HON 345  

Immigration and Refugee Law and Policy  

Professor Marisa S. Cianciarulo  
Kennedy Hall, Room 440  
Phone: 714/628-2612  
E-mail: cianciar@chapman.edu  

Faculty Assistant: Maria Sanchez  
Kennedy Hall, 4th Floor  
Phone: 714/628-2588  
E-mail: masanche@chapman.edu  

Office hours:  
Monday 10:00-noon, Wednesday 10:00-noon, 2:45-3:45, Friday 10:00-11:00, and by appointment.  

Catalogue Description:  
Prerequisite: acceptance in the University Honors Program, or consent of instructor.  
Immigration and Refugee Law and Policy explores the causes and effects of illegal immigration, legal responses to immigration, challenges faced by immigrant communities, challenges faced by states and localities with high immigrant populations, the development and implementation of refugee law, and human trafficking. (Offered as needed.) 3 credits.  

Catalogue Description:  
Immigration and Refugee Law and Policy explores the causes and effects of illegal immigration, legal responses to immigration, challenges faced by immigrant communities, challenges faced by states and localities with high immigrant populations, the development and implementation of refugee law, and human trafficking. 3 credits.
Course Learning Outcomes:
Upon completing this course, students will have:

- A starting point for the exploration of immigrant populations in the United States;
- Developed the ability to analyze critically and synthesize a broad range of immigration-related topics;
- Become sufficiently knowledgeable about immigration law and policy to engage in a thoughtful discussion of the dramatic challenges shaping immigration and immigration law; and
- Developed effective oral and written communication skills.

General Education Learning Outcomes:
a. Social Inquiry Learning Outcome: Employs theories of how people frame and analyze social and/or historical phenomena.

b. Citizenship, Community, Service Learning Outcome: Engages in the theoretical and/or applied aspects of political, civic or social engagement in group affiliations.

Honors Program Learning Outcomes:
Upon completing a course in the University Honors Program students will have:
a. Obtained a starting point for integrative exploration of the development of cultures and intellectual achievements through a variety of disciplinary and interdisciplinary perspectives;
- This course explores the contributions of various cultures and ethnicities to the evolution of “American” culture.

b. Sharpened their ability to critically analyze and synthesize a broad range of knowledge through the study of primary texts and through engagement in active learning with fellow students, faculty, and texts (broadly understood);
- Students in this course will read and analyze immigration statutes, regulations, case law and other texts as the basis for in-class discussion and critique of U.S. immigration law and policy.

c. Understood how to apply more integrative and interdisciplinary forms of understanding in the advancement of knowledge and in addressing complex challenges shaping the world;
- Students in this course will learn that immigration is a multifaceted, multidimensional phenomenon dependent on a variety of factors.

d. Developed effective communication skills, specifically in the areas of written and oral exposition and analysis.
- This course requires students to demonstrate their written communication and analytical skills through written exams and a research paper. Students will also demonstrate their oral communication skills through in-class discussion and a final presentation.
Required Texts:
WENDI ADELSON, THIS IS OUR STORY

CHRISTOPHER EINOLF, THE MERCY FACTORY

DAVID NGARURI KENNEY AND PHILIP G. SCHRAG, ASYLUM DENIED: A REFUGEE’S STRUGGLE FOR SAFETY IN AMERICA (Univ. of Calif. Press, 2008) [hereinafter “ASYLUM DENIED”]

All other course readings are available on Blackboard in the folder labeled “Content” unless otherwise noted.

Instructional strategies:
1. Lectures
2. Written exams
3. Research paper
4. Educational videos
5. Oral presentations by students, and exercises in critical thinking.

