



MALDEF

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND, INC.
28 Geary, San Francisco, CA 94108 (415) 981-5800

DEBATE OVER DOLLARS KILLS SIMPSON MAZZOLI IN '84 MALDEF continues to oppose employer sanctions

In the waning days of the 98th session there was one item of business that Congress did not finish: Simpson-Mazzoli. A conference committee that had reconciled nearly 300 differences deadlocked on the matter of dollars. It failed to reach agreement on the financing of legalization. For the third year in a row the bill died, but it was a slow death. Although the bill went before the House of Representatives in February, its outcome was not clear until October 10th. Months of concerted opposition by MALDEF staff and other concerned groups yielded a temporary victory. The bill, however, is expected to be reintroduced at the start

of the 99th session and will likely contain provisions agreed upon in 1984. They are:

- **Temporary Worker Program:** The H-2 guest-worker program was expanded to include key aspects of the Panetta amendment which allows growers to quickly and easily obtain foreign workers.
- **Legalization:** Undocumented immigrants arriving before January 1, 1977 would be eligible for permanent residency, while those arriving before January 1, 1981 would be offered temporary residence for two years. During that time, they would have to demonstrate an ability to speak and understand English, American history

and government, or be enrolled in a course of instruction to learn these skills before they could be granted permanent resident status.

- **Employer Sanctions:** All employers who knowingly hire undocumented workers would be subject to civil fines or criminal penalties. They would not be enforced, however, for a 2½ year period after enactment of the bill. Provisions for an employee verification system were removed. But the Attorney General would implement a 3-year demonstration project to validate social security account numbers.

MALDEF attorney and Director of Immigrant Programs, **Linda Wong**, pointed out that "the crucial issue for Hispanics was employment discrimination." Hispanics have repeatedly asserted that sanctions would unleash a tide of discrimination against them. Employers would more closely scrutinize the documents of Hispanics and some may avoid hiring Hispanics altogether.

In response to that concern, the House of Representatives voted by an overwhelming majority (404-9) to adopt the Frank Amendment, a proposal that establishes a Special Counsel's office to investigate discrimination complaints arising from the enforcement of employer sanctions. The Amendment was later extended to include U.S. citizens, permanent residents, (persons obtaining legal status under the legalization program), refugees and asylees. However permanent residents would be protected only if they filed a declaration of intent to become a citizen and if they applied for naturalization within six months of the date they first became eligible for citizenship.

Discussion on the Frank amendment left little time to iron out additional points of controversy. The proposal died when Congress adjourned on October 11.

"Simpson Mazzoli may have died in 1984, but there is little question that it will be resurrected in '85. MALDEF will continue its efforts to defeat the bill, and to help draft alternatives for consideration," said MALDEF President Joaquin Avila.

Denver Adopts Effective Bilingual Program

Following a December 1983 decision in which a federal court ruled that Denver had failed to provide adequate programs for limited English speaking students, the Denver School District began to implement a court approved remedial plan in September of 1984. The "Program for Limited English Proficient Students" resolves a major spin-off issue of the *Keyes v. School District* desegregation case. MALDEF intervened in the case in 1972 calling for a more comprehensive bilingual education plan.

The new plan covers four areas:

1. More rigorous and uniform evaluation

of language needs of school-age children.

2. Emphasis on recruiting bilingual teachers and the adoption of measures to ascertain their competency.
3. Designation of more campus level bilingual programs to serve the students; and
4. Accessibility of middle school and high school students who lack English language skills to language assistance programs.

Norma V. Cantu, MALDEF Director of Education Programs, asserts that the program promises to be "truly effective" and one "that may be used as a model for bilingual education in different communities."



JOE RAMOS

Studies show that quality bilingual education programs increase Hispanic students' potential for success.

President's Message



In the courts, in schools and colleges, in Congress and in city halls throughout the country, measures that protect the civil rights of Hispanics in the United States were challenged in 1984. To meet these demands MALDEF maintained and in some cases increased its efforts to address key national issues. Our advocacy on behalf of effective immigration reform and against Simpson-Mazzoli helped to stall that legislation until the next congressional session. Although the long range prospects are discouraging, we will continue to oppose any measure that includes employer sanctions.

