent visas, and without having obtained state permission to reside in the country temporarily (Passel and Cohn 2009). In 2009, 6.8 % of students in U.S. public schools lived in families such as these.

From 2008 to 2010. I conducted an ethnographic study with four mixed-status families and employees in one school district in order to examine how and when mixed-status family members talked about citizenship during their routine activities in public schools and in their homes. This article examines the experiences of one undocumented mother—head of a mixed-status family—and one English as a Second Language (ESL) administrator to analyze how their understandings of citizenship shaped their approaches to parental participation in public schools. LEP is defined as the "decisions that people make about languages and their use in society... in the specific context of schools and universities" (Shohamy 2003: 279). The analysis of LEP presented here draws on the work of scholars who have reconceived of language policy as disseminated, implemented, and interpreted across different layers of society—national, institutional, and interpretonal. Ricento and Hornberger (1996), for instance, introduced the metaphor of the onion as a "schema characterizing various components in which policy decisions and practices... permeate and interact with each other in a variety of ways and to varying degrees" (Ricento and Hornberger



1996: 402). In this formulation, classroom practitioners are located at the center of language policy instead of being considered marginal subjects in the policymaking process.

This article builds on the 'onion metaphor' for conceptualizing language policy by situating administrators and parents at the center of the analysis. This approach contrasts with educational policies and reforms which assume that immigrant families must adapt their behaviors to resemble those of White American middle class families considered mainstream (see Valdés 1996 on parent involvement reforms) or risk being blamed for their children's academic or social challenges in school (Portes 2005; Zentella 2005). The analysis presented in this article seeks to reverse the still-dominant trend in which immigrant families are "an afterthought to the politics of inclusion" (Arzubiaga et al. 2008: 248). By examining the ways in which one undocumented mother interprets LEP, the findings go beyond reductive assumptions that individual immigrant parents are disinterested in their children's schooling in order to understand which factors support or constrain their involvement in school (Gutiérrez and Rogoff 2003).

In this article, parental involvement and LEP are being analyzed in relation to the No Child Left Behind (NCLB), a significant piece of federal legislation in the U.S. that took effect in 2002, and which seeks to improve educational achievement through curriculum reform, assessing student progress through standardized testing, and improving teacher quality. One clause of NCLB, known to educators and policy makers as Title III, establishes English as the primary language of instruction and requires that school districts increase parental participation in their children's schooling by sharing test results and academic grades in a language that parents can understand and by enlisting parents in developing plans for school improvement.

The analysis presented in this article focuses attention on the way that LEP shapes not only the language and mode of instruction but also the ways in which parents and educators communicate within the school district. By tracking the local implementation and interpretation of those clauses of NCLB that focus on communication between educators and parents, the findings pinpoint the moments when talk about this policy by parents and educators is related to and even influenced by understandings about citizenship. I address the following questions: How does LEP structure the types of opportunities that an undocumented parent has for participation in her children's schooling? How do an administrator and a parent interpret these policies and how does this understanding shape educational practices?

## Immigration and education policy in the U.S.

At the turn of the twentieth century, tests of intelligence and language ability administered to immigrants were used to justify racial and ethnic hierarchies (Menken 2007). A century later, as the largest number of immigrants in U.S. history relocated to this country, the federal government approved comprehensive educational legislation requiring that public school students be tested annually in order to track and close the achievement gap between racial and linguistic minority students and their monolingual, white counterparts (Menken 2008a). NCLB has



been called a de facto English-only LEP because, while its explicit claim is to improve academic achievement for all students, its implicit approach has been to privilege English-only education for students classified as English Learners (ELs). Mandated high-stakes tests primarily administered in English have prompted states and school districts to emphasize instruction in English over bilingual instruction that includes English as well as another language (Evans and Hornberger 2005; Menken 2008b). Some evidence shows that the sanctions imposed on districts failing to meet annual achievement standards may disproportionately affect those serving Latino ELs in large part because tests normed for native English speakers are invalid measures of what language learners know (Abedi 2004) and because the test items conflate EL students' content and linguistic knowledge (Kieffer et al. 2006). A lack of material resources, highly qualified teachers, and rigorous college-preparatory classes, also contribute to Latino students' low achievement on the standardized tests mandated by NCLB (Gándara and Contreras 2009).

Recent anti-immigrant legislation passed in Arizona and Alabama requiring public schools to verify students' immigration status upon enrollment has strengthened the connection between educational reform and citizenship. As a result of this legislation, undocumented parents fearing deportation have removed their undocumented and U.S.-born children from public schools (see Kossan 2010 on Arizona and Robertson 2011 on Alabama). National controversy has arisen over proposed Dream Act legislation that would grant eligible students a pathway to U.S. citizenship if they complete college or enroll in the military. The "deferred action" policy issued in June 2012 by President Obama may provide some support to undocumented youth known as "Dreamers"—those who entered the U.S. without legal documentation before the age of 16—by allowing them to apply for a work permit and to request deferment on pending deportation procedures (Love 2012). Yet conservative Republican politicians continue to view Latino students and mixed-status families as a threat to social cohesion, evidenced by legislation outlawing a program of Mexican-American Studies because elected officials feared that the curriculum "promoted resentment towards a race, was designed primarily for a particular ethnic race, and advocated ethnic solidarity" (Biggers 2011: 1).

