

## **“You Can’t Vote, Right?”: When Language Proficiency is a Proxy for Citizenship in a Civics Classroom**

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**Abstract:** This article raises questions at the intersection of immigration, citizenship, and formal civics education. Drawing from positioning theory and critical discourse analysis, this article contrasts episodes in two twelfth-grade classrooms taught by the same teacher. In the general education government class, the teacher registered students to vote, while in her English learner (EL) government class she positioned youth as non-citizens. Students’ language status appeared to serve as a proxy for citizenship status. This article serves as an existence proof that teachers may conflate students’ language status with their citizenship status. Additionally, the article highlights the need for understanding more about how teachers navigate citizenship status when there are real or imagined discontinuities between teachers’ citizenship rights and students’. The episodes also raise questions about the implications of teaching in settings where youth may potentially have a variety of citizenship statuses (including official citizenship by birth or naturalization, temporary or permanent “legal” resident status, or undocumented status). Ultimately this work contributes to conceptualizing what a more inclusive and equitable civics education would look like for all students, regardless of citizenship status.

**Key Words:** civics education, immigration, citizenship, linguistic profiling, English language learners, social studies.

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***“Obama won the Democratic nomination . . . [But] you can’t vote . . . right?”***

–Ms. Wilson,<sup>1</sup> Twelfth-grade civics teacher of English learner students, June 4, 2008

Normative assumptions hold that schools—and civics classrooms in particular—are places for socializing future national citizens who will become voters (e.g., Levine, 2007). Yet, given the intersections of historic and contemporary debates that position racialized groups as non-citizens (e.g., Chávez, 2008; Ladson-Billings, 2004; Ngai, 2004; Nguyen, 2012) and US public schools’ admittance of students who are not guaranteed citizenship rights (*Plyler v. Doe*, 1982),<sup>2</sup> questions remain about how teachers navigate citizenship status when there are real or imagined discontinuities between teachers’ rights and those of their students.<sup>3</sup>

As Ms. Wilson, quoted above, faced her immigrant-origin English learners (ELs), she bumped up against some of these very issues.<sup>4</sup> Addressing her students during a moment of national importance, she wondered: Could they vote? Were they citizens? Although it was obvious that students were still

learning to speak English, what was not clear was their citizenship status. In this article, I examine Ms. Wilson's case to initiate a conversation that has been largely hidden within the realm of teachers' practice, particularly civics teachers who teach state-mandated civics classes like the ones Ms. Wilson taught (U.S. Government) in contexts where youth are foreign-born or come from immigrant families. On the one hand, increasing attention has been directed to linguistic barriers with the presence of ELs in social studies classrooms (e.g., Schleppegrell, Greer & Taylor, 2008; Short, 2005; Short, Vogt, Echevarría, 2011). On the other, conceptual and theoretical discussions have grappled with what civics education should look like in light of immigration and globalization (e.g., Banks, 2004, 2008; Castles, 2004; Gutmann, 2004; Nussbaum, 2002; Parker, 2004; Raley & Preyer, 2010). However, neither area of scholarship has actually examined how teachers navigate through citizenship issues on the ground. Still missing are discussions which bring situated accounts of social studies teachers' work with immigrant-origin youth in dialog with citizenship status.

### **Overview**

The aim of this article is to raise questions about the intersections of civics education, immigrant youth, and teacher practice within U.S. secondary schools by examining contrasting episodes within two twelfth-grade civics classrooms taught by the same teacher. Both episodes occurred during the 2008 presidential elections—a time that raised the salience of voting and citizenship rights. In the first episode, the teacher demonstrated her assumption that youth were citizens by distributing voter registration forms. During the second focal episode, Ms. Wilson assumed immigrant-origin youth lacked citizenship rights, and positioned them as non-citizen outsiders. I use these contrasting episodes as a springboard from which to raise questions about teachers' practice in civics education within a society where individuals have differential citizenship rights. Before examining Ms. Wilson's classroom interactions, I provide additional conceptual framing in the next section in order to better contextualize the classroom episodes I present.

### **Conceptual Frame: Citizenship, Difference, and Conditional Membership**

Historically, immigrants and members of racialized groups have been excluded from political participation and have suffered from a lack of inclusion as full members of society (Haney-López, 2006; Ladson-Billings, 2004; Rosaldo, 1997). Historically whiteness has been a condition of citizenship (Haney-López, 2006). And the citizenship, allegiance, and belonging of non-Whites continues to be interrogated (Hughey, 2012, Ladson-Billings, 2004).

Some scholars have emphasized the need for accounting for how those who have official citizenship rights are excluded from full participation (e.g., Ladson-Billings, 2004). Rosaldo (1997), for example, calls for “distinguish[ing] the formal level of theoretical universality (of citizenship) from the substantive level of exclusionary and marginalizing practices” (1997, p. 27). Outlining how those with citizenship rights fail to be treated equally is of paramount importance. Alongside this critical work is the need to also interrogate how the boundaries of official citizenship are constructed to begin with, particularly in the ways in which it excludes particular classes of immigrants (Ngai, 2004). Also important is examining how immigrants' belonging may be continually contested and undermined (Nguyen, 2012; Ríos-Rojas, 2011; Yuval-Davis, 2006).

Within this broader framing of citizenship and difference, I focus on the role of the schools in creating a space where relationships between citizenship and difference have historically been reinforced, contested, and negotiated (Pak, 2002; Sung 2013; Tyack, 2001). Schools continue to be important in shaping youth's civic development, especially for immigrant-origin youth (Callahan & Muller, 2013). Here I focus on school spaces where immigrant-origin youth who are identified as English learners are placed into separate courses to address their language needs. Subsequently, I focus on how teachers of immigrant youth face a great deal of ambiguity given the multiple ways in which immigrants are framed within the larger society in comparison with how they are framed in school settings.

