

LEARNING **AMERICA**

One Woman's Fight for
Educational Justice
for Refugee Children

LUMA MUFLEH



MARINER BOOKS

Boston New York

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APPENDIX I

SEEKING ASYLUM



U.S. Immigration & Naturalization Service

*Asylum Office
1200 Wall Street West, 4th Floor
Lyndhurst, New Jersey 07071*

September 10, 1998

Ms. Luma H MUFLEH
70 Jamaica Way, #2
Jamaica Plain, MA 02130

Re: A73 651 950 Luma H. MUFLEH

Asylum Approval

Dear Ms. MUFLEH:

This letter refers to your request for asylum in the United States filed on Form I-589. This office previously issued you a letter to notify you that your request for asylum had been recommended for approval, pending the results of the mandatory, confidential investigation of your identity and background.

It has been determined that you are eligible for asylum in the United States. Attached please find a completed Form I-94, Arrival Departure Record, indicating that you have been granted asylum status in the United States pursuant to §208(a) of the Immigration and Nationality Act (INA) as of September 10, 1998. You have been granted asylum in the United States for an indefinite period. This grant of asylum includes your dependents listed above who are present in the United States, were included in your asylum application, and for whom you have established a qualifying relationship by a preponderance of evidence.

In order to request derivative asylum status for any spouse or child who was not included in your asylum request, you must submit a Form I-730, Refugee and Asylee Relative Petition, to the Immigration and Naturalization Service (INS).

You are eligible for employment authorization for as long as you remain in asylum status. Your dependents listed above are also eligible for employment authorization, so long as they retain derivative asylum status. However, you must apply for and obtain an Employment Authorization Document (EAD) as evidence of your eligibility to work in the United States. To obtain an EAD, you must submit to the INS a Form I-765, Application for Employment Authorization. We suggest that you include a copy of this letter when applying for work authorization as an asylee.

If you plan to depart the United States, you must obtain permission to return to the United States before you leave the country. If you do not obtain permission, you may be unable to reenter the United States, or you may be placed in proceedings where you will be required to establish your asylum status. You may apply for a Refugee Travel Document on a Form I-131, Application for Travel Document.

Asylum status does not give you the right to remain permanently in the United States. Asylum status may be terminated if you no longer have a well-founded fear of persecution because of a fundamental change in circumstances, you have obtained protection from another country, or you have committed certain crimes or engaged in other activity that makes you ineligible to retain asylum status in the United States. See INA §208(c)(2) and 8 C.F.R. §208.22(a).

You may apply for lawful permanent resident status under §209(b) of the Immigration and Nationality Act after you have been physically present in the United States for a period of one year after the date you were granted asylum status. To apply for lawful permanent residence, you must submit to the INS a Form I-485, Application to Register Permanent Residence or Adjust Status.

You must notify the INS of any change of address within ten days of any such change. You may obtain a Form AR-11 at your nearest post office or INS office to comply with this requirement.

You may obtain any of the forms noted above at an INS District Office or INS Forms Center. Instructions with or on the forms explain how to complete the forms, what documents to attach and where to send the completed forms.

Sincerely,



Susan Dibbins
Director
Newark Asylum Office

Enclosure: I-94

cc: Richard L. Landoli, Esq.
Landoli and Associates
36 Melrose Street
Boston, MA 02116

Departure Number

[Redacted]

Immigration and
Naturalization Service

I-94

Departure Record

A73 651 950

Asylum Granted
Indefinitely
Pursuant to
Section 208 of
the Act

ZNK SEP. 10 1998

ZNK # 054 KLB

| | |
|--|--|
| 14 Family Name MUFLEH | 16 Birth Date (Day/Mo/Yr) 01/03/75 |
| 15 First (Given) Name Luma H. | |
| 17 Country of Citizenship Jordan | |

See Other Side

ENGLISH

STAPLE HERE

**INTERNATIONAL GAY AND LESBIAN
HUMAN RIGHTS COMMISSION
ASYLUM PROJECT
US ASYLUM FACT SHEET**

Definition of a Refugee: an individual who is unable or unwilling to return to his/her country because of persecution or a well-founded fear of persecution on account of race, religion, nationality, membership in a particular social group or political opinion (8 USC §1101 (a) (42) (A) (1982)).

