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Eva Midobuche
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More Than Empty Footprints in the Sand: Educating Immigrant Children

EVA MIDOBUCHE
Arizona State University West, Phoenix

Should children of undocumented workers be educated in U.S. schools? Some states have attempted to do away with bilingual and English as a Second Language (ESL) programs, which, as Eva Midobuche points out in this article, are naked attempts to marginalize children who are already at risk in our system. These public attempts divide the teaching profession and fuel anti-immigrant sentiment among teachers. The author's perspective is shaped by both her personal experience as a teacher and as someone who grew up along the U.S.-Mexico border. She argues for educational opportunity for all children.

As we drove along the country roads of south Texas to attend a family celebration, a very familiar sight caught my eye. A U.S. Border Patrol vehicle was dragging a tire along the fence of the property next to the highway. My thoughts suddenly raced back forty years. How many times had I seen this while growing up? A tire is dragged along the fence to smooth the ground, thus making it easier to check for human footprints. This procedure allows agents of the U.S. Immigration and Naturalization Service (INS), or the Border Patrol, to estimate the number of people crossing over the U.S.-Mexican border at that point, and from which direction. I could not help but smile as I remembered my two sisters and me making footprints with our father's boots on the soil that had just been leveled by the Border Patrol's tire.

Seeing INS agents as I grew up along the U.S.-Mexico border was an everyday event. Our home was on a ranch that bordered the Rio Grande River on the Texas side. Until I was thirteen we lived twenty-five miles from the nearest town but only eight miles from the river. When I began high school we moved closer to town but still were only three miles from the river. Living

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that close to the border also meant that we saw the crossing of many undocumented individuals.

An amazing number of families also crossed through the ranch. I remember a family that we found hiding in the barn: a man, his pregnant wife, and two children. They were scared, tired, and hungry. The youngest was a little girl of about eighteen months. She was suffering from dehydration and severe diarrhea. The family had run out of drinking water and had been forced to drink water from ditches and creeks. They had also run out of clean diapers. Not only was the baby sick, she was also soiled. My mother tried to help by giving her over-the-counter medications, but due to her dehydration she was beyond the ability of lay medical assistance. My mother told the couple that the baby needed to see a doctor and perhaps even be hospitalized. The child's parents talked for a while and agreed.

However, they informed my mother that they wanted to give her the baby. My mother assured them that this was unnecessary. They kept insisting on this over the next few days, and while the little girl was in the hospital my sisters and I got used to the idea that she would be staying with us. My mother even consulted an attorney to explore the legalities involved. In the end we all agreed that the little girl needed to be with her family.

Grateful to my parents, the family stayed with us until the little girl was fit for travel. Less than a month later we saw them again. They had been caught by the Border Patrol on their way to San Antonio and had been sent back to Mexico. Undeterred, they had crossed the river again and were on their way north. The parents explained that by coming to the United States their children would have a better life. They believed Americans would understand what an immigrant needed and wanted. After all, immigrants had forged the United States. Who would better understand their plight? They stayed with us for a short time and left rather abruptly one evening, since the baby was beginning to get sick again. They desperately wanted to get to San Antonio. After this second encounter we never saw them again. Over the years I often wondered if they ever fulfilled their dreams.

Living on the border, our dislike for the Border Patrol was evident. When my father was repairing the fence that ran along the highway, we would often put on the rubber boots he carried in the bed of the truck to use when irrigating the fields. We would use the boots to make footprints on the ground where the Border Patrol had dragged the tire. We would make large footprints with the big rubber boots and small ones with our own shoes, all going toward Mexico, out of the United States. We thought that if we could fool the Border Patrol into thinking that people were returning to Mexico, they would not come and search for the people headed north to seek better lives.

We thought of the Border Patrol agents as uncaring individuals who were tracking down innocent people like the family we found in the barn. It was difficult to grow up on the border and not have these feelings. You were forced to take sides. My father frequently assisted the Border Patrol in recovering bodies from the Rio Grande, bodies of Méxicans who had drowned in their attempt to cross the river. Sometimes the bodies had been in the water for many days. Someone's son, husband, or father had come to the United States with a dream; now there wasn't even a chance to identify him. As the daughters of a man who himself had been an undocumented immigrant in his youth, it was difficult to understand why people had to be tracked down like criminals. Our father had fallen and broken a leg jumping a creek while running from Border Patrol agents. The leg never healed properly and to this day he walks with a limp.