In this complex situation, educators are caught between policies and practices that criminalize immigrant students while also being obligated by the 1982 Supreme Court ruling, *Plyler v. Doe*, to protect undocumented students' right to a public education regardless of migratory status. *Plyler* was argued on the basis of one of the "core values" of public education in the U.S.—that all residents living within the geographical boundaries of the nation should have access to public schooling (McGroarty 2002). How schools uphold or undermine this core value remains an empirical question about "whether education, and as a corollary, education in a particular language, can be considered a right of all citizens, [which] must be answered by examination of concrete practices related to delivery of education" (McGroarty 2002: 24). Without studying specific educational practices, we cannot know whether the values codified in law are actually enacted; in addition, examining these practices also provides insight into the ways in which national values are upheld within multilingual educational settings. Since the *Plyler* ruling, state educational authorities and local school districts have protected undocumented



students' educational rights by mandating that educators never inquire into the citizenship status of the families they serve.<sup>1</sup>

The Plyler ruling is an important protective measure that requires all schools to serve children and their families regardless of citizenship status; at the same time, the implementation of the law has resulted in the invisibility of a growing population of students, leaving educators and researchers with little information about the educational experiences of mixed-status families. At the same time, NCLB mandates educational reforms whose goal is to improve the academic achievement of all children attending U.S. public schools and, in particular, ethnic and linguistic minority students whose achievement is being tracked for the first time in U.S. history. This policy situation poses a catch-22 in which educators are required to support all students' learning while they are also mandated to ignore citizenship, a key aspect of students' lives that affects achievement (see Abrego 2006 on the effects of citizenship in secondary and post secondary education). As a result of this situation, we know little about how educators and mixed-status families interpret and respond to artifacts of federal Title III policy—a section of NCLB that shapes parents' opportunities to participate in their children's schooling. Because participation in schools is mediated by LEP, and because enlisting parental involvement entails sending school documents into mixed-status homes, understanding the relationship between citizenship status and schooling is essential to grasping how such policies will be implemented and interpreted at the micro level.

The importance of fostering parental involvement is supported by numerous studies documenting the linguistic and cultural resources that Latino parents bring to bear on their children's learning (González et al. 2004; Zentella 2005), and studies which show the positive influence of parental participation on the achievement of Latino students (Vásquez et al. 1994). These studies illustrate that while Latino families' learning and literacy practices are distinct from mainstream school conventions, they should be valued and integrated in formal school environments. Yet research by Valdés (1996), González (2001), and Orellana (2009) shows that even when schools attempt to enlist parental participation, they often overlook Latino parents' unfamiliarity with how to decipher educational material—such as report cards and homework—or impose a normative framework for engagement that discounts family member's approaches to learning. These studies suggest that parental citizenship status plays a role in the forms of participation that Latino immigrant parents can take in schooling processes. A counterproductive situation arises in these cases wherein policies intended to increase parents' inclusion in their children's schooling in fact lead to their exclusion. This exclusion occurs when administrators and educators discount those aspects of immigrant parents' involvement that do not conform to mainstream models for engagement instead of acknowledging the creative ways in which immigrant parents harness intellectual and material resources to support their children's learning (Gutiérrez and Arzubiaga, in press). This article contributes to this research by tracking

<sup>&</sup>lt;sup>1</sup> The state of Alabama constitutes an important exception to this policy—in 2011, the governor approved a comprehensive anti-immigration law that (among other restrictive measures) requires educators to verify and record students' immigration status upon enrollment (Muskal 2012). While this provision of the law is currently under review in federal court and has not yet gone into effect, it constitutes a significant attempt to undermine the *Plyler* ruling at the state level (Chadband 2012).



how and why undocumented Latino participation is shaped by their migratory status, and how well-meaning administrators' attempts to enlist those parents' participation may succeed or fail without attending to this key familial characteristic.

Scholars of language policy in Latino-serving states have called for an approach that combines an analysis of immigration policy and language policy; the latter referring mostly to the language of instruction in public schools. Accordingly, they argue that studies of LEP should be augmented by examinations of public ideologies regarding immigrants (as in Donahue's 2002 focus on electoral politics and Englishonly policy) and communicative practices such as the home-school relationships in English-dominant schools examined by Combs et al. (2011). In a study of teachers and administrators in two Arizona school districts, they demonstrated that debates about the language of instruction in schools are inflected with discriminatory views about immigrants that negatively impact undocumented parents' participation in their children's schooling. They concluded that it is extremely "difficult for parents without legal status to wield any kind of power over the school, a common fate among those who have not accrued the dominant social capital" (Combs et al. 2011: 192). This research builds on their work by examining how and when an educational administrator and an undocumented parent talked about home-school communication, an integral yet understudied component of Title III LEP, and by tracking their local understandings of the relationship between LEP and citizenship.

## The study

## Participants and recruitment

The focal participants in the broader 20-month study include four mixed-status families in the emerging Latino community of Millvalley, Pennsylvania, the ESL director of the Millvalley Public School District (MPSD), and the ESL teacher in one school. The four focal families were recruited through the "snowball method" in which I asked one person to introduce me to another family who in turn recommended others (Ritchie et al. 2003). The families were purposely recruited to include undocumented parents and older siblings born in Mexico as well as younger children born in the U.S. None of the children born in Mexico had resided in the U.S. for more than 5 years. In this article, I focus on the case of one of the four focal families, a family that I call the Mendez-Castro family.

