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Court refuses to disqualify Hunts' judge

NEW ORLEANS (AP) — The 5th U.S. Circuit Court of Appeals refused Thursday to disqualify a federal district judge in Texas from presiding over a bankruptcy trial involving the billionaire Hunt brothers.

In a four-page ruling, the 5th Circuit brushed aside arguments by the Hunts that U.S. District Judge Barefoot Sanders should step aside because he has had business dealings with a former lawyer for one of the 23 banks involved in the case and because he has an investment in one of the banks.

The lawyer in question has withdrawn from the case, making that argument moot, the 5th Circuit said.

Furthermore, the court said, "We are unwilling to adopt a rule requiring recusal (disqualification) in every case in which a judge owns stock of a company in the same industry as one of the parties to the case..."

The ruling apparently removed the final obstacle blocking a trial on the suit in which the Hunts are trying to prevent the banks from foreclosing on \$1.5 billion in overdue loans.

Salutes

By Dawn Butz
Staff Writer

Roeseler gets urban planning award

Dr. Wolfgang G. Roeseler, interim head of the Department of Urban and Regional Planning at Texas A&M, has received the Planner Emeritus Award for 1986.

The award, presented by the Texas chapter of the American Planning Association, was given in recognition of Roeseler's 35 years of service to the urban planning profession.

Roeseler has been with the University since 1975. He came to A&M from private urban planning practice to serve as head of the Department of Urban and Regional Planning, a position he held until 1981, when he returned to teaching.

Roeseler also has served as director of the Texas A&M Center for Urban Affairs since its inception in 1984. The center, staffed by students and faculty, was created to render public services to cities and communities by helping them solve urban design problems.

A planner since 1949, Roeseler has authored more than 100 urban planning documents and has published several books, including his most recent, "Successful American Urban Plans," a "professional autobiography" of his collected works. He has worked on the technical provisions of numerous zoning, subdivision and other land development codes that have been in effect for many years in American cities and counties.

This year marks Roeseler's 35th anniversary of membership in the professional society, the American Institute of Certified Planners. If you know of anyone who deserves a salute, please contact Dawn Butz at The Battalion.



Dr. Wolfgang Roeseler

New fitness test would raise high school PE standards

By Genevieve Blute
Reporter

A statewide task force on physical fitness has prepared a new fitness test that, if adopted, will dramatically alter the content of Texas' physical education classes, a Texas A&M professor says.

Dr. Elvin E. Smith, professor of medical physiology, a member of the 21-member task force, says the test will place more emphasis on endurance and overall fitness rather than on specific athletic skills.

The Texas Board of Education now requires students to take 1½ units of physical education in their four years of high school, he says.

Exemptions from P.E. are offered under the present system for students involved in activities such as the debate team, drill team and band.

"In Texas, less than 50 percent (of the students) ever take P.E. in 1½ years of high school," Smith says. "We feel this is a major fact of the decline in physical fitness of kids in Texas."

The new program would require mandatory participation in P.E. every year, he says. Students would participate in P.E. three times a week.

Smith says the program currently is being piloted in 400 school districts in Texas.

After the program and the suggested new curriculum are tested, the task force will appear in front of

"The test stresses the concept of physical fitness as a lifetime activity."

— Dr. Elvin E. Smith, member of task force.

the Texas Board of Education and present the data gathered from the pilot areas.

"We should have the results by the end of the year," Smith says.

The task force would like to see the program made mandatory, not an option, for Texas public schools, he says.

There are two ways to measure fitness, Smith says. One is the normative method which is presently used, he says.

Under this method, fitness is measured in a percentile and does not define fitness for the student, Smith says. Instead, he says, it measures the student as compared to the population.

The second way of measuring fitness is the criterion—referenced method, which Smith says the task force hopes to implement.

"It sets the absolute value of performance that's desired," he says.

The student must meet that value to pass the test.

The test consists of four basic components — aerobic conditioning

and endurance, abdominal flexibility and body composition. The student must meet each of the four to pass the test and be considered physically fit, Smith says.

"The test focuses on health," Smith says. "It begins with an eight-week training program to prepare the student for the test."

The training program must be of high intensity daily, Smith says.

"By the end of the training program, the student should have an idea where they stand and whether or not they will pass the test," he says.

If a student fails the test, the program designed by the P.E. task force would be implemented. This program would be more difficult to enable the student to reach the level of physical fitness required to pass the test, he says.

If a student is physically fit, he passes the test, the rest of the year would be spent on maintaining physical fitness, Smith says.

"The emphasis here is on endurance," he says. "The test is the concept of physical fitness as a lifetime activity."

"You can't give up exercise right back where you were when you weren't in shape."

The test is given for two grades four through six and seven through twelve, Smith says.

Baker: Clements 'close' to White House

DALLAS (AP) — Secretary of Treasury James Baker said Thursday that Democratic Gov. Mark White gets a cool reception from the White House while Republican gubernatorial candidate Bill Clements enjoys a close personal relationship with members of the Reagan administration.

Baker, in Dallas to campaign for Clements, said that Gov. White is known in Washington for writing letters with "political slant" that are not well received.

He said he and Clements have enjoyed "a close personal friendship going back 16 years" and that the

former Republican governor is well connected at the White House.

"It's much better for the chief executive of a state to have a close personal working relationship with those in Washington," Baker said.

Addressing other issues, Baker blamed a divided Texas oil industry for President Reagan's decision not to support an oil import fee.

The secretary, a former Houston attorney and oil investor, said he personally favored the oil import fee as a measure that would help the foundering Texas oil industry. But he said support for the issue is not

unanimous within the state oil industry.

He said many in the industry are reluctant to let the government create the new agency that would be needed to administer an import fee, he said, also are opposed to the import fee.

An import fee for oil is suggested as a way to make produced oil more expensive in the country, thereby forcing it to compete more equally with domestic produced oil. Proponents say it would encourage domestic drilling and help the Texas oil industry slump.

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