

STATE NEWS WEEKLY SUMMARY CONTINUED



President Bill Clinton's administration, which filed a brief in August urging the Supreme Court not to hear the case and supporting the 10th Circuit Court in its evidentiary hearing order.

Under the terms of the Prison Litigation and Reform Act passed by Congress earlier this year and signed by President Clinton in April, Oklahoma should be released from the 1972 lawsuit, Assistant Attorney General Guy Hurst argued in a brief submitted to the Supreme Court. The act, which was included in an appropriations bill, requires that federal injunctions be terminated when conditions become constitutional.

The Attorney General's Office maintains that if inmates want to allege instances of maltreatment that they must do so in new lawsuits, rather than relying on the previous case. That, Edmondson argues, means the new suits would be judged under different standards than those applied to the Battle case.

—SHAWN ASHLEY
10/08/96

JUDGE CANCELS PRISON HEARING; DECISIONS MAY IMPACT PRISON PLANS

■(GIT) A hearing scheduled for next week to address questions related to the safety of prisoners incarcerated in Department of Corrections facilities was cancelled by a federal judge, Tuesday.

US District Judge Michael Burrage of the Eastern District of Oklahoma, ordered the Oct. 15 hearing struck, after the US Supreme Court issued a ruling Monday ordering the 10th Circuit Court of Appeals to reexamine a 24-year-old lawsuit against the state prison system.

The order also affects a hearing set for Dec. 2 concerning triple-celling inmates at the Mabel Bassett Correctional Center in Oklahoma City.

Monday, the US Supreme Court ordered the 10th Circuit Court of Appeals to reexamine its latest ruling related to the suit in the context of a new law aimed at limiting the scope of the federal government's intervention in state prison system. The order tossed out a previous decision of the circuit court which would have required Oklahoma officials to submit evidence of its compliance with federal mandates on prison conditions.

Oklahoma maintains the state was in compliance with federal mandates in 1983

and should be released from the requirements resulting from the lawsuit, while Bullock argues the state has never been in compliance with the orders.

The Supreme Court's decision was hailed by state officials, who hope the decision will put an end to the lawsuit.

"We will now be back before the 10th Circuit, arguing that all of the injunctions and orders in the case should be dissolved, once and for all," said Oklahoma Attorney General Drew Edmondson.

When that decision will be reached is not clear, said Edmondson, who said he could not speculate on a time schedule for the circuit court's review of its previous decision. However, he noted, the circuit court has previously expedited hearings related to the case.

Also unclear is what impact the Supreme Court's decision, and ultimately that of the circuit court, will have on state officials' plans to address prison issues during the upcoming legislative session.

Lawmakers from both parties have pledged to address a plethora of prison issues, including funding, overcrowding, the early release of some inmates and sentencing.

"We're checking on it to see what impact it might have," John Cox, Governor Frank Keating's press secretary, said Tuesday.

—SHAWN ASHLEY
10/09/96

EDUCATION

GARRETT SAYS PUBLIC SCHOOL CHOICE EXISTS

■(GIT) State Superintendent Sandy Garrett said recently many parents and students have the option of school choice each year, with permission of local school districts.

Last school year, Garrett said, 28,453 students received transfers from their home district to another district. More than 175,000 student transfers have been awarded since the 1990-91 school year, Garrett said.

Reasons for transfer range from grades and subjects not being offered to special services or programs needed. Approval must be given by both school district boards, except in certain circumstances.

"Transfers are a local option," Garrett said. "Many school districts routinely grant

transfers, while some districts do not." Changes in legal guardianship of a student may mean a change in the student's school district. Some school districts don't grant transfers because of current class size and space considerations, Garrett said.

"It is important for parents to remember there are always options for their children," Garrett said. "The number of parents who take advantage of these transfers each year indicate a school system that is accessible and responsive."

HB2317 and the task force on school residency are attempting to establish guidelines for deciding where students should go to school. Transfers for students with a change in guardianship, or students who need special help are on the rise, making transfers for other reasons subject to available space, Asst. Superintendent of Sand Springs Schools, Jim Johnson said last week at the task force meeting.

—GERRY CHERRY
10/07/96

OKLAHOMA SCHOOL AMONG GRANT RECIPIENTS

■(WASHINGTON) An Oklahoma school will receive part of a \$7.5 million grant to help rural schools and health care facilities launch thousands of rural residents on the information superhighway. The grants will serve 21 states and one U.S. territory.

The Southwest Oklahoma Tele-Education Consortium (SOTEC) in Frederick, OK, was awarded a \$79,000 grant to assist with a proposed interactive television (ITV) network enabling ten schools to expand curriculums, work together and explore new teaching methods in a four county area. The rural communities are expected to benefit from: shared curriculums; local technical and higher educational opportunities; and local access to business conferences and down-linking of business and commerce information.

These grants provide opportunities to 178,000 students in 154 schools and universities to enhance medical care using modern telecommunications facilities at 62 medical sites serving 1.7 million people. Applicants must also supplement these federal funds with either state, local or private money to create a stronger, more community-supported project.

This is the fourth year of this competitive grant program administered by the Ru-

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