

THE EMPLACEMENT OF THE DISPLACED IN U.S. CLASSROOMS: RETHINKING POLICY TO REFRAME PRACTICE

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The 8th Issue of the Global Health Equity Research in Translation Series highlight the experiences of displaced children and youth emplaced in the US educational system. The brief outlines policy considerations and strategies for supporting students displaced due to economic migration or refugee status, or who are at risk of becoming (or already have been identified as) trafficking victims. Policy and practice recommendations for researchers, policy-makers, and educational practitioners (i.e., leaders, teachers, counselors, support staff) are offered.

I. POLICY, HEALTH, AND EDUCATIONAL INEQUITIES FACED BY CHILDREN DISPLACED TO THE U.S.

The world is witnessing a mass relocation of people on a scale not seen since World War II. Those displaced include economic migrants as well as people fleeing war, violence, identity-based persecution, and climate change. At the end of 2019, the United Nations High Commissioner



for Refugees reported a record high of 79.5 million people forcibly displaced as a result of persecution, conflict, violence, or human rights violations, which represented an increase of almost nine million individuals over the prior year. Approximately 40% of these individuals were minors (under 18 years of age). Driven by a colonial past and neocolonial present, such movement comprises a continuum of forced- to voluntary-migration patterns.

An additional source of displacement arises from modern day slavery comprising commercially exploitative practices such as involuntary servitude, debt bondage, and forced sexual activity. Such activities are known as “human trafficking” under international policies as well as those at the US federal and state levels [1]. According to the International Labour Organization, in 2016 an estimated 40 million people were victims of modern-day slavery, of whom an estimated 75% were female, and 25% were minors. Importantly, while there is irrefutable evidence of cross-border and within-border trafficking, the formulation of reliable estimates is hampered by challenges such as barriers to structural and legal supports, policy inconsistencies, and flawed data collection techniques. Despite evidence that some policy makers and advocacy groups sensationalize sex trafficking statistics to support anti-immigration agendas, commercial labor exploitation is thought to occur at higher than reported rates.

While displacement is fraught with challenges for adults, minors face even greater risk of exploitation and rights violation both during migration, and, if successful, upon reaching their destination. Many asylum seekers, including unaccompanied children,

remain in US detention centers despite having valid claims for humanitarian protection. Further, because of inconsistencies between US immigration and human trafficking policies and the manner in which they are implemented—and the complicating fact that human smuggling [2] is a crime under US law—the proper identification of displaced unaccompanied minors who are vulnerable to trafficking can be stymied, and the legal remedies available to them are circumscribed [3].

Certain factors enhance the likelihood that a minor may be trafficked, such as age; gender; race; country of origin; socio-economic status; involvement with US child welfare, juvenile justice, and detention systems; childhood neglect and maltreatment; and housing status. Coupled with the failure of law to account for how individuals who are smuggled also are at risk for trafficking, there is an increased tendency to approach trafficking and immigration as a security problem. Each of these has a pronounced impact on displaced children and adolescents in the United States.

Forcibly displaced minors in US public school classrooms face a range of health inequities including short- and long-term academic, socioemotional, mental, and physical concerns. These occur in the form of developmental delays, language barriers, post-traumatic stress disorder, compounded and secondary trauma, depression, suicidal impulses, physical disfigurement, and chronic health disorders, among other serious challenges. Trafficked children, in particular, require assistance from law enforcement officials and legal advocates, as well as a spectrum of public provisions such as mental and physical health screening and treatment, social



service support, and educational advocacy. However, displaced children and their parents or guardians might not be aware of or feel safe seeking assistance from law enforcement, social service agencies, and health care providers because of discouraging experiences with structural racism, nativism, and sexism in US institutions, policies, and the behavior of those acting with a public charge.

Educational practitioners are uniquely situated as potential frontline points of contact for children and adolescents who might benefit from referrals to community resources and social services. While the general needs of displaced minors might be evident to many such practitioners, specialized training is warranted to address those unique dynamics affecting the subset of displaced children who are trafficked. Just as educational practitioners in previous decades received formal training in the identification of neglect, child abuse, and more recently, bullying, specialized, evidence-based training and curricula to help practitioners identify and prevent human trafficking can be developed and implemented.