The ESL director, Ned Tieran, was a key participant in the study and also served as an important gatekeeper to the MPSD administration and teachers. Tieran had worked in the MPSD for over a decade; before becoming the ESL director, he had taught Spanish to English speakers in elementary and middle schools, worked as a reading coach, and as an ESL teacher. He introduced me to the administrators in the elementary and secondary schools that the children in the focal families attended, and helped to grant me access to interviewing teachers and making school visits.

 $<sup>^{\</sup>overline{2}}$  Millvalley and all other proper nouns used to refer to people (except for the author) and settings are pseudonyms.



#### Data collection

During the spring of 2009 I visited one of the four families every week day; these visits began when I met the parents or children at school and ended around dinnertime. The visits usually lasted between three and five hours, during which time I documented the families' participation in routine afterschool activities. I did not predetermine which activities I would observe, but I did focus on recording any talk and interactions that related to the topic of citizenship. The families' routines varied and included: meeting them in their homes and cooking, conversing, and watching as children completed homework, as well as accompanying them while they were running errands or attending appointments at school, medical clinics, or social service centers. In addition, I attended parent-teacher conferences with two focal families, three times each, throughout the course of the study. In total, I collected over forty-five hours of recorded interactions in the homes, gathered artifacts present in the home such as school documents, and wrote field notes for the home visits as well as the observations in public settings such as local parks and schools.

I accompanied the ESL director on routine site visits made to schools in the district that housed ESL programs, visited his office for interviews, and reviewed artifacts of local educational policy that he shared with me. Throughout the course of the study, I made six school visits (four to the primary school and two to the secondary school) with Tieran and another ten school visits on my own. I also interviewed the secondary school ESL teachers once and interviewed the primary school ESL teachers twice. I visited Tieran's office ten times and, during those visits, he shared demographic data about the number of ESL and immigrant students enrolled in the district, recounted the history of LEP reforms in the city, and shared documents of federal NCLB and state policy that will be referenced in the following section of this article.

#### The case of the Mendez-Castro family

Laura Castro and Oscar Mendez—the heads of the focal family presented here—met 2 years after they migrated to Millvalley from Mexico in 1993 and 1995, respectively. When Laura migrated to the U.S., she left her eldest daughter, Dulce, in her parents' care in Mexico. In 2005, one of Laura's older sisters—who had obtained legal U.S. resident status—arranged for Dulce to enter the U.S. in her custody. Laura and Oscar had four more U.S.-born children, ranging from ages twelve to two at the time of the study. Oscar worked at two restaurants, both local branches of national chains, and Laura worked alongside her sister cleaning houses. The eldest children were enrolled in middle school and the youngest three attended elementary school and preschool; the three eldest siblings were enrolled in ESL programs.

# Language use in the Mendez-Castro family

During my weekly visits to the Mendez-Castro home, I observed the implicit ways that the parents socialized their children to speak in Spanish and English and I



recorded the parents' explicit declarations about their home language policy. Laura and Oscar preferred their children to speak Spanish and used an array of strategies to elicit talk in Spanish. For example, Oscar would explicitly prompt the children by saying: en español, porque aquí se habla español (in Spanish, because Spanish is spoken here). Laura often followed this appeal with: en español, porque si no se te va olvidar el español y eso no esta bien (in Spanish, because if not you're going to forget your Spanish and that is not good). In light of a family language policy that moralized language use (King and Fogle 2008)—through claims that speaking Spanish indicated a child's respect for their parents and their culture and implications that speaking English at home was a sign of disrespect and indifference—the author tried to speak in Spanish consistently even though the children and I tended to use a mix of both languages in our conversations. When we did speak English, I translated or prompted them to translate into Spanish so that Laura and Oscar could understand us.

## Data analysis

I organized the field notes chronologically and created a chronological log of each videotape that identified the topics mentioned and behaviors recorded. I coded the entire dataset (field notes and video logs) with a qualitative software program called TAMS Analyzer (Weinstein 2006). This facilitated analytic induction in which I scanned the data for recurring topics and themes, and grammatical patterns in the participants' speech (Ochs 1996). I focused on the ways in which families referenced macro categories of citizenship status through micro instances of talk. For example, I initially coded the following data with the phrase 'talk about citizenship': "Laura said that as recently as a few years ago Ridge Elementary School and Adams High School wouldn't accept students unless they had papers" (Field note, January 1, 2009) and a conversation in which Laura's brother explained ya sabes el problema de nosotros, de no tener papeles (you know our problem, of not having papers) (Tape log, March 23, 2009). By coding these mentions of papers—the family's metonymic term for referring to citizenship—I was able to examine the significance of the topic of citizenship within everyday interactions and throughout the study. Subsequent sub coding focusing on 'citizenship and schooling' (in the first example) and 'family norms for talking about citizenship'(in the second example) highlighted various aspects of the families' experiences, including the educational experiences explored here and family socialization practices examined elsewhere (Mangual Figueroa, 2012).

