

Wednesday, May 2, 1990

## Judge grants extra month to reform school finances

AUSTIN (AP) — A state district judge today gave state lawmakers another month to reform school finance, but said he also was appointing a special master to draw up an alternate plan in case legislators fail again.

Earlier today, Judge Scott McCown ruled that nearly \$500 million in state education aid cannot be paid to local school districts as scheduled on May 25.

But he later said he would allow that payment to be made and gave the state until June 1 to develop a new school finance plan.

However, McCown said the court will work concurrently with the executive and legislative branches by appointing a special master to draw an equitable school finance plan.

The court's plan will go into effect on Sept. 1 if the Legislature doesn't have its own finance plan ready to

take effect, McCown said.

"The present scheme of public school finance is a great wrong," he said. "The poor have waited for too long."

State officials had asked for a 50-day delay to give lawmakers and Gov. Bill Clements more time to work out a school finance reform plan.

The special legislative session — the second one called on education — ended shortly before noon as the House and Senate sent Clements a \$555 million school reform plan and a half-cent sales tax increase that the governor pledged to veto.

With the current 30-day session at an end, House Speaker Gib Lewis said Clements would call lawmakers into another special session at 2 p.m. Wednesday.

McCown's ruling will allow the state's payments for May to go out to

the school districts.

He solicited nominations for the special master, who will be named later.

**"We expect every school district in Texas to stay open. Any district that attempted to shut down would immediately receive accreditation sanctions from the Texas Education Agency."**

**William Kirby, education commissioner**

McCown said the disparity between property-rich and -poor districts is such that the richest school system has \$14 million in property valuation per student — compared to \$20,000 per student for the poorest district.

No other school spending — including local funds and federal aid — is affected by McCown's ruling.

Earlier today, state officials said they believed schools could remain open at least until late May, when the \$500 million monthly aid payment was due to go out.

Education Commissioner William Kirby said the court's ruling will not

force schools to close or halt teacher paychecks.

"We expect every school district in Texas to stay open," Kirby said.

"Any district that attempted to shut down would immediately receive accreditation sanctions from the Texas Education Agency."

And, Kirby added, "(Attorney) General (Jim) Mattox has assured me that he will go into court and seek action against any district that attempts to close."

McCown also said the state can pay the \$2.7 million payroll for Texas Education Agency employees that had been held up pending his ruling.

Today's hearing was held after the Legislature and Clements deadlocked over a reform plan, which was ordered in a 9-0 Texas Supreme Court ruling last year.

The high court said the \$13.5 billion-a-year system is unfair to property-poor school districts and ordered that a reform plan be enacted by today.

James Vasquez, superintendent of the Edgewood Independent School District which filed the lawsuit that started the reform case, said he was disappointed that no plan had been enacted.

"I'm severely disappointed, very much so," Vasquez said. "After a 9-0 court decision, one supposes that's a clear mandate for change. The Legislature did its foot-dragging and now the governor is doing his foot-dragging. So this could go on ad nauseam."

The Democratic-controlled Legislature proposed a \$555 million reform plan and a half-cent sales tax increase to fund it.

### Manager says women unsafe in complex

ARLINGTON, Texas (AP) — The manager of apartments near the University of Texas at Arlington said he is discouraging single women from living at his complex because of a string of sexual attacks.

At least eight sexual assaults or attempted sexual assaults have occurred in a three-block strip of Bengie Drive and one block of Bennett Street since July 1988, police said. The latest one was reported to police on Saturday.

"I tell them up front we've had a lot of rapes on this street," said David Newman, who manages a complex on Bengie Drive. "I'd prefer not to rent to ladies until this is resolved."

Two of the assaults occurred at Newman's complex. Nineteen of his 28 units are now rented by men, he said.

Arlington police said patrols will be beefed up in light of the latest assault, which occurred about 5:15 a.m. Saturday.

The 42-year-old victim said a man entered her apartment through an unlocked door and attempted to assault her.

The attack was foiled because the woman's daughter and grandson heard the suspect, who had put his hand over the woman's mouth. The man fled upon hearing their screams.

Arlington police detective Jim Ford said he is not certain that all the attacks are related.

"We're keeping an open mind to that possibility," Ford said. "We don't want to get tunnel vision or be incorrect by saying this is a serial rapist. At the same time, we're not going to rule anything out."