Important Cases

Matter of Toboso-Alfonso [A23-220-644] Int. Dec. 3222 (BIA 1990)

Immigration Judge Robert Brown granted Fidel Armando Toboso-Alfonso's application for withholding of deportation to Cuba on February 3, 1986. Judge Brown concluded that Toboso was a member of a particular social group (homosexuals) who feared persecution by the Cuban Government. On March 12, 1990 the Board of Immigration Appeals upheld the decision. On June 16, 1994 Attorney General Reno ordered this decision to be a legal precedent.

Matter of Tenorio [A72-093-558] (IJ 1993)

Immigration Judge Philip Leadbetter ruled on July 26, 1993 that Marcelo Tenorio, a Brazilian gay man, was eligible for asylum because of his well founded fear of persecution on account of his membership in a particular social group. The ruling is currently under appeal by the INS before the Board of Immigration Appeals.

Matter of Pitcherskaia [A72-143-932] (BIA 1995)

In a divided panel decision, the BIA ruled in November 1995 that a Russian lesbian who had been constantly arrested by the police, threatened with psychiatric institutionalization to change her sexual orientation and was expelled from school and lost jobs, failed to demonstrate a well-founded fear of persecution. The BIA held that each of her experiences did not rise to the level of persecution and the Russia government only intended to "cure" her of her sexual orientation rather than "punish" her. BIA Chairperson Schmidt dissented, and would have granted asylum based on the psychiatric persecution. A petition for review by the Ninth Circuit is pending. The American Civil Liberties Union, the American Immigration Lawyers Association, Amnesty International USA, Human Rights Watch, the International Human Rights Law Group, the Lawyers Committee for Civil Rights, the Lawyers Committee for Human Rights, the National Center for Lesbian Rights, the National Immigration Project of the National Lawyers' Guild and IGLHRC have filed amici briefs in support of Pitcherskaia.

Asylum Cases Granted

| | | | | | |
|-------------------|-------------|-------------------|------------------|-------------------|----------------|
| Mar 18, 1994..... | G/Mexico | Sep 13, 1995..... | L/Ethiopia | May 10, 1996..... | G/Russia |
| Aug 31, 1994..... | G/Pakistan | Oct 3, 1995..... | G/Pakistan | May 20, 1996..... | G/Mexico |
| Oct 18, 1994..... | G/Turkey | Oct 18, 1995..... | L/Iran | May 29, 1996..... | L/Russia |
| Nov 17, 1994..... | G/Colombia | Oct 31, 1995..... | H/Togo-Ivory Cst | Jun 5, 1996..... | G(2)/Russia |
| Feb 7, 1995..... | G/Nicaragua | Nov 14, 1995..... | G/El Salvador | Jun 23, 1996..... | GH/El Salvador |
| Feb 23, 1995..... | G/Venezuela | Jan 5, 1996..... | G/Guatemala | Jun 25, 1996..... | iG/China |
| Mar 10, 1995..... | G/Singapore | Jan 17, 1996..... | G/Colombia | Jun 28, 1996..... | G/El Salvador |
| Mar 31, 1995..... | G/Eritrea | Feb 15, 1996..... | G/Romania | Jul 5, 1996..... | G/Romania |
| Apr 5, 1995..... | G/Iran | Feb 20, 1996..... | G/Brazil | Jul 23, 1996..... | G/Colombia |
| Apr 18, 1995..... | G/Brazil | Feb 26, 1996..... | GH/Colombia | Jul 23, 1996..... | G/Yemen |
| Apr 19, 1995..... | G/Honduras | Mar 11, 1996..... | G/Jordan | Jul 26, 1996..... | GH/Brazil |
| May 30, 1995..... | G/Lebanon | Mar 13, 1996..... | L/Guatemala | Aug 6, 1996..... | H/Brazil |
| Jun 16, 1995..... | GH/Brazil | Mar 19, 1996..... | G/Venezuela | Aug 13, 1996..... | GH/Brazil |
| Jul 5, 1995..... | TF/Colombia | Mar 29, 1996..... | G/Iran | Aug 27, 1996..... | G/Iran |
| Jul 18, 1995..... | G/Iran | Apr 2, 1996..... | G/El Salvador | Sep 3, 1996..... | G/Pakistan |
| Jul 24, 1995..... | G/Mexico | Apr 2, 1996..... | G/Peru | Sep 10, 1996..... | G/Mauritania |
| Aug 4, 1995..... | L/Colombia | Apr 11, 1996..... | G/Pakistan | Sep 11, 1996..... | G/Pakistan |
| Aug 14, 1995..... | G/Albania | Apr 15, 1996..... | G/Russia | | |
| Sep 1, 1995..... | G/Nicaragua | Apr 22, 1996..... | GH/Chile | | |
| Sep 6, 1995..... | G/Eritrea | Apr 29, 1996..... | G/Pakistan | | |