My father came to the United States when he was fourteen years old. He had lost his father and wanted to provide a better life for his mother, who was still in Mexico. While first in the United States he worked mainly in farming and ranching. As a very young teen he had tended sheep and had spent many months alone with nobody to talk to. When he was fifteen he delivered a baby boy for a couple who, just like him, were heading to the United States in search of a better life. As he grew and matured, he also worked as a cook's assistant and as a cowboy, and later he became the manager of a large ranch. During this time he went from being undocumented to being a *bracero*.[1] Eventually he became a permanent resident and finally a U.S. citizen.

As a child I remember that some of the friendliest, most hardworking, and humblest people I met were undocumented. I despised how they were hunted and humiliated by the Border Patrol. Being a witness to many incidents involving INS agents, I learned to fear this agency of the government. These incidents included people being chased through corrals, fields, and haystacks. At times they were separated by different agents chasing various family members. I saw the fear in the children's faces, the anguish in the parent's eyes, and the flinging of meager possessions in different directions as they attempted to avoid capture. Yet, I also accepted the presence of the Border Patrol as a normal everyday occurrence. Rationally, I understood the role of the Border Patrol. I understood that people were breaking the law by entering the United States and that the Border Patrol agents were merely doing their jobs. However, I couldn't help but notice the many times that agents seemed to demonstrate a marked disdain for the people they were capturing.

As a Mexican American child who did not speak English, I identified with these people illegally entering the United States. They were no different from me, except that I had been born one block north of the Rio Grande River. I looked like them. I spoke like them. And many times I felt like them and avoided the daily patrols of the Border Patrol.

These feelings were reinforced through most of my youth. I spent years watching my father help INS agents pull yet another faceless body from the river and watching the agents swarm all over the ranch as they came to round up undocumented workers. It seemed that these workers had no rights. They were hunted by the government, and I later learned that they were sometimes sold out by their fellow workers for $5 per head — the going INS rate. How else could the Border Patrol agents show up at the ranch with a list of names? My family continued to help families who were passing through the ranch, especially those with children. It was easy to see that the usually happy children were innocently along for the ride. They were often oblivious to what was going on around them, though the adults knew and understood their circumstances. They had made a conscious choice to leave a homeland that could not provide for them. The children, however, had never made that choice, but were simply traveling along with their parents. It was not unusual to arrive home from school and find that my father had given away the dinner my mother had cooked that afternoon. Other times we might discover that a favorite sweater was "missing." This giving made us feel good, since seeing immigrant children in these perilous situations was very sad. We continued to help, and in essence became accomplices to their crime.

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[1] The *bracero* program was a contract labor program for Mexican laborers begun in 1942 due to the manpower shortages in the United States created by World War II. Its history has been sporadic owing to labor shortages, political pressures, and economic conditions in the United States. With minor exceptions, the program ended in 1964 (Moore & Pachon, 1976).

Although I was already very experienced with undocumented children and adults, my experience with immigrant education issues started during my first year of teaching. I had returned to my hometown on the border to teach elementary school. During my first year in the district I was elected as a delegate to the state teachers association convention. Being new to the district, I felt honored to be the newest and youngest delegate. Several important issues were to be put before the delegates that year, among them the issue of immigrant children and their right to a U.S. education. The question, simply put, was whether children of undocumented workers should be educated in our U.S. schools.

The images of frightened, hungry, and often sick children hiding in haystacks, creek beds, or in the bushes came flooding back to me. What crime had these children committed against the State of Texas? How could we think of denying them the most basic of needs? Without a basic education, where would these children end up? In our society, denying a person a basic education can be viewed as consciously determining their fate and quality of life. Just as I had wanted to help these children as a child and had made those footprints in the sand, now as an adult I could give them my vote of confidence. I suddenly became aware that I was no longer that helpless child, but an educated adult trying to help at a much different level. Though this vote was nothing more than a recommendation by our teachers' association to the Texas legislature and the state Department of Education, I saw my vote in favor of education for immigrant children as another "footprint."