Newman said his openness about the assaults may cost him tenants, but he fears another attack will occur.

"I really try to drive it into their heads," he said. "It's not worth taking the chance of getting raped."

Campus police officials at UT said they have not issued any warnings to students, but added that the campus newspaper has given the cases extensive publicity.

### Coast Guard recruits cadets from 5 schools A&M joins new direct commissioning program

By SUZANNE CALDERON  
Of The Battalion Staff

It just got easier for Texas A&M Corps of Cadets members interested in being commissioned into the United States Coast Guard.

A&M is one of five schools nationwide selected to participate in the Selected Schools/ROTC Direct Commissioning Program by the U.S. Coast Guard.

Cadets recruited directly into the Coast Guard usually undergo a 17-week training period. With the new program, the training period is reduced to a two-week orientation course.

"The Coast Guard considers the training (cadets) have gotten through the Corps, both through mandatory ROTC classes as well as leadership aspects, to make up that other 15 weeks," Maj. Mark Satterwhite, Corps recruiting coordinator, said.

Graduating seniors in the Corps who apply for direct commissioning

in the Coast Guard are commissioned as officers and are obligated to serve three years of active duty.

A&M was selected to participate in the program primarily because of its four-year Corps program.

"It's not a once-a-week program, but an intensive four-year program," Satterwhite said. "The Corps is a lifestyle at A&M."

Prairie View A&M, The Citadel, Norwich University and Virginia Military Institute are the other schools participating in the program.

One reason for the direct commissioning program is the Coast Guard is expanding its program and its officer needs are increasing, Satterwhite said.

"The Coast Guard's mission is expanding to include environmental clean-up missions, as well as drug-trafficking missions," he said.

Satterwhite said a newly commissioned ensign earns about \$24,000 a year plus benefits.

