

RESIDENCE RECYCLING

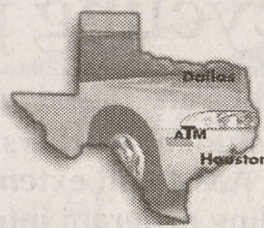
A&M's summer recycling pilot program was a strong success.



Page 2

TRAVELING TEXAS

Commuters can reduce travel time by studying maps on the Internet.



Page 12

WALKING WOUNDED

The A&M football team tries to get healthy for '95 season.



Sports, Page 15

THE BATTALION

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A&M settles lawsuit with former employees

The lawsuit filed against the A&M System by a farm worker while employed at the Texas Agricultural Experiment Station was settled earlier this month.

By Wes Swift
THE BATTALION

The Texas A&M University System will pay an estimated \$86,000 in unemployment benefits and back payments to more than 400 Texas farm workers as part of a class action lawsuit settlement.

The Aug. 15 settlement concludes two years of negotiating between the system and Texas Rural Legal Aid, an organization that gives legal help to farm workers.

The lawsuit, filed by Berene Murillo of Plainview, contended that workers were illegally classified as "independent contractors" instead of "employees" and were paid below minimum wage while working for the Texas Agricultural Experiment Station (TAES).

The A&M System operates 18 ex-

periment stations across the state. The stations use farm workers to research growing and planting methods for agricultural and horticultural crops.

According to the suit, the misclassification also meant workers could not receive unemployment benefits, since contractors do not qualify for benefits under Texas law.

Since the contractor status cost the farm workers Social Security credit for the work they did, the System will also correct the workers' Social Security records to ensure that they receive all benefits entitled to them.

Kay Drought, a lawyer with Texas Rural Legal Aid, said she was happy with the suit's outcome.

"I am pleased with the settlement and with the way Texas A&M handled the lawsuit," she said.

The settlement must still be approved by U.S. District Judge George P. Kazen.

During the Aug. 15 press conference to announce the settlement, Bob Merrifield, TAES deputy director, said the System did not make a conscious effort to cheat the workers.

"We acknowledge that mistakes

were made, but there was never any overt attempt to defraud these workers," Merrifield said. "We have moved to correct these mistakes and implemented controls to ensure that they do not recur."

As part of the settlement, the System has agreed to classify all future farm workers as employees.

Murillo, 55, told the Associated Press that she was upset because the actions of the TAES would dramatically affect her.

"What really angered me was that

"I am pleased with the settlement and with the way Texas A&M handled the lawsuit."

— Kay Drought
lawyer with Texas Rural Legal Aid

my bosses never paid into my Social Security, because when I reach my old age and won't be able to work, I won't have anything to support me," she said.

Drought said the misclassification is a problem that is widespread in Texas and estimated that 90 percent of all farm workers are affected at some time.

Former A&M student to stand trial for murder

Ron Shamburger, who is charged with the Fall 1994 murder of an A&M student, will stand trial in September.

By Javier Hinojosa
THE BATTALION

The trial of a 22-year-old former Texas A&M student, charged with capital murder and aggravated kidnapping, will begin Sept. 5 in the 361st District Court at the Brazos County Courthouse. Pretrial motions were made Aug. 11.

Ron Scott Shamburger turned himself in to the police on Sept. 30, 1994 and confessed to the murder of Lori Ann Baker, a junior accounting major from Kingwood, who was killed earlier that morning.

The University Police Department reported that Baker was shot in the head after she awakened to find Shamburger burglarizing her home on Bayou Woods Drive. Shamburger also confessed to three other burglaries in the area.

Victoria Kohler, Baker's roommate, was abducted by Shamburger and put in the trunk of her car, UPD reported. Shamburger then drove Kohler to a nearby street before returning to set Baker's room on fire.

During the Aug. 11 pretrial, Judge Carolyn Ruffino of the 361st District Court considered several motions filed

by both the prosecution and the defense. Defense attorney Kyle Hawthorne of Houston filed a motion requesting that pictures of Baker be turned away from the sight of the jury when they were not being used.

"These pictures are very graphic and can draw a juror's attention away from the trial," he said.

Vanessa Muldrow, representing the district attorney's office, said the court should follow the examples of other cases and leave the pictures up throughout the trial.

"It would be too much of an inconvenience to have the clerk get up and turn the picture around before and after every time the pictures were needed," she said.

The judge denied the motion and another motion by the defense requesting the use of a video camera to record the trial.

Hawthorne said a video tape of the trial should be sent to appellate judges in case of an appeal.

However, Muldrow said allowing a camera in the courtroom would create a disturbance.

"The camera would turn the case into a circus," she said. "Jurors could be intimidated, embarrassed or self-conscious in front of a camera."