The increasing needs of our community have placed a greater demand on our organization. Research findings indicate that conditions for the country's 14.6 million Hispanics have worsened: in 1984, our rate of unemployment was 18.6 percent. Funds for education and social service programs have dwindled and adequate housing remains a critical problem. MALDEF is doing its share in responding to these needs by helping to settle a 30 year law suit with the Houston Independent School District which will benefit Hispanic students and school personnel; by proposing plans to the Chicago Board of Education to alleviate school overcrowding in predominantly Hispanic areas; and by sponsoring leadership and citizenship programs that encourage civic involvement.

But more should be done.

In 1985, MALDEF will seek to expand and diversify its funding base and to maximize the impact of its legal and educational programs. Your continued support will help us to accomplish these goals.

Joaquin G. Avila
President and General Counsel

Catalyst for Change: Texas School Finance

Demetrio Rodriguez won't take "no" for an answer.

Eleven years after the Supreme Court found in *San Antonio Independent School District v. Rodriguez* that the Texas education financing system did not violate the federal constitution, Rodriguez is back for round two as a parent plaintiff to challenge the state's system of financing public schools.

The suit, *Edgewood ISD v. Bynum*, was filed by MALDEF on behalf of twenty-five low income individuals and eight school districts. The suit challenges the state's distribution of education monies noting that some wealthy districts can afford to spend over \$10,000 per year on each student while a poor district may spend less than \$2,000. **Albert H. Kauffman**, MALDEF lead counsel in the case, asserts "the place of residence of a child's parents, rather than the individual abilities, efforts or aspirations of the child determines the quality of education available to that child."

"In the original school finance challenge, *San Antonio ISD v. Rodriguez* the Supreme Court charged the Texas legislature with reforming the "chaotic and unjust" system," noted MALDEF President and Gen-

eral Counsel, Joaquin G. Avila. "However, studies by educational experts reveal that the gap in funding public schools had actually widened during the last eleven years."

The school finance case scored a major victory in May. Shortly after filing the lawsuit, the state legislature called a special session to overhaul the school finance system. As a result, seventy seven million dollars went to schools in Bexar County, where Mexican Americans account for 47 percent of the entire population. Other low-wealth districts also benefited from the changes.

The new statute, while giving more money to low property wealth districts to help retain good teachers and improve the quality of some programs, has shortcomings according to Kauffman. "There is no money for the construction of more buildings, and wealthy districts can still provide more suitable and more expensive programs to their students than can the low property wealth districts."

Kauffman adds that "regardless of the outcry by legislators, the statute does not go far enough, and the lawsuit will continue."



MALDEF Advocates for Bilingual Ballots

Proposition 38, a statewide initiative seeking to abolish the use of bilingual voting materials, was approved by a majority of California voters in the November election. Entitled, "Voting Materials in English Only," Prop. 38 called for the Governor of California to write a letter to the Congress of the United States requesting the repeal of the Bilingual Voting Assistance provisions guaranteed under the Voting Rights Act. While discouraged by the outcome of the election, Joaquin G. Avila, MALDEF President and General Counsel called the action "symbolic only" and pointed out that President Reagan's extension of the Voting Rights Act in 1982 prevents changes until the Act's expiration in 1987. "Passage of Proposition 38 does not mean an end to bilingual ballots in California," stated Avila. "In fact, Prop 38 was nothing more than a public opinion poll."

Before the November election, MALDEF attorneys challenged the constitutionality

of the initiative and sought to prevent the tabulation and certification of Proposition 38 by the Secretary of State. "The initiative itself was in violation of the California Constitution," asserted **Morris J. Baller**, MALDEF Senior Vice President for Legal Programs. "The initiative process was not meant to serve as a vehicle for public opinion polling but to serve as a basis for enacting laws."

MALDEF's petitions were denied, but the debate over the merits of bilingual ballots continued as MALDEF staff challenged Proposition 38 supporters on television and radio programs throughout the state of California.

Although California voters approved Proposition 38, MALDEF will continue to advocate for bilingual ballots. "There is definitely a need," insists Avila, "and we will work to ensure that non-English speaking citizens have equal access to the ballot box."

New Members of National Board

A new Chairperson, First Vice Chairperson and fourteen others were selected to replace outgoing members of the Board of Directors, at the annual MALDEF meeting in April. They are:

Chairperson Fernando de Necochea — Assistant Provost and the Advisor to the President for Chicano Affairs at Stanford University.