In order to triangulate my data (Goetze and LeCompte 1981), I conducted formal and informal interviews with family members and informal interviews with the school staff at local public schools that the children attended. I also analyzed those artifacts of school policy that entered the home and that were referenced when family members talked about citizenship (such as the Parent Volunteer Form considered in the findings presented later in this article) in order to understand the relationship between the content of the document and the family member's concerns about juridical status. I also examined those policies mentioned by school employees during our conversations (including the portions of NCLB's Title III discussed in the



following sections). As I continued to gather this data, I returned to the ethnographic field notes that I took during my observations in the home and school sites and the recordings of interactions and interviews in order to expand and revise my initial coding system.

## **Findings**

Shifting demographics and LEP in Millvalley

In 2004–2005, 273 students receiving ESL instruction were enrolled in the MPSD. By 2007–2008 the number had risen to 485, and local administrators anticipated that it would reach 1,085 students by 2010-2011. During my conversations and interviews with Tieran, I learned that the district LEP began to change as a result both of top down pressure by federal and state governments and the grassroots efforts of immigrant parents (personal communication, June 3, 2008; October 3, 2008; December 8, 2008). This occurred in two main ways: first, in response to formal language policies implicitly mandated through NCLB's testing requirements and explicitly stated in Title III of the law, district leadership developed new ESL programs for immigrant students attending primary and secondary school, and drafted curricular materials and professional development opportunities for teachers in those programs. Second, immigrant parents worked at a local level to hold the district accountable for instituting language policies that allowed them to participate in their children's schooling. NCLB, signed into law in 2002, includes a Title III requirement that districts communicate students' academic progress in a comprehensible way to parents who speak a language other than English. The Pennsylvania Department of Education responded to Title III by developing a translation system that provided cities and districts with school documents translated into "priority" languages. However, in Millvalley, translations were not consistently made available to parents until 2006, when a group of immigrant parents pressured the school district to provide information in their home language.

In 2006, members of the East African refugee community worked with a legal advocacy nonprofit organization to file a discrimination complaint against the MPSD for segregating refugee ESL students from their English-speaking peers and violating parents' rights by not providing translation services. The complaint constituted an attempt to shape a central feature of LEP in Millvalley by impacting "status planning—the planned use of certain languages for particular purposes in specific domains" (McCarty 2011: 8). The settlement made clear that the ESL services that had previously been provided by itinerant teachers were insufficient and the MPSD was legally mandated to expand its ESL programs. The court mandate laid the foundation for subsequent reform efforts shaping the language of instruction in schools and the language of communication between home and school

<sup>&</sup>lt;sup>3</sup> While the current number of ESL students in the district has not been made publically available, I have learned through informal conversations with Tieran that the population of ESL students from migrant families continues to grow rapidly.



settings. These events also highlighted the central role that immigrant parents played in advocating for equitable educational opportunities which, in turn, led to changes in LEP at the district level (personal communication, December 2, 2008; a local press release regarding the case).

The 2006 settlement also prompted a series of changes intended to provide parents who spoke a language other than English with more opportunities to communicate with local educators. These changes in LEP reorganized both the status of home and school languages as well as the systems for using language to communicate across home and school settings. These changes occurred in tandem: as the value of families' home language was acknowledged as a valuable resource for communicating with parents in the district, administrators began to develop strategies for creating and disseminating materials in languages other than English. One major initiative was to establish a system for translation services. As Tieran explained during an interview, providing translation happened formally and informally "because the formal policy is that you have to provide these services to people, if they request them in a language they can understand. At the same time, again, until the last 5 years or so it was very hit and miss, so I've tried to strengthen that policy in the district." While federal and district policy mandated translations for parents, the local system depended upon parents requesting the services; this presupposed that parents knew about the availability of such services and their right to utilize them. The focus on translation from one code to another reveals local assumptions about language use—that translating the literal meaning of words in English into other languages would suffice to communicate the significance of the social processes and expectations described in the text. In fact, extra-linguistic factors such as citizenship status affected how such documents signified for immigrant families (Mangual Figueroa 2011).

## Latino migrants' challenges related to citizenship status

Let us turn now to the particular experiences of Laura Castro, the undocumented mother in the Mendez-Castro family. Laura's family was one of the first to move from the central state of Mexico to Millvalley. When she joined her sisters in Millvalley in 1995, Laura entered an extensive yet tenuous social network of mixed-status families. Throughout the course of this study, members of her family crossed the U.S.-Mexican border to reunite with family and others were deported to Mexico. Two notable deportation cases that Laura spoke of involved a man who failed to provide a state to driver's, license when stopped for a traffic infraction, and a man who was reported by co-workers to his employers—employers facing increasingly harsh sanctions for hiring undocumented workers. Laura's fear of being deported shaped her relationship to public institutions in Millvalley. For example, she feared applying for social services like food stamps, despite the eligibility of her U.S.-born children. Yet she also expressed frustration about residing in a country that required

<sup>&</sup>lt;sup>4</sup> The rise in deportations in Millvalley coincided with an initiative known as the 287 g program—this program provided local police departments with incentives to collaborate with the federal Immigration and Customs Enforcement agency to identify, detain, and deport migrants.



certain forms of economic participation from undocumented migrants while also denying them much-needed social and medical services. One afternoon, as we talked about the services available for Laura, she lamented: *dicen que somos ilegales, pero cuando hay que pagar taxes, no les importa* (they say we are illegal, but when it comes to paying taxes, they don't care) (personal communication, February 23, 2009).