Codes

H (person with HIV/AIDS), G (gay man), L (lesbian), B (bisexual)
TF (male-to-female transgender), TM (female-to-male transgender), i imputed ground

[IGLHRC\$961002]

Asylum Project
International Gay and Lesbian Human Rights Commission
1360 Mission Street, Suite 200 San Francisco, CA 94103 USA
Tel +1 415 255 8680 Fax +1 255 8662
E-mail: (Asylum Project) asylum@iglhr.org, (IGLHRC) iglhr@iglhr.org
http://www.iglhr.org

APPENDIX II

REFUGEE RESETTLEMENT

TOP REFUGEE RESETTLEMENT HUBS IN THE U.S. (CITIES) 2015-2019 AVERAGES

| CITY | RANKING PER CAPITA | # OF REFUGEES PER 10,000 RESIDENTS |
|----------------------|-----------------------|--|
| Clarkston, GA | 1 | 170 |
| Lancaster, PA | 2 | 59.4 |
| Bowling Green, KY | 3 | 56.3 |
| West Springfield, MA | 4 | 56.0 |
| Syracuse, NY | 5 | 50.4 |
| Utica, NY | 6 | 48.8 |
| Troy, MI | 7 | 47.6 |
| Erie, PA | 8 | 44.6 |
| New Bern, NC | 9 | 43.8 |
| Twin Falls, ID | 10 | 42.2 |

| CITY | RANKING PER # OF RESETTLED REFUGEES | # OF REFUGEES RESETTLED PER YEAR |
|------------------|--|---|
| Houston, TX | 1 | 1,295 |
| San Diego, CA | 2 | 1,251 |
| Dallas, TX | 3 | 1,138 |
| Buffalo, NY | 4 | 1,035 |
| Chicago, IL | 5 | 1,030 |
| Columbus, OH | 6 | 983 |
| Indianapolis, IN | 7 | 962 |
| Phoenix, AZ | 8 | 927 |
| Louisville, KY | 9 | 905 |
| Portland, OR | 10 | 793 |

(from American Public Media Research Lab)

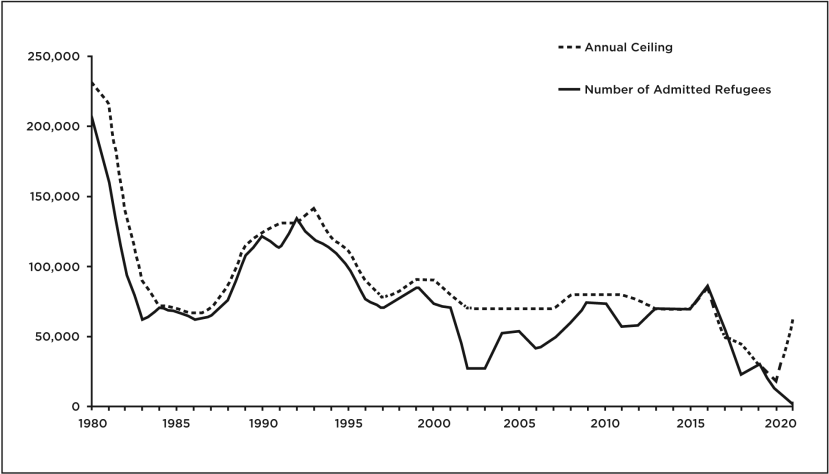
TOP TEN ORIGINS OF REFUGEE ARRIVALS TO THE UNITED STATES, FY 2010, FY 2020, AND FY 2010-20