Shamburger

Fall scuba classes canceled, expected to resume next year

The scheduled scuba classes have been replaced with sections of aquatics.

By Katherine Arnold
THE BATTALION

Texas A&M's Department of Health and Kinesiology will not offer scuba diving classes until Fall 1996 because of problems uncovered this spring.

Texas A&M System's Internal Audit Department investigated the program and issued a report recommending that the kinesiology department take measures to alleviate the appearance of a conflict of interest between the personal interests of the scuba instructors and the interests of A&M.

Dr. Robert Armstrong, head of the Department of Health and Kinesiology, said that as a result of an investigation, the kinesiology department canceled all scuba classes for the summer and fall and dismissed the two faculty members who taught scuba, Tom Meinecke and James Woosley.

Emma Gibbons, an associate professor in the kinesiology department, said the students who

registered to take scuba classes this summer were offered classes in aquatics instead.

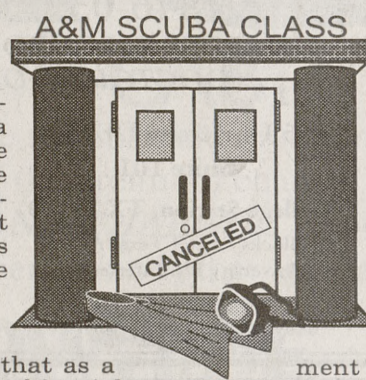
The department set up 12 sections of scuba classes for the fall, but did not allow students to enroll in them, pending the results of the investigation.

The kinesiology department will replace the sections of scuba classes with other aquatics classes, Gibbons said.

Mark Poehl, assistant director of the Texas A&M University System Internal Audit Department, said the investigation of the scuba program was prompted by a letter submitted by an attorney representing Wayne Cotter, owner of Paradise Scuba.

The letter suggested that the instructors refused to sign referrals to complete certification at another location, used A&M equipment off campus and sold course materials directly to students without allowing outside competition.

Armstrong said the department is currently investigating other universities to see how different college scuba programs are run. If a scuba program can be developed that will not create a conflict of interest, the department may offer scuba classes in Fall 1996, he said.



A&M SCUBA CLASS



Stew Milne, THE BATTALION

MOVING MADNESS

Parking officer Doc Fletcher directs incoming students and parents to appropriate areas to park and unload. Residence halls opened on Sunday.

Bowen approves withdrawal, attendance policy changes

Beginning this fall, if students visit the health center, they must show proof of treatment to receive an excused absence.

By Katherine Arnold
THE BATTALION

Changes recommended by the Faculty Senate to the withdrawal policy, attendance policy and student grievance procedures were finalized earlier this month by Dr. Ray Bowen, Texas A&M president.

According to the new withdrawal

policy, effective in January, the last day to withdraw from the University will be the same as the Q-drop date.

Dr. Pierce Cantrell, Senate speaker, said the revised regulation contains a provision for students who need to withdraw after the Q-drop date for extenuating circumstances.

The withdraw date was changed because administrators were often flooded with withdrawal recommendations from students at the end of the semester.

Dr. Brent Paterson, chairman of the Senate's rules and regulations committee, said he hopes the change will eliminate problems.

"Students should know by midterm if they are failing a class," Paterson said. "If they are going to withdraw for

academic reasons, they shouldn't hold out for a miracle."

Also to take effect in January is the elimination of the withdraw passing/withdraw failing classifications. Currently, when a student withdraws from the University, a grade of WP or WF is given. WPs do not effect the grade-point ratio, but a WF is calculated as a failed course.

Beginning in the spring, a student who withdraws will receive a W for all courses. The grades will not be calculated in the GPR.

Paterson said the decision to eliminate the WP/WF designations resulted because some faculty members were

See BOWEN, Page 14

Faculty Senate supports pay raises for lecturers

A survey of A&M's lecturers led to the recommendation of an established merit-based pay raise procedure.

By Tara Wilkinson
THE BATTALION

Texas A&M's Faculty Senate recommended the development of a consistent and fair way to provide lecturers with merit-based pay raises at the Aug. 14 Senate meeting.

The resolution must be approved by Dr. Ray Bowen, A&M president, before it is implemented.

Members of a Senate ad hoc committee, who drafted the resolution, surveyed in March 1994 lecturers' and senior lecturers' working conditions. Out of 255 surveys sent to lecturers, 133 (52 percent) were returned.

Many lecturers indicated in the survey that they had not received merit raises or promotion-related raises, and they were not aware of official standards regarding the raises.

Diane S. Kaplan, co-chair of the Senate ad hoc committee on the definition, role and status of lecturers, said problems indicated by the survey include "low pay for lecturers across the board, lack of merit pay for lecturers, and

See SENATE, Page 14