First Vice Chairperson Ignacio (Nacho) Lozano, Jr. — Publisher of *La Opinion*.

Polly Baca — Colorado State Senator.

Richard J. Bela — President of Avante Ventures and Properties, Inc., San Antonio-Austin.

Jeffery D. Colman — Attorney with Jenner & Block, Chicago.

Jane A. Couch — Vice President of Development for National Public Radio.

Sara-Ann (Sally) Determan — Partner with Hogan & Hartson, Tax Department, Washington, D.C.

Arnold R. Elias — Postmaster for Tucson, Arizona.

Hector M. Flores — Conciliation Specialist, U.S. Department of Justice, Dallas.

Harry C. Jamison — President of the ARCO Exploration Company.

Frances Ann Koncilja — Attorney with Morrison and Foerster, Denver.

Fidel Lopez — Vice President of Area Development with Continental Illinois National Bank and Trust Company in Chicago.

Elizabeth M. Martinez — law student, Columbia University.

Rita Moreno — Entertainer.

Raymond G. Sanchez — Speaker of the New Mexico House of Representatives.

Eric P. Serna — Chairman, New Mexico State Corporation Commission.

Congress Signals Broad Based Support for Bilingual Education

While the controversial Simpson-Mazzoli bill dominated the headlines, another measure of profound significance to Hispanics — the Bilingual Education Act of 1984 — was signed by President Reagan on October 19, 1984. This was the first time that the bill had received strong bipartisan support in Congress.

The Act provides for four more years of federally funded bilingual education programs by reauthorizing and amending Title VII of the Elementary and Secondary Education Act. The new act appropriates 176 million dollars for fiscal year 1985 while providing for additional funding in subsequent years.

"It's a major achievement," said **Helen C. Gonzales**, MALDEF Associate Counsel in Washington D.C. "Passing this Act translates rhetoric concerning the importance of quality education into action. The broad based support for the Act contributed greatly to its passage."

While conceding the importance of the victory, Norma V. Cantu, Director of Education Programs at MALDEF, also noted the lingering weaknesses. "The funding level is really only where we would have been in 1980 when President Reagan reduced bilingual education funding. Nor does the legislation consider that through improvements in techniques for identifying students in need, we now have more children to serve."

Cantu also warned local districts about the Special Alternative Instruction Programs to be funded under the 1984 Act.

"MALDEF will be studying districts closely to make sure that the federal monies actually represent an increase in the local efforts to help limited English speaking students. We will not permit schools to merely replace local funds with federal funds, while showing no improvement in their efforts to educate students."

The bill is comprised of four parts:

A major portion of the legislation funds language assistance programs to school districts on a competitive basis. At least ninety percent of the total Congressional authorization must be spent on bilingual education. The remaining ten percent is designed for alternative programs which do not follow bilingual education methodology. These programs include special education, English literacy instruction for adults and English language immersion courses.

The second part of the legislation funds evaluation, research and data collection to improve bilingual education programs.

The third component allocates 25 percent of funding for training and retraining of teachers, assistance to teacher-training colleges and direct technical assistance to school districts covered by this Act.

Finally, the bill continues to fund the Office of Bilingual Education and Minority Language Affairs. The bill also creates a National Advisory and Coordinating Council on Bilingual Education to urge federal and local policy makers to work together on meeting educational goals.

Chicago Redistricting Would Favor Hispanics

For years, unlawful gerrymandering has prevented adequate political representation of Hispanics in Chicago. This summer, the U.S. Court of Appeals for the Seventh Circuit agreed with MALDEF that ward boundaries should be redrawn in order to better represent the particular population. Earlier, the district court had cited unlawful gerrymandering against both Hispanics and Blacks, but MALDEF Associate Counsel in Chicago, **Raymond G. Romero**, felt that the remedy was insufficient to correct the discrimination.

"We wanted the Court of Appeals to review the facts from the (district court) trial and order a redrawn map that would truly enable Latino voters to influence elections," said Romero.

Although the favorable decision means that at least four wards will have a predominantly Hispanic population — 65 percent or more — actual redistricting has been delayed. In October, the U.S. Supreme Court granted a stay that effectively postpones further activity.

