

nuestra cosa

FEB. 1974

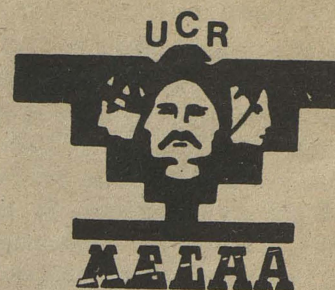
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Movimiento Estudiantil Chicano de Aztlan

University of California, Riverside



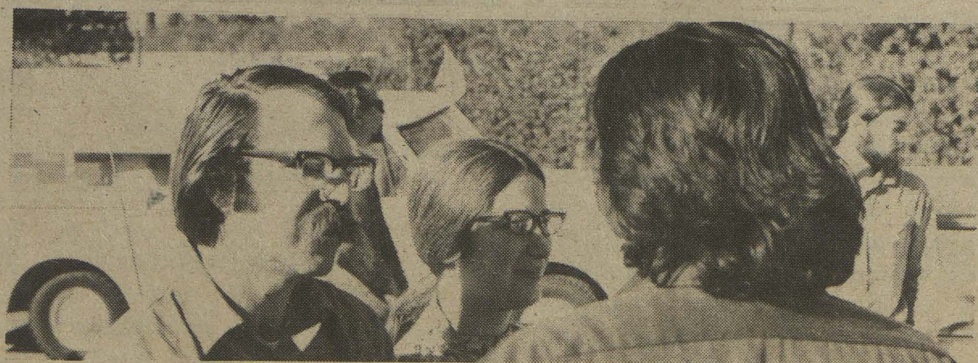
Vol. 2 No. 3

The following is the text of the presentation given by Dr. Manuel Ramirez, III, to over 1200 teachers attending the Bilingual-Multicultural Education Conference here at UC Riverside, Jan. 25-26, 1974.

The exclusionist melting pot ideology of the United States, as reflected in the educational system, has strongly emphasized acculturation rather than cultural diversity and bicultural identity and in this way it has also contributed to the negative attitude toward education held by members of the ethnic groups. The exclusionist melting pot ideology has acted more as a hindrance than as a facilitator to the achievement of equal educational opportunity. This ideology assumes that values and life styles differing from those of the mainstream American middle class are inferior and must be abandoned. In the case of some ethnic groups, a culture-is-damaging model has been applied. Educational institutions have viewed the cultures of some ethnic groups children and hindering the attainment of life styles and values consonant with mainstream American Culture.

The opinion that Chicano culture is inferior has long been held by educational institutions. This is evident in the various methods employed by such institutions to rid the Chicano child of his use of Spanish, to demand that he adhere to the conventions of a classroom he does not fully understand, and to encourage participation in extracurricular activities which often interferes with family responsibilities.

Con't Pg. 2 Col. 2



(t)Chavez in Calexico;(m-l)Frank Martinez being
thanked by Chavez for Riverside's share of food

PETER GAUTSCHI'S DISMISSAL:

1. Up until a month ago, Peter received four evaluations— all standard or above.

2. One month ago, Peter's supervisor prepared a special transfer evaluation— two months after Peter left her unit.

3. Peter has been active in both the Chicano community and the Union.

4. Peter has pressed for better service to the Chicano community through the hiring of more bilingual workers.

5. At the direction of the membership, Peter did arrange for a press conference on the formation of a chapter of Local 535 in Riverside County.

6. Of the four persons involved in this press conference, ONLY Peter received an official reprimand.

7. The Union attempted to appeal this reprimand to the State Personnel Board.

8. On Friday, official notification was received by the Department and the Union that the Personnel Board would not hold hearings for probationary workers.

9. On Monday, January 7, Peter received by memo from his supervisor, the tasks he must accomplish by January 21, as a condition of continued employment.

10. On Friday, January 11, Peter received notice by letter that he was fired effective at 4:30 p.m. on that day for unsatisfactory work.

11. On January 20, the Merit System Rules change to increase the right of probationary employees to appeals.

There can be no dispute over these facts. These things did happen.

Since the Union feels this case strikes at the heart of workers' rights to join and participate in the activities of the Union, the Union's attorney is preparing a Federal Court action and an appeal to the State Personnel Board.

You can do something to help: a) Don't be intimidated. The administration would like to see the workers panic and give up their Union; b) Join the fight—by contributing to the Riverside Chapter Legal Defense Fund; c) Write the members of the Board of Supervisors from your area protesting Peter's dismissal.

Local 535 prior to Peter's dismissal

Con't Pg. 6 Col. 2

Dance -

Scholarship Fund

Music by: "LOS TIBURONES"

Place: Riverside Board of Reditors

Saturday, February 23, 1974

9:00 p.m. to 1:00 a.m.

Admission \$2.50

per person

Sponsored
MECHA, R

PALABRAS

NEWSNOTES

"Without morality, compassion and a sense of social justice you will never make a significant contribution to this tired old world," said Philip Sanchez, United States Ambassador to Honduras. Sanchez spoke to the graduating class at the American School in Tegucigalpa, Honduras. He emphasized that education is the leveraging point between classes and distinctions of classes. "Only through education can a person overcome the great enemy of social progress—ignorance," he said. Sanchez stressed that students of a bicultural background have the advantage of a unique understanding of problems of international concern.

A Spanish-speaking man has been named senior employment representative under the new affirmative action officer at U.C. Berkeley. John C. Delfin will also continue in his former responsibility as Spanish-speaking recruiter for the University of California. Delfin spent 21 years in the Marine Corps where he served in various programs counseling.

Placing more Spanish-speaking persons in federal jobs across-the-board is one of the Cabinet Committee's major priorities for fiscal year 1974.