### **Immigrant Status as Hidden in Schools Yet Hyper-Visible in Public Debates**

Teaching immigrant and immigrant-origin youth is framed by many competing layers that raise the salience of some aspects of difference while obscuring others. Within the sphere of school bureaucracies, language proficiency labels ("English Learner," "Fluent English Proficient") become salient and serve as the official basis for sorting students into separate programmatic tracks (Callahan, 2005; Sung 2008; Callahan, Wilkenson & Muller, 2010), while legal status tends to remain hidden, except in cases where overt political action seeks to identify undocumented youth in schools.<sup>5</sup> Yet even as schools reify immigrant-origin youth by their English proficiency labels, larger societal debates on immigration persist, at times rising to a deafening roar (Chávez, 2008; Jefferies, 2009; Mehan, 1997; Orellana & Johnson, 2012).

In essence there is a fragmented discourse on immigrant people: a silenced one of omission in official school discourse, the other hyper-visible, focusing especially on the presence of undocumented immigrants (rather than, for example, on naturalized, documented, or temporarily documented immigrants). This contrast (between the typical invisibility of immigration status in schools and its hyper-visibility within general public discourse), creates multiple frames within which to interpret immigrant-origin students' presence in classrooms. In other words, documented students may be confounded with undocumented students and vice-versa. Moreover, the variety of legal statuses (temporary visas, permanent residence, etc.) is likely to be less understood.<sup>6</sup>

Teachers may not know how (or if) to address citizenship differences, even as these differences are amplified and hyper-visible in the public sphere and simultaneously linked to racialized groups (Jefferies & Dabach, in press). The resulting terrain is especially unclear for civics teachers, the content of whose courses—more than of any others in the school— explicitly takes up issues of nation and citizenship, as nearly-adult students are presumed to be making the shift toward voting.

We have yet to understand how teachers broach citizenship in classrooms where immigrant-origin youth predominate, or how that intersects with other bureaucratic labels and sorting mechanisms, such as English proficiency, which often serves as the primary organizational grouping mechanism in areas of high-to-moderate immigration. Although an emerging body of work specifically focuses on immigrant and immigrant-origin youth social studies education in secondary schools (e.g., Callahan & Muller, 2013; Callahan & Obenchain, 2012, 2013; Salinas, 2006; Salinas, Fránquiz & Reidel, 2008), this article contributes a specific focus on the contours of teaching civics in light of citizenship status discrepancies, both real and imagined. In order to make these issues more concrete, I use the case of Ms. Wilson to illustrate aspects of these dynamics. In what follows I contextualize the larger study and methods from

which Ms. Wilson's case emerged. Subsequently, I present an overview of Ms. Wilson and her school context, the two episodes from her two distinct classes, and following that, questions for the field.

### **Methods**

This article draws upon data from the Teacher Adaptation Study (TAS, 2007–2009). The TAS was designed to follow the same teachers across distinct institutional tracks—one intended for general education students, the other intended for immigrant-origin students who were identified as English learners. The principal research objective was to gain a better understanding of how teachers were responding and adapting to immigrant-origin EL students, given prior research (McLaughlin, 1993; Stodolsky & Grossman, 2000) that has shown that, in the context of demographic shifts, some teachers were adapting to their student populations but not always in ways that would benefit youth, for example by watering down content.

I operationalized “adaptations” by comparing how the same teachers talked about and enacted instruction when content matter was held constant and the principal difference between classes was between the “mainstream” and the “EL” designation. Within TAS schools, EL students were assigned to separate content-area courses for EL students (often called “sheltered instruction” [SI] or “Specially Designed Academic Instruction in English” [SDAIE]), while general education students were assigned to “mainstream” classrooms. Ideally, sheltered classes are designed to provide English learners with access to academic subjects through linguistic and other modifications that make content more comprehensible (Echevarría, Vogt, & Short, 2004). In practice, these courses often carry lower status than mainstream, honors, or Advanced Placement courses (Olsen, 1997) and may function as a tracking mechanism that limits English learners’ opportunities to learn (Callahan, 2005).

The overall TAS study findings focused on teachers’ preferences to teach EL content classes, patterns of teacher placement into EL tracks, and teacher perceptions of stigma within these courses (Dabach, 2009, 2011, 2014a). A central part of the study’s findings were focused on social studies teachers’ adaptations of text between EL and general education courses (Dabach, 2009, pp. 77–111). This article explores an episode in which teacher adaptation occurred in another domain—that of differentiating talk about politics to distinct groups of students. These contrasting (mainstream versus EL) classroom episodes occurred during the primary season of the 2008 US presidential elections.

### **Sampling**

The sample consisted of 10 social studies and 10 mathematics and science teachers who were recruited from seven urban comprehensive California high schools where EL populations ranged between 12–30% and rates of free and reduced meals ranged from 26–75%. All teachers who participated (a) held valid credentials, (b) had at least one year of prior K–12 teaching experience, and (c) were assigned to teach at least one EL and one mainstream classroom in the exact same content area (i.e., “sheltered world history,” “world history”).

