

School finance trial nears ruling

By Kelley Shannon
THE ASSOCIATED PRESS

AUSTIN — Texas has made big strides in student achievement amid population growth and difficult local decisions about how to spend available money, state Education Commissioner Shirley Neeley testified in court Tuesday.

A strong testing-based accountability system and student gains on those tests have made Texas a leader in education nationally, said Neeley, the first witness for the state in the lengthy trial challenging the way Texas funds its public education system.

Much of Neeley's testimony centered around results of the Texas Assessment of Knowledge and Skills, or TAKS. The exam is administered at certain grade levels in public school. The TAKS has been given for two years, having replaced another less rigorous standardized test.

Over the past decade, gaps in student test scores among whites, blacks and Hispanics have closed, Neeley said. She noted that during that period, Hispanic enrollment has increased dramatically.

"We're not going to stop until there's no gap," Neeley said.

Hundreds of wealthy and poor Texas school districts are arguing that the state does not allocate enough money for education and that the existing finance system is unconstitutional.

Attorneys for the state contend that Texas satisfies the minimum constitutional requirements and any changes to the share-the-wealth system should be made by the Legislature, not the courts. State attorneys have cited what they say are education im-

provements in Texas in recent years.

Judge John Dietz, who is presiding over the trial and is expected to make a ruling late next week, questioned Neeley about the lagging test scores for certain groups of economically disadvantaged and limited English-speaking students.

"Wouldn't you agree that it takes more resources to close the gap?" Dietz said. "How do you close that gap?"

Neeley answered that in the Galena Park School District, where she previously was superintendent, local officials used money already available to open a "new arrival center" to help immerse limited English-speaking into the programs they needed.

"Every educator would always wish they had more ... We just had to do the right thing," Neeley said.

Under questioning by assistant attorney general Jeff Rose, Neeley later said Galena Park school officials had to find money for the new arrival centers partly by cutting an outdoor adventure program.

Overall, she said, Texas is providing a good education for bilingual and limited-English students.

"We're doing great things for all kids in Texas with what we have," she said. "And we are closing the achievement gap with what we currently have."

A total of \$28 billion in state and local money is spent on education in Texas, with about 62 percent of that coming from local property taxes. Some school districts say because of a state-mandated cap on local school property taxes they can't raise enough money to educate children. Other districts complain that the state doesn't pump enough money overall into education.

Woman pleads guilty to drugging fetus

By Betsy Blaney
THE ASSOCIATED PRESS

AMARILLO — A woman pleaded guilty Tuesday to delivering crack to her unborn son, avoiding trial in a case that could determine the boundaries of a state law intended to protect the unborn.

As part of her plea agreement, Tracy Ward, 30, retained her right to appeal, said her attorney, Joe Dawson. The deal averted trial over the question of whether a mother's actions can be prosecuted under a law that classifies a fetus as an individual.

Ward, who admitted smoking crack cocaine in the days leading up to her son's birth in early November, will be sentenced Wednesday. She faces between two and 20 years in prison on the second-degree felony charge of delivery of a controlled substance to a child.

Dawson said he has requested probation and intensive drug treatment.

"She hopes the judge grants her the help she needs," Dawson said.

The plea deal came the day trial was scheduled to begin.

Ward was prosecuted under the law that exempts health care providers who perform legal medical procedures, such as abortions. It also exempts death or injury as a result of legal drug use or an action by the mother.

However, Rebecca King, district attorney for several counties including Potter County, said the law required prosecution, and that the exemption for the mother did not apply in this case. She said she would welcome an appeal.

"If it wasn't this one, it'd be another one," she said. "I'm going to be very interested in a reading that shows me a legal out here that doesn't follow my interpretation."

A spokesman for the bill's sponsor in the Texas House said legislators intentionally exempted mothers and that King has misinterpreted the law. The change was intended to address harm brought to by a third party, said Scott Gilmore, chief of staff for state Rep. Ray Allen, R-Grand Prairie.

"Ultimately, it's up to the lawmakers and appellate courts how this law is going to be applied," Dawson said. "There's just a host of issues that will be looked at (on appeal)."

Ward was charged after her son, Roger, tested positive for cocaine. She admitted to paramedics that she had smoked crack cocaine within an hour of calling for an ambulance to report problems with her pregnancy in October.

Larry Cunningham, a Texas Tech University law professor, said he believes a number of people will be watching the appellate court's decision.

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Friday, September 10, 2004

5 p.m. - 12 midnight Fish Camp History Display in the Memorial Student Center Flag Room
Visit a display celebrating 50 years of history with Fish Camp. Sign the official 50th Anniversary Guest Book and leave thoughts for future Fightin' Texas Aggie Freshmen Classes.

6 p.m. - 8 p.m. Welcome Reception at The Association of Former Students
Kick-off the reunion weekend with refreshments, fellowship, and Fish Camp history sharing.

8 p.m. First Yell featuring Bill Cosby at Reed Arena
Tickets through the MSC Box Office at (979) 845-1234

12 midnight Midnight Yell Practice at Kyle Field
Attend Yell Practice with current and former Fish Camp members; don't forget to wear your favorite Fish Camp shirt. Meet in Cain Park at the Eagle Statue at 11:30 p.m.

Saturday, September 11, 2004

8 a.m. - 12 midnight Fish Camp History Display in the Memorial Student Center Flag Room
Visit a display celebrating 50 years of history with Fish Camp. Sign the official 50th Anniversary Guest Book and leave thoughts for future Fightin' Texas Aggie Freshmen Classes.

2 hours before Game Fish Camp Reunion Tailgate Party at Simpson Drill Field
Plan to attend a fun filled Fish Camp Reunion tailgate party. There will be a designated area for Fish Camp Reunion participants. Meal tickets will be sold individually at the tailgate party.

2:30 p.m. Texas A&M Aggies vs. Wyoming Cowboys Football Game
Tickets are sold through the Athletic Ticket Office at (979) 845-2311

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