| FY 2010 | | | FY 2020 |
|---|--------|---------|---|
| ORIGIN | NUMBER | PERCENT | ORIGIN |
| Iraq | 18,016 | 24.6 | Dem. Rep. Congo |
| Myanmar | 16,693 | 22.8 | Myanmar |
| Bhutan | 12,363 | 16.9 | Ukraine |
| Somalia | 4,884 | 6.7 | Afghanistan |
| Cuba | 4,818 | 6.6 | Iraq |
| Iran | 3,543 | 4.8 | Syria |
| Dem. Rep. Congo | 3,174 | 4.3 | Eritrea |
| Eritrea | 2,570 | 3.5 | El Salvador |
| Palestine | 1,053 | 1.4 | Moldova |
| Vietnam | 891 | 1.2 | Sudan |
| All other countries, including unknown | 5,306 | 7.2 | All other countries, including unknown |
| Total | 73,311 | 100.0 | Total |

Source: MPI analysis of the State Department's Worldwide Refugee Admissions Processing System data.

| | | FY 2010–2020 TOTAL | | |
|--------|---------|---|---------|---------|
| NUMBER | PERCENT | ORIGIN | NUMBER | PERCENT |
| 2,868 | 24.3 | Myanmar | 125,137 | 20.8 |
| 2,115 | 17.9 | Iraq | 109,412 | 18.2 |
| 1,927 | 16.3 | Bhutan | 77,409 | 12.9 |
| 604 | 5.1 | Dem. Rep. Congo | 70,447 | 11.7 |
| 537 | 4.5 | Somalia | 54,211 | 9.0 |
| 481 | 4.1 | Iran | 22,573 | 3.8 |
| 475 | 4.0 | Syria | 22,163 | 3.7 |
| 365 | 3.1 | Cuba | 20,020 | 3.3 |
| 364 | 3.1 | Ukraine | 19,237 | 3.2 |
| 254 | 2.1 | Eritrea | 18,223 | 3.0 |
| 1,824 | 15.4 | All other countries, including unknown | 62,028 | 10.3 |
| 11,814 | 100.0 | Total | 600,860 | 100.0 |

**ANNUAL REFUGEE RESETTLEMENT CEILING
AND NUMBER OF REFUGEES ADMITTED TO
THE UNITED STATES, FY 1980-2021**



Notes: Data on admitted refugees for FY 2021 run through April 30, 2021; the FY 2017 refugee ceiling was originally 110,000 but lowered to 50,000 midyear; the FY 2021 refugee ceiling was originally 15,000 but increased to 62,500 midyear.

Sources: US Departments of State, Homeland Security, and Health and Human Services, “Proposed Refugee Admissions for Fiscal Year,” various years; Migration Policy Institute analysis of the State Department’s Worldwide Refugee Admissions Processing System data, available online.

APPENDIX III

CHEEER

Too often I get asked for a playbook for how we do what we do. Sometimes I get stumped trying to answer complicated questions because what we do is not profound; it's actually really simple. At Fugees Academy, we use the acronym CHEEER to remind us of our core values.

CHILDHOOD

Schools are about children. Being a child is about having fun. Too often we forget to have fun. We focus on discipline and sitting in a class for eight hours. It's important to schedule time for play.

For Halloween, our students vote on a theme and create costumes over the course of a month. We've been stormtroopers and Yodas, Mad Hatters and rabbits, hamburgers and French fries. Students learn how to sew and use a hot glue gun. They paint one another's faces. We order pizza the night of trick-or-treating and the whole school goes together.

Wahid's first Halloween was at age thirteen. The other kids told

him everything he needed to know—knock on the door, take the candy, say thank you. If porch lights are off, keep walking. After a few hours, the students came back ready to head home and take stock of their sugary haul.

“What time tomorrow, Coach?” asked Wahid.

“We don’t have a game tomorrow,” I replied, a little confused.

“No, what time are we trick-or-treating?”

“Oh, trick-or-treating is only today, just one day of the year.”

Wahid’s face fell. “Why don’t we do this every day?” he asked.

I think of Wahid a lot because he was on to something. Fun should be a daily habit.