### **Case Selection and Data**

Of 10 participating social studies teachers, Ms. Wilson was one of seven who agreed to be observed during the study after being interviewed. She was the only observed teacher who taught U.S. government during the 2008 electoral season, in which issues of citizenship are most directly addressed

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in the curriculum. (The other social studies teachers predominantly taught world history.) I observed each of the seven teachers in order to make informed choices for case study selection to probe the study's three dimensions: institutional opportunities and constraints, teacher disposition, and teacher repertoire. While two other teachers were ultimately selected for in-depth case study analysis that involved multiple observations and interviews, I conducted two formal observations in Ms. Wilson's classrooms on the same day: one in her US government general education class and one in her EL US government class. Both sessions were audio-recorded and lasted a total of two hours (including pre-class passing periods). Additional pertinent data that inform Ms. Wilson's case are multiple school-site observations at Henderson High that yielded field notes, photographs, and artifacts over the course of 18 months, along with interviews with other school personnel at the same site. My interview with Ms. Wilson lasted 1 hour and 52 minutes and was transcribed in its entirety.

I drew from critical discourse analysis (Fairclough, 1992, 2013, van Dijk, 1993) and positioning theory (Davies & Harré, 1990; Harré & Moghaddam, 2003) when analyzing classroom episodes. Discourse(s) can be thought of as "an institutionalized use of language and language-like sign-systems" (Davies & Harré, 1990, cited in Menard-Warwick, 2007, p. 268). Critical discourse analysis (CDA) raises questions about the relationship between discourse(s) and power asymmetries. Through CDA, identity construction, relationship construction, and knowledge construction become more visible (Fairclough, 1992; Menard-Warwick, 2007). Positioning theory focuses on how subjects position themselves (*reflexive positioning*) and others (*interactive positioning*), and how the process of positioning occurs through social interactions as well as more broadly in society. It is a corrective to approaches that rely solely on social psychology laboratory experiments to reveal self-other relations; instead the focus is on dynamic social encounters (Harré & Moghaddam, 2003, pp. 1-7). *Social positioning* can also be described as "an event of identification, in which a recognizable category of identity gets explicitly or implicitly applied to an individual" (Wortham, 2004, p. 166). These identity categories may be institutionalized (e.g., "English learner") or informal (e.g., "disruptive student"). Over time, these subject positions influence participation in social settings (Wortham, 2006).

When analyzing the classroom discourse, both CDA and positioning theory led me to identify two linguistic forms as especially important: pronouns (i.e., "you," "they," "our") and conditionals (i.e., "if"). Attention to these forms helped in identifying the teachers' positioning moves. Additionally, the larger study design (contrasting "mainstream" and "EL" classrooms) aided in providing a conceptual orientation that facilitated comparison of the two classes. Comparisons across mainstream and EL courses allowed differences in self-other relations to become more visible—each class was institutionally positioned distinctly, even though they shared the purpose of educating youth about citizenship.

### Limitations

These data and analyses have limitations. First, the inclusion of student interviews would have contributed to the analyses, but the original intent of the study was to trace teachers' processes and adaptations across contexts and thus focused on this. Future work can incorporate student perspectives. Second, the case of Ms. Wilson is not generalizable to populations, but rather to theory (Yin, 2009). This case contributes to conceptualizing issues in teacher practice as it intersects with citizenship and difference. Difference becomes highlighted in this case though the analysis of positioning.

The data sample represents limited time spent in this particular teacher's classroom. Importantly, I do not make claims about the pervasiveness of the phenomena I observed, but rather point to their emergence as an existence proof. Additionally, there is a danger that the selection of these particular instructional episodes may potentially contribute to the reification of teachers (for example, as categorically "bad"). The purpose is not to hold up an example of less-than-desirable teacher practice for its own sake, but rather to understand the contours of tensions that are deeply embedded within society as well as to more fully represent the complexities of teaching, beyond those regularly addressed. Also of concern is that by raising the salience of citizenship status, I may be inadvertently contributing to the perpetuation of stereotypes about immigrant-origin youth and English learners as "non-citizens," even though a majority of ELs are in fact citizens by virtue of being born in the U.S. (Whatley & Batalova, 2014).

Despite these limitations, the episodes provide a valuable opportunity to discuss a topic on which there is little extant research: the intersection of social studies teacher practice, difference, and citizenship status. It is not surprising that the data are limited on this topic, considering how citizenship status tends to be hidden (as noted earlier). The value here lies in the ability to examine the intersection of key concepts that manifested in grounded contexts at a particular moment during an electoral campaign that raised the salience of the issue of who could vote and who could not—presenting a unique opportunity for analysis.

#### **Ms. Lucille Wilson: An Overview**

Ms. Wilson was White and American-born, and thus afforded official US citizenship. Appearing to be in her mid to late sixties, she entered the teaching profession after having pursued a career in business. She self-identified as a Democrat and loved teaching US government because "I'm just passionate about politics . . . and I know a lot" (interview, 3/17/08). In addition to her social studies teaching credential, she also held a master's degree in business administration. She was also authorized to teach EL students in the state of California and had over five years of teaching experience.<sup>7</sup> She enjoyed planning interactive lessons that included full-blown congressional simulations, trials, and games that embodied complex concepts. She also valued using media such as films from various countries in her classrooms to enhance students' deepening conceptual development regarding the topics they were studying. Ms. Wilson wanted to participate in the study largely to voice the difficulties she was experiencing when instructing EL students and point to the systematic lack of resources she experienced as a social studies EL teacher.

#### **The Teaching Context: Henderson High and Ms. Wilson's Classrooms**

Ms. Wilson's classroom was situated in a multiethnic comprehensive high school within an urban metropolitan area of California.<sup>8</sup> Despite its large size and its extremely high poverty levels, the school had a welcoming atmosphere, with large student-designed banners in common areas that invited students to participate in a wide range of extra-curricular events. The school's overall student body was composed of large numbers of Latinos, Asians, and African Americans, while White students were a rarity. Approximately 20% of the student body was officially EL-designated.

