



Educating Non-Citizens—Alternate Lesson Plan

Student Objectives

- Cite publicly funded education as a governmental benefit that citizens expect.
- Distinguish between rights enjoyed by all persons and privileges reserved for citizens in a democratic society.
- Understand the importance of education in preparing young people to participate in the national life of democratic societies.
- Analyze the reasons for supporting and opposing government support (e.g., in-state tuition) for higher education of immigrants who have entered the country illegally.
- Identify areas of agreement and disagreement with other students.
- Decide, individually and as a group, whether governments should extend support for higher education to immigrants who have entered the country illegally; support decisions based on evidence and sound reasoning.
- Reflect on the value of deliberation when deciding issues in a democracy.

Question for Deliberation

Should our democracy extend government support for higher education to immigrants who—as young people—entered the country illegally?

Materials

- Lesson Procedures
- Handout 1—Deliberation Guide
- Handout 2—Deliberation Worksheet
- Handout 3—Student Reflection on Deliberation
- Alternate Reading (*abbreviated and written at a lower reading level*)
- Selected Resources
- Deliberation Question with Arguments
(*optional—use if students have difficulty extracting the arguments or time is limited*)



Educating Non-Citizens—Alternate Reading

Deliberation Question: *Should our democracy extend government support for higher education to immigrants who—as young people—entered the country illegally?*

1 Each year, millions of people move from one country to another. They leave their countries
2 for many reasons. Some are seeking work. Others are refugees from war or civil unrest. Some
3 are trying to escape persecution, while others are attracted to freedoms or comforts in another
4 land. Some people want a new start in life or a chance to reunite with their families.

5 Some persons have government approval to enter the country. They may stay as legal
6 permanent residents. Some even seek citizenship in their new country. Other people first enter a
7 country legally but then stay longer than they are supposed to or do things that are not allowed,
8 such as work. Still others enter the country illegally, without authorization.

9 Democracies grant equality through citizenship. Non-citizens thus raise important questions.
10 How are the rights of citizens different from the rights of all persons in a country? What public
11 services should non-citizens receive? Are unauthorized migrants entitled to fewer services? One
12 flashpoint for this debate is public education.

13 **The Right of a Child to an Education**

14 In 1989, the United Nations General Assembly adopted “The Convention on the Rights of
15 the Child.” This Convention, approved by 192 nations, spells out rights and protections for
16 children regardless of where they were born or now live. The Convention also deals with
17 education. It says that signers “recognize the right of the child to education.” It also says that
18 primary education should be compulsory. That means the youngest students should be required

19 to attend school. Further, it says that secondary education should be available to every child. A
20 child’s legal status makes no difference under the Convention.

21 Each country decides for itself how to meet the Convention’s requirements. Many countries
22 had reservations about certain parts of the Convention when they signed it. The Federal Republic
23 of Germany was one such country. It noted that the Convention did not mean that people could
24 enter or stay in Germany unlawfully. Still, the Convention is an important international standard
25 for how children are treated.

26 **Access to Education by Unauthorized Immigrant Youth in the United States**

27 According to estimates, hundreds of thousands of undocumented youth attend American
28 public schools. Most were brought to the United States by their parents. More than 400,000 such
29 students have been in the United States for at least five years. Each year nearly 50,000 of them
30 graduate from high schools. For these children, “home” is the United States. Although they do
31 not enjoy legal status, they can attend public schools because of the 1982 decision by the U.S.
32 Supreme Court in the case of *Plyler v. Doe*.

33 In the United States, state governments are responsible for education. A Texas law withheld
34 state funds from local school districts for the education of children who were not “legally
35 admitted” to the country. Under this law, local schools could refuse to enroll students who had
36 entered the country illegally. By a vote of 5 to 4, the Court struck down the law. The Court said
37 that banning these students from public schools would impose a lifetime hardship on children
38 who were not responsible for their status. *Plyler* means that every child in the United States,
39 regardless of legal status, is entitled to a free public education through high school.

40 **College Funding for Unauthorized Immigrants: The DREAM Act**

41 In 1996, Congress passed a new immigration law. President Clinton signed it. The act says
42 unauthorized immigrant students cannot receive state loans or scholarships to public colleges and
43 universities. These students were already ineligible for federal financial aid. Now these students
44 had little chance to attend college.

45 In 2004, the “Development, Relief and Education for Alien Minors (DREAM) Act,” was
46 proposed in Congress. Senator Orrin Hatch (R) of Utah, Senator Richard Durbin (D) of Illinois,
47 and others sponsored the bill. The DREAM Act would provide undocumented high school
48 students a legal opportunity to pursue and get financial help to attend college or serve in the
49 armed forces. To qualify, students could not have a criminal record. They also must have entered
50 the U.S. before they were 16 and lived in the country for at least five years. They must have
51 graduated from high school or its equivalent. At present, the DREAM Act has not become law.