Meanwhile, MALDEF will continue to work collaboratively with attorneys representing Black voters in an effort to strengthen minority participation. Romero is optimistic, "We've already seen an increase in political representation for Hispanics in the four wards that were redrawn after *Velasco v. Byrne*. We will continue to push for that kind of reform throughout the city."



DUE PROCESS FOR TEST TAKERS IN CALIFORNIA

Passage of SB 1758, California's landmark "Due Process in Testing" bill, became a reality in October of 1984 after two years of hard work by State Senator Art Torres (D-East Los Angeles), MALDEF and other educational and testing groups. "With this law, we bridge the gap that previously existed for many students who seek more information about the standardized tests they take each year," says **Benjamin Lopez**, MALDEF Public Policy Advocate in Sacramento.

Lopez says the law will accomplish two things: it will require testing agencies to disclose more information regarding the standardized tests which students take, and it will establish due process standards to be used by test agencies whenever test scores are withheld from students and other test score recipients.

The impetus behind SB 1758 was an incident involving a group of Mexican American students attending Garfield High School in East Los Angeles. "In December, 1982, several Garfield students informed MALDEF that the Educational Testing Service had withheld their Advanced Placement Mathematics Scores from the college of their choice because of irregularities in their test scores. "ETS had provided scant information as to why the scores were being withheld," said **Ron Vera**, staff attorney and Director of MALDEF Access to Higher Education Project. After some investigation, MALDEF attorneys found that the students had scored exceedingly well on the College Board sponsored test and would have been entitled to college level credit had their scores been reported.

"Unfortunately," said **Dr. Susana Navarro**, MALDEF's Research Director and one of the principal architects of the bill, "the Garfield students were up against a system in which the testing agency had all the power and the students virtually none. The testing agency was empowered not only to question students scores, but also to decide which evidence to consider and the significance of the evidence and, ultimately, to make the decision to withhold or release scores."

MALDEF attorneys asserted that such a situation would make it difficult for anyone to successfully challenge the withholding of a test score. Moreover, MALDEF believed that by providing better information to students as to the characteristics, uses and limits of test scores, students



MALDEF Board Chairman, Fernando de Necochea, congratulates Helen Polin Monahan.

First Class Leader

Helen Polin Monahan, a graduate of the MALDEF Los Angeles Leadership Development and Advocacy Program, has already applied her new skills to gain access to policy making boards and commissions. "When Helen joined the program she targeted two appointments that she wanted — one to the College Board and the other to a State Educational committee," said MALDEF Los Angeles leadership director, **Magdalena Duran**, "She's now obtained them both." Ms. Monahan was recently appointed to the Youth and Education Steering Committee of the California Youth Authority and the College Board National Advisory Committee on Minority Affairs.

"Ms. Monahan's case illustrates the impact of this program. As representation on

these boards increases, sensitivity to Hispanic concerns and response to our needs will also increase," stated Joaquin G. Avila, MALDEF President and General Counsel.

Employed as an administrator of a "school within a school," Ms. Monahan coordinates the College Incentive Magnet Program at Banning High School in Los Angeles. She is responsible for preparing 215 students for post-secondary education annually and has been praised for developing new and creative program models.

"If we expand the pool of competent individuals like Ms. Monahan, who are willing and able to get involved," says National Leadership Director, Enrique Valenzuela, "it will be difficult *not* to appoint Hispanics to boards and commissions."

could better judge how test scores impacted on their education careers.

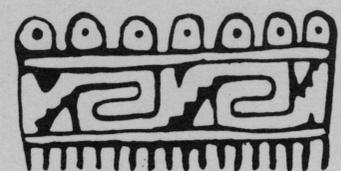
With this in mind, MALDEF staff began working with State Senator Art Torres on drafting legislation which addressed these concerns. "Although the first version of SB 1758 was vetoed by Governor Deukmejian in 1983" said Lopez, "once the Governor realized the reasons behind the bill and its importance to students, he gave the legislation his support."

"The reason why SB 1758 is so important," indicated Dr. Navarro, "is that it will now require testing agencies to give more weight to evidence provided by students before test scores are withheld. Because tests so vitally affect students' educational opportunities and their lifelong career choices and opportunities, this is a very important safeguard of their rights."