Programmatically, the school made accommodations for EL students by placing them into a separate stream of classes designed to facilitate their language learning. In addition to English as a Second Language (ESL) classes, students were placed into specialized content-area courses (“sheltered instruction”). In her context, sheltered classes functioned much like separate special education courses, despite their official content titles that were similar to those of other traditional course offerings (e.g., “sheltered U.S. history,” “sheltered world history”). Ms. Wilson was assigned to teach matching pairs of civics classes (“U.S. government/economics”/ “Sheltered U.S. government/economics”) during the 2007-2008 academic year.

At Henderson, Spanish-speaking students predominated within the school’s EL population, followed by Chinese and Vietnamese speakers. However, within Ms. Wilson’s EL sheltered government/economics class, Chinese speakers predominated, with only two Spanish speakers in the classroom. While many EL content-area courses enrolled EL students at the intermediate stages of English proficiency, Ms. Wilson’s sixth-period classroom was populated mostly by recent immigrants who were at the beginning and early intermediate levels of English proficiency, levels 1 and 2 on the 5-point California English Language Development Test (CELDT) scale. Meanwhile, students in Ms. Wilson’s second-period government class were fluent English speakers and this particular class was identified by Ms. Wilson as the “good kids” who often shared the same courses (interview, 3/17/18). Students in Ms. Wilson’s mainstream class were predominantly Chinese and Vietnamese, with a few Latino students. In this sense, they largely matched the racial composition of students in Ms. Wilson’s afternoon class.

Despite this similarity in racial composition, deep differences between the classes remained, as described by Ms. Wilson. She characterized her mainstream class as “college-bound” and evinced detailed knowledge of where students had applied to college and where they had been accepted (interview, 3/17/18). This contrasted with how she described her EL content-based class as her “noisiest” and predominantly non-college bound: of all of her EL students, she thought perhaps one would go to college, and was uncertain if the other students would meet graduation requirements. She also had a great deal of difficulty communicating with her EL students: “[E]very other thing is: ‘Do you understand what I’m saying?’ It’s like, oh. . . . It’s just like, it’s like, oh. . . . That’s how you feel sometimes when you’re in this class. . .” (interview, 3/17/08). To summarize, Ms. Wilson described the classes as having two distinct student populations in terms of English language proficiency and academic trajectories, despite their similar racial status.

During the spring of 2008, Ms. Wilson departed from the standard curriculum in both classes in order to focus on the elections because of current political developments that were deemed to be historic (Zeleny, 2008). The day before the observation (June 3, 2008), then-Senator Barack Obama had won decisive democratic primaries in Montana and South Dakota, securing enough delegates to become the first African American presidential candidate to lead a major party ticket in a closely contested race with then-Senator Hilary Clinton (who would have been the first woman to lead a major party ticket as president).

### **The Morning Mainstream Class: Registering Students to Vote**

Before Ms. Wilson’s second-period class began, she showed me voter registration forms she had picked up and had planned on distributing to her second-period class. Although it was only June, she shared with me that she realized that some of her students might be eligible to vote by the time of the

November elections. She stated that registering students to vote would probably be the single most important thing she could do in her classes. On the morning of the observation, she used the beginning portion of class to find out which students were already registered to vote, with a show of hands, and which students would be 18 years of age by the election. She distributed forms to those who had raised their hands as eligible and had not yet registered:

- 1 Teacher:<sup>9</sup> All right, let's start. Put away all yearbooks and memorabilia. . . . Who is going to be  
2 18 by November?  
3 Students: [xxxxxx] (*raising hands*)  
4 Teacher: Okay, who is going to be 18 by November and hasn't registered to vote?  
5 Students: [xxxxxx] (*raising hands*)  
6 Teacher: All right, so [at] this point [xxxxxx] {You should register to} vote. [xxxx] (*passing out*  
7 *voter registration forms to students whose hands are raised*). Okay,  
8 everybody stop on this side. I only have 1 left, sorry.  
9 Student 1: Do you want us to fill them out right now?  
10 Teacher: Yes. How many don't have one? One, two, three, four. . . (*counting hands*). Does  
11 [xxx] have some? So fill that out. Right here. All right, here you go. Wait a second.  
12 Who else needs one? Brian? [xxxx] So you want to change. . . . [xxx] (*circulating*  
13 *around classroom, distributing forms, assisting students to fill out forms*) All right.  
14 Everyone else has got one. Okay! You have to be a citizen, you have to be a  
15 resident, you have to be 18.  
16 Student 2: Aww!  
17 Teacher: All right. All yearbooks are tucked away. [xxxxxxx] You can listen to me and fill out  
18 the voter registration card. . . . [xxxx] If I were you I would designate a party. . . .  
19 ....[xxxx] if you don't register for a party . . . they give you a different ballot, OK.  
20 [xxxxxx] My friend registered as an independent and he got a weird ballot . . . you  
21 don't get the mainstream candidates for whatever that's worth. [It] may not be  
22 worth it for you [xxxxxx]—Janine has a question.  
23 Janine: Are we going to mail these?  
24 Teacher: No, I'm going to mail them. All I'm going to do is drop them off, pre-postage. [xxxxxx]  
25 (*To a student*) Fill out one of these. If you filled one out [xxxx]. When is your  
26 birthday?  
27 Student 3: March.  
28 Teacher: [xxxxxx]. (*addressing the whole class*) All right! Listen up! Let's get to this. OK, listen  
29 up. . . . The final on Monday is only on Chapter 13 . . .