52 **The DREAM Act: Supporters and Opponents**

53 Senator Dianne Feinstein (D) of California is a co-sponsor of the DREAM Act. She has said,
54 “I believe it is in the national interest to provide talented students who have clearly embraced the
55 American Dream the incentive to take the path towards being a responsible, contributing, law-
56 abiding member in our civic society.”

57 Supporters say that the DREAM Act is smart policy. Since all unauthorized non-citizens
58 cannot be deported, providing an education for every child is both wise and fair. Otherwise, these
59 undocumented young people will grow up without an education. They will remain on the
60 margins of society. After all, the best way to learn about being a citizen is to go to school. By

61 receiving a publicly funded education, these young people will be encouraged to become full
62 participants in democratic life.

63 Other supporters say that education is a human right. Undocumented children did not decide
64 to enter the country by themselves. Their parents made that decision. Public education for both
65 citizens and non-citizens fulfills a basic need. Education today reasonably includes the chance to
66 attend college. Such a policy does not create a special privilege for these youth. It levels the
67 playing field by removing barriers that currently prevent them from reaching their full potential.

68 Opponents argue that the DREAM Act sends the wrong message. They see it as a reward for
69 illegal behavior. Phyllis Schlafly, the founder of Eagle Forum, has argued that “[t]here was no
70 misunderstanding about what this law means, either when Congress passed it or when President
71 Clinton signed it... ‘illegal aliens are not eligible for in-state tuition rates at public institutions of
72 higher education.’” The DREAM Act will only encourage more families to enter the country
73 illegally so that their children can benefit. The result punishes citizens and mocks legal
74 immigrants who have “played by the rules.”

75 Opponents also argue that the DREAM Act will cost students who are citizens. American
76 citizens will compete with unauthorized migrants for places at state colleges and universities,
77 they say. And budget issues are already causing states to raise tuition and cut education benefits.

78 Opponents say that preparing citizens has always been a central purpose of U.S. public
79 education. Investing in people who are not citizens would be wasteful and foolish. Every country
80 gives its citizens special benefits. Public higher education is one such benefit.



Educating Non-Citizens—Selected Resources

- “Border Security and Immigration” (Alton, IL: Eagle Forum, 2005),
<http://www.eagleforum.org/topics/immigration/index.shtml>.
- Bruno, Andorra, and Jeffrey J. Kuenzi, *Unauthorized Alien Students: Issues and Legislation*, CRS Report for Congress RL 31365 (Washington, DC: Congressional Research Service, December 17, 2003).
- “The ‘DREAM Act’: Hatch-ing Expensive New Amnesty for Illegal Aliens” (Washington, DC: Federation for American Immigration Reform, October 23, 2003),
http://www.fairus.org/site/PageServer?pagename=media_mediaf23a.
- Feinstein, Dianne, “Senate Judiciary Committee Approves ‘The DREAM Act’” (October 23, 2003), <http://feinstein.senate.gov/03Releases/r-dreamact3.htm>.
- “Immigrant Rights” (New York: American Civil Liberties Union, n.d.),
<http://www.aclu.org/ImmigrantsRights/ImmigrantsRightsMain.cfm>.
- “Immigrant Student Adjustment and Access to Higher Education—DREAM Act” (Washington, DC: National Immigration Law Center, 2005),
<http://www.nilc.org/immlawpolicy/index.htm#DREAM>.
- “The Immigration Debate Links: Illegal Immigration” (Los Angeles: Constitutional Rights Foundation, n.d.), http://www.crf-usa.org/immigration/immigration_illegal.htm.
- Papademetriou, Demetrios G., “The Global Struggle with Illegal Migration: No End in Sight,” *Migration Information Source* (Washington, DC: Migration Policy Institute, September 1, 2005), <http://www.migrationinformation.org/Feature/display.cfm?ID=336>.
- Passel, Jeffrey J. *The Size and Characteristics of the Unauthorized Migrant Population in the U.S.: Estimates Based on the March 2005 Current Population Survey* (Washington, DC: Pew Hispanic Center, March 7, 2006), <http://pewhispanic.org/files/execsum/61.pdf>.
- Plyler v. Doe*, 457 U.S. 202 (1982), <http://laws.findlaw.com/us/457/202.html>.
- S. 1545, “Development, Relief, and Education for Alien Minors Act of 2003 or DREAM Act,”
<http://thomas.loc.gov/cgi-bin/bdquery/z?d108:SN01545:@@L&summ2=m&>.
- Schlafly, Phyllis, “In-State College Tuition for Illegal Aliens?” *Eagle Forum* (March 19, 2003),
<http://www.eagleforum.org/column/2003/mar03/03-03-19.shtml>.
- Simon, Julian L., *Immigration: The Demographic & Economic Facts* (Washington, DC: Cato Institute and the National Immigration Forum, December 11, 1995),
http://www.cato.org/pubs/policy_report/pr-immig.html. See especially Sections 1 and 2.
- “United Nations High Commissioner for Refugees (UNHCR)” (Geneva, Switzerland: UNHCR, 2005), <http://www.unhcr.ch/cgi-bin/texis/vtx/home>.