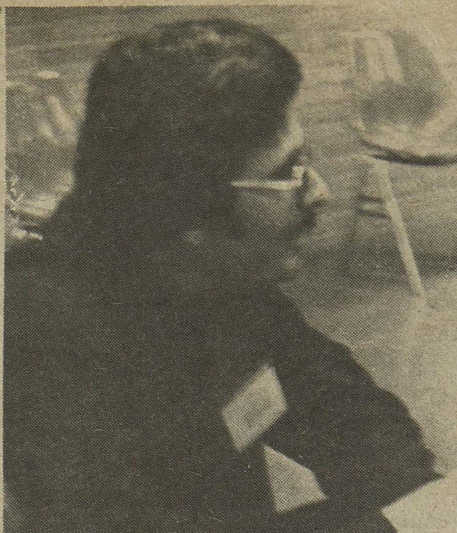
"Our goal is to see to it that the Spanish-speaking get their fair share of government jobs," commented Chairman Henry M. Ramirez.

Chicano students are being recruited by the George Washington University Law School, Washington, D.C. Interested Chicanos must have a degree from an accredited college or university and have the necessary tests, transcripts and financial aid applications completed to be available to the National Law Center. For further information contact: La Raza National Law Students Association, The National Law Center, 2000 H Street, N.W. Washington, D.C. 20006 Telephone: (202) 676-7561.

A recruitment handbook for minorities and women interested in job opportunities in the administration of justice is being prepared by the Office of Federal Women's Program for the Department of Justice, Washington, D.C. It is to be used as an aid in seeking professional, technical, law enforcement and clerical job applicants. Those interested in the publication should contact: Ms. Elaine Crane, Coordinator.

EDITOR'S NOTE:

The Editor requests that Readers of this paper feel free to submit material for publication: letters, articles, poems, jokes or anything else you can think of..... ya me canse de usar puros fillers.....



Dr. Ramirez.....

Con't from Pg. 1

The belief that Spanish interferes with the Chicano child's ability to learn English and that loyalty to his family and ethnic group competes with his loyalty to the "American way of life" is reflected in programs being implemented across the country, all of which are labeled "compensatory." This explains why one can find signs in schools reading, "Be a good American, speak English all the time." Many Mexican-American children have been assigned to classrooms for the educable mentally retarded merely because they do not speak or understand English and/or because they are unaccustomed to information familiar to children of the middle class culture.

A study by Chandler and Plakos revealed that when Chicano children in educable mentally retarded classes were retested with the Spanish translation of the Weschler Intelligence Scale for Children, many of the scores were higher than the scores obtained with the English version. The second scores no longer qualified these children for placement in classes for the mentally retarded. However, Chicano children continue to be placed in special classes solely on the basis of intelligence testing in the English language. It should be emphasized that although intelligence tests may be administered in Spanish, they should be carefully examined for content that Chicano children are not assessed on their knowledge of biased material. This "culture-is-damaging" approach has been consistently used by the schools to exclude Mexican-American children, to place them in a position where essentially they cannot achieve equal educational opportunities.

Aside from the standard procedure for dealing with Chicano children who are not performing at the acceptable level for their age groups, other novel approaches to learning have been suggested and implemented. We have many programs claiming to be innovative, claiming to do things for Mexican-American children—programs like Head-start, like Follow Through, and Title I. I with that you could read some of the proposals sent in from many of these programs. They all begin with the assumption that there is something wrong with Mexican-American culture, thus, there is

succeed in school, their culture must be taken away from them. I'll read you a little quote from the author of one of these programs. This is from a very famous and well known educator who is supposedly a pioneer in education for the culturally different; the educator writes: *Mexican American children are deficient in both Spanish and English, have little experience manipulating objects, and little sense of time as an ordered sequence of events.*

What nonsense, what blindness, what a lack of understanding of the Mexican-American children! Is it any wonder then that schools have sought to eradicate Mexican-American culture?

My contention is that the goal of bilingual programs, the goal we strive to achieve through the Bilingual Education Act of 1967, is in actuality a two-fold goal: 1) to make educational institutions sensitive to the cultural differences among students by removing the blindness that has existed in our schools for so many years, and, 2) to see that educational institutions promote cultural diversities by developing programs that implement the new philosophy of education—cultural democracy. Cultural democracy is the right, the moral and the legal right, of Mexican-American children as well of children of other ethnic groups to maintain an identity with their ethnic groups while learning the ways and language of the mainstream American middle class. Only in this way can we have true biculturalism in our schools and develop bicultural and bilingual programs that are meaningful. If we really believe in the melting pot, then what we should be saying is: *All cultures should be maintained intact as much as possible. Cultural differences should be reinforced and not eradicated.*

But bilingual programs are failing in this mission. Evidence of this can be found in two recent publications of bilingual education—one by Anderson and Boyer titled *Bilingual Schooling in the U.S.* and another by Johns and Horner titled *The Handbook of Early Childhood Bilingual Education*. In the first place, both of these books begin with a mistake: the distortion of history. According to these books bilingual education in the United States started when the Cubans started migrating to the U.S. The truth is that in the 1930's Dr. George Sanchez was advocating bilingual education. And later, for many, many years while a professor at the University of Texas at Austin, Dr. George Sanchez continued to speak for bilingual education, and fight for a cause that did not always gain him respect and admiration. The Texas legislature did not like him, the Texas State Department of Education did not like him.

ESL programs disguised as bilingual programs

Moving beyond history, what we learn about bilingual programs from these two books is that the majority of programs which now exist are English as a Second Language (ESL) programs disguised as bilingual programs. These programs operate by starting the children

to grow in Spanish. They phase out the Spanish. The combination of English and Spanish could be most effective in the classroom especially in relation to learning mathematics, science and reading in Spanish. In effect, most of the programs that call themselves bilingual are merely ESL programs in disguise. Once again the exclusionist melting pot is upon us about now it masquerades as a bilingual education.