In this episode, Ms. Wilson created a space that acknowledged students as *future* U.S. voters, and hence as U.S. citizens. Although she suggested that students register for a party, she qualified her suggestion with hedging language ("may not be worth it for you," line 22) which reinforced a sense that students could choose from the options available to them. While she briefly alluded to the voter registration form's citizenship requirement (line 14), this requirement was embedded within other comments that stipulated age and residency requirements, and was not central in her presentation. By bringing forms to the classroom and distributing them while predominantly addressing the class as a whole, the

classroom space became one in which students' potential to vote was salient. Also, addressing the class as a whole meant that even students who were not eligible at the time became exposed to the process of voter registration.

When the class was over I asked Ms. Wilson if she had planned on distributing the forms in her afternoon EL sheltered class. Her facial expression was one of confusion. She had not planned on it and did not bring enough forms. Besides, she stated succinctly, "they [students in the afternoon EL class] can't vote" (fieldnotes, 6/4/2008). However, in the episode that follows, the topic of voting emerged anyway when she attempted to discuss the prior night's events with students in her afternoon EL civics course.

**The Afternoon EL Sheltered Class: "You Can't Vote...Right?"**

- 1 Students: (*Chatter in their native languages, predominately Chinese*)  
2 Teacher: When we finished reading--  
3 Students: (*Still chattering*)  
4 Teacher: Okay!  
5 Students: (*Still chattering*)  
6 Teacher: All right! Everybody! (*Teacher blows a physical education-type whistle loudly*)  
7 Shsshh! (*Teacher claps loudly twice to get students' attention*)  
8 Shhhhhh! Sit down! Obama won the democratic nomination. That means that Obama  
9 leads –shhhhh!—in the amount of votes he has. So technically he is our candidate. But  
10 Hilary Clinton has not yet conceded—she has not yet said, "Okay, you win"—she's still  
11 out there, so I don't know what's going to happen, but Mr. Obama's our guy.  
12 Student: Do you {hope he will win}?  
13 Teacher: I hope.  
14 Teacher: You can't vote though, right? (*to the whole class*)  
15 Students: No.  
16 Teacher: {What are you} talking about! GET OUT OF HERE IF YOU CAN'T VOTE!  
17 Students: (*Laughing loudly, speaking in native languages*)  
18 Teacher: I don't want to talk to you if you can't vote! Get out if you can't vote! Get out!  
19 (*Teacher laughs to herself.*)

During this focal episode, Ms. Wilson began with multiple attempts to capture students' attention. She followed her attempts by informing students of the prior night's political events, and in the process linguistically modified her input to students, paraphrasing the word "conceded" by supplying a simpler definition: "Okay, you win" (line 10). In this way she adapted to students' proficiency levels to provide access to ideas—in this case the process of political victories, concessions, and outcomes. Next, she described Obama as "our" candidate twice (lines 9, 11), not merely conveying her personal choice from a field of contenders, but simultaneously addressing students as part of an imagined community of U.S. Democratic-voting Obama supporters. At this point in the episode, her repeated use of "our" included the youth in her class in this imagined community. Moreover, it differed from her approach in the mainstream class where, although she suggested that students register for a political party, she emphasized students' autonomy and evaluation of their choices.

However, a shift occurred after one student's query (line 12). Ms. Wilson moved from a transmission mode to a questioning mode, asking about students' (in)ability to vote. Her comment "You can't vote though" simultaneously made her assumption of EL sheltered students as non-citizens explicit and students' outsider status even more visible, especially in relation to her own status as a US citizen with voting rights. This discursive move implicated aspects of identity construction (Fairclough, 1992), focusing on what she thought students could *not* do and the status they lacked as non-citizens (outsiders), whereas previously her use of "our" indicated a common group identity. When some (but not all) of her students confirmed her assumption about their non-voting status, her response marked an even bigger shift; her vocal volume increased to a shout and her voice took on a new timbre. She appeared to shift into a joking mode, projecting her voice for emphasis (rather than in anger). Her repeated use of "if" (lines 16 and 18) signaled that students' membership within the classroom space was contingent upon their having voting rights (or future voting rights).

The teacher's use of contingent language is important; it links to larger patterns within the United States and other societies where immigrants who are racialized as "non-white" have often experienced contingencies of belonging and barriers to complete social and political membership; full rights and inclusion have been historically contingent upon race, class, and gender (Haney-López, 2006; Ladson-Billings, 2004; Rosaldo, 1994; Ríos-Rojas, 2011; Yuval-Davis, 2006; Yuval-Davis, Anthias & Kofman, 2005). Ms. Wilson's discourse of contingency also reveals links to recent patterns in the U.S. political landscape whereby ethno-racial groups are to be courted *if* they can vote (García Bedolla, 2014).

Additionally, this episode suggests a transmission approach rather than one of deliberation (Parker, 2003). Yet even Ms. Wilson's transmission approach appeared to be disrupted by her own assumption, that students could not vote. And *if* they could not vote, what was their place in a civics classroom? Perhaps for Ms. Wilson, the shift in tone and her subsequent laughter marked this tension for her explicitly. The purported aim of a nationally defined *civics* class and the presence of immigrant-origin EL youth that, to her, invoked *non-citizenship* appeared to be challenging for Ms. Wilson to navigate, despite her dual certification to teach social studies and English learners and more than five years of teaching experience.

