



## Judge: Students' due process rights denied

By Melissa Sullivan  
THE BATTALION

State District Judge Rick Davis said Monday that Texas A&M needs to hold a rehearing of the Parsons Mounted Cavalry hazing case before the end of the semester because the University provided little due process.

Davis said, on the whole, A&M was slow on getting law enforcement and prosecutors involved. An internal Corps of Cadets investigation, prompted when Unit Commander Ty Keeling reported hazing to the Corps Commandant Lt. Gen. John VanAlstyne in October 2002, found that seniors had been hazing sophomores by hitting them with axe handles and forcing them to perform exercises in urine and horse manure.

Disciplinary hearings began last April. "I hope that in future instances where students are suspected of hazing, Texas A&M officials report the matters to the police immediately," Davis said.

Hazing is a Class A misdemeanor and is prohibited by University rules.

Ronald Hole, a McAllen attorney representing his son and another student, said he was pleased with the ruling.

Hole said the University should not be allowed to rehear the case because it did not do it right the first time. He said the University did not notify the students of the charges and assumed the students were guilty and did not comply with due process laws.

"(The University was) not just making a couple of mistakes," he said. "The judge paid good attention to evidence found and came up with

conclusions."

Hole said student rights were violated six or seven times and any one of those times could have proved the University's wrongdoing.

The University had also violated students' free speech rights when they were asked not to talk about the investigation, Hole said.

Assistant Attorney General Russ Harris told The Battalion in January that A&M had complied with due process laws and that students understood the University rules they had broken.

Harris declined to comment Monday night saying that he needed to talk to his communication officials first.

Davis said since A&M is a world-class University, that it must adhere to the law.

Calls to Executive Director of University Relations Cynthia Lawson were not returned

Monday night.

Davis stated in the ruling that, upon rehearing, A&M is required to give each plaintiff notice of specific charges against him, the names of the witnesses against him, and at least seven days prior to the hearing to make at least an audio recording of the proceedings.

Specific hearing officials will also need to be assigned, which includes VanAlstyne and David Parrott, dean of the Department of Student Life, appointing specific people to be these officials, Davis said.

"(Davis) trusts that they won't influence anyone beforehand," Hole said, "which gives reason that they might."

Parsons Mounted Cavalry is a specialized

See Judge on page 2

## YCT scholarship offered statewide

By Jason Hanselka  
THE BATTALION

The Young Conservatives of Texas at Texas A&M is now offering an equal-opportunity scholarship open to students in all Texas universities.

Mark McCaig, YCT communications director, said the scholarship is meant to protest race-based admissions and affirmative action policies of universities across the state.

"This scholarship is completely colorblind," he said. "Anybody of any race or back-

ground can apply."

McCaig said the scholarship will be awarded based solely on essay submissions from a contest that is currently being conducted.

Authors of the top three submissions will receive \$5,000, \$3,500 and \$1,500, respectively.

Full-time students in two- or four-year institutions in the state are eligible for the scholarship.

"This scholarship is open to all students, not just at Texas A&M," he said.

Applicants are asked to write

See YCT on page 7

### YCT scholarship essay

**F**irst place **\$5,000** **S**econd place **\$3,500** **T**hird place **\$1,500**

#### Essay topic:

How have you or a family member overcome institutionalized discrimination and/or stigma imposed by policies giving preference to particular racial or ethnic groups?

RUBEN DELUNA • THE BATTALION  
SOURCE: YCT

## Around he goes



SHARON AESCHBACH • THE BATTALION

Junior biomedical engineering major Dick Watson spins around on the gyro ball Monday in the Academic Plaza. The bungee run, obstacle course, cotton candy, gyrobball and other fair activities are

the beginning part of Engineers Week held by the Student Engineers Council (SEC). Throughout the week, SEC will provide students with fun activities, free food and an art gallery.

### Open Forum With Dr. Gates

A&M President Robert M. Gates will be holding an open forum to answer questions about the closing of residence halls. All students are welcome to attend.

Wednesday Feb. 25, 2004  
2:30 p.m.  
Rudder Theater



GRAPHIC BY: ANDREW BURLESON • THE BATTALION  
PHOTO BY: SHARON AESCHBACH • THE BATTALION  
SOURCE: SHAUN SHAIKH, HOTARD HALL COUNCIL PRESIDENT

## Hotard hall to close

By Carrie Pierce  
THE BATTALION

Jason Marshall, Class of 1992, lived in Hotard Hall the entire time he attended Texas A&M. He spent his three and a half years in the same room because he said the dorm was conveniently located and that it was small enough to know everybody.