HUMILITY

Every semester, when we get our academic progress test scores back, teachers, coaches, and administrators sit down as a team and take a hard look at them. We also have an outside data analyst give us an objective read. Then we have an honest and hard conversation about everything. Which students did we not reach? What are we going to change about how we teach to improve on our results?

Our students average a 2.3 grade level jump every year, far exceeding their peers, but that’s often not good enough to get them to grade level. Our work is difficult, and it is humbling. You can be a master teacher, but our students will force you to get even better. That’s why our teachers have to learn from one another across subjects and grade levels. What methods do our art teachers use that our English teachers could implement? And vice versa? We encourage our teachers to have a beginner’s mindset, to always look for ways they can improve their craft.

We are kind and respectful, but at the same time, we don’t have to

worry about hurting one another's feelings. Everyone understands that we cannot let ego and hurt feelings get in the way of the common goal.

We cannot be stubborn and continue pressing the gas pedal if the car is careening off the cliff. If our data shows that our students aren't improving, it's on us to figure out why and change how we do things to make sure they are. We harm our students if we put blinders on to any mediocrity around us. Our team is only as strong as it is humble.

EQUITY

Every student in our school plays soccer, every student learns to play an instrument, every student does art. We eliminate all the barriers to access: cost, time, and transportation. One of the simplest ways we do this is by incorporating these activities into the school day. Practice is held immediately after school, and we provide annual equipment for each student. Similarly, we never put a student or parent in a position to say that they can't participate because of cost or schedule.

Everyone at school eats together and we all eat the same meal. We sit together and talk and take a real break. No one is allowed to bring their own meal. Our students are happy with this system. Ask them why we do it and they will tell you that it's because we're all equal. No one brings in food others can't afford. No one is better than or less than. This puts the responsibility on us — right where it should be — to provide healthy meals that cater to all the dietary restrictions of our students and staff. The vast majority of schools may not be able to follow our exact example here, but every school can examine the ways meals reinforce inequity, and the way they might be used to grow community.

EXCELLENCE

Our schools have a reputation in the community. Kids who don't go to our school say things like "If you mess up, they are on you," or "If you miss school, they call your house and come get you," or "They know how to speak one hundred languages and can talk to your parents." Obviously, I am very proud of this reputation. I think every school should have the same one.

We expect our students to be the best they can be. Always improving. We set the bar high, and once they hit it, we raise it even higher. We expect our students to say good morning and thank you and have their shirts tucked in. We don't accept late work, and students are not let into class if they are more than five minutes late. The rules are clear and everyone is held to the same standard. Every teacher enforces the same code of conduct; we are all part of the same team.

We don't, however, expect a newly arrived illiterate eleven-year-old to perform at grade level. We meet them where they are at and take time to teach the fundamentals. That student will never get an A in sixth grade because an A is for excellent grade-level work. That student will also never get an F if they show up and try.

If a student gets in a fight, they take responsibility for those they harmed. The person they hit, the class they interrupted, the teacher they disrespected. Our students stand in front of their community and ask permission to come back into the classroom. Everyone gets to ask questions about what happened and why and how it will be avoided in the future. Our high expectations for our students mean they have high expectations for one another.

EMPOWERMENT

We often get asked by area middle or high school students or their parents if they can tutor or coach our kids. My answer is always no. Having other same-age students tutor ours would create a giving-receiving dynamic that reinforces the same old power structures that tell our students they are less than.

We rely on a mix of college and community volunteers for tutoring, but we take every chance we can get to let our own older students and coaches serve as tutors so they can see themselves as leaders and role models. We develop our leaders from within; our priority, our North Star, is the kids in our building. Our school is for refugees by refugees.

The ultimate goal of empowering our students is that once they leave us they don't need us anymore. We don't create a cycle of dependence with programs that support them after they leave our schools.

RESPECT

During our teacher orientation, we spend hours learning how to pronounce our students' names. We don't Americanize the names or shorten them for our own comfort or because it's easier; we simply take a few extra hours practicing how to say them. We rely on our parents and teachers who are native speakers of those languages to help us learn. Our last day of orientation culminates in a meal hosted by the parents in their homes, which allows our teachers to see and experience the richness of their students' culture, family, and food. We cannot get respect if we have not earned it.