In summary, students in Ms. Wilson's mainstream class were positioned as potential voters, while students in her EL sheltered class were positioned as non-citizens who could not vote. Ms. Wilson's linguistic adaptations for access co-existed with a conditional rejection of students' presence in the classroom connected to their assumed voting status. Importantly, both the mainstream and EL classes had the same ethno-racial composition: predominantly East Asian, with some Latino youth. And yet, EL students' voting status was contentious in ways that mainstream Asian and Latino students' status was not, despite the historically problematic relationship between race and citizenship and the on-going racialization, especially of Asians, as "perpetually foreign" (Lee, 2005;

Nguyen, 2012; Takaki, 1993; Tuan, 1998). Perhaps because Ms. Wilson perceived her mainstream students as “good kids” who were predominantly college-bound, they were afforded an “honorary” White status (Tuan, 1998), where their citizenship was not questioned in the same ways EL students’ citizenship was.

### **Discussion: Language Status as a Proxy for Citizenship**

How did Ms. Wilson come to articulate (and therefore position) the EL students as non-voting and, ultimately, as non-citizens? Through what processes did Ms. Wilson construct and assign these meanings? These contrasting episodes, along with my interactions with Ms. Wilson immediately before class (when she remarked that she did not bring enough forms for her afternoon class) and over the course of the academic year (during which she displayed little knowledge of her EL students’ lives as compared with her detailed knowledge of her mainstream students), suggest that in the place of specific information about each of her EL students’ citizenship status, she made a generalization about the citizenship status of the class as a whole. Insofar as the major difference between the two classes was their language status, I argue that students’ language status became a marker of non-citizenship status, effectively acting as a proxy for actual information. Language status was expressed through two signifiers: (a) students’ beginning- and intermediate-level English language proficiency and (b) students’ institutional placement in EL sheltered courses.

These contrasting episodes raise two kinds of issues, one about teachers, the other about institutional contexts. The first issue concerns what notions social studies teachers may hold about students’ immigration status, and how their notions about students’ status inform their political socialization of youth. In other words, if teachers either assume or discover immigrant youth’s non-normative citizenship status, how might this affect the ways in which they teach them about civics? What kinds of opportunities for political participation do teachers communicate to youth if they think or know students are not citizens? Second, how do institutional spaces set the context for who may be perceived as a citizen, and who may not be? That is, when immigrant-origin youth are grouped together institutionally (due to language status or other systematic grouping practices), how does the process of student sorting mediate both the kinds of perceptions that teachers develop about their students’ status as well as the learning opportunities available within these institutionally differentiated settings?

While the episodes presented here are limited in scope, the nature of the concerns raised is similar to that of concerns raised in scholarship that addresses differentiated opportunities for civic learning and civic empowerment (Ho, 2012; Kahn & Middaugh, 2010; Kahn & Spote, 2008; Levinson, 2010; Pace, 2008). What the episodes from contrasting institutional contexts add to previous conversations on inequality in civic education is a focus on how *language sorting systems* designed to aid students by enhancing access to content could potentially serve as a mechanism through which other forms of differentiation occur that are less beneficial, particularly if institutional groupings play into teachers’ pre-conceived notions of who citizens are, and who they are not. While Ms. Wilson’s case illustrates how a teacher’s assumptions about citizenship status may potentially play out in classrooms, equally possible are cases in which teachers may be acutely aware of students’ undocumented status due to students’ self-disclosure and help-seeking (Dabach, 2014b; Jefferies & Dabach, in press). In these cases, another issue emerges: How do educators foster students’ sense of civic agency and societal belonging if their students have to contend with undocumented status?<sup>10</sup>

Within the context of discussing differentiated citizenship status, it is also critical to acknowledge the possibilities for future legal status changes because students’ status at a given point in time might not necessarily reflect their future status. As historian Mae Ngai notes (2004):

[I]llegal alienage is not a natural or fixed condition but the product of positive law; it is contingent and at times it is unstable. The line between legal and illegal status can be crossed in both directions. An illegal alien can, under certain conditions, adjust his or her status and become legal and hence eligible for citizenship. And legal aliens who violate certain laws can become illegal and hence expelled and, in some cases, forever barred from reentry and from the possibility of citizenship. . . . [S]hifts in the boundary between legal and illegal status might tell us a lot about how the nation has imagined and constructed itself over time (6).

Although undocumented people's status can change, Ngai also notes that the boundaries that circumscribe undocumented people's status can be caste-like, even as some may belong to mixed-status families (2004, p. 2). However, the polarizing line between "legal" and "illegal" may leave little room for understanding processes of regularization, or differential statuses. Polarizing lines also leave little room for understanding teachers' and schools' roles within a citizenship education paradigm that, despite connections to an immigrant past (Tyack, 2001), are still enacted within nationalist frameworks that have yet to seriously incorporate not just transnational formations (Abowitz & Harnish, 2006; Abu El-Haj, 2007), but undocumented and temporarily documented immigrants within social education.

This account is in part about how immigrant-origin EL youth may potentially be positioned in ways that further exclude them from opportunities to integrate into society through learning about electoral processes. Yet, there is another aspect to this account. It is about a teacher's uncertainty and tension in addressing issues that are hidden within official school spaces for good reasons, yet are hyper-visible in society at large.<sup>11</sup> I argue that this case warrants critical consideration because the tensions that surfaced raise larger questions about the boundaries of inclusion and exclusion within a multicultural democracy (Banks, 2007; Parker, 2003; Yuval-Davis, 2006) and also have implications for teacher practice that have yet to be grappled with.

### **Implications: Questions of Teacher Practice, Difference, and Citizenship Status**

As noted earlier, the current predominant bureaucratic framing of immigrant-origin youth in U.S. educational systems as "English learners" emphasizes language gaps. Although Ms. Wilson was able to linguistically modify input, navigating the political aspects of citizenship with immigrant-origin students was more challenging. This episode demonstrates the ways in which teachers navigate more than language and culture when teaching immigrant-origin youth. This episode also highlights the potential for EL students to be positioned and linguistically profiled as non-citizens, undermining their inclusion.

