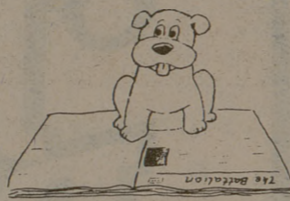


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Foundation money is 'missing'

Dallas schools may lose million

United Press International
DALLAS — The private Foundation for Quality Education, under fire for alleged financial mismanagement in dealings with the Dallas Independent School District, does not know its own financial status and cannot control the activities of its president, five foundation trustees charge in a lawsuit.

The lawsuit filed to place the foundation in receivership also alleges less than \$8,000 remains of \$200,000 in scholarship money the DISD entrusted to the foundation.

According to the suit, the five trustees want the foundation put in the hands of a court-appointed receivership "because of their inability to determine the complete facts concerning the financial status of the foundation, and because they are unable to control the activities of the foundation president, Mr. (James) Bond."

The trustees have already obtained a restraining order barring Bond from managing the foundation, tampering with its assets or destroying its records.

The foundation was formed under the administration of former Superintendent Nolan Estes to solicit private donations for the district and market educational products developed by the district's staff.

Altogether, nearly \$1 million in DISD money may have been lost in the district's involvement with the foundation.

Evidence introduced this past week revealed that among the foundation's losses was \$47,953 donated by the federal government to finance a program to recruit and train reading tutors.

The foundation was supposed to pay the salaries of two employees to run the program. The foundation

owes the district \$12,000 in reimbursement for salaries paid to employees, according to DISD officials.

The district has also ordered \$11,000 in supplies for the tutor program. If there is no money from the foundation in the tab, DISD may have to pay school officials said.

Other expenditures by the foundation include:
—\$20,000 loaned to a tutoring agency partially owned by brother Weldon;
—\$12,500 paid for decorating a travel agency office;
—\$12,500 Bond used to pay Dallas criminal lawyer.

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Judge denies claim; obscenity law upheld

United Press International
HOUSTON — A federal judge Monday denied a constitutional challenge to Texas' new obscenity law and refused to continue a 10-day order prohibiting police, sheriffs and district attorneys from enforcing it statewide.

A lawyer for an adult materials dealer said he was shocked by the decision and would appeal. The new law broadens the definition of obscene materials and provides tougher penalties for many violations.

U.S. District Judge Norman W. Black cited a recent ruling by the 5th U.S. Circuit Court of Appeals in New Orleans and said any law is unconstitutional if people must guess at its meaning and differ as to its application and if people of common intelligence can't be expected to understand it.

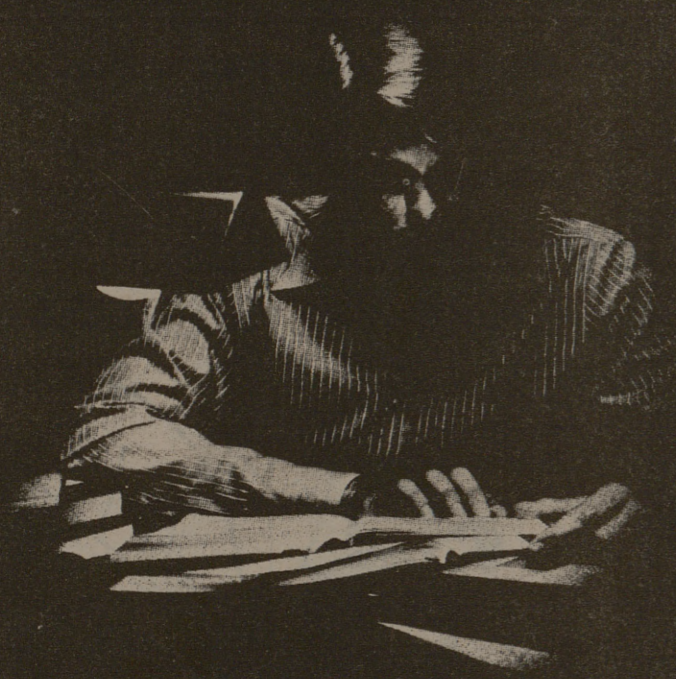
But he said the Texas law "apparently comports with the re-

quirements of the Constitution. Black listened to arguments of five lawyers representing 39 erotic materials dealers and operators before denying their quest for a permanent injunction Aug. 31.

Plaintiffs' attorneys claimed new law would have a "chilling effect" on the business of erotic materials dealers who could not be expected to obey it because it was vague and violated the First Amendment to the Constitution. They said the state had no authority to regulate the sale or possession of materials used by adults for sexual stimulation.

Plaintiffs' lawyer Clyde Winters expressed shock and promised to appeal the ruling. He had earlier said the statute required the plaintiffs to guess at the law's meaning.

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