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Texas Supreme Court invalidates lawsuit

Officials say former TCU athlete failed to prove argument

By RYAN THOMAS
Staff Reporter

Texas case law invalidates a former TCU athlete's lawsuit seeking permission to compete for the Texas Longhorns track team, according to TCU's legal response filed in state district court.

According to the response, TCU is basing its defense on the Texas Supreme Court's August decision in National Collegiate Athletic Association v. Yeo. TCU claims the plaintiff

has failed to present a justiciable issue, according to TCU's response.

Jacob Hernandez, a former TCU track and field member, is suing the school for his release from TCU's track and field team and attorney fees. Hernandez has already transferred to the University of Texas at Austin but is not able to compete with the track team until he is released from TCU.

The response was received at the district court clerk's office Friday.

The original deadline for TCU to respond to the lawsuit was Sept. 12, but was extended to Monday.

Chancellor Victor Boschini declined to comment on the lawsuit or TCU's response because it is a pending litigation and he wanted to protect the



Hernandez

people involved in the lawsuit as well as TCU.

Joscelin Yeo transferred to UT-Austin from the University of California at Berkeley but was unable to swim for an academic year, according to a review of the decision by the Texas Supreme Court. Yeo also competed in the Olympics for her home country, Singapore.

NCAA rules require student-athletes to sit out a semester if they compete in the Olympics. The NCAA told Yeo she was not able to compete until she had met its one-year restriction, according to the review.

In past cases, the court has ruled that "students do not possess a constitutionally protected interest in their participation in extracurricular activities," according to the review.

The case also argues Yeo's reputation and future financial interests should be protected constitutionally based on the passed decision in University of Texas Medical School v. Than.

The judges said they declined to "equate an interest in intercollegiate athletics with an interest in graduate education," according to the review.

Also in the review, the Texas Supreme Court reminded the lower court in the NCAA v. Yeo decision

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News Briefs

LEAPS rescheduled due to possible hurricane threat

TCU's annual campuswide community service project has been postponed until the spring semester because of Hurricane Rita, organizers said Monday.

Forecasters predicted Rita would bring severe and dangerous weather to Fort Worth on Saturday, when the event was originally scheduled.

"We were concerned for the safety of the whole student body and campus," said Kelly O'Fallon, director of Leaders Encouraging All People to Serve, also known as LEAPS.

E-mails were sent to the more than 1,000 students registered for LEAPS to notify them of the cancellation, she said.

"It was really disappointing; people were sorry it didn't happen," said O'Fallon, a senior fashion merchandising major.

Matt Larkins, a freshman international relations major, said he was disappointed about the cancellation because of the impact LEAPS has on the community.

"So many projects could have been finished in that day — even before the bad weather was supposed to come," said Larkins, who registered with his fraternity, Sigma Phi Epsilon.

No date has been set for LEAPS but it will probably be sometime in late March or early April, O'Fallon said.

Individuals and groups will most likely have to register again, though many details are still being worked out, she said.

"People are interested in when LEAPS will be," O'Fallon said. "I really hope we have the same turnout in the spring."

A Hurricane Katrina relief fundraiser, which was originally planned to take place after LEAPS, will be rescheduled for next month, said Austin Uebele, director of Frogs for a Cause.

Uebele, a sophomore pre-major, said the fundraiser may involve a silent auction.

"I am looking for ways to get more people involved since there won't be such a large influx of people coming straight to this event from LEAPS," Uebele said.

— Ashley Alderman

AN OPEN MARKET

Despite lack of female coaches, officials say selection process fair

By TRAVIS STEWART
Staff Reporter

TCU student-athletes and coaches have divided opinions over an increasing lack of women coaches in college athletics.

As reported by The Chronicle of Higher Education, despite a growing number of female athletes, female coaches for women's sports have declined since Title IX became law in 1972. The federal legislation outlined a series of guidelines to provide equal opportunity for both women's and men's collegiate sports.