Assessment

Another major weakness of bilingual programs is the use of biased and out-moded evaluation instruments. This is a very common offense because we are being forced into a premature evaluation of bilingual programs. These programs are being pushed to show progress. Evaluation is carried out with the use of biased standardized tests that were not developed for Mexican-American children. So what do we have? [Or *What are we left with?*] We have an innovative bilingual program which when used shows that the children are not making many gains because the assessment is based on out-moded tests which cannot fairly evaluate a program that is supposed to be innovative and experimental. Now the Establishment can say, "Well, we gave them a chance; we provided money for bilingual education, but it doesn't seem to have any effect." Mark my word, this is coming. Within the next two or three years, we are going to hear this more and more. We are being hurt by the so-called standardized tests—first as intelligence tests, and second, as achievement tests.

In conclusion, I'd like to remind you that it was about a year ago that the man whom I consider to be the greatest pioneer in bilingual education, Dr. George Sanchez, passed away. He was a brilliant man; he was an eloquent man, but above all, he was a brave man who devoted his life to fighting racism, bigotry, and ignorance.

I would like to end with a quote from one of the papers he read shortly before his death. He states, *In colleges of education we aren't even aware of the achievements of Spaniards, of Indians, of Indo-Hispanic Mexican, and Mexican-American children about Julian Luis Vives, about Pedro de Gante, about Alonzo de la Cruz, about Rafael Ramirez? Who tells them that the first books printed in the Americas were printed in Mexico? That the very first, in 1540, Doctrina Cristiana en Lengua Mexicana, Was written in Nahuatl, the language of the Aztecs. That the Fiscia Speculato published in Mexico in 1560 set forth the laws of gravity one hundred years before Newton. We talk of bilingual education as though we were at the head of an educational parade. We had bilingual dictionaries in Mexico before 1600. In fact, we had teachers' guides on the teaching of reading before 1600. Those teachers' guides Cartia Para Ensenar a Leer, were trilingual—Spanish, Latin, and Nahuatl. We pioneered the west. We mapped and named the mountains, the rivers. We named the states: Tejas, Nuevo Mexico, Colorado*

FULL TEXT OF OPINIONS

No. 72-6520

Kinney Kinmon Lau, a Minor
by and Through Mrs. Kam
Wai Lau, His Guardian
ad litem, et al.,
Petitioners,

vs.

Alan H. Nichols et al.
On Writ of Certiorari
to the United States
Court of Appeals for
the Ninth Circuit.

January 21, 1974
Syllabus

The failure of the San Francisco school system to provide English language instruction to approximately 1,900 students of Chinese ancestry who do not speak English denies them a meaningful opportunity to participate in the public educational program and thus violates article 601 of the Civil Rights Act of 1964, which bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving federal financial assistance," and the implementing regulations of the Department of Health, Education, and Welfare.

483 F. 2d 791, reversed

DOUGLAS, J., delivered the opinion of the Court, in which BRENNAN, MARSHALL, POWELL, and REHNQUIST, JJ., joined. STEWART, J., filed an opinion concurring in the result, in which BURGER, C.J., and BLACKMUN, J., joined. WHITE, J., concurred in the result. BLACKMUN, J., filed an opinion concurring in the result, in which BURGER, C.J., joined.

MR. JUSTICE DOUGLAS delivered the opinion of the Court.

The San Francisco California school system was integrated in 1971 as a result of a federal court decree, 339 F. Supp. 1315. See *Lee vs. Johnson*, 404 U.S. 1215. The District Court found that there are 2,856 students of Chinese ancestry in the school system who do not speak English. Of those who have that language

deficiency, about 1,000 are given supplemental courses in the English language. About 1,800 however do not receive that instruction.

This class suit brought by non-English speaking Chinese students against officials responsible for the operation of the San Francisco Unified School District seeks relief against the unequal educational opportunities which are alleged to violate the Fourteenth Amendment. No specific remedy is urged upon us. Teaching English to the students of Chinese ancestry who do not speak the language is one choice. Giving instructions to this group in Chinese is another. There may be others. Petitioner asks only that the Board of Education be directed to apply its expertise to the problem and rectify the situation.

The District Court denied relief. The Court of Appeals affirmed, holding that there was no violation of the Equal Protection Clause of the Fourteenth Amendment nor of article 601 of the Civil Rights Act of 1964, which excludes from participation in federal financial assistance, recipients of aid which discriminate against racial groups, 483 F. 2d 791. One judge dissented. A hearing *en banc* was denied, two judges dissenting. *Id.*, at 805.

We granted the petition for certiorari because of the public importance of the question presented, 412 U.S. 938.

The Court of Appeals reasoned that "every student brings to the starting line of his educational career different advantages and disadvantages caused in part by social, economic and cultural background, created and continued completely apart from any contribution by the school system," 483 F. 2d, at 497. Yet in our view the case may not be so easily decided. This is a public school system of California and article 571 of the California Education Code states that "English shall be the basic language of instruction in all schools." That section permits a school district to determine "when and under what circumstances instruction may be given bilingually." That section also states as "the policy of the state" to insure "the mastery of

English by all pupils in the schools." And bilingual instruction is authorized "to the extent that it does not interfere with the systematic, sequential, and regular instruction of all pupils in the English language."

Moreover article 8573 of the Education Code provides that no pupil shall receive a diploma of graduation from grade 12 who has not met the standards of proficiency in "English," as well as other prescribed subjects. Moreover by article 12101 of the Education Code children between the ages of six and 16 years are (with exceptions not material here) "subject to compulsory full-time education."

Under these state-imposed standards there is no equality of treatment merely by providing students with the same facilities, text books, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

Basic English skills are at the very core of what these public schools teach. Imposition of a requirement that, before a child can effectively participate in the educational program, he must already have acquired those basic skills is to make a mockery of public education. We know that those who do not understand English are certain to find their classroom experiences wholly incomprehensible and in no way meaningful.

We do not reach the Equal Protection Clause argument which has been advanced but rely solely on article 601 of the Civil Rights Act of 1964, 42 U.S.C. article 2000 (d) to reverse the Court of Appeals.

