

Suit challenges school requirements

Check on legal citizenship tested in court

HOUSTON (AP)—The father of two children illegally in the United States filed a suit Tuesday seeking to block the Houston School District from requiring the two youths to provide evidence of a lawful immigration status.

Juan Jimenez, 51, a citizen of Mexico but legally a permanent resident of this country, filed the suit in U. S. District Court on behalf of his two sons, Juan Antonio Jimenez, 13, and Maria Rosario Jimenez, 8. It says both they and their mother, Gloria, are illegal aliens.

The suit charges one school, DeZavala Elementary, with harassing

parents of alien children in demanding such evidence. It says the district cannot lawfully request such information. It also says the district is further enjoined from seeking such information because of a 1970 treaty.

However the filing of the suit may put into motion action by the U. S. Immigration & Naturalization Service to force the mother and two children to leave the country, said R. W. Heston Houston director for the service.

Lon Wheeler, director of attendance and transfers for the school district, said children who are illegal residents of the United States are

not eligible for free education.

School officials have been checking registration cards of children born outside the United States to find pupils who are not legal residents.

Supt. Billy R. Reagan said the state does not provide funds for children who are not legal residents of the district. Reagan said such children can attend school by paying \$66 a month, the state reimbursement rate per pupil paid to the district.

The suit charges that a note sent home with some DeZavala pupils by the principal, George H. Hanna, challenges eligibility of the Jimenez

children to attend school solely because they are not legal residents. The note requested documentation to show they are legally in the country.

The suit charges under the 14th Amendment, the district's attempt to make the distinction between citizens and aliens is illegal.

San Williamson, attorney for Jimenez, said the federal government has preempted the powers of all state and local agencies to distinguish between aliens and legal residents of the United States.

Williamson said also that a 1970 Organization of American States treaty signed by President Nixon states that member nations should attempt to ensure the right of education, free of charges, to children of other member nations.

Heston of the immigration service said because his office has learned of the trio because of the filing of the suit a letter will be written to the Jimenez family, asking them to come in and discuss their status.

He said if the service finds the wife and two children are in the country illegally they will be given 90 days in which to voluntarily leave. If they do not leave, they face deportation.

Heston said the mother and children could then apply for a visa in Mexico. But because of the quota system for the Western Hemisphere, he said, visa applications are currently 28 months behind.

Jimenez has applied for U. S. Citizenship, his suit says. Heston said if and when Jimenez becomes a citizen, his family would no longer come under the quota system and

they could legally reenter the country within three or four months after paperwork was completed.

Williamson, the attorney for the children, was informed of the plan of the immigration service and said "I am not disputing the right of the federal government to do that thing. My case was a challenge to any state agency to harass any aliens."

The attorney said he would ask the immigration service to allow the children to finish this school year before leaving the country and stay in the country until the father's application for naturalization is completed.

He said Jimenez has been in the country more than the required five years and his application for citizenship is now pending.

"If the immigration service tells us down we will take it to a higher court, saying this whole thing is a reprisal action for filing the suit," Williamson said.

New ocean engineers to graduate

The first graduates in a new Bachelor of Science program in ocean engineering will graduate in May.

The two year-old program now boasts 85 students.

"Industry needs engineers who are familiar with the off-shore problems and that's what makes the program unique," Herbig said.

Municipal League honors A&M dean

Dean of Engineering Fred J. Benson has been named "Public Works Man of the Year" Tuesday.

He was one of three men honored at the annual meeting of the Texas Municipal League in Fort Worth.

His nomination for the award said in part, "It was through his leadership that many of the research and educational programs at TAMU and throughout the State have come into being, and through his dedication and guidance that they have developed and grown."

"He was one of the founders of the Texas Transportation Institute and served as its first Director. He has encouraged the development of the Annual Public Works Short School and the many other continuing education activities of the Institute."

"As Director of the Texas Engineering Experiment Station, he has been responsible for the establishment of a variety of research programs in the area of public works. The Environmental Engineering Research Division has been active in water quality, sewage disposal and other areas."

"A more concentrated effort has recently been initiated to provide coordinated programs for cities. The Center for Urban Programs op-

erates directly out of the Dean's office to assure a continuing coordinated program of education research and service."

A final comment noted that Benson had, "For over twenty years, served, without compensation, as the City Engineer for College Station."

Benson received his M.S. degree in Civil Engineering from TAMU in 1936 and became an instructor in 1937 from where he advanced to dean of the College of Engineering in 1957. In 1959, he also assumed the office of director of the Texas Engineering Experiment Station and in 1963 was named director of the Texas A&M Research Foundation.