Although the Title IX statute makes no restrictions on the number of women coaches a school can employ, women's sports headed by a female coach have fallen from 52.4 percent in 1982 to 44.1 percent in

2004, an 8.1 percent drop. TCU currently has three women head coaches for nine of its women's sports.

Athletics director Danny Morrison Jr. said college sports' gender inequality results from an overwhelming number of male applicants compared with female applicants for open coaching positions.

"The applicant pool on the men's side is much larger than the women's," Morrison said.

Even though the breakdown of available applicants is unequal, Morrison said, the administration tries to compile the most diverse pool of candidates possible. He said the problem then becomes using objective means to narrow the field down

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Stephen Spillman / Staff Photographer (left photo); Emily Goodson / Photo Editor (above photo) Rifle coach Karen Monez (above) is one of only three female coaches at TCU. The others are volleyball coach Prentice Lewis (left) and women's golf coach Angie Ravaoli-Larkin (not pictured).



Hispanic Heritage month presents cultural issues

Faculty, students to host series of discussions on education, immigration

By CAITLYN TOMASIK
Staff Reporter

TCU's celebration of Hispanic Heritage month continues this week with two of three scheduled educational series hosted by faculty members.

Cecilia Silva, a professor in the School of Education, will lead a discussion at noon Tuesday in the lobby of the Brown-Lupton Student Center on education in the Hispanic community.

Sophomore social work major Daisy Delgado is a member of the Hispanic Heritage month planning committee and helped organize the educational series.

"For the Latino population, edu-

cation is a very big area," Delgado said. "A lot of people argue that teaching bilingual education in schools is a waste of time, but we need to know more than one language, especially if it is one that millions in the U.S. speak."

According to the national census Web site, Texas has the second highest number of Hispanics in the nation, and the third highest percentage of Hispanics in its population.

Delgado said education was the major issue the committee agreed needed to be discussed.

"Education was one of the first topics we thought of," Delgado said.

According to the Department of Education Web site, Secretary of Education Margaret Spellings said one in every five children under the age of 18 is Hispanic.

According to the National Clearinghouse for English Language Acquisition,

the English language learners population is the fastest growing K-12 population in the United States. However, in the 2001-2002 school year, Texas school districts were unable to fill 26 percent of open secondary education bilingual/ESL positions.

Delgado said the committee was eager to incorporate TCU faculty into their presentations. She said there was an immediate response from faculty to the committee's request for them to share opinions and experiences through the series.

The second of three discussions will be held at 5:30 p.m. Thursday in the Student Center lobby. Juan Rojo, an assistant professor of Spanish, will discuss the views and stereotypes associated with immigration in the United States.

"Immigration can be a very volatile topic," Rojo said. "No one really looks at the issue for what it is."

EXTRA INFO

Hispanic Heritage month events this week:

- Latino Educational Series I
- Education in the Hispanic community: noon Tuesday, Student Center Lounge
- Latino Educational Series II
- Immigration issues: 5:30 p.m. Thursday, Student Center Lounge
- "Fiesta de los Frogs"
- Pregame activities: 4 p.m. Saturday, Frog Alley

Rojo said he will focus his discussion on the positive sides to immigration. He said he will be discussing the contributions of Mexicans and Latin Americans to the U.S. culture.

Delgado said she can relate to the subject because her parents immigrated from Mexico.

"It is something that affects me on a daily basis," Delgado said.

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Students say Rita mentality was 'better safe than sorry'

The devastation left behind in New Orleans and the surrounding area gave sufficient cause for immediate action to be taken on the part of residents along the Texas coast when told to evacuate due to Hurricane Rita.

Don Mills, vice chancellor for student affairs, said TCU was prepared to provide short-term emergency shelter in Daniel-Meyer Coliseum and the University Recreation Center.

"TCU is not designated as an emergency center, but we were ready to help any way we could had there been a catastrophe in Houston," Mills said.

As of Thursday afternoon, no students had contacted Campus Life for assistance, Mills said.

Mills said most families of those that evacuated have returned home.

Sophomore business major Kirk Oliver said his family evacuated Wednesday morning to Waco, then continued to Fort Worth.

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