The issue at hand is not merely whether or not students were correctly identified as citizens. The contentiousness of the politics of immigration underscores the need for educational theorists, teachers, and others to stake out an inclusive and progressive pedagogy in citizenship education. The episodes reveal a genuine need to address gaps that are not merely cultural and linguistic, as substantive as those are, but which also bar access to participation in the very practices that are imagined as important in civics education (e.g., voting). There is also a need to understand what it means to educate undocumented, "legal" resident, refugee, naturalized, citizen children of mixed-legal status families and others, in deliberations about what constitutes "good" teaching within civics education and beyond. This is not only a project of concern to educators in immigrant-origin contexts, as the boundaries of citizenship affect the health of a liberal democracy (Ngai, 2004).

If one of the purported aims of civics classes is to prepare future voters, what is the role of civics teachers in immigrant youth contexts where students may or may not have U.S. voting rights? While over-emphasizing voting is out of line with some current thinking within civics education (Parker, 2003; Levinson, 2010; Westheimer & Kahn, 2004), voting issues are perennial and are likely to emerge in classrooms anyway. The point here is to transform topics that can be exclusionary for those who cannot vote and to imagine ways of meaningfully participating, for example by campaigning for candidates that align with the political commitments of youth.

In light of differential citizenship rights—and how these intersect with immigrant youth and civics education—I pose the following additional questions:

1. How can we mitigate processes of non-citizenship attribution? In other words, in cases where educators have not had opportunities to examine their assumptions about who is and is not a citizen, what might facilitate this process? And what approaches would enable deeper understandings about who has and does not have access to legal citizenship?
2. How can teachers approach the subject of citizenship in ways that are inclusive of students' (and their families') varied political statuses? And, what can we learn from cases where this is already occurring?
3. Is there a conceptual terrain that needs to be better developed in the area of teaching immigrant youth about voting, citizenship, and civic engagement? If so, what might be key features of this terrain?
4. What resources can teachers and youth draw from to understand a process in which some will eventually be permitted to engage while others will not? Even the orientation of adult immigrant civics education presupposes eventual citizenship (i.e., naturalization). How do we approach civics education while acknowledging the discrepancy of rights that exists for undocumented people?

Although it is beyond the scope of this paper to answer these questions, we might begin with hybridizing classroom spaces, integrating the study of politically active immigrant youth and their families who engage with civic action despite (and because of) formal barriers to citizenship (e.g., Bloemraad & Trost, 2008; Gonzáles, 2008). Moreover, other groups (such as African Americans and women) took civic action despite *de jur* exclusions from suffrage; making this explicit in relation to immigrant exclusions could serve to deepen connections across groups.

At the same time, there are risks in making these issues more visible. It is possible that if greater attention is brought to citizenship rights discrepancies, immigrant-origin students of color within classrooms may be profiled as undocumented. However, as the focal episode illustrates, issues that are often hidden within official school discourse may well emerge in any case. Without collective conversations about how issues of potential citizenship disparities are best addressed, such disparities are likely to be left to teachers' own idiosyncratic efforts, or not at all. While increasingly, teacher preparation includes coursework on "diverse" learners, including "English learners," this episode suggests the need for teacher education to account for more than linguistic and cultural differences in teaching, by incorporating citizenship differences as well. Future work can begin to investigate what kinds of approaches would best serve teacher candidates and their students.

## Conclusion

There is a great need to understand how teachers navigate through issues of citizenship in immigrant youth contexts in light of academic subject-area teachers' expanding placements into classrooms with immigrant-origin youth (Lucas, 2011) and current discourses that frame immigrant-origin students' access to social studies in predominantly linguistic terms (e.g., Short, Vogt,

Echevarría, 2011). While linguistic gaps certainly exist, less noticed are the ways in which the curriculum itself intersects with aspects of immigrants' citizenship status, formation, and rights.

This article's focus on Ms. Wilson's case serves as an existence proof that teachers may use students' language status as a proxy for their citizenship status. In other words, in the absence of in-depth knowledge of students' actual citizenship status, youth may be linguistically profiled. In this particular case, EL students were positioned as non-citizen outsiders, rather than as "citizens in the making." This conflation of language status with citizenship status raises questions about the potential for immigrant-origin youth to be differentially exposed to curriculum in cases where immigrant-origin's citizenship status is interrogated by their teachers.

This article contributes to raising questions about the nature of citizenship education in classrooms that are not only ethnically, racially, and linguistically diverse, but may also be diverse in terms of citizenship status. Moreover, because legal status tends to be hidden, we must grapple with *actual* difference as well as *perceptions* of difference. Narrow visions of who is a citizen (and who is not) are constructed in dialogue with other discourses about what it means to belong to the nation-state (Beaman, 2014; Jaffe-Walter, 2013; Nguyen, 2012; Ríos-Rojas, 2011; Rosaldo, 1994).

As theorists imagine curricula that integrate immigration and transnational citizenship within a deeper and broader civics (e.g., Parker, 2004), and others argue for expanded and engaged notions of citizenship (e.g., Abu El-Haj, 2007; Banks, 2008; Westheimer & Kahn, 2004), teachers' daily practice with immigrant-origin youth may be quite disconnected from these ideals. Alternatively, some teachers may be breaking new ground in formulating a civics education that transcends the traditional boundaries of citizenship. Research is needed that examines how teachers and youth navigate this terrain, in these times, and to what effects. Examining these issues serves a larger project of addressing political socialization processes that may potentially exclude youth, exacerbating existing tensions surrounding who belongs and who does not. What is at stake is not only the inclusion or exclusion of youth, but the health of a liberal democracy.