Course Requirements:
1. Class Attendance: Class attendance is required. You are expected to attend all class meetings and to have assignments prepared when they are due.
2. Class Participation: Participation does not mean mere presence in the classroom. Instead, it means active listening – that is, the willingness to engage in the back-and-forth of open-ended and reasoned conversations by being open to what others have to say, risking our opinions, asking questions, and surfacing disagreements. Such “active listening” is essential to being a community of scholars.
3. Laptops and Other Communication Devices: Please note that laptops may only be used to take notes. Inappropriate use of laptops or other devices will result in a ban on all such devices for the remainder of the semester for all students. Students using laptops, cell phones, and other devices in class at inappropriate times will have their participation grade lowered.
4. Reading Assignments: You are asked to study carefully all required readings by the day on which they appear on the projected course schedule. It is important to note that you are asked not merely to read all assigned materials but to study them. Such study may require several readings of the material.
5. Class Time: Class meetings will be, for the most part, a mixture of lecture and discussion. All class meetings will allow time for your questions.
6. Exams: There will be three in-class exams during the semester. These exams will be open-book.
7. Final Paper:
a. You are to research and write a 10-15-page paper on “The Future of U.S.
Immigration” in which you will take a position on any topic of U.S. immigration
law or policy that you choose. You must submit your paper topic to me by the
deadline noted in the syllabus.
b. The paper must have a bibliography and footnotes or endnotes citing to the
sources you use.
c. You will give a presentation on your paper in the final weeks of the semester.

Methods of Evaluation:
1. Evaluation and grading will be based on the following:

<table>
<thead>
<tr>
<th>Requirements</th>
<th>Percentage of Grade</th>
</tr>
</thead>
<tbody>
<tr>
<td>First Exam</td>
<td>15%</td>
</tr>
<tr>
<td>Second Exam</td>
<td>15%</td>
</tr>
<tr>
<td>Third Exam</td>
<td>15%</td>
</tr>
<tr>
<td>Class participation</td>
<td>10%</td>
</tr>
<tr>
<td>Final Paper (10-15 pages)</td>
<td>45%</td>
</tr>
<tr>
<td>Paper topic</td>
<td>5%</td>
</tr>
<tr>
<td>First draft</td>
<td>25%</td>
</tr>
<tr>
<td>Oral presentation</td>
<td>10%</td>
</tr>
<tr>
<td>Final draft</td>
<td>60%</td>
</tr>
</tbody>
</table>

2. Grades will be assigned as follows:
   A = 100-91; B = 90-81; C = 80-71; D = 70-61; F = below 60

*Please note that turning in a late assignment will result in a grade reduction.* All paper-related assignments are due by 5:00 PM Pacific Time. You will lose five points if your assignment is turned in after 5:05 PM Pacific Time and another five points for every day it is late thereafter. I do not grant extensions for anything other than sudden severe illness (i.e., hospitalization required) or a dire family emergency. Please plan for computer crashes, pet emergencies, illness, and other unforeseen events by having your assignment completed early and emailed well in advance of the 5:00 PM deadline.

Chapman University Academic Integrity Policy:
Chapman University is a community of scholars which emphasizes the mutual responsibility of all members to seek knowledge honestly and in good faith. Students are responsible for doing their own work, and academic dishonesty of any kind will not be tolerated anywhere in the university.

Chapman University Students with Disabilities Policy:
In compliance with ADA guidelines, students who have any condition, either permanent or temporary, that might affect their ability to perform in this class are encouraged to contact the Office of Disability Services. If you will need to utilize your approved accommodations in this class, please follow the proper notification procedure for
informing your professor(s). This notification process must occur more than a week before any accommodation can be utilized. Please contact Disability Services at (714) 516-4520 or (www.chapman.edu/students/student-health-services/disability-services) if you have questions regarding this procedure, or for information and to make an appointment to discuss and/or request potential accommodations based on documentation of your disability. Once formal approval of your need for an accommodation has been granted, you are encouraged to talk with your professor(s) about your accommodation options. The granting of any accommodation will not be retroactive and cannot jeopardize the academic standards or integrity of the course.

**Chapman University Diversity Policy:**
Chapman University is committed to fostering learning and working environments that encourage and embrace diversity, multiple perspectives, and the free exchange of ideas as important measures to advance educational and social benefits. Our commitment and affirmation are rooted in our traditions of peace and social justice and our mission of producing ethical and responsible global citizens. The term diversity implies a respect for all and an understanding of individual differences in age, class, disability, ethnicity, gender, language, national origin, race, religion, sexual orientation, and socioeconomic status.