That section bans discrimination based "on the ground of race, color, or national origin," in "any program or activity receiving federal financial assistance." The school district involved in this litigation receives large amounts of federal financial assistance. HEW, which has authority to promulgate regulations prohibiting discrimination in federally assisted school systems, 42 U.S.C. article 2000 (d), in 1968 issued one guideline that "school systems are responsible for assuring that students of a particular race,

color, or national origin are not denied the opportunity to obtain the education generally obtained by other students in the system." 33 CFR article 4955. In 1970 HEW made the guidelines more specific, requiring school districts that were federally funded "to rectify the language deficiency in order to open" the instruction to students who had "linguistic deficiencies," 35 Fed. Reg. 11595.

By article 602 of the Act HEW is

[Section 602 provides:

"Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. . ."]

authorized to issue rules, regulations and orders to make sure that recipients of federal aid under its jurisdiction conduct any federal financed projects consistently with article 601. HEW's regulations specify, 45 CFR article 80.3 (b) (1), that the recipients may not:

Provide any service, financial aid, or other benefit to an individual which is different, or is provided in a different manner, from that provided to others under the program;

Restrict an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any service, financial aid, or other benefit under the program; . . .

Discrimination among students on account of race or national origin that is prohibited includes "discrimination in the availability or use of any academic . . . or other facilities of the grantee or other recipient." *Id.*, 80.5 (b).

Discrimination is barred which has that effect even though no purposeful design is present: a recipient "may not . . . utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination" or has "the effect of defeating or substantially impairing accomplishment of the objectives of the program as respect individuals of a particular race, color, or national origin." *Id.*, 80.3 (b) (2).

It seems obvious that the Chinese-speaking minority receives less benefits than the English-speaking majority from respondents' school system which denies them a meaningful opportunity to participate in the educational program—all earmarks of the discrimination banned by the Regulations. In 1970 HEW issued clarifying guidelines (35 Fed. Reg. 11595) which include the following:

Con't Pg. 6 Col. 2

The Rays of the sun, to me,
like the Azteca en mi sangre,
makes me want to dance danzas

gritar gritos de pasión
love the whole world
over and over again

My SOL can make me do things like no man on earth
como cobija de los pobres que es--Mi SOL demands nothing,
Asks nothing,
Solamente to let him
warm the body that
he has already
bronzed so perfectly.

I give myself to him like an Aztec princess
LET HIM KISS MY NAKED BODY!

Now I ask.....can you find on this planet, a man who asks for less?

12/20/73
PALABRAS

Patricia [signature]

A FOOD STAMP STORY

Cipriano Persona enters the Riverside County Hall of Records building and somehow finds his way to the Welfare Department on the second floor. . .there are no signs or directions put up by the Department to guide him to the right place. Cipriano is one of more than ten thousand residents of Riverside County whose language is Spanish, not English, and who must, due to the circumstances in his life, seek assistance from the Riverside County Department of Public Welfare.

the directions are written in English only. . .He approaches the woman sitting at the reception desk and tries to convey to her that he wishes to apply for Food Stamps and Medi-Cal for himself and his family. . .This is his last resort, his home is completely without food and two of his children are sorely in need of medical attention. The receptionist, it seems, does not understand him well and gestures for him to sit down and wait. . .which he does for several hours. He watches several dozen people come and go while he is waiting. When the lobby is least crowded, another receptionist approaches and asks him (as well as she can in Spanish) what he is waiting for. He again says that he wishes to apply for Food Stamps and Medi-Cal and that the matter is urgent. The receptionist tells him that she will have an eligibility worker see him. While Cipriano is waiting for another 45 minutes, the worker in the Food Stamp unit who has been assigned to take his application is desperately trying to find someone to translate for her. . .there is no Spanish-speaking eligibility worker in the Riverside district Food Stamp unit. The Food Stamp worker finally finds a clerk (the few bilingual eligibility workers in other aids are translating in interviews for their own units). . .the clerk knows little or nothing of the complex Food Stamp program rules and regulations, but she does speak Spanish well. Due to her lack of knowledge, the clerk is able only to lessen rather than bridge the communication gap between Cipriano and his eligibility worker.

At the end of his interview, Cipriano is given a long form (DFA 285) written in English, and told that he must fill it out and return it before it can be determined whether or not he is eligible for Food Stamps.

UNA HISTORIA DE ESTAMPILLAS (FOOD STAMPS)

Cipriano Persona entra al edificio del County Hall of Records de Riverside y de cualquier modo encuentra al Departamento de Welfare en el segundo piso. . .no hay senales o direcciones que le indiquen cual es el lugar correcto. Cipriano es uno de los diez mil o mas residentes del condado de Riverside cuyo idioma es el espanol, no el ingles, y quien debe, a causa de las circunstancias de su vida, buscar asistencia del Departamento de "Public Welfare" del condado de Riverside.

Entra a la sala de espera y se encuentra con que todas las direcciones estan escritas en ingles solamente. Se acerca al escritorio de la recepcionista y trata de decirle que el quiere hacer su solicitud para estampillas de comida y Medi-Cal para el y su familia. . .Esta es su ultima esperanza, en su casa no hay comida y dos de sus hijos necesitan atencion medica desesperadamente. Parece que la recepcionista no le entiende muy bien y le hace senas de que se siente y espere. . .y lo hace por varias horas. Ve que varias docenas de personas vienen y van mientras que el esta esperando. Cuando la sala esta menos llena de la gente, otra recepcionista se le acerca y le pregunta (en su mejor espanol) que es lo que espera. El dice de nuevo que quiere hacer un colicitud para estampillas y Medi-Cal y que es una cuestion urgente. La recepcionista le dice que traera a un empleado de elegibilidad para que hable con el. Mientras Cipriano espera otros 45 minutos, la empleada que esta encargada de la unidad de estampillas y que a sido designada para revisar la solicitud esta tratando de encontrar, desesperadamente, a alguien que la traduzca a ella. . .No hay un empleado de elegibilidad de habla espanola que trabaje en espanol. Debido a su falta de conocimiento, el dependiente solo pueda aminorar mas no salvar el problema de comunicacion entre Cipriano y su trabajadora de elegibilidad.

