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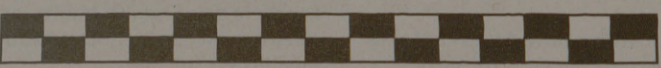
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# THE BATTALION STATE

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Wednesday • June 10, 1998

## Student sues for school's lack of disciplinary actions

TYLER (AP) — An East Texas middle school student's lawyers have sued the school system, contending that a lack of discipline has led to five beatings by fellow pupils.

Attorneys for the Texas Justice Foundation, who represent the Hogg Middle School student, sued the Tyler Independent School District Monday in 114th District Court.

The lawsuit requests a ruling that the district's disciplinary practices violate the safe schools section of the Texas Education Code and constitute "illegal conduct."

Allan E. Parker Jr., foundation president, illustrated from Hogg records instances in which the district allegedly failed to remove violent students as mandated by law.

In one case, a girl's arm was twisted until she cried and doubled up in pain, yet the parents were never notified, Parker said.

He contended that the district's zero tolerance program "is a sham and a fraud, as well as a violation of state law."

The foundation is a San Antonio-based nonprofit, public interest litigation group that represents clients at no charge in parental rights cases.

The assault victim claims to have been beaten five times by other students.

The lawsuit also contends the district failed to place the students who assaulted fellow pupils in an alternative education program, as mandated by the Texas Legislature in 1995 and also by the district's own school policies.

The suit asks the district to continue the extra safety precautions currently in place for the student. The student now has an adult monitor and escort before and after school, to and from the restroom, on the school bus and between classes.

## Hate crime claim life of Jasper

JASPER, Texas (AP) — District Attorney Guy James Gray said Monday that the brutal death of a black man was chained to a pickup truck and dragged appears to be a hate crime.

Gray said Monday that James Byrd Jr., 49, was charged with pickup and dragged to death was seen hitchhiking Saturday.

Asked if it was a hate crime, Gray said the Beaumont Enterprise reported a little early to get concrete but it does look that way.

Three white men were charged and the FBI has been in to investigate, Gray said.

Phil Denney, the county investigator, said preliminary autopsy results indicate Byrd from multiple traumas to the head and body, injuries which were inflicted as he was yanked behind the truck.

"At this time, we think it may have possibly been a civil rights violation," said Jasper County Sheriff Billy Rowles, adding he had been in contact with the Beaumont office of the FBI.

The three men in custody were drinking early Sunday morning, Rowles said.

Their names were not made public. They have been charged with unrelated crimes that the sheriff did not specify.

Assistant District Attorney Hardy, who described the death as "brutal," said Byrd probably countered his killers while trying to catch a ride.

"From what I've been told, he did a lot of hitchhiking around the area," Hardy said. "That's how this got started."

Byrd was last seen hitchhiking on Martin Luther King Boulevard in Jasper and was not seen again until the battered body was found in a rural area outside of Jasper.

Hardy said Byrd was spotted on his way home from a party Saturday night when he was picked up. He was last seen riding in the bed of a truck.

On Sunday morning, he was discovered in the Huff Creek area, miles away from his apartment.

Clara Taylor, the victim's mother, said she last saw her brother Saturday evening when the family gathered for a niece's bridal shower.

"He would have been walking toward his apartment, going to his bed," she said.

Gray said investigators are following the path Byrd took to the killer or killers took that night.

There is no evidence so far that the man was mutilated before being chained to the truck, he said.

"He was dragged and his body was torn up a lot, and he was all in one place," Gray said.

Gray said the FBI has been in because of the nature of the case.

"Depending on the evidence that comes out, this may be that's better suited for federal court," Gray said.

Family members declined to discuss the possible racial motivation, said they had agreed to investigators' request that they not discuss details of the case with reporters.

Jasper is about 60 miles from Beaumont in East Texas.

## Catch me if you can



JAKE SCHRICKLING/THE BATTALION

Bud Brockett, a patrol officer for the University Police Department, checks out drivers on East Main Drive Tuesday afternoon. Brockett said it is hard to catch people who are speeding at this location. The main thing UPD officers are looking for is if people are wearing their seatbelts and if their inspection and registration stickers are up to date.

## Waco district looks to revise promotion policy

WACO (AP) — The Waco Independent School District is considering a change to a portion of its new promotions requirement to reduce the number of second-graders expected to fail.

The district withheld report cards from its second-grade students Tuesday in advance of a special board of trustees meeting to consider changing the policy for second-graders.

The problem, according to Superintendent Rosanne Stripling, is that the new standard sets an unfair requirement for second grade students.

Roughly 264 second-graders — about 35 percent — were expected to fail under the new policy. The proposed change would reduce that to about 20 percent.

"We discovered that we had a faulty standard and the plan is to fix it," Stripling told the Waco Tribune-Herald for a story Tuesday.

WISD's promotion policy,

adopted last summer, requires students to pass their core classes, maintain 90 percent attendance and get a minimum average score on the Texas Assessment of Academic Skills test.

But the TAAS is not given to first and second grade students, so WISD is basing their test requirement on the Iowa Test of Basic Skills. Second-graders also took another test meant to link the ITBS to the TAAS. But Stripling said that is not what it did.

Instead of indicating how second-graders would have done on a second-grade level TAAS, it showed how they would have done on the third-grade level test, she said.

"There was just a misunderstanding about what that test could be used for," she said.

Stripling will ask board members to change the second-grade requirement to eliminate the TAAS link. That will decrease the failure rate by up to 15 percent,

she said.

Stripling added that she is not convinced that the district's promotion criteria for first- and second-graders should include a test.

"Staff is continuing to investigate and pursue options," she said.

For third- through eighth-graders, the testing portion of the policy requires a combined average score of 70 on the reading and math parts of the TAAS, with neither score below 55.

Updated results show that about 17 percent of third-, fourth- and fifth-graders and 27 percent of middle school students failed to meet the TAAS or report card requirement.

At the first-grade level, students must earn an average score of 35 on the ITBS test on a curved scale. Neither the reading nor math score can be lower than 20. Fifteen percent of first-grade students have failed based on that standard, the district said.

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PRESENTS

## HYPNOTIST

RICH AMES

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