

Safe Schools Act removes violence

AUSTIN (AP) — Texas teachers say their students are behaving better since the Safe Schools Act was passed last year.

An informal survey of about 950 Texas teachers revealed that threats of violence, assaults, abusive language and theft have gone down since an initial survey in 1993.

The survey was released Tuesday by the Texas Federation of Teachers.

The law lets teachers remove violent or disruptive students from their classrooms and place them in alternative education programs. It also calls for automatic removal of students who commit violent or drug-related offenses.

"Teachers are telling us that they finally have a tool they can use to keep order in the classroom and prevent future disruptions," said Sen. Gonzalo Barrientos, D-Austin, on Tuesday.

The Texas Association of School Boards has said some of the language in the act needs to be clarified.

The law needs to be clearer about what happens to students who are placed in alternative education programs and are later expelled because of repeated misbehavior, said Ramos, assistant director of governmental

relations with the association. Ramos said the law also needs to ensure that a hearing is held to allow those classified

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as problem students the opportunity to present their case.

In May, a San Marcos judge ruled that part of the Safe Schools Act was unconstitutional because it denied students due process of law by removing them from regular classes to alternative education programs without formal hearings.

Fifteen-year-old Timothy Nevares had been accused of throwing rocks at a car and injuring the passenger while he was off-campus. Nevares' father filed a lawsuit in Hays

County district court after the school district told him Timothy was being sent to the alternative school.

A provision in the Safe Schools Act provides for hearings based on on-campus incidents but not those that take place away from school.

Robert Nash, spokesman for the Texas Federation of Teachers, said Nevares was given the opportunity to explain his actions even though a formal hearing was not held.

"We take issue with his (U.S. District Court Judge James Nowlin's) interpretation of the law," Nash said. "We are in favor of due process, we believe the law provides for due process now, but if further clarification needs to be made, we support it."

Barrientos, who introduced the bill in 1995, said he is willing to work to clear up some of the language in the law.

"I believe there are some measures that should be clarified," Barrientos said.

But he said efforts should be focused on implementing the law in all Texas schools, "not trying to fix what isn't broken."

Of the teachers who participated in the informal survey, about 35 percent said their schools are enforcing the Safe Schools Act.

Chrysler minivan case postponed

DALLAS (AP) — A \$27 million state civil case regarding the safety of rear liftgate latches on Chrysler minivans has been shifted to federal court after a juror

contacted a defense attorney associated with the automaker. Lawyers for Stevi Weston, a 15-year-old paralyzed former cheerleader suing Chrysler in the East Texas town of Palestine, moved Tuesday to withdraw their state lawsuit against Chrysler and refile it in federal court.

The move came after Chrysler told the state court that Rodger Graham, a juror impaneled Monday, had contacted his personal attorney, who works for a local firm representing Chrysler.

Although both sides agreed the brief contact probably had nothing to do with the minivan mat-

ter, the plaintiff's attorney Mikal Watts of Corpus Christi said he didn't want to risk jeopardizing his client's case.

Watts said he anticipates a trial next spring in U.S. District Court in Marshall.

Chrysler has faced a steady stream of lawsuits stemming from accidents involving latches installed on more than 4 million 1984-1995 Chrysler Town & Country, Dodge Caravan and Plymouth Voyager minivans.

More than 130 people have been ejected from the rear of the minivans during crashes, and at least 37 of them died, according to a government database of consumer reports.

Many of the lawsuits against the automaker have been settled out of court. Plaintiffs' at-

torneys and Chrysler say the Palestine case will be the first decided at trial.

To help in the case, Chrysler hired the two-man Palestine law firm of former mayor Jackson Hanks, where Philip Fletcher is the only associate. Graham divulged before he was selected as a juror that Fletcher had represented him in a divorce case.

Chrysler's lawyers told state District Judge Jerry L. Calhoun on Tuesday about a brief exchange between the pair outside of court a day before, after Graham was sworn in as a juror.

Watts' request for a mistrial was denied. He then moved to withdraw the case, a request Calhoun granted, and later filed it in federal court.

Watts said he was not accus-

ing Chrysler of jury tampering in the case.

"I don't know that Chrysler did anything wrong," he said. "But we were not willing to take a chance on a very strong case both for this girl's future and the future of the cases of hundreds of other victims across the country whose cases are in line after this one."

Chrysler's assistant general counsel, Kenneth Gluckman, strongly denied any hint of wrongdoing and suggested Watts withdrew the case too quickly.

"It really was a complete non-event — this guy (Graham) didn't do anything," Gluckman said. "I think it's just an excuse for the plaintiff not to try this lawsuit at this time because they don't want to. They did not think Chrysler would try this lawsuit."

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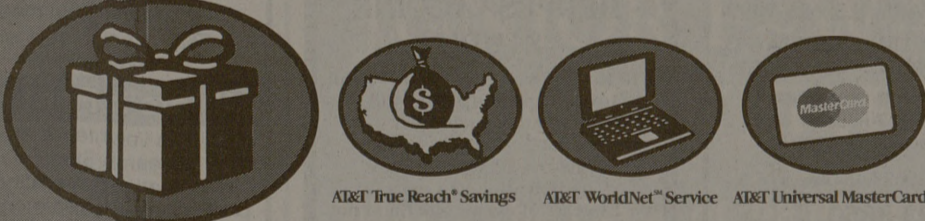
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