## Notes

<sup>1</sup> All names of people and schools are pseudonyms.

<sup>2</sup> The *Plyler v. Doe* Supreme Court decision established educational rights for all minors to have access to K–12 public schooling, regardless of their legal immigration status. For an insightful analysis of the rise of immigration restriction which necessitates the *Plyler* case for rights, see Ngai (2004). She historically situates the production of "illegal" subjects as well as the relationship between legal restriction and racial hierarchies. I argue for a distinction between legality and justice (Benhabib, 2004; King, 1964), given the ways in which citizenship has been bound with racial dilemmas in U.S. society (King, 2000; Haney-López, 2006; Ngai, 2004) as well as larger processes of inequality and globalization.

<sup>3</sup> All public school teachers have legal status in order to be state employees, but they may not all be U.S. citizens. A small but growing number of teachers are being recruited abroad in order to fill teacher shortages (Bartlett, 2014), and thus may have temporary worker status rather than U.S. citizenship.

<sup>4</sup> I use the term *immigrant* to mean those born abroad (first-generation immigrants) and *immigrant-origin* to refer to both first- and second-generation youth whose parents were born abroad, similar

to Suárez-Orozco and Suárez-Orozco's (2001) usage. US-born children of immigrants have citizenship according to the 14<sup>th</sup> Amendment to the US Constitution, and their parents may or may not have citizenship, depending on a variety of factors. The term "immigrant-origin" has some limitations. By focusing on more recent immigrants, the use of the term may downplay the fact that, with the exception of indigenous people, everyone is of immigrant origins, particularly in the U.S., Canada, Australia, and other immigrant societies—whether migration was forced or marked by various degrees of choice. Some may contend that the term may lead to essentializing immigrant-origin people who may not necessarily wish to be positioned as immigrants, with its connotations of "foreignness" (cf. Talmy, 2004). Acknowledging these limitations, I use this term and argue for its necessity. The term allows a particular focus that other terms do not completely capture. It is important to have a way of indexing phenomena related to immigration and immigrant-origin experiences, trajectories, and social constructs, which intersect with other social systems such as race and language (Malsbary, Dabach & Martinez-Wenzl, 2014). A note on an additional term I use: *English learners* are students who arrive at school speaking other languages who have yet to become fluent in English. Other names used to identify this population include *English language learners*, *emergent bilinguals*, *second language learners*, and *English speakers of other languages*. Bilingual or multilingual terminology is more accurate in reflecting students' language assets, yet I use "EL" as it is most commonly recognized in policy school settings at the time of writing.

<sup>5</sup> While federal law currently protects the rights of all students, including undocumented students, state challenges recur (a case being Alabama's H.B. 56, which seeks to identify undocumented youth at school sites). These state challenges place schools at the center of national immigration debates. (For example, see the New York Times: "Room for Debate: Should Schools Help Catch Illegal Immigrants?" Oct. 4, 2011).

<sup>6</sup> Not all ELs are immigrants, and not all immigrants are undocumented. In fact, most EL students (over 74%) are US-born with citizenship status (Whatley & Batalova, 2014), although the percentage of foreign-born EL students rises in high school. Many immigrants become citizens, obtain resident status (a.k.a., "green cards"), or have parents who possess work visas. Additionally, some migrants, such as those from Puerto Rico, have citizenship rights due to US military interventions and subsequent annexations. Although the popular media tends to conflate immigration with "illegal" status (Chávez, 2008), in reality, "immigrant" is not synonymous with "undocumented." Furthermore, issues of documentation are complex: citizen children may have undocumented parents and some families are mixed-status where some siblings have citizen rights and others do not (Mangual Figueroa, 2011, 2012; Suárez-Orozco, Yoshikawa, Teranishi & Suárez-Orozco, 2011; Yoshikawa, 2011). And, many undocumented youth are indistinguishable from their citizen peers as they have migrated as young children and are native English speakers or fully bilingual. To make matters more complex, current status may not be an indicator of future status. Even though youth may be undocumented at one point in time, their status could change in the future with proposed legislation such as the Development, Relief, and Education for Alien Minors (DREAM) Act (Pérez, 2012).

<sup>7</sup>In the state of California, credentialing programs incorporate authorization to teach ELs within single- and multiple-subject credentials; however, the nature of what individual teacher education programs do to satisfy state standards varies widely, with some programs offering substantive and integrated coursework and practicum experiences in EL settings, while others may have one isolated course within a credential program. For more on EL teacher preparation, see Lucas (2011).

<sup>8</sup>Exact demographic percentages and other details are omitted to protect human subjects.

<sup>9</sup>The following are notations used in the transcripts:

xxxxx - unintelligible

{ } - words that are assumed, but not 100% certain in the transcript

[ ] - words added for clarification

( ) - describe actions, gestures, and provide additional non-verbal context

CAPS – denotes high volume

<sup>10</sup> For more about the possibilities of formal civic education in contexts that include undocumented students, see Dabach (2014b).

<sup>11</sup> There are important reasons for *not* explicitly asking youth about their *actual* citizenship status within a national climate of threat to undocumented people (Ngai, 2004; Orellana & Johnson, 2012) and the historical and contemporary suspicious questioning of citizens' loyalties if they are members of racialized groups (Abu El-Haj, 2007, 2009; Ladson-Billings, 2004; Pak, 2002).

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