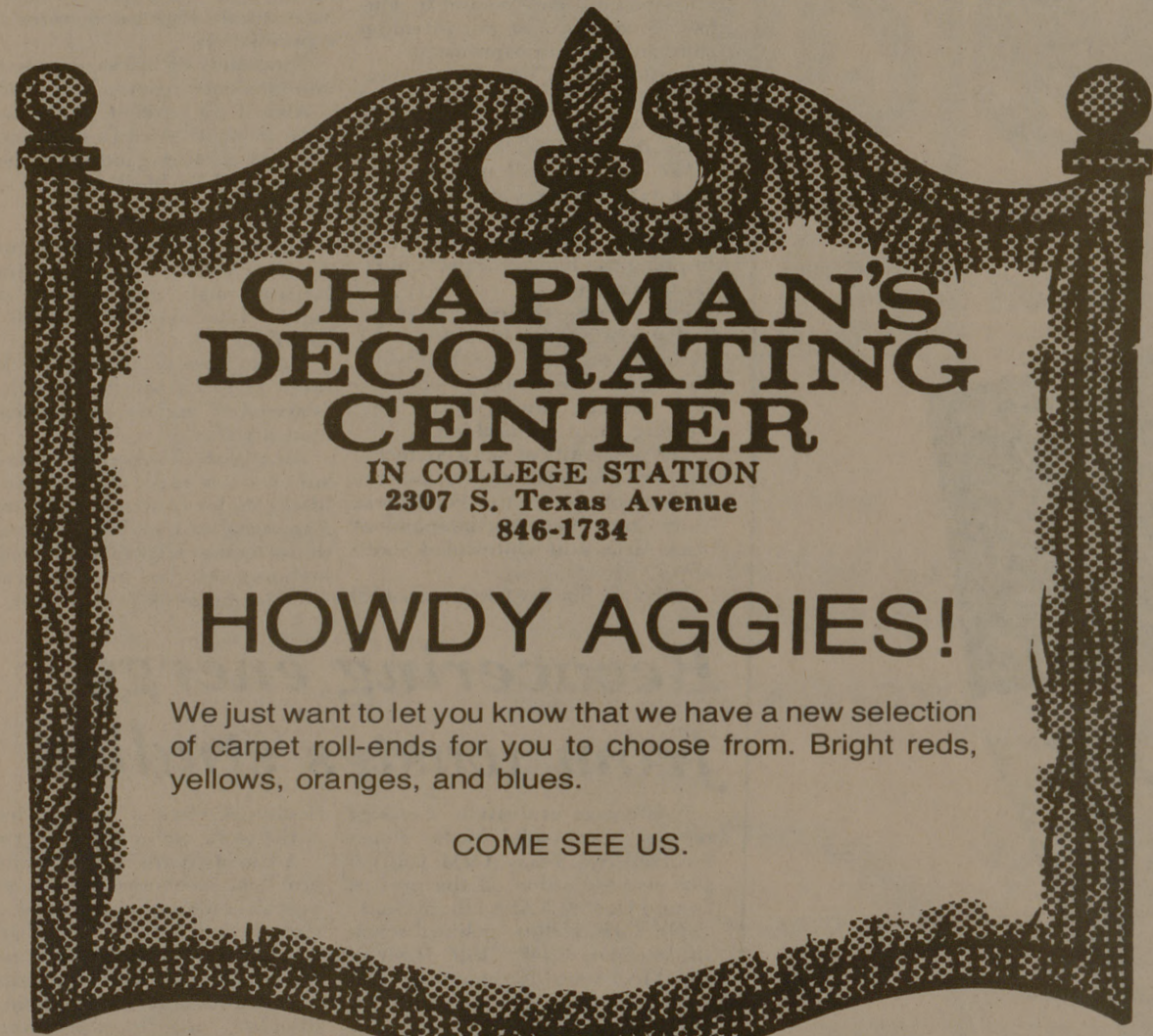
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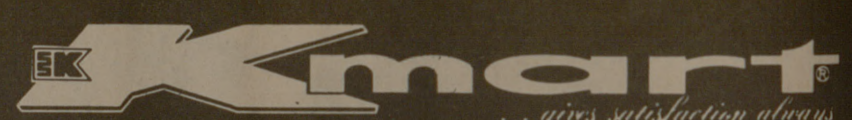


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