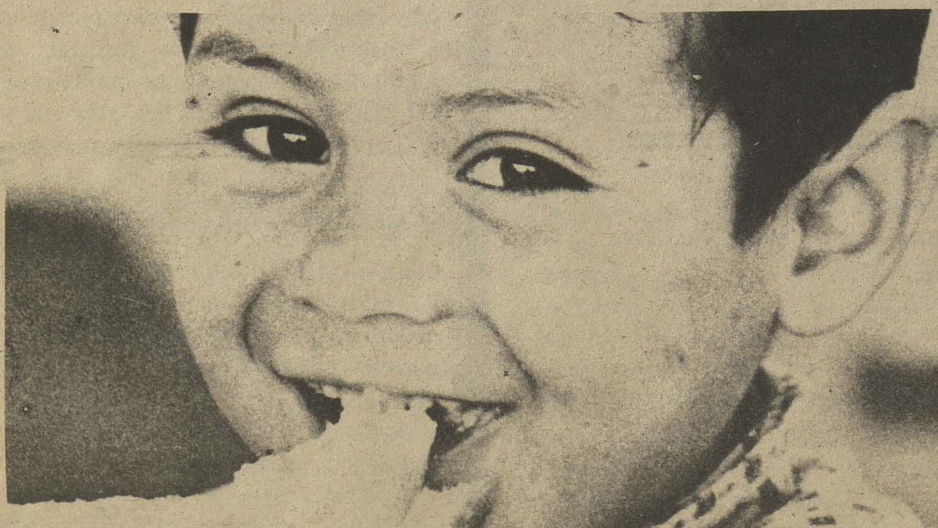
A final de la entrevista, le dan a Cipriano una larga forma (DFA 285) escrita en ingles y se dicen que debe llenarla y regisarla antes de que le puedan decir si tiene elegibilidad para estampillas de comida.

AN EXAMPLE OF SOCIAL SERVICES

Frantically, Dona Felipa telephones the Welfare Department for the first time to ask for help for a common problem: the care of her six children while she goes to the hospital for a very important operation. Dona Felipa is from Mexico and does not have any relatives or friends nearby who could help take care of her children. The day after tomorrow she will have to be in the hospital, but how can she leave her kids alone? A neighbor advises her to call the Welfare office but, unfortunately, the neighbor does not know something that will cause Dona Felipa a lot of pain and trouble. That is that the switchboard operator who will answer her call is not going to understand even one word Dona Felipa is saying, because the operator does not speak Spanish. After waiting quite a while, Dona Felipa will finally be put through to someone who speaks Spanish and she can begin to expalin the problem. But suddenly the worker tells her that she can not help her, because she is aneligibility worker, and to solve that problem she will have to speak with a social service worker. Unfortunately, there are no service workers concerned with child care who speak Spanish. Besides, it will be necessary for the worker to talk with Dona Felipa in person to complete all the necessary forms for the care of her children. But the interpreter will be busy for the next two days translating for other workers who also have Spanish speaking onlyclients. So Dona Felipa will have to wait three days before she can try to arrange any kind of help for her children. But the day after tomorrow she has to be in the hospital! And who is going to take care of her children during this time?

UN HISTORIA DE SERVICIOS SOCIALES

Muy apurada, Dona Felipa telefona el Departamento de Welfare por primera vez para pedir ayuda con un problema: el cuidado de sus seis hijos mientras que ella va al hospital para una operacion muy necesaria. Dona Felipa es de Mexico y no tiene familiares cerca de ella ni amistades que le puedan cuidar a sus hijos. Para pasado manana la senora tendra que estar en el hospital, pero? como va a degar a sus hijos solos? Una vecina le aconseja que telefonee al Departamento de Welfare. Desafortunadamente, lo que la vecina no sabe y que lo costara much trabajo a Dona Felipa es que la operadora que respondera su llamada en el Departamento no le va a entender ni una palabra porque no habla espanol. Despues de esperar mucho tiempo, Dona Felipa por fin obtendra alguien que pueda hablar espanol y le empezara a explicar su problema. Pero de repente el trabajador le dira que el no le podra ayudar porque el es trabajador de elegibilidad y para resolver este problema le sera necesario hablar con un trabajador de servicios sociales. Desgraciadamente, no hay un trabajador de servicios sociales trabajador hable en persona con Dona Felipa para completar las formas necesarias a fin de arreglarle para que alguien le cuide a su familia. Pero la interprete estara ocupada los proximos dos dias interpretando para otros trabajadores sociales que tambien tienen clientes mexicanos que necesitan la asistencia de la interprete. Asi que Dona Felipa tendra que esperar unos tres dias para por fin poder arreglar el asunto de sus hijos. Pero pasado manana tiene que estar en el hospital? quien le ayudara con el cuidado de sus hijos mientras tanto?



Those that suffer the most are the ones that can least defend themselves: the very young, and the very old. (Photo Gov't. Publication)



A loyal Ruben Ayala supporter at Victory Celebration in San Bernardino: Tuesday, January 15, '74 The FIRST Mexican-American State Senator since '10



(t-l) Tafoya and Salazar both about to kick the ball; (t-r) MECHA-UCR President, Jesus Valenzuela patiently listens to Anglo publisher of Chicano Education material at UCR Bilingual Conference (Photo: Avila) (C-l) Dr. Carmen Sanchez Sadek; "Contributions of Linguistics in the Teaching of Reading at the Junior High School level"; (C-l) Dr. Mel Lopez, UC Santa Cruz, Teacher Corps Director; (b) Ruben Ayala and wife accepting Victory!



EDITOR'S NOTE:

Any Chicano photographer interested in submitting photos for publication in the next issue of NUESTRA COSA should leave photos in box on the Editor's Desk in the Mecha Cultural Center. Editor would really appreciate some contributions..... ponganle fotografos!!

PERSONNEL (PMAA)

Personnel Management of Aztlan (PMAA) is in the process of developing a Job Placement System to be used for the placement and upward mobility of Chicanos in technical and administrative positions.