### Head in the clouds

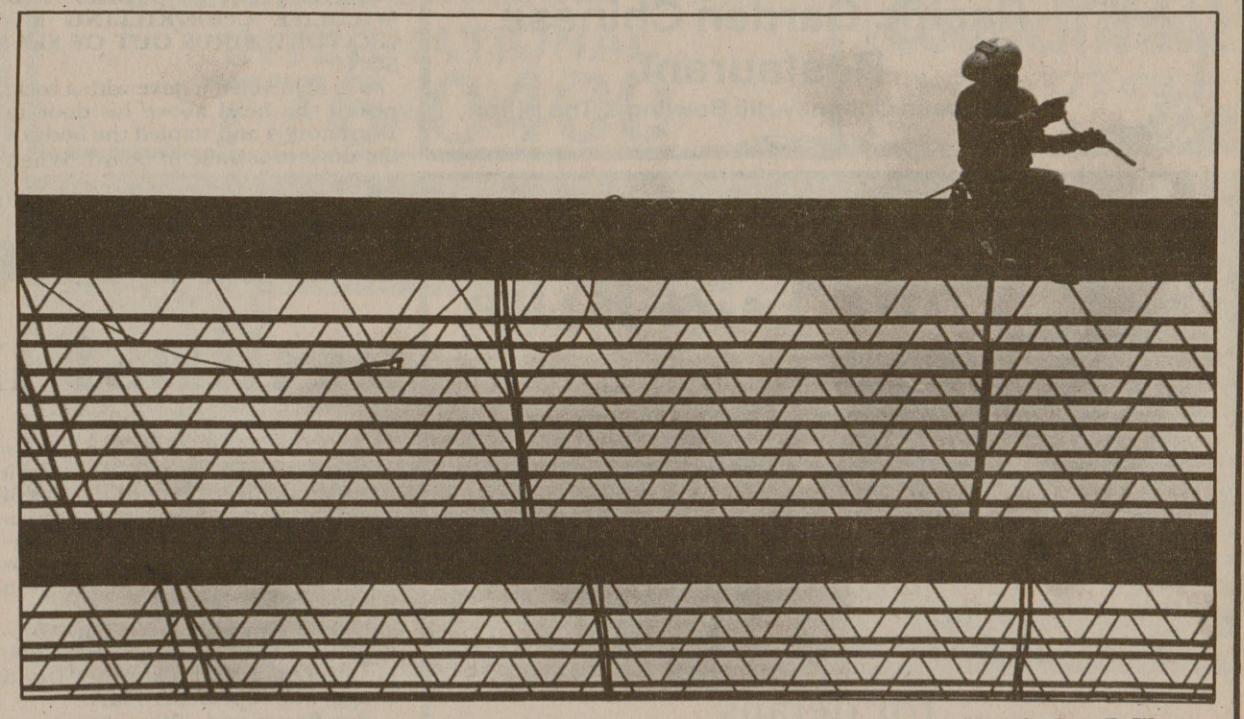


Photo by Scott D. Weaver  
A construction worker from Diamond Construction of Abilene welds support beams to the structure of what will soon be the extension of the Langford Architecture Center late Tuesday.

### UT suspends frats for racism

AUSTIN (AP) — Two fraternities at the University of Texas have been suspended for one year, and each group will be required to perform 1,200 hours of community service because of their involvement in racial incidents in April, UT-Austin Dean of Students Sharon Justice announced Tuesday.

Delta Tau Delta and Phi Gamma Delta also will be required to take part in "multicultural training" from now through the 1994-95 school year and to participate in chapter development activities, Justice said.

Suspension of the fraternities as campus organizations means they will not be allowed to reserve the use of university facilities; participate in intramural sports; raise funds on the campus; sponsor or take part in any campus performances or other events; publicly assemble or demonstrate; install a booth or post signs on the campus.

The penalties were assessed after an investigation into racial incidents associated with this year's "Round-Up," an annual event, the university said. Racial slurs were found painted on a car at the Delta Tau Delta fraternity house after the "Round-Up" parade April 6, and racial caricatures were found on T-shirts at the Phi Gamma Delta house April 7.

Justice said it was determined that the fraternities had violated a UT-Austin rule that prohibits actions that are "inimical to the educational purpose and work of the university."

The incidents sparked student protest rallies, and the fraternities were placed on interim suspension pending the investigation.

"I have tried to design the penalty so that it is appropriate for the offenses that were committed in these cases," Justice said. "I certainly believe punishment is justified, but I do not want my decision merely to be punitive, but also to be educational."

A separate investigation of individuals involved in the racial incidents is still going on, and should take a week to 10 days to complete, Justice said.

**"I certainly believe punishment is justified, but I do not want my decision merely to be punitive, but also to be educational."**

**—Sharon Justice, dean of students**

The 1,200 hours of community service to be performed during the next 12 months must "emphasize exposure to the needs and accomplishments of African-Americans in Austin," she said. Each fraternity member must perform at least five hours of the community service.

Each member and pledge must participate in 20 hours of "approved multicultural training" during the next 12 months, she said.

Justice said if the educational and service activities are completed by April 30, 1991, she would reinstate the fraternities but they would be on probation for another year.

### Attorney calls client 'loser', says tree poisoning lacks motive

AUSTIN (AP) — The attorney for the man accused of poisoning an historic Austin tree last year Tuesday called his client a "loser" who told "outrageous lies."

Terry Kirk, defense attorney for Paul Stedman Cullen, told a jury of seven women and five men that the state will not be able to prove that Cullen had a motive for poisoning the tree, and that there is no evidence that the poisoning was related to the occult.

Although police and prosecutors have never detailed the suspected motive, Cullen's arrest warrant alleged the poisoning was part of a "ritual."

The Austin American-Statesman reported before Cullen's arrest that a suspect in the case was trying to cast a spell in a romantic matter.

Cullen, 46, of Elroy, has entered an innocent plea to charges that he poured the herbicide Velpar around the base of the historic Treaty Oak, where Stephen

F. Austin, according to legend, signed a treaty with the Indians in the 1800s.

If convicted, Cullen could be sentenced to life in prison because of a prior burglary conviction.

Travis County District Attorney LaRu Woody said in her opening statement that the state would present several days of technical testimony, then turn to the investigation that resulted in Cullen's indictment.

"I think you will hear testimony from an individual who came forward and identified Paul Cullen," said Woody.

Woody also said that tapes of a conversation police recorded by planting a "wire" on the witness would reveal Cullen's motives.

"I think you'll hear testimony on his interest in the occult, particularly in magic circles," said Moody. "I think this tape will make clear to you the defendant's reaction to and motives for the poisoning."

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