MALDEF Archives at Stanford

Considered one of the richest collections of primary source materials on Mexican American contemporary history and civil rights research, advocacy and litigation, the MALDEF archives were presented to Stanford University in 1984.

Professor Albert Camarillo who directs the Stanford Center for Chicano Research (SCCR) calls the collection "a virtual gold mine for scholars and policy makers."



MALDEF Begins Leadership Program in San Jose

The micro-chip capital of the world will be the new target of the MALDEF Leadership Program in Northern California in 1985. "The Hispanic population in Santa Clara County which includes the city of San Jose is 17.5 percent and yet Hispanics represent less than half that percentage on county boards and commissions," says National Leadership Director, Enrique R. Valenzuela. The three year program slated for Santa Clara County will recruit 180 Hispanic participants to train and place on boards and commissions. **Timoteo Vasquez** will direct the Santa Clara program.

Dallas, Denver, Oakland, Los Angeles and San Jose are among the cities where MALDEF leadership programs for Hispanics operate. Through seminars in local government, finance, public speaking, media outreach and politics, the young professional and seasoned community leader develop additional leadership skills. After a three to six month training program, participants are placed on public and private boards whose decisions impact on the lives of Hispanics.

In 1984, MALDEF leadership programs graduated over 120 Hispanics in California, Colorado and Texas.

Program Updates

The Dallas Project, initiated in the summer of 1984 under the direction of Dr. Baltazar Acevedo, graduated participants in September and is equipped to train 150 leaders over the next three years.

In Los Angeles, project participants have initiated a Latino Leadership Guide to feature organizations, demographics, business and individual leaders in the Mexican American community.

In Alameda County, California, 73 percent of the program graduates have been placed on boards and commissions. Placements include the Criminal Justice Commission, the Commission on the Status of Women and the State Advisory Committee on Teacher Credentialing.

Denver graduates were honored at a graduation event in December to commend all 143 participants over the past three years. In the last six months of 1984, seventy participants were placed on policy making boards.

HISPANICS WIN IN SCHOOL CASE

After twenty eight years of litigation, *Ross v. Eckels*, the Houston school desegregation lawsuit, was settled in September with a decree that benefits the Hispanic population of the Houston Independent School District.

In 1982, the Court of Appeals had concluded that the school district, while no longer segregated, must remain under court jurisdiction until 1984 to prevent re-segregation. In September, MALDEF and the attorneys for the Black plaintiffs jointly agreed to a consent decree releasing the school district from court jurisdiction, subject to several conditions.

The consent decree calls for significant affirmative action goals for more Hispanic staff at all levels of teaching, counseling and top level supervision; a new drop-out program aimed to prevent Hispanic dropouts; a large variety of special education programs on behalf of all minority youth; and a greater commitment to bilingual education, including increases in the number of bilingual education aides.

Originally filed on behalf of Black plaintiffs in 1956, MALDEF entered the case on behalf of the Mexican American population in 1971. At that time, Mexican Americans numbered 20 percent of the school population. They now number 34 percent.

Albert Kauffman, MALDEF attorney and a lead negotiator of the settlement called the decision a long-awaited victory. "It took a few years but we now look forward to fewer dropouts and better educated Latinos as a result of this case."



KDTV, San Francisco, sponsored a weekly television series on citizenship.

More Hispanics Seek Citizenship

"Enrollment in citizenship classes is up nearly 600 percent in just eight months," said **Mariana Scuros**, Project Director of the San Antonio Citizenship Outreach Program. In March, 1984, MALDEF's Texas office kicked off its Citizenship Project in San Antonio. Six months later, almost 600 people had enrolled in citizenship classes and 425 of them had applied for naturalization.

In October, with funding from the Levi Strauss and San Francisco Foundations, the San Francisco MALDEF office, in conjunction with La Raza Centro Legal, initiated a similar program. "The response was tremendous," said Communications Assistant **Cynthia Lopez**, "we received nearly 300 phone calls in less than one month." Eighty one applications were processed during the first four weeks of the program.