Laura was painfully aware of the limitations that her eldest undocumented daughter, Dulce, faced in the educational system. On the first visit that I made to Laura's home, she explained that in 2005, when Dulce migrated to Pennsylvania, the schools in Millvalley's Brickyard neighborhood did not admit undocumented students, violating the 1982 Plyler ruling by denying them admission if they could not furnish Social Security Numbers. While Dulce herself was not actually denied enrollment in Millvalley public schools, Laura heard about this practice from other undocumented parents (see Mangual Figueroa 2012, for an example of Plyler violations in the area). Yet despite knowing about this rumored practice, Laura and her family moved to Brickyard at around the same time that Tieran was opening an ESL program for Spanish-speaking families in the neighborhood. Laura was able to enroll her children in the neighborhood schools without being directly asked for her citizenship status but, as we will see, there were other ways in which the school referenced categories of citizenship that alarmed undocumented parents like Laura. It is against this backdrop that Latino families, administrators, and educators in Millvalley negotiated changes in local LEP.

LEP and citizenship in school and home settings

#### Title III LEP on national level

Title III contains sixteen references to "parental participation," "parents," or "parent" and five types of activities that explicitly mention parents: promoting parental participation, consulting with parents in developing educational reform goals, assisting parents through community programs, conducting research relevant to parents, and providing comprehensible information to parents. Two activities are mandatory: first, the state must account for how they consulted with or informed parents of the state's Annual Measurement Achievement Objectives (AMAOs) and second, districts must inform parents of their child's placement in a language program as well as any failure to meet its stated AMAOs.

According to Tieran, AMAOs are a mechanism for enforcing accountability in NCLB that are "tied to AYP<sup>6</sup> and Title III." The AMAOs track the district's progress using two measures: annual increases in ELL students' scores on standardized tests of math and English language arts, and the number of students "progressing towards English, students per year who have achieved English fluency...and performance on



<sup>&</sup>lt;sup>5</sup> According to a 2008 letter written by the Education Law Center of Pennsylvania, 162 of the state's 501 districts violated state law regarding enrollment procedures; 57 districts violated the *Plyler* ruling by requesting that families provide social security numbers upon enrollment (Education Law Center of Pennsylvania, personal communication, July 11, 2012).

Adequate Yearly Progress.

the PSSA<sup>7</sup>" (personal communication, May 9, 2010). Under Title III, decisions about particular initiatives that best support immigrant parents and assessments of the feasibility of certain activities (such as providing document translations) are left up to local educational authorities.

At the time of the study, the MPSD notified parents of program placements and annual measurement results via letters sent home in the mail before the school year began. This information was included in the welcome packet parents received and included the child's assigned class schedule and a copy of the school's report card from the previous year. In addition, report cards were sent home during four marking periods in the school year and letters were sent home assigning students to summer school programs if necessary. Parents received all of these notifications in English. The Pennsylvania Department of Education contracted a company called Trans Act to make these documents available to parents in multiple languages; however, "because compliance with these requirements requires time and money, many schools do not comply or comply only sporadically" (Reiser 2006: 16).

Title III treats the category of "parent" as generic, despite the well documented heterogeneity of the immigrant population in the U.S. This is problematic for two reasons: it assumes all parents understand educational processes and participate in their children's schooling in the same way. The policy also implies that translating school documents into languages other than English will suffice in making their content comprehensible to parents with vastly different educational experiences and with a range of levels of familiarity with and trust in U.S. public institutions. Even though some schools in the MPSD used the Trans Act system to provide immigrant parents with Spanish translations, administrators had not considered the unique attributes of mixed-status family's social context of reception. As a result of the diverse immigration experiences of parents, their linguistic and cultural resources, and the unique processes of adaptation to U.S. life, different initiatives would likely yield very different responses when encouraging participation in schooling (Rodríguez-Brown 2010).

Institutional implementation of title III

## Report cards and citizenship

After a year and a half of seeing Ned Tieran in meetings and during field visits to schools, I interviewed him to revisit the topics that we had discussed informally. I began by asking about documents that I had seen interpreted within the home, such as homework and report cards that included a "citizenship" grade in addition to traditional letter grades for academic subject areas. The inclusion of "citizenship" as a grade (along with other categories like math and reading) on the report card caused confusion in the homes of the focal families where this term—intended to signify student behavior—was literalized by parents living in fear of deportation. Local administrators and teachers disseminated this grade via official correspondence in the hope of enlisting parental support for student participation (personal

<sup>&</sup>lt;sup>7</sup> The statewide high school graduation exam called the Pennsylvania System of School Assessment.



communication, report cards and observations documented in the homes of focal families during the Spring of 2009). However, state and local educational authorities were unaware of how the term might be interpreted in a domestic space where members lacked juridical citizenship and where the mention of "citizenship" in formal documents could be experienced as a threat, heightening migrant parents' fear of participating in school (Mangual Figueroa 2011).

After explaining that there were moments in which neither parents nor I knew exactly what the "citizenship" grade meant, Tieran and I had the following exchange:

Tieran Yeah. Stuff flies out of here all the time, and I have absolutely no clue that it's gone out, and then what will happen is 3 or 4 weeks later I'll get a parent to come into visit (holds up a piece of paper).