Educating Non-Citizens—Deliberation Question with Arguments

Deliberation Question

Should our democracy extend government support for higher education to immigrants who - as young people - entered the country illegally?

YES—Arguments to Support the Deliberation Question

1. Education is a human right. Support for higher education for both citizens and non-citizens fulfills a basic need of every person in our democracy, especially in the 21st century when many jobs require a college education.
2. Democratic society depends on the education of every person. Since we cannot expect that every unauthorized non-citizen can be deported from our country, these undocumented young people will remain in our society. Educating them and allowing them a pathway to legal citizenship will allow them to become productive citizens who pay taxes.
3. Children most often did not decide to enter the country illegally. This decision was made by their parents. Children should not be punished for what their parents do.
4. Offering support for college education to law-abiding, unauthorized immigrant students is fair and in the best interests of the country. The best way to learn about being a citizen is to go to school. Providing unauthorized immigrant students with publicly funded education will encourage them to become full participants in our democratic society.
5. Providing publicly funded higher education does not give unauthorized alien students any special privileges. It merely removes barriers that currently prevent them from reaching their full potential.



Educating Non-Citizens—Deliberation Question with Arguments

Deliberation Question

Should our democracy extend government support for higher education to immigrants who - as young people - entered the country illegally?

NO—Arguments to Oppose the Deliberation Question

1. Providing government support for college education for non-citizen youth is misguided. A central purpose of public education is to prepare young people for citizenship. It is foolish to spend public dollars educating people who are not citizens.
2. Every country privileges citizens over non-citizens. In a democracy, citizens participate in the decisions of government and therefore receive special benefits such as the right to vote, to travel in and out of the country freely, and to receive public support for higher education.
3. Government support for higher education is an allocation by citizens of limited public resources. Providing unauthorized alien students with a college education means less money for other programs that benefit legal immigrants and citizens.
4. While children are not responsible for the decisions of their parents, our democracy is responsible for meeting only their basic human needs. Our democracy does not owe unauthorized immigrant children a college education.
5. People should not be rewarded for illegal behavior. Providing government support for college education to unauthorized alien students will only encourage more families to enter our country illegally so that their children can benefit. Taxpaying citizens subsidize the education of people who broke the law.



Lesson Procedures

Step One: Introduction

Introduce the lesson and the Student Objectives on the **Lesson Plan**. Distribute and discuss **Handout 1—Deliberation Guide**. Review the Rules of Deliberation and post them in a prominent position in the classroom. Emphasize that the class will deliberate and then debrief the experience.

Step Two: Reading

Distribute a copy of the **Reading** to each student. Have students read the article carefully and underline facts and ideas they think are important and/or interesting (**ideally for homework**).

Step Three: Grouping and Reading Discussion

Divide the class into groups of four or five students. Group members should share important facts and interesting ideas with each other to develop a common understanding of the article. They can record these facts and ideas on **Handout 2—Deliberation Activities** (Review the Reading).

Step Four: Introducing the Deliberation Question

Each **Reading** addresses a Deliberation Question. Read aloud and/or post the Deliberation Question and ask students to write the Deliberation Question in the space provided on **Handout 2**. Remind students of the Rules for Deliberation on **Handout 1**.

Step Five: Learning the Reasons

Divide each group into two teams, Team A and Team B. Explain that each team is responsible for selecting the most compelling reasons for its position, which you will assign. Both teams should reread the **Reading**. Team A will find the most compelling reasons to **support** the Deliberation Question. Team B will find the most compelling reasons to **oppose** the Deliberation Question. To ensure maximum participation, ask everyone on the team to prepare to present at least one reason.

Note: Team A and Team B do not communicate while learning the reasons. If students need help identifying the arguments or time is limited, use the **Deliberation Question with Arguments** handouts. Ask students to identify the most compelling arguments and add any additional ones they may remember from the reading.

Step Six: Presenting the Most Compelling Reasons

Tell students that each team will present the most compelling reasons to **support** or **oppose** the Deliberation Question. In preparation for the next step, Reversing Positions, have each team listen carefully for the most compelling reasons.