Our staff is continuously learning about different cultures and

customs through time with family, holidays, and student assignments. It's so vital that they understand all the different identities our students are straddling and show that they respect and honor each one.

For an expanded version of CHEEER, go to www.fugeesfamily.org.

NOTES

CHAPTER 8

Paul Tough's *Whatever It Takes: Geoffrey Canada's Quest to Change Harlem and America*, Houghton Mifflin Harcourt, 2014, and Jonathan Kozol's classic *Savage Inequalities: Children in America's Schools*, Crown, 2012, are two books that have been formative for my work.

The Stanford Graduate School of Education's paper mentioned is Kenji Hakuta, Yuko Goto Butler, and Daria Witt's "How Long Does It Take English Learners to Attain Proficiency?" The University of California Linguistic Minority Research Institute, Policy Report, 2000–1, [https://web.stanford.edu/~hakuta/Publications/\(2000\)%20-%20HOW%20LONG%20DOES%20IT%20TAKE%20ENGLISH%20LEARNERS%20TO%20ATTAIN%20PR.pdf](https://web.stanford.edu/~hakuta/Publications/(2000)%20-%20HOW%20LONG%20DOES%20IT%20TAKE%20ENGLISH%20LEARNERS%20TO%20ATTAIN%20PR.pdf).

CHAPTER 9

The *New York Times* article mentioned is Keith Meatto's "Still Separate, Still Unequal: Teaching about School Segregation and Educational Inequity," *New York Times*, May 2, 2019, <https://www.nytimes.com/2019/05/02/learning/lesson-plans/still-separate-still-unequal-teaching-about-school-segregation-and-educational-inequality.html>.

CHAPTER 11

The source for the information on teacher training in Finland is Sari Muhonen's "In Finland it's easier to become a doctor or lawyer than a teacher—Here's why," *The Hechinger Report*, October 16, 2017, <https://hechingerreport.org/teacher-voice-in-finland-its-easier-to-become-a-doctor-or-lawyer-than-a-teacher-heres-why/>.

The source regarding teacher training in Singapore is "Singapore: Teacher and Principal Quality," National Center on Education and the Economy's Center on International Education Benchmarking, <https://ncee.org/what-we-do/center-on-international-education-benchmarking/top-performing-countries/singapore-overview-2/singapore-teacher-and-principal-quality/>.

CHAPTER 12

The research on the importance of adults in children's lives mentioned in this chapter is from David Murphey, Tawana Bandy, Hannah Schmitz, and Kristin A. Moore's "Caring Adults: Important for Positive Child Well-Being," *Childtrends.org*, 2013, <https://www.childtrends.org/wp-content/uploads/2013/12/2013-54CaringAdults.pdf>.

CHAPTER 13

The two books by important researcher/writers on childhood adversity and trauma mentioned in this chapter are Dr. Bessel van der Kolk's *The Body Keeps the Score: Brain, Mind, and Body in the Healing of Trauma*, Penguin Books, 2015, and Nadine Burke Harris's *The Deepest Well: Healing the Long-Term Effects of Childhood Adversity*, Houghton Mifflin Harcourt, 2019.

The statistics about pediatric drug prescriptions mentioned in this chapter are from Frieda Wiley's "Psychotropic Drugs in Pediatrics: Looking at the Whole Child," *Drug Topics Journal* 162, no. 12, December 21, 2018, <https://www.drugtopics.com/view/psychotropic-drugs-pediatrics-looking-whole-child>.

CHAPTER 14

Zaretta L. Hammond's work has been a touchstone; her book is *Culturally Responsive Teaching and the Brain: Promoting Authentic Engagement and Rigor Among Culturally and Linguistically Diverse Students*, Corwin, 2014.

CHAPTER 15

The article on grade inflation mentioned in this chapter is Tom Lindsay's "The 'Other' College Scandal: Grade Inflation Has Turned Transcripts into Monopoly Money," *Forbes*, March 30, 2019, <https://www.forbes.com/sites/tomlindsay/2019/03/30/the-other-college-scandal-grade-inflation-has-turned-transcripts-into-monopoly-money/?sh=2bf839404182>.

APPENDIX III

For an expanded version of CHEEER, please visit www.fugeesfamily.org.