Ariana ¿Y esto? (And this?) Right.

Tieran ¿Qué significa? (What does this mean?) When did this go out? Because it's not something that I've seen, and I do have a budget for translations, but it's just when something goes out, I just don't know about it. However, next year, just as an FYI... we have to undergo a lot of changes, because Pennsylvania screwed a lot of stuff up. And it was screwed up at PDE.8 And they're just sort of coming around now and cleaning things up, and enforcing things that should have been enforced. In fact, I was in a meeting with my boss on Tuesday about it, because districts across the Commonwealth were not given their, are you familiar with AMAOs?

Tieran responded to my comment with a discussion of two activities mandated by Title III: providing comprehensible school documentation to parents and informing parents of the ongoing process of developing and achieving the district's AMAOs. Translation was a central issue in the MPSD because the growth of communities where a language other than English was spoken had outpaced the district's ability to provide parents with documents in their home language. Migrant parents wanted to participate in their children's education and, despite living in neighborhoods with limited access to public transportation, they endured long trips to Tieran's office to ask for help. Latino parents who visited Tieran (Laura was one) shaped LEP by challenging him to move beyond implementing generic policies on a district scale.

In an attempt to understand the bidirectional nature of LEP interpretation by educators and parents, I asked Tieran to talk more about the moments when Spanish-speaking parents visited his office to make sense of school documents that had been sent home.

Ariana I'm interested in when the parents are here with you, what are the forms that they're filling out that make them say, oh, or that they say, *eso no lo podemos llenar* (we can't fill that out). Or for the parents when does it come up?

Tieran Well, we just got a new enrollment form. On the old enrollment form, right next to the name there was a space for Social Security Number, and it did



<sup>&</sup>lt;sup>8</sup> Pennsylvania Department of Education.

say optional, but since they couldn't get through optional, necessarily, they would look at the paper and say, *maestro es que um no podemos um* (teacher, its that um we can't um). I say, Oh, no problem. And then on some other form it won't ask, necessarily for the Social, but it will be a question... For the parent volunteer, in order to be a parent volunteer, you have to have a background check.

Ariana This came up in the houses, yes.<sup>9</sup>

Tieran And that's not [Millvalley] Public Schools, that's state law, because they don't want the parents to be with other children without a clearance, and I can understand that, but that's why a lot of the Latino parents say, no, I can't do that, because they'll have a background check run.

Ariana Imposible (impossible), yah.

Tieran and it will be no record, no record, no record.

Tieran was caught between state policies regarding school safety and his local implementation of state policy fostering parental involvement. While he wanted to enlist parental participation in their children's schooling, he knew that migrant Latino parents would not complete a form that required them to undergo a criminal background check.

According to district grading policy, the "no record" that Tieran mentioned was a part of students' citizenship grade. Tieran explained that the grade was based upon two factors:

Most of all it means behavior. Are they doing what they need to do? The second piece of it is, and not so much really put out there, but the second piece of it is are they bringing back things that they're supposed to bring back? Do they bring back the homework? Do they bring back all the forms that go home, and so on, and so forth? So, it's a combination of those two things, but I would say, probably about eighty percent of the teachers look at it mostly as *como se porta* (how does he/she behave).

Failing to return documents accounted for approximately one-fifth of students' "citizenship" grade. In effect, parents' ability to return documents became an evaluation of their figurative citizenship or willingness to abide by the school community's rules. And yet parents were not informed of this practice and educators did not account for the fact that a migrant family's literal citizenship status might preclude them from participating in certain schooling practices. This is evidence of what Shohamy (2010) refers to as tests embedded in everyday life; these local evaluations have material and discursive consequences for migrant parents and students. Tieran was stuck between implementing two contradictory policies and Latino children in mixed-status homes received a lower grade when their parents didn't submit forms in order to protect the safety of their families.

<sup>&</sup>lt;sup>9</sup> I never talked with Tieran about particular families nor identified the focal families. I only spoke with him about the phenomena I observed in general terms. When Tieran recounted anecdotes like this one, he never mentioned names of the families described.



# Interpersonal interpretations of LEP and citizenship

Tieran's administrative responses to parents' concerns about citizenship Tieran prided himself on the face-to-face exchanges that he had with migrant Latino parents, and he referred to these interactions as opportunities to *charlar*, or chat (personal communication, May 9, 2010). During these conversations, Tieran reinterpreted national policy by deconstructing the significance of the documents for parents and by creating new modes of communication that blurred the boundaries between top down and bottom up policymaking. Referring to migrant parents' talk about citizenship, he explained:

We certainly, certainly see that, and we don't ask questions. A lot of parents when they come to register after we've had the chance, to *charlar* (chat) a bit, and so on, they sometimes reveal what's going on, and I'll just say, oh, okay. And just pass right over it, knowing it, but just moving right forward, and they're very happy.