- Team A will explain their reasons for **supporting** the Deliberation Question. If Team B does not understand something, they should ask questions but NOT argue.
- Team B will explain their reasons for **opposing** the Deliberation Question. If Team A does not understand something, they should ask questions, but NOT argue.

Note: The teams may not believe in or agree with their reasons but should be as convincing as possible when presenting them to others.

Step Seven: Reversing Positions

Explain that, to demonstrate that each side understands the opposing arguments, each team will select the other team's most compelling reasons.

- Team B will explain to Team A what Team A's **most compelling** reasons were for **supporting** the Deliberation Question.
- Team A will explain to Team B what Team B's **most compelling** reasons were for **opposing** the Deliberation Question.

Step Eight: Deliberating the Question

Explain that students will now drop their roles and deliberate the question as a group. Remind the class of the question. In deliberating, students can (1) use what they have learned about the issue and (2) offer their personal experiences as they formulate opinions regarding the issue.

After deliberating, have students find areas of agreement in their group. Then ask students, as individuals, to express to the group their personal position on the issue and write it down (see My Personal Position on **Handout 2**).

Note: Individual students do **NOT** have to agree with the group.

Step Nine: Debriefing the Deliberation

Reconvene the entire class. Distribute **Handout 3—Student Reflection on Deliberation** as a guide. Ask students to discuss the following questions:

- What were the most compelling reasons for each side?
- What were the areas of agreement?
- What questions do you still have? Where can you get more information?
- What are some reasons why deliberating this issue is important in a democracy?
- What might you or your class do to address this problem? Options include teaching others about what they have learned; writing to elected officials, NGOs, or businesses; and conducting additional research.

Consider having students prepare personal reflections on the Deliberation Question through written, visual, or audio essays. Personal opinions can be posted on the web.

Step Ten: Student Poll/Student Reflection

Ask students: "Do you agree, disagree, or are you still undecided about the Deliberation Question?" Record the responses and have a student post the results on www.deliberating.org under the partnerships and/or the polls. Have students complete **Handout 3**.



Handout 1—Deliberation Guide

What Is Deliberation?

Deliberation (meaningful discussion) is the focused exchange of ideas and the analysis of arguments with the aim of making a decision.

Why Are We Deliberating?

Citizens must be able and willing to express and exchange ideas among themselves, with community leaders, and with their representatives in government. Citizens and public officials in a democracy need skills and opportunities to engage in civil public discussion of controversial issues in order to make informed policy decisions. Deliberation requires keeping an open mind, as this skill enables citizens to reconsider a decision based on new information or changing circumstances.

What Are the Rules for Deliberation?

- Read the material carefully.
- Focus on the deliberation question.
- Listen carefully to what others are saying.
- Check for understanding.
- Analyze what others say.
- Speak and encourage others to speak.
- Refer to the reading to support your ideas.
- Use relevant background knowledge, including life experiences, in a logical way.
- Use your heart and mind to express ideas and opinions.
- Remain engaged and respectful when controversy arises.
- Focus on ideas, not personalities.



Handout 2—Deliberation Activities

Review the Reading

Determine the most important facts and/or interesting ideas and write them below.

- 1) _____
- 2) _____
- 3) _____

Deliberation Question

Learning the Reasons

Reasons to Support the Deliberation Question (Team A)	Reasons to Oppose the Deliberation Question (Team B)

My Personal Position

On a separate sheet of paper, write down reasons to support your opinion. You may suggest another course of action than the policy proposed in the question or add your own ideas to address the underlying problem.



Name: _____

Date: _____

Teacher: _____

Handout 3—Student Reflection on Deliberation

Large Group Discussion: What We Learned

What were the most compelling reasons for each side?

Side A:

Side B:

What were the areas of agreement?

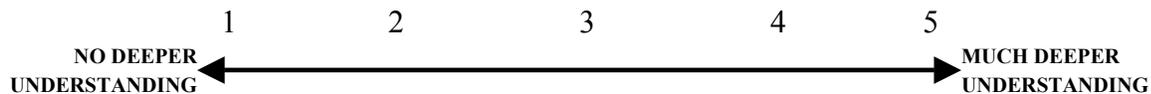
What questions do you still have? Where can you get more information?

What are some reasons why deliberating this issue is important in a democracy?

What might you and/or your class do to address this problem?

Individual Reflection: What I Learned

Which number best describes your understanding of the focus issue? [circle one]



What new insights did you gain?

What did you do well in the deliberation? What do you need to work on to improve your personal deliberation skills?

What did someone else in your group do or say that was particularly helpful? Is there anything the group should work on to improve the group deliberation?