PMAA has recently published a *Chicano Affirmative Action Handbook*, which, in summary, defines legislation and provides information that is crucial to the achievement of equal employment recognition and opportunity for the Chicano Community.

Employers throughout the United States are looking to the colleges and universities to provide them with Chicano/Chicana graduates and near-graduates who will satisfy their employment requirements. With this in mind, the Job Placement System has become part of the handbook and its main objective is to provide manpower for employers through out the country.

In order for the system to be of maximum value, it is imperative that PMAA receive full cooperation from the Chicano/Chicana graduates and near-graduates. PMAA would appreciate the completion of Questionnaire II by February 28, 1974. This information will be used in the Job Placement System to develop a Chicano national skills inventory bank for use by employers for placement and upward mobility purposes. Questionnaire II may be obtained from Mr. de la Hoya, UCR Placement Center, 2129 Library South, 787-3631.

Straight On The Line

the skies cried above us,
and the winters' wind
chilled our bones,
but not one Chicano or
Chicana
moved out of the picket
line!
Picket signs, Huelga
flags dancing
in the wind - staying in
rhyme with
the Huelga spirit...

José Quintero
1-8-74

Con't from Pg. 2

Francisco, Los Angeles, Pueblo, San Antonio, Las Cruces, San Diego . . . Who tells Mexican-American children this, and explains? Why not? Who tells them that most of the cattle country terminology is Spanish or Indo-Hispanic, rodeo, chaps, arreo, lariat, mesquite, retama, adobe. Who tells them of Octaviano Larasolo, of Anastacio Montoya, Donicio Chavez, and of other recent Mexican-American greats. The pilgrim fathers, John Smith, Patrick Henry we learn their contributions. But what of the great contributions of Miguel Hidalgo y Costilla, of Jose Maria Morelos y Padron, and Benito Juarez, are they ever mentioned in the schools? Ask the children.

Thank you.

Con't from Pg. 1

had requested time on the agenda to ask for a hearing on Peter's reprimand for speaking to the press. Since that issue had become intertwined in his dismissal, the Field Representative took the opportunity to bring again to the Board of Supervisors' attention the problems of administration harrassing the Union members and the poor working conditions and resulting in high error rate in the Department.

Mr. Wiley (Director, Riverside County Welfare Department) responded. Some of his remarks may be enlightening: First, he dismissed any problems the Union might raise as simply rhetoric in the battle for "the hearts and minds of workers in the Welfare Department." He went on to say that the high error rate was not as result of high caseloads, but of inefficient workers. To quote part of Mr. Wiley's remarks, "Workers see the solution [to the error ration problem] as more staff. But more staff costs money. I believe we can lower the error ratio by getting more efficient staff. I want to make Riverside County an example for all of California on how to obtain a low error ration and cut costs."

It doesn't take a genius to see what's ahead for the workers. Mr. Wiley's solution to his problems is to make the workers work harder and if you can't keep up, "I'll have to lay off (i.e., fire) more workers." Some of you may remember Mr. Wiley's promise to lower caseloads and his remarks in Wiley's Weekly of January 4, 1974, about floaters. Those projects all take more staff. Mr. Wiley's remarks to the Board of Supervisors seem to kill any hopes of additional staff.

By the way, Administration in San Diego County, where intake loads are 25 cases per month and continuing caseloads are 120, does not believe the 5% error rate is realistic. We're at a loss to see how Mr. Wiley can reach that figure with caseloads much above those in San Diego.

-Social Services Union Local 535: SEIU, AFL-CIO CLC, Riverside Chapter; 3909 Centre Street, Room 209; San Diego, California 92103; (714) 291-0286.

Con't from Pg. 3

"Where inability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students." (Pet. Br. App. 1a).

"Any ability grouping or tracking system employed by the school system to deal with the special language skill needs of national origin-minority group children must be designed to meet such language skill needs as soon as possible and must not operate as an educational deadend or permanent track." (Pet. Br. p. 2a).

Respondent school district contractually agreed to "comply with title VI of the Civil Rights Act of 1964 . . . and all requirements imposed by or pursuant to the Regulations" of HEW (45 CFR Pt. 80) which are "issued

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ESTIMADO BILINGUAL EDUCATION TEACHER/ADMINISTRATOR:

It is with great hope (inspired by the Jan. 21 U.S. Supreme Court decision) that CHICANO EDUCATION DIGEST initiates its publication!

CHICANO EDUCATION DIGEST, a monthly, will begin by covering the recent Bilingual-Multicultural Education Conference held at UC Riverside.

The text of the major speech of that conference will be contained in the first issue: Dr. Manuel Ramirez III: "Cognitive Learning Styles of the Mexican-American Child."

A complete summary of the U.S. Supreme Court Decision on Bilingual Education will also be included in our First Issue! Don't miss out on this important publication!

Future issues will contain articles relevant to Chicano Education nationally: Bilingual, Bicultural, Chicano Studies, etc.

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pursuant to that title..." and also immediately to "take any measures necessary to effectuate this agreement." The Federal Government has power to fix the terms on which its money allotments to the States shall be disbursed. *Oklahoma vs. Civil Service Commission*, 330 U.S. 127, 142-143. Whatever may be the limits of that power, *Steward Machine Co. vs. Davis*, 301 U.S. 548, 590 et seq., they have not been reached here. SENator Humphrey, during the floor debates on the Civil Rights Act of 1964, said:

Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination.

We accordingly reverse the judgment of the Court of appeals and remand the case for the fashioning of appropriate relief.

Reversed.