As migrant parents talked with Tieran, they reshaped his perspective on the policy as he learned about the ways in which citizenship status influenced their relationship to schools. Tieran noted the importance of building trust through interpersonal communication and reassuring parents that citizenship was *not* relevant. This is an example of a faithful implementation of 1982 Supreme Court ruling in *Plyler v. Doe*—not asking and not telling if parents or children are undocumented. While this instilled some confidence in undocumented parents, they still could not access equal involvement because of structural (i.e., forms that require fingerprinting) barriers to participation. Like other policy mandates in the MPSD (i.e., providing translations), the implementation of *Plyler* was idiosyncratic rather than institutionalized; an "anti-immigrant political climate" in the state legislature impacted schooling practices by sanctioning these violations (Reiser 2006: 3). The lines between the institutional and interpersonal layers of policymaking were blurred as Tieran worked against these inequitable trends and served as a liaison between parents and schools.

In keeping with his emphasis on the importance of interpersonal communication with immigrant parents, one of the main initiatives in Tieran's LEP reform in the MPSD was to hire a Spanish-speaking teacher, known as Ms. Ricci, to work in the school that housed the ESL program for Spanish-speakers in the primary grades. While the MPSD had no formal policy of hiring teachers who spoke the same home languages as their ESL students, Tieran did so in order to facilitate communication between the ESL students, parents, and teachers (N. Tieran, personal communication, May 9, 2010). During our interview, Tieran explained the impact of this decision:

It's been very, very helpful to the Latino community over there, because now a phone can simply be picked up, and contact made, or Ms. Ricci will send home letters in Spanish, and it makes the parents feel much more welcome, because prior to that the school would call me, and I would get to it, but it was with everything else happening sometimes it took several days, so I think that



it's been a very big help out there because not only can Ms. Ricci get with the parents, but then also try to help clarify some things at the school.

In Ms. Ricci, Tieran sought an employee who could embody the interactive LEP that he hoped to implement. Ms. Ricci alleviated the pressure he faced as one of the only Spanish-speaking employees in the district by providing translation and interpersonal connection within the school.

When, on a visit to Ridge Elementary School, I asked Ms. Ricci to describe her role there, she explained that in addition to teaching and connecting with the students, she was conducting parent workshops with the Spanish-speaking parents.

It's just so nice to be a part. I feel like this special group at the school and I think that's how the Hispanic kids feel here. Like it's a special group because they're so accepted and they're not—they're a majority of a minority.

One of the efforts that Ms. Ricci initiated during the course of this study was establishing a group for Latino parents by inviting them to participate in school events that did not require them to volunteer in their child's class during the school day when they were likely to be working. She mentioned, however, that forming the group was slow going and that she was working to find creative ways to welcome migrant parents. This initiative still depended upon parents coming to the school, just as Tieran's reinterpretation of LEP relied upon parents coming to his office to ask for help in deciphering documents; at best, these efforts facilitated parental participation on the school's terms (about documents that the school sent home or in moments when they were invited to the school), and at worst these invitations reinforced parents' feelings of alienation when their lack of familiarity with these modes reproduced their existing fears or isolation.

Laura Castro's approach to parental involvement as an undocumented mother Laura Castro participated in a range of activities that supported her children's learning as well as that of the children in her extended family. However, these activities cannot be fully understood without understanding the migratory and economic context in which she was raising a family. Some of these activities included: caring for nieces and nephews while her siblings worked multiple jobs, creating a space for children of various ages to complete homework together and encouraging them to share the educational and linguistic knowledge that she did not possess, providing a computer that her children used for academic purposes and economic transactions like transferring remittances to Mexico, and sharing information with her siblings about new academic and extracurricular opportunities.

For example, during one typical afternoon visit, Laura's youngest school-aged children (Julissa, a first grader, and Felipe, a third grader) arrived home from school with a cousin who was also enrolled in Julissa's first grade class. As Laura talked with her two brothers in Spanish and prepared a snack for the children, Felipe quizzed the first graders in English. He posed questions like "what's five times five times two?" and "what's twenty-five thousand times zero?" eliciting excited or tentative guesses of "twenty!" or "um, one thousand and two?" While talking with her brothers about pooling their weekly earnings, Laura warned Julissa: "come,



porque si tú no comes el estómago se te va seguir doliendo" (eat, or your stomach will continue to hurt) to which an uncle suggested "dale más aceite" (give her more oil). While the adults focused on providing food, comfort, and money to support the children's development, the children recreated educational routines that they learned at school. In other moments, these exchanges were prompted by homework or other school texts sent into the home, documents that were often shared and deciphered collectively around the kitchen table during snack time. These routines were organized purposefully, so that Laura could care for her family efficiently and so that she could harness the linguistic and social resources distributed therein (see Gutiérrez and Arzubiaga in press; Mangual Figueroa in press on the significance of afterschool routines in Latino homes).

I observed firsthand the ways that migrant parents interpreted the parent volunteer form—the form Tieran had mentioned in our interview. One afternoon, Laura asked if I would translate the forms that she needed to complete in order to enroll her youngest son in the preschool program housed at Ridge Elementary School. Among the many forms that Ridge Elementary School mailed home in the school enrollment packet there was a letter addressed to parents describing the academic and extracurricular activities in which they were invited to participate. The welcome packet was among those district documents that Tieran hoped to translate in subsequent school years (personal communication, May 9, 2010); at the time of the study it was sent home in English, reflecting the district's de facto LEP and the privileged status of English as the language for communicating with parents district-wide. Enclosed with the letter was a Pennsylvania Child Abuse History Clearance form that the MPSD requires parents to complete prior to volunteering; the form pictured in Figure 1. While the letter explained that parental participation in school was optional, it was strongly encouraged.