"The results in San Antonio and in San Francisco demonstrate that Hispanic legal residents are very interested in becoming U.S. citizens," states Joaquin Avila, MALDEF President. "The problem is that they, as well as other legal immigrants who qualify, must wait much longer than necessary to obtain citizenship." On the average, it takes a year for naturalization applicants from San Antonio to secure an interview. In San Francisco, the wait can be from four to five months. Under pressure from Hispanic groups, Congress increased the service budget for the Immigration and Naturalization Service by six million dollars for fiscal year 1985. Of that amount, 2.8 million dollars were earmarked for naturalization and adjudication.

Both the San Antonio and San Francisco programs utilize extensive media campaigns on Spanish language radio and TV to urge legal residents to seek citizenship. Emilio Nicolas, Vice President and General Manager of KDTV, Channel 14 in San Francisco, worked with MALDEF on an eight week series of one-half hour programs on citizenship. The programs emphasize the benefits of citizenship and dispel common myths and fears that prevent Mexican legal residents from naturalizing.

Funded as a one year pilot project, the San Antonio program was completed in November.

Hispanic legal residents who cannot vote, apply for certain governmental jobs, or receive certain scholarships comprise 10 to 15 percent of the total Hispanic voting age population.

MALDEF MOVES TO STOP ABUSIVE RAIDS

"My green card is in my hand!" shouted the woman as she was tied back to back with another female worker and then pushed and dragged from a poultry plant to the awaiting Immigration and Naturalization Service (INS) van.

The two women were among hundreds of workers apprehended during a 1982 nationwide campaign of factory raids. Similar raids are still being conducted. In Northern California, MALDEF challenged INS raid procedures in *International Molders Union v. Nelson*, a federal court lawsuit.

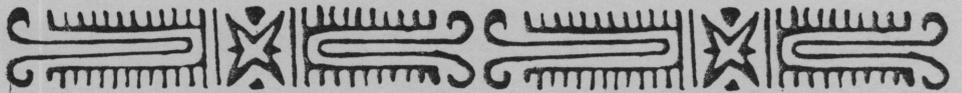
"We're not seeking to stop ongoing INS law enforcement operations but rather to make them comply with the Constitution," says Morris J. Baller, MALDEF Senior Vice President for Legal Programs.

The suit seeks an injunction prohibiting the INS from entering businesses without a warrant, without consent and in the absence of exigent circumstances. It further seeks to prohibit unlawful questioning and detention of workers. "Not only are the undocumented mistreated," asserts Baller, "but these sweeps affect workers indiscriminately. U.S. citizens and permanent residents are picked up as well as the undocumented."

Protection of workers' rights during INS raids suffered a setback in 1984 with the Supreme Court ruling in *INS v. Delgado*. The Court stated that the practice of work place sweeps and the posting of INS agents at factory exits did not violate the Fourth Amendment where there was no coercion used in the INS agents' 'brief and casual' encounters with workers.

"The *Molders* case shows that workers were coerced and could not leave their workplace," says **Susan Brown**, MALDEF staff attorney. "Surrounding and sealing off workplaces, and seizing individuals without articulable suspicion of their illegal immigration status violates Fourth Amendment prohibitions against unreasonable searches and seizures."

Named plaintiffs include nine individual workers, the Molders Union and five employers. They are represented by MALDEF, six other civil rights legal organizations, and several private attorneys.



Jose Garza, Fernando de Necochea, Mayor Henry Cisneros and Joaquin Avila at San Antonio dinner.



Joaquin Avila and Congressman Howard L. Berman, recipient of the MALDEF Legal Award, at the Los Angeles dinner.

Special Events Nationwide

MALDEF Award dinners in 1984 cast the spotlight on Hispanic educators, politicians, journalists and students.

Sears-Roebuck and Company and the San Francisco law firm of Howard, Rice, Nemerovski, Canady, Robertson and Falk received honors for their service to the Hispanic community of the Bay area.

Willie Velasquez, Executive Director of the Southwest Voter Registration Education Project, Emilio Nicolas, President and General Manager — KWEX TV, and David M. Sak, President of OMNI Interests, Inc. were award recipients at our San Antonio banquet.

The Denver Awards Dinner recognized Beth Sanchez as Outstanding Youth, Joe I. Ulibarri received the Distinguished Busi-

ness Leadership Award, Ray Romero for Excellence in Education and Robert Salazar for Achievement in the Legal Profession.