When the vote was called, I didn't hesitate to stand up and vote "yes," for I believed that all children should be educated, regardless of their status. After all, being in the United States was not their choice. As I stood to cast my vote, I heard my former high school history teacher behind me say, "Sit down! You don't know what you are doing or voting for." My first instinct was to obey my history teacher, one of only a few I had admired in high school. As I started to sit down, I again thought of the children whose lives I would be affecting. The child had not chosen to be here, so why should he or she be punished? Most children who came with their parents would not return to Mexico by themselves, but would remain in the United States. Were we willing to create a group of illiterate children who later would become illiterate adults? It was not my role as an educator to deny any child an education. I remained standing and my "yes" vote was counted.

The vote was close, with the "yes" votes taking a very slim majority. My former history teacher's comment implied that I did not understand what I had done. I had always admired this teacher for his knowledge, openness, and fair views. He had always fought for the rights of oppressed people. I had always credited him with helping to form my own beliefs about civil rights and issues of fairness, but on this issue he felt that our classes would become too large and unwieldy. I learned from him then that my decision to defend the right of immigrant children to an education would not be popular or easy to defend.

Being a first-year teacher on the U.S.-Mexico border, I was unaware that in the previous year, 1975, the Texas legislature had revised its education statutes to deny enrollment to undocumented children and to withhold state funds from school districts attempting to educate them. In 1977, a class-action suit was filed in the U.S. District Court for the eastern district of Texas on behalf of a number of school-age Mexican children who could not prove that they were legally in the United States. The case became known as *Plyler v. Doe* (1982).

Plyler v. Doe went all the way to the U.S. Supreme Court. In 1982, the Court ruled that undocumented immigrants were guaranteed a right to free public education. It specifically ruled that the Texas statute, which withheld state funds for the education of undocumented children, violated the Fourteenth Amendment (*Plyler v. Doe,* 1982). Justice William Brennan wrote that the Texas law was clearly unconstitutional because it "imposes a lifetime hardship on a discrete class of children not accountable for their disabling status" (*Plyler v. Doe,* 1981; appealed to the U.S. Supreme Court 1982, pp. 210–220).

As an educator I have had to inform others about *Plyler v. Doe* many times. I remember one particular school district in the southeastern part of the United States, where I had been asked to conduct professional development for their teachers and administrators. Over the summer, the poultry plant in the area had hired more than three hundred workers from Mexico. The school district needed assistance in methods of educating immigrant children. In the first three hours of the presentation, I must have been asked at least five times, "Do we have to educate the children if they are not legally here?" and "Shouldn't we be asking for a permanent resident card [green card] and calling the INS if they don't have one?" I politely informed them that the Supreme Court had ruled in the *Plyler v. Doe* case that the Fourteenth Amendment guaranteed undocumented students admission to school, and that students or parents were not required to disclose or document their immigrant status or produce any other documents. It was clear they understood what I was saying. Unfortunately, they were just not accepting it. Feeling frustrated by repeated questions about "turning in students and parents," I thought back to those innocent children I saw on the ranch so many years before. Finally, in not so polite terms, I informed them that they were educators hired to educate these students. They were not, I emphasized, employees of the INS or Border Patrol.

Many attempts have been made to deny immigrant children their right to a free public education. In 1994, voters in California passed Proposition 187, which required public school personnel to report all children and their parents to the INS or other enforcement agencies if they could not prove their legal immigration or nationality status in the United States (Macias, 1994). *Plyler v. Doe* was used to strike down this provision. The U.S. Congress, in 1996, also attempted to pass legislation allowing the states to deny undocumented immigrants a free public education. The bill was defeated (Schnaiberg, 1996). Some states, including California and Arizona, have attempted to do away with bilingual and English as a Second Language (ESL) programs, whose primary goal is to teach English to immigrant children. These are merely naked attempts to marginalize children who already are at risk in our system. These very public attempts often divide the teaching profession and serve to fuel anti-immigrant sentiments among some teachers. The primary goal of our profession should be to educate anyone who comes through its doors.

As educators, we need to take a strong position advocating the education of the immigrant child, regardless of our views on immigration. These children are here not because they chose to be here but because some adult brought them here, often without realizing the price that the children must sometimes pay for coming to the United States. Often immigrant children (Fishman, 1997; González & Darling-Hammond, 1997) lose their native language, culture, and identity. Sadly, these losses are usually not replaced by positive gains (Nieto, 1996; Ovando & Collier, 1998) because these children often are not adequately educated. Like millions before them, these immigrant children need to be given an educational opportunity to leave their mark on our society — not just a footprint in the sand.

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