In addition to a range of non-profit and grassroots educational programming funded by entities such as the US Departments of Justice and Health and Human Services, multiple states utilize multisector efforts to educate the public about human trafficking. Nine US states [4] now involve the educational sector in human trafficking prevention and victim identification. Yet, much like established concerns about the cultural politics that shape K-12 sex education curricula across the U.S., normative values also affect the policies,

respective implementation, and curriculum content aimed at educating practitioners about trafficking. Most problematic are those states (e.g., Texas) with proscribed stakeholder participation in the policy-driven development of curriculum and training, which also lack a nuanced discussion of race, gender, and economic issues relevant to trafficking. At the same time, in response to President Trump's 2017 suite of executive orders on border security, interior immigration enforcement, trafficking, and refugees and visa holders from "designated nations," some US school districts adopted policies to protect undocumented students and their families; such policies deny federal immigration agents access to school buildings and personnel without a criminal warrant.

II. PRACTICAL TAKEAWAYS

1. Normative bias and discourses of fear can shape community perspectives about displaced persons, which can manifest as a constraint on the basic rights and educational benefits to which children are legally entitled. Thus, it is important for all educational practitioners to understand the psychosocial impact of displacement on children and adolescents, particularly in a nativist political climate in the US that positions immigrants and refugees as undesirable threats to national security and economic prosperity.
2. By adopting a culturally responsive, supportive, and asset-based stance toward undocumented and other historically-marginalized and “othered” student groups, educational practitioners can play an important role in eliminating social stigmas and supporting students’ educational growth.
3. To further support displaced students, practitioners can track and critically assess information about displaced populations; monitor how immigration and suspected cases of trafficking are handled by district administrative authorities; anticipate and plan for potential challenges with their school enrollment and family-school-community connections; and facilitate students’ transition to higher education.
4. Human trafficking survivors require an array of specialized services to address physical and mental health, social welfare, and legal needs. To that end, school district and building leaders should consider developing school-researcher partnerships to assist with evidence-based and human rights-informed professional development training.
5. Human trafficking, and commercialized sexual exploitation in particular, is rooted in a white, hetero-patriarchal, capitalist, and colonial legacy. This is evidenced by the high rates of commercial and sexual violence that, regardless of geographic location, disproportionately affect women and girls overall, and Black, indigenous, and females of color in particular. Frank, reality-reflecting, and research-driven training materials are needed if educational practitioners are to engage effectively with each other, local communities, and students on this topic.

III. MULTI-LEVEL POLICY TAKEAWAYS

- 1 In general, there is great need for educational research on the policies, programs, and interventions for displaced children and adolescents. In particular, there is a paucity of research-based information on how prior trauma affects student physical, mental, socioemotional, imaginative, and spiritual emplacement within new localities and schooling systems.
- 2 Educational policy research that analyzes contemporary shifts in international and US federal law concerning displacement, and also comparatively examines both mandated training and the diversion of trafficked minors from the juvenile justice system to child protective services, would be beneficial.
- 3 State-level educational policies that contemplate the presence in public schools of displaced students—and their specific service and educational needs—are warranted. Policies and training curricula should be developed with practitioner input, particularly in light of state and local budget constraints that place increasing demands on public school personnel. To the greatest extent possible, the perspectives of survivors of displacement should be incorporated into policy and training materials.

III. MULTI-LEVEL POLICY TAKEAWAYS (CONT.)

- 4 To make meaningful strides toward the elimination of human trafficking, policymakers need to develop a multisector approach that addresses the socio-political and economic factors that contribute to trafficking. Interdisciplinary research and multimodal methodology are best suited to assisting the development and implementation of such approaches.
- 5 The possibility of unintended consequences should be contemplated prior to crafting policy. Hierarchical approaches to system change—even among the well-intended—can silence and harm the very people targeted for assistance. The remedy is to strive to co-create knowledge, and ensure that stakeholders are equal partners in the development of interventions.

FOOTNOTES

[1] Human trafficking involves the use of force, fraud, or coercion of people for the purpose of monetary gain from commercial sex or labor. Sex trafficked victims under 18 years do not need to prove force, fraud, or coercion, but this must be established for both adults and minor victims of labor trafficking.

[2] Human smuggling is the importation of people into the US involving the deliberate evasion of immigration laws.

[3] Under current US federal law, human trafficking victims constitute a protected class, while migrants, smuggled individuals, and asylum seekers, do not.

[4] California, Florida, Georgia, Idaho, Maryland, Massachusetts, Missouri, Ohio, and Texas.

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