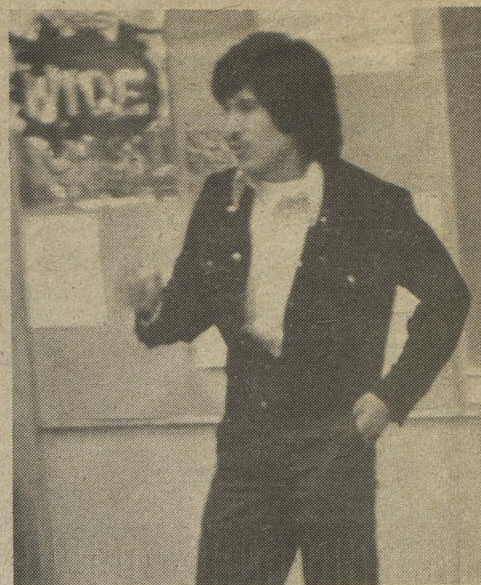
Pensativo: The Goalie

By
Javier Gálvez

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This Was The Road

This was the road we
Used to take to go see
Your grandma
All these were nothing but
Beautiful green hills
It used to take us
About twice the time to go there
This road was nothing but dirt
The air was fresh
The sky was blue
White clouds looked
Like cotton in the sky
We used to stop and eat
Anywhere
All this place looked
Like the national park today



El Gavilan

Happiness
To my Chicana

Happiness is
My Chicana
Con su cabello cafe negro
Y sus grandes ojos negros
Con su sonrisa en su boca
Que me alegra el corazon
Su suave piel
Color cafe canela
Beautiful like an
Indescribable flower
Canturrea por la calle
And the sun that
Helps her shiny black hair
Look brownish
La hace verse mas hermosa
Los rayos del astro rey
Se quiebran
Con su hermosura
The lady of my dreams
She's living!
She's moving
She's life in itself
Esta viva
Viva de corazon
Alma y sentimiento
Look at her!
Beautiful as ever
Shining like
A brown sun
Que obscure mundo sin
La luz de mi reina
Que palido
Y amargo mundo sin
Esta tasty canelita
And man let me tell you
This is my Chicanita
###

Una mañana

Una mañana

Por mi ventana

Entró cantando

Un rayito de sol

Over Men
If this where I stand
is dirt
and if dirt
We are
then we all walk
over men

B
C's
V 1

un
Cuerpo

I
L
Cuerpo

C
Mueve

S
Ta
Vi

Vo!

#JAVIER GÁLVEZ

Creo

Se oyen voces de personas
Y parecen ser las nuestras
Hablan de amor
Pero si yo no creo
Se oyen resonar de nuevo
Resuenan otra vez suavemente
Sí, yo creo
Otra vez suavemente
yo creo
Suavemente
creo

El payaso

El payaso está en su circo
y la gente se divierte
El rostro pintado en risa
finje ante las multitudes
y el único ser que siente
es el payaso pintado
La gente ríe a carcajadas
y el payaso ve sus caras
y al terminar la función
ve su rostro en un espejo
y se da cuenta que el estaba
sentado en primera fila.

About the author:

Javier Galvez (1947-) was born in Jalisco, México. He lived in Juárez and El Paso, Tejas before coming to California. He went to Pomona College for two years and presently attends Cal Poly Pomona where he is poetry editor of Nunca Jamás, a Chicano newspaper. Started "Teatro MECHA" in the Claremont Colleges and later in Cal Poly Pomona. Has been active in the Chicano Movement since the early 60's. Fasted for several days along with Rosalio Muñoz and other Chicanos and helped organize "La Marcha de la Justicia". His poetry has been published in several newspapers and Voices, a book by Quinto Sol Publications. Presently Javier is collaborating with the soul of Genaro González, through a medium, in preparing an anthology of Chicano poetry, short stories and

**BILINGUAL COURTS ACT—
AMENDMENT**

Amendment No. 565

*(Ordered to be printed and referred
to the Committee on the Judiciary.)*

Mr. TUNNEY. Mr. President, on May 7 I introduced S. 1724, the Bilingual Courts bill, to give all non-English speaking citizens a right to interpreters in judicial proceedings.

This legislation is vitally needed if we are going to protect individuals handicapped by their inability to speak or understand the English language so as to comprehend the charges made against them. It is a protection demanded by the Constitution and fully recognized by the courts.

Therefore, as a result of extensive conversations with many individuals deeply interested in seeing this legislation pass, I offer an amendment to S. 1724 proposing that certain changes be made which should strengthen and improve the measure without any way negating its original intent. These changes are as follows:

FIRST. The population figure established in section 2 for the purpose of designating certified bilingual districts unnecessarily excludes certain minority groups whose numbers are not reflected in the census statistics as strongly as those of other non-English speaking groups, but whose rights to courtroom interpreters are nevertheless equal. For this reason, I have amended the bill to provide that all individuals have the right to interpretation where the need is demonstrated.

SECOND. Section 3 (a) (1) which makes the granting of simultaneous interpretation in criminal proceedings a matter of judicial discretion is retained; however, once granted, the right is broadened to encompass all phases of the proceedings, including arraignment, hearings, and trial.

THIRD. Another provision is added [section 2 (a) (2) of the amendment] which permits a judge to determine in a civil proceeding whether translation

should be simultaneous, consecutive or summary. However, if a party requests simultaneous translation, then the court must give the request special consideration. The purpose here is to insure maximum protection of a non-English speaking party's rights even in civil proceedings, while recognizing that in certain cases where the factual issues are of a highly technical nature, the interests of justice may still be served and the proceedings expedited by interpretation that is not simultaneous.

FOURTH. The provision in section 2 pertaining to certification of interpreters is strengthened to require the use of a certified interpreter for any individual incapable of speaking or understanding the English language. An interpreter not so certified can only be used after the court has demonstrated that it was unable to locate a certified interpreter.

While this establishes the fundamental right to a highly qualified interpreter, it also recognizes the fact that in certain areas of the country a particular non-English language is spoken only by few individuals or the language is generally one of such rarity that interpreters certified in the language are unavailable.

FIFTH. In lieu of the provision requiring electronic recording of the entire proceedings in all cases, a provision is substituted which permits the judge's discretion in requiring such records. This change would reduce costs while still providing for adequate verification of the official transcript of the proceedings. The possibility of error in translation from one language to another, which such recordings are designed to detect, will also be substantially lessened by the use of certified interpreters. This is also reinforced by the addition of language requiring the Director of the Administrative Office of the Courts to direct the employment of certified, full-time or part-time interpreters where justified.