**Assignments:**

**PART I  U.S IMMIGRATION LAW: MYTHS, REALITY, AND AN UNCERTAIN FUTURE**

**Week 1** Overview of U.S. Immigration Law

**Sep. 1** Introductions, course overview.

**Sep. 3** Syllabus

American Justice Through Immigrants’ Eyes, Chapter 1

Department of State Visa Bulletin (will be provided in class)
Week 2  “Crimmigration”: The Immigration Consequences of Criminal Convictions

Sep. 8  8 United States Code, section 1101(a)(43)
American Justice Through Immigrants’ Eyes, Chapter 3

Sep. 10  Title 8 United States Code, sections 1401 and 1409
Nguyen v. Immigration and Naturalization Service

Week 3  U.S. Citizenship: What Does It Mean Today?

Sep. 15  U.S. Constitution, 14th Amendment

Dr. John C. Eastman & Prof. Ediberto Román, Debate on Birthright Citizenship, 6 Florida International University Law Review 293 (2011)

Sep. 17  Test #1

PART II  UNDOCUMENTED IMMIGRANTS AND OTHER VULNERABLE IMMIGRANT POPULATIONS

Week 4  Undocumented Immigrants and Immigrant Victims of Crime

Sep. 22  Jose Antonio Vargas, My Life as an Undocumented Immigrant, N.Y. Times Mag. (June 22, 2011)

Diana Marcum, He’s the Cal State Fresno student body president – and an illegal immigrant, L.A. Times (Nov. 18, 2010)

In class: view “A Border Between Them”

Sep. 24  U Visa Statute

Affidavit of a U Visa Applicant

Violence Against Women Act Self-Petition Statute

Affidavit of a VAWA Self-Petitioner
Week 5  Human Trafficking

Sep. 29  U.S. anti-trafficking laws and regulations
Affidavit of a trafficking victim

Oct. 1   WENDI ADELSON, THIS IS OUR STORY

Week 6  Children at the Border

Oct. 6   Haeyoun Park, *Children at the Border*, NEW YORK TIMES (July 28, 2014)


Halimah Abdullah, *Not in my backyard: Communities protest surge of immigrant kids*, CNN (July 16, 2014)

Oct. 8   Test #2

PART III  PROTECTING PERSONS FLEEING PERSECUTION: REFUGEE AND ASYLUM LAW

Week 7  Overview of Refugee and Asylum Law

Oct. 13  Statutory definition of a “refugee”

Oct. 15  Additional reading TBD

Week 8  Affirmative Asylum Adjudication

Oct. 20  THE MERCY FACTORY, Chapters TBD
In class: view “A Well-Founded Fear”
Oct. 22  THE MERCY FACTORY, Chapters TBD
In class: view “A Well-Founded Fear”

Week 9  Affirmative Asylum Adjudication; Defensive Asylum Adjudication

Oct. 27  THE MERCY FACTORY, Chapters TBD
In class: conclude viewing “A Well-Founded Fear”

Oct. 29  Asylum Denied, Chapters TBD
In class: view “Chasing Freedom”

MONDAY, NOVEMBER 3: PAPER TOPIC PROPOSAL DUE BY 5:00 PM VIA EMAIL

Week 10  Defensive Asylum Adjudication

Nov. 2  PAPER TOPIC PROPOSAL DUE BY 5:00 PM VIA EMAIL

Nov. 3  Asylum Denied, Chapters TBD
In class: conclude viewing “Chasing Freedom”

Nov. 5  Asylum Denied, Chapters TBD

Week 11  Refugee Resettlement

Nov. 10  Test #3

Nov. 12  Reading TBD
Week 12  Oral Presentations

Nov. 17  Student presentations; no reading assignment.

Nov. 19  Student presentation; no reading assignment.

**MONDAY, NOV. 30: DRAFT OF PAPER DUE BY 5:00 PM VIA EMAIL**

Week 13  Oral Presentations

Nov. 30  DRAFT OF PAPER DUE BY 5:00 PM VIA EMAIL

Dec. 1  Student presentations; no reading assignment

Dec. 3  Student presentations; no reading assignment

Week 14  Oral Presentations; Conclusion of Course

Dec. 8  Student presentations; no reading assignment

Dec. 10  Concluding reflections and discussion; no reading assignment

**MONDAY, DECEMBER 14: FINAL PAPER DUE BY 5:00 PM VIA E-MAIL**

Prepared by: Prof. Marisa S. Cianciarulo
Last revised: Aug. 26, 2015