At the tenth annual dinner in Los Angeles the Honorable Howard L. Berman received the MALDEF's Legal Award and Daniel D. Villanueva of KMEX-TV received the Corporate Responsibility Award. Amalia Ochoa and Guillermina Castellanos were awarded Outstanding Youth Awards, and the Valerie Kantor Award for Extraordinary Achievement was accepted by the Hon. Romana Acosta Banuelos, Gloria Chavez and the Hon. Gloria Molina.

Upcoming Special Events

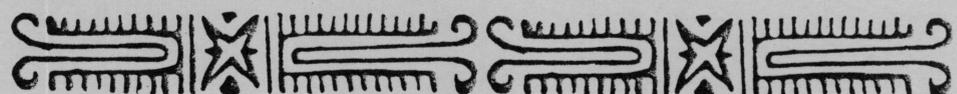
- Albuquerque March 1985
- San Francisco March 26, 1985
- Chicago April 17, 1985



Joaquin Avila and Fernando de Necochea receive a check from the Joseph E. Seagrams & Sons, Inc. Fund. Clyde Allen of Seagrams and Jan Wells of Paul Masson made the presentation in San Francisco.



Board member Bill Josephson and Joaquin Avila with Valerie Kantor Award recipients Romana Banuelos, Gloria Chavez and Gloria Molina in Los Angeles.





MALDEF Helps Save Bilingual College

In the words of President Carlos Plaza of St. Augustine College in Illinois, the "commitment and decisive intervention by the Mexican American Legal Defense and Educational Fund kept the college open." The only degree-granting bilingual college in the Midwest was on the verge of being shut down until timely intervention by the Chicago MALDEF office saved nearly \$500,000 in scholarship money for its students.

Following a lengthy audit by the Illinois State Scholarship Commission, St. Augustine College was notified that nearly one million dollars in financial aid was being withheld for the following semester based on an investigation into the immigration status and citizenship of the students. The college student body is virtually 100 percent Latino. Roughly half of the students are from Mexico, Puerto Rico and several Central and South American countries. The school announced that it would be forced to close its doors if it did not receive at least half of the scholarship amount from the commission.

A student organization immediately called on MALDEF to help restore the scholarships. MALDEF pointed out the illegality of both the investigation and the withholding of aid from students who were eligible for financial assistance. Intense negotiations between the Scholarship Commission, the State Attorney General's office and MALDEF finally resulted in the release of almost \$500,000 from the amount withheld, and a \$400,000 line of credit for the college.

Chicago Associate Counsel, **Raymond G. Romero**, hopes that this victory will set a precedent to end collaborative investigations with the INS to verify citizenship and residency status of individuals. Romero is asking the Illinois Attorney General to issue an official opinion to all state agencies prohibiting cooperative investigations unless specifically required by Federal law. Furthermore, Romero wants to ensure due process for students in jeopardy of losing their financial aid. "It's abusive and unfair that a student could be denied financial aid without a hearing first," says Romero. "We'll continue working to change that as well."



Settlement Wins Job Opportunities

Patrons of the 174 Vons Supermarkets in California can expect to see more minority employees in the future. In the September 18th settlement agreement between the company and MALDEF and the Center for Law in the Public Interest, Vons agreed to hire Blacks and Hispanics in proportion to their availability in the workplace. For entry level positions, that means hiring roughly 8 percent Blacks and 19 percent Hispanics. Vons also agreed to promote, on a similar percentage rate, currently employed Blacks and Hispanics to apprenticeship, journeyman and department head positions. **John Huerta**, Associate Counsel in Los Angeles, says, "The consent decree will lead to good paying jobs for hundreds of Hispanics across the state."

MALDEF had filed *Olaque v. Vons Market* in response to workers allegations of discrimination by Vons against Blacks and Hispanics in the recruitment, hiring, training and promotion of workers.

Vons Supermarkets is one of the largest grocery store chains in Southern California and was the official food supplier for the 1984 Olympics.

Reapportionment Changes Increase Hispanic Representation

The number of Mexican American elected officials in Texas is on the rise as a result of single member district elections proposed by MALDEF. "Lawsuits filed by MALDEF in recent years proved that the impact of the Hispanic vote was diluted in at large district elections," says **Jose Garza**, MALDEF, Associate Counsel in San Antonio. "Single member district elections are simply more representative."