SIXTH. A provision is added requiring the Director of the Administrative Office of the Courts to report to the Congress annually on the frequency of requests for, and the use and effectiveness of interpreters pursuant to the provisions established in this bill.

SEVENTH. In lieu of the provisions pertaining to payment of interpreter's fees and recording costs, language is substituted which requires payment of such fees and costs in all criminal proceedings by funds appropriated to the Judiciary. In civil proceedings, the court may, at its discretion, direct that all or part of such expenses be apportioned between the parties or allowed as costs in the action.

With these changes, I believe that the legislation will be substantially enhanced.

I urge the Senate to give its strong support to this measure.

Any Chicano seriously, or just casually interested in going into Education.....should invest a few minutes by going to the Education Department to get the information straight from the "horses mouth", como dicen los.....

Anyway, considering the recent U.S. Supreme Court Decision, there should soon be a great demand for those trained in Bilingual Education, and Early

or pursuant to the Regulations of HEW relief.
(45 CFR Pt. 80) which are "issued

**ATTENTION RIVERSIDE COUNTY
BOARD OF SUPERVISORS**

WHEREAS, 18% of the Riverside County Department of Public Welfare recipients are Spanish speaking only, and an indeterminable number more have difficulty reading English, and

WHEREAS, the Riverside County Department of Public Welfare has instituted no viable means of communicating vital information concerning various aspects of eligibility and services to applicants and recipients who use only the Spanish language, and

WHEREAS, 98% of the Department's employees are unable to communicate in Spanish, and

WHEREAS, the small number of bilingual employees in the Department is not sufficient to cover this deficit,

We, concerned residents of Riverside County, propose that the Riverside County Board of Supervisors enact the following proposal:

It is the official policy of the Riverside County Department of Public Welfare that:

I. All forms and other means of communication between this Department and recipients and applicants for aid in the County of Riverside be written in Spanish and English, and available for use.

II. There be a job classification for Spanish speaking workers within the Department. To obtain this classification the employee must pass an oral exam given by a representative board of the department consisting of one Spanish speaking recipient from this County and two bilingual employees holding the same job classification as that being sought. All employees who have the bilingual rating must use Spanish when called upon to do so by their supervisors. A board consisting of one Spanish speaking employee, and the first line and second line supervisor shall be convened to act on complaints involving a bilingual employee's responsibilities in the use of Spanish on the job. This board shall have the power to suspend an employee's bilingual rating for up to three months.

III. The workload of bilingual employees shall be diminished by the percentage of Spanish speaking only cases in their unit.

IV. All employees with a bilingual rating shall be paid one paystep above their classification level.

V. The Department shall actively recruit and hire bilingual employees to meet the need for equal treatment for those people seeking the services of this Department who are Spanish speaking only. By January 1, 1975, 18% of all employees of this Department, on every level of employment shall be Spanish speaking.

**JUNTA O CONSEJO
DE SUPERVISORES DEL
CONDADO DE RIVERSIDE,
ATENCION**

EN TANTO QUE el 18% de los que reciben ayuda del Departamento de bienestar del publico del condado de Riverside (Riverside County Department of Public Welfare) hablan espanol solamente y aun muchos mas tienen dificultades para leer en ingles, y

EN TANTO QUE el Departamento de bienestar del condado de Riverside no ha instituido un modo para comunicar la informacion que tiene que ver con los varios aspectos de elegibilidad y servicios para los que hacen sus solicitudes y los que estan recibiendo ayuda que usan unicamente el idioma espanol, y

EN TANTO QUE que el Departamento no ha desarrollado un metodo para medir la habilidad del empleado para comunicarse en espanol, y

EN TANTO QUE el numero reducido de empleados bilingues del Departamento no es suficiente para cubrir lo que falta, y

EN TANTO QUE el 98% de los empleados del Departamento no pueden comunicarse en espanol,

Nosotros, preocupados residentes del condado de Riverside proponemos que la Junta de supervisores del condado de Riverside lleve a cabo la siguiente proposition:

Es el plan de accion oficial del Departamento de bienestar publico del condado de Riverside que:

I. Todas las formas y otros medios de comunicacion entre este departamento y los recipientes y solicitantes en el condado de Riverside esten escritos en espanol y en ingles, y que puedan ser usados.

II. Que haya una clasificacion de trabajo para los trabajadores de habla espanola dentro del Departamento. Para obtener esta clasificacion, el empleado debera pasar un examen oral que sera dado por un grupo que represente al consejo y consista de una persona de habla espanola que esta recibiendo ayuda del condado, y dos empleados bilingues (que hablan ingles y espanol) y que tengan el mismo tipo de clasificacion que la que se esta solicitando. Todos los empleados bilingues deberan usar el espanol cuando el supervisor se los pida. Un consejo consistente de dos empleados de habla espanola y los supervisores de primera y segunda linea, seran llamados a actuar cuando haya quejas acerca de la responsabilidad del empleado al usar el espanol en trabajo. La junta tendra el poder de suspender el bilinguismo del empleado por un periodo de hasta tres meses.

III. La cantidad de trabajo de los empleados bilingues debera ser reducida en relacion al porcentaje de las personas que hablan espanol unicamente y que se encuentran en su unidad.

IV. A todos los empleados considerados como bilingues se les debera pagar un nivel mas arriba de su clasificacion propia.

V. El Departamento debera buscar y emplear activamente a empleados bilingues para que las personas que solamente hablan espanol puedan recibir un tratamiento adecuado. Para el 1 de

**LINCOLN'S ROAD TO
THE WHITE HOUSE**

1831—Failed in business

1832—Defeated for Legislature

1833—Second failure in business

1836—Suffers nervous breakdown

1838—Defeated for Speaker

1840—Defeated for Elector

1843—Defeated for Congress

1848—Defeated for Congress

1855—Defeated for Senate

1856—Defeated for Vice President

1858—Defeated for Senate

children.

Thank you.

Reversed.