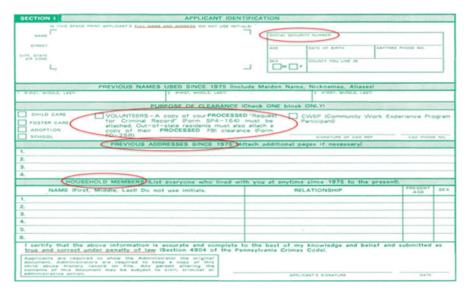


Fig. 1 Parental background check required for volunteering

I explained to Laura that she would have to submit this form if she wanted to volunteer in Oscar's classroom. I have circled in red the areas in Figure 1 that were sources of concern for Laura: the space for the Social Security Number, the request for a processed criminal background check, and the list of previous addresses and household members. Laura was afraid of completing any forms that required a Social Security Number because she had a false one; completing the form would risk exposing her undocumented status. The criminal background check required by this form would have to be conducted by the Pennsylvania State Police and out-ofstate residents would be fingerprinted in addition to submitting to a background check processed by the Federal Bureau of Investigation. This was a scary prospect to Laura, who knew that her migratory status would be immediately revealed and that she could be subject to detention and/or deportation. Even something as seemingly mundane as listing all previous addresses and household members would require Laura to name, and possibly implicate, the undocumented family members who had lived with her. When I was finished translating these items, Laura said "este no lo voy a llenar" (I'm not going to fill this one out) and set it aside.

While this Child Abuse History Clearance form and the friendly letter accompanying it were meant to encourage parental participation in school while protecting the safety of the children enrolled there, it had a very different effect on Laura. Instead of welcoming her into the school, the form scared her by aligning the school with law enforcement agencies that could jeopardize her life in the U.S. There is no disputing the need to ensure the safety of children in schools, but if educators and administrators want to enlist mixed-status families, they will have to identify other methods of establishing relationships with parents. In order to make sense of this parent volunteer form, which asks parents to declare evidence of their migratory status, one must not only be able to read the text in English, but one must also have absolute confidence that the information provided will not be incriminating. We can see how inextricable education and immigration policies are in the everyday artifacts of LEP when filling out a routine form required to volunteer in your child's classroom necessitates declaring your declare your family's migratory status.

#### Conclusion

This article has demonstrated how the interrelations between LEP and citizenship shape the ways in which an administrator and undocumented parent work towards parental involvement in one school district serving an emerging Latino community. The findings demonstrate that citizenship is defined in the homes of mixed-status families and in public schools in two distinct ways: in immigrant homes the term is taken to refer literally to bureaucratic state processes that can lead to deportation, while in schools it can figuratively refer to behaviors which are rewarded or punished by teachers via the report cards that issue grades to students. Focusing on the experiences of a family residing in an emergent Latino community and an ESL administrator in their school district has allowed us to track how the implementation



of LEP gets interwoven with undocumented families' concerns about their citizenship status.

Close, ethnographic accounts of LEP facilitate a more robust understanding of the bidirectional ways in which federal policy, institutional practice, and everyday interpersonal interactions shape educational processes. As Canagarajah (2006: 154) notes, ethnographic studies of LEP provide the basis for "developing knowledge on specific situations and communities" that is the "necessary starting point for modelbuilding." As educational administrators worked to meet the accountability requirements of local and federal LEP, families used their diverse linguistic and cultural resources to assert their right to participate in their children's schooling; in the process, they demonstrated the intersections between language, citizenship, and schooling in Millvalley. While undocumented parents advocated for educational opportunities during meetings with Tieran, they also made decisions about when not to participate in schooling practices like filling out a parent volunteer form that would have incriminated themselves or other family members. Parents and educators, as well as researchers, who understand the links between various spheres of policy will be better prepared to examine schooling practices critically. In Millvalley, local constituents and leaders might gain insight into the fact that local assessment practices end up punishing parents and children for their migratory status instead of working collaboratively to support student learning and parental participation regardless of citizenship.

Ethnographic accounts of language policy, like the one provided in this article, demonstrate the insights that can be gained when researchers not only make macro and micro connections between spheres of policymaking but also identify connections between multiple spheres of policy (such as education and immigration). This is an example of what Johnson calls the "inter textual connections" between language policy and other policy spheres (2009: 144). Coupled with the study of the "discursive power of a particular policy," this approach to the vertical and horizontal examinations of language policy forms an essential part of the ethnographic method in this field (2009: 144). For example, everyday talk about language policy reveals connections between macro and micro levels of policy and allows us to trace the ways in which LEP is referentially and ideologically linked to statewide debates over immigration and education reform (Baquedano-López 2004). As this article has shown, during Tieran's charlas with undocumented parents, the parents articulated the relationship between LEP and citizenship when they expressed concern about the need to provide social security numbers or be subject to criminal background checks. As a result of these exchanges, administrators like Tieran and researchers of LEP like myself confront the inseparability of immigration and education policies in the everyday lives of migrant families. The ethnographic evidence presented in this article suggests that face-to-face interactions are significant for the interpretation, adjustment, and implementation of LEP locally. Further research in this area is needed to investigate how interpersonal exchanges between different educational stakeholders can serve to build trust, understanding, and advocacy within a district.



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