Drawing on the strong terms of Section 2 of the Voting Rights Act (which MALDEF helped to enact in 1982), the reapportionment efforts helped to elect more than 15 Mexican Americans to local school boards and city councils. Many who won the elections were the first Mexican Americans ever to occupy such positions.

Victories in Texas have spurred activity in other states. In October, MALDEF filed a suit against the Roswell City Independent school district and the Chavez County Commission in New Mexico. "Although Mexican Americans comprise nearly 30 percent of the school district, only one Mexican American has ever been elected to the five member board," says **Judith Saunders-Castro**, MALDEF attorney.

MALDEF has also sued the City of Roswell. Roswell's population is almost a third Hispanic and yet they have no representation on the ten member city council. A trial is anticipated in early 1985 and a favorable outcome is expected. In an earlier decision, a panel of three federal judges ruled that the New Mexico reapportionment plan for 17 house districts diluted minority voting strength.

Renew Your Commitment to MALDEF

MEXICAN AMERICAN LEGAL DEFENSE AND EDUCATIONAL FUND
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Make checks payable to MALDEF. Contributions are tax deductible.

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Latinas Gain Access to Job Training in Los Angeles

When Cecilia S. decided she wanted to become a secretary, she was thinking about her children's security, "I had two kids at home and no job. I didn't have any skills. We were just making ends meet on welfare."

Cecilia tried to enroll in a Jobs Training Program in Los Angeles under the Jobs Training and Partnership Act (JTPA), but was denied entrance. The preference given to General Relief recipients — mostly men — limited the number of training slots available to economically disadvantaged groups such as women and AFDC recipients.

Now a year later, Cecilia will start clerical training due to a July settlement in *Madrid v. County of Los Angeles*.

The complaint, filed early in '84 by MALDEF and the Western Center on Law and Poverty challenged the 1983 Los Angeles county distribution of 9000 JTPA funded training slots.

"It's an important victory," says **Maria Rodriguez**, Director of the Chicana Rights Project. "Only 28 percent of the country's general relief recipient population was female, while more than one-half of the economically disadvantaged population was female."

Based on the agreement in *Madrid*, an increase of about 50 percent in training services will be allocated to disadvantaged persons. In addition, the women



Diana Campoamor



Enrique Valenzuela



Leticia Greenaway

New staff to Direct Programs

New staff joining MALDEF will provide talent and leadership in important areas. **Leticia Greenaway**, former assistant financial manager with the Community Development Commission of the County of Los Angeles, became Director of Finance and Administration in September; **Theresa Bustillos**, a UCLA law school graduate and former trial attorney with the U.S. Department of Labor is now a staff attorney for the Los Angeles employment program; **Diana Campoamor**, an experienced non-profit communications manager and producer of award winning advertising campaigns, films and publications, joined MALDEF as Communications Director in August; **Enrique Valenzuela**, formerly with the Democratic National Committee in Washington, D.C., became National Leadership Director in November; and **Baltazar Acevedo**, now Director of the Dallas Leadership Program, has a Ph.D. in higher education administration from the University of Texas, Austin. **PROMOTIONS: Antonia Hernandez** to Executive Vice President and Deputy General Counsel. **Morris J. Baller** to Senior Vice President for Legal Programs and Employment Program Director.

who filed the complaint have or will be placed in job training programs by the county. Furthermore, L.A. County will conduct a survey of child care needs of persons participating in JTPA programs. If it is determined that the present funding is inadequate, the county will seek additional funding for next year.

The *Madrid* case is only part of a larger effort by the Chicana Rights Project to monitor the federal JTPA program. JTPA replaced CETA, the Comprehensive Employment and Training Act in 1983.

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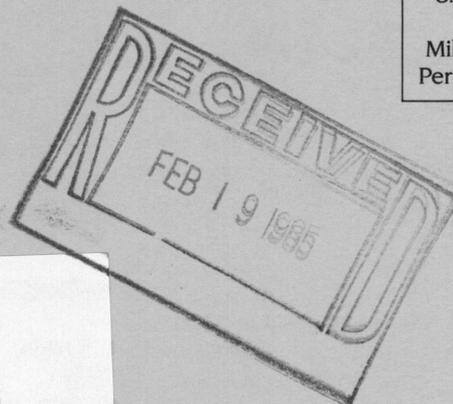
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SAN FRANCISCO
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