Hotard Hall, built in 1939 to house food services personnel, has been a residence hall since 1958. It is the smallest residence hall on campus with close to 100 residents and has the highest return rate, Marshall said.

"The community environment found in Hotard doesn't exist outside of the Corps of Cadets," Marshall said. "It had a fraternal feel that wasn't exclusive."

On Feb. 16, William L. Perry, chair of the Council on the Built Environment,

told the Hotard residents that they would have to find new living arrangements for fall 2004, said sophomore mechanical engineering major Austin Main, project manager for "Save Hotard."

Ron Sasse, director of dormitory administration, said this is all part of A&M President Robert M. Gates' plan for campus.

Hotard may be turned into a student retention center, Sasse said.

"We hate to lose residence hall space, but we must be supportive of the University's goals," Sasse said.

Cain Hall and Hotard Hall will be used to accommodate the 450 new faculty and staff the University hired for next

See Hotard on page 2

## A&M, UT faculty senates meet, discuss race-based admissions

By James Twine  
THE BATTALION

Diversity was the focus at Texas A&M Faculty Senate and the University of Texas Faculty Council's annual joint meeting on Monday.

Texas Rep. Fred Brown said A&M and UT faculty need to work together to attract more students.

"We need to work on telling everyone how great our institutions are," Brown said. "The recent deregulation of state univer-

sity tuition prompted concern among some of the faculty in attendance of the meeting.

Brown acknowledged the growing number of students who have demanding school and work schedules as well as how the tuition increase will make it necessary to work more and have less time for school.

"We need to expect more from our kids," Brown said.

Brown suggested offering more

See Faculty on page 2



JOHN C. LIVAS • THE BATTALION

Janet Staiger, University of Texas director of women's and gender studies, addressed the necessity of a positive campus climate projected toward minority students at the annual joint meeting of Texas A&M University Faculty Senate and University of Texas - Austin Faculty Council.

## National Forest Service to teach Bonfire 'cut class'

By Brad Bennett  
THE BATTALION

After four years of waiting, the first remnant of Aggie Bonfire will officially return to campus. Bonfire Coalition plans to once again wear pots, wield axes and cut down trees after spring break.

Bonfire Coalition for Students — the on campus organization — is planning to offer a "cut class" taught by the National Forest Service and hopes to eventually begin clearing land for agricultural use, said Alex King, a senior finance major and Bonfire Coalition for Students chair.

"(Cut class) is not meant to replace cut," King said.

Kevin Jackson, director of the Department of Student Activities, said the final plans need to be reviewed by the student activities department before the project goes ahead.

"We have not made a final determination on the alignment of the cut class with the mission statement of the organization," he said.

Jackson said the student activities department reviews ideas for group events but does not give or deny approval.

"We facilitate a review of the event to determine if it is within the mission and scope of the organization," Jackson said.

The Bonfire Coalition also wants to clear land so that it can cut trees.

King said the land clearing project will be a service project to ben-

efit people who need land cleared.

"First off, we wanted to give our members experience of cutting down trees by hand," King said. "We also wanted to bring back the service aspect of clearing land for use."

Nikolaus Knappick, a senior journalism major, said the project sounds like the cut he worked on in 1999.

"(Land clearing) sounds like a good start," Knappick said.

Knappick said he worries about knowledge of Bonfire being lost as the gap grows between those who experienced Aggie Bonfire and those who have not.

"If you ask a freshman or sophomore what cut is, they'll just say, 'Huh?'" Knappick said.

King said land clearing this semester will be limited to existing members of Bonfire Coalition, although without crew chiefs or red pots, but plans are to open the project to all students once it gets safely underway.

"It is not going to be structured like cut," King said. "We don't claim to be Aggie Bonfire at all. We want to show we are mature enough to do cut again so when Bonfire comes back, it won't be just a stack of logs."

Chair of Bonfire Coalition Ryan Kirkpatrick, a graduate student and Class of 1999, said the project upholds the bonfire tradition of clearing only land that needs to be cleared.

"There's not a lot of money in agriculture," Kirkpatrick said.

See Bonfire on page 7