

Florida court OKs action on admissions

TALLAHASSEE, Fla. (AP) - The Florida Supreme Court ruled Thursday that the NAACP can challenge the governor's elimination of racial and gender preferences in state university admissions.

The 4-3 ruling overturned a 2002 decision by the 1st District Court of Appeal that dismissed the civil rights group's challenge to Gov. Jeb Bush's "One Florida" program, which eliminated race as a consideration in state college admissions, and "Talented 20" plan, which guaranteed admission to the top 20 percent of each public high school's graduating class.

The governor has said the policy changes, made in 2000, will increase racial diversity in the state's universities and colleges.

The Florida Conferences of Branches of the National Association for the Advancement of Colored People argued that the rules were a startling change in policy that could be made only by the Legislature.

In September, the Department of Education said minority students made up 34.3 percent of the total enrollment at the 11 schools, up from 32.1 percent in 1998.

In Thursday's opinion, Chief Justice Harry Lee Anstead wrote that the appeals court had gone far beyond a 1980 ruling by the state Supreme Court that outlined the standard for when groups have the right to challenge the actions of government agencies.

Anstead also wrote the appeals court had been inconsistent with its own rulings since then because it had allowed environmental groups and professional associations to challenge agency rules.

The issue now returns to the 1st

District Court of Appeal. The NAACP will move ahead with the case, said Dennis Courtland Hayes, the group's general counsel.

"We continue to believe diversity is worth fighting for," said Hayes, who called the One Florida policy "wrong-headed and bad for education in this country."

The governor's office was still reviewing the opinion, but Bush spokeswoman Alia Faraj said the numbers show One Florida has worked.

"We are seeing solid results," Faraj said, adding that minority students made up 37 percent of the incoming freshman class at the state universities this fall.

The percentage of Black university students hasn't varied much, hovering at 14 percent for the last few years. Statewide, 15 percent of Florida's population is Black.

Williams

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open forum," he said. Williams, a state assemblyman, was paid for sick leave or regular time by the city while serving in the state legislature earlier this year. Williams has also been the subject of using a city-issued cell phone to make personal calls.

Williams refused to comment. Goodman is withholding comments until Tuesday, Riggleman said.

The report claims Williams and Assemblyman Morse Arberry, Neighborhood Services' former deputy director, violated the city's sick leave policy by claiming sick pay when they weren't ill and failing to submit proper paperwork for their time off.

Arberry, the current chair of the Ways and Means Committee, was deputy director of Neighborhood Services from 1993 until he separated from the City in 2002. He could not be reached for comment.

The auditor's report says that former Neighborhood Services Director Sharon Segerblom allowed the abuse by the lawmakers. It was found that Segerblom signed timecards reflecting the unwarranted sick pay. At the same time, she closely monitored the department's other employees' use of sick time, the report says.

The reports also claims that Williams, who agreed to reimburse the city for cell phone costs and for pay he got while serving in the state legislature, received preferential treatment.

The auditor made five recommendations for which the mayor, city council and the city manager have an option of reacting to:

Time and attendance,

Snelding recommends "The City Manager's Office should review the violations addressed in this report and take appropriate action."

Cell phone usage and reimbursement, he recommends "The City Manager's Office should review and improve the policies, procedures, and the process surrounding cell phone usage and employee reimbursement to the city for personal calls."

"The Administrative Officer should be given all available cell phone records and asked to review them for additional personal calls. The City Manager's Office should obtain reimbursement from the Administrative Officer for the additional \$392 in personal cell phone calls discussed in this report, as well as any more personal calls identified in further review of cell phone records by the Administrative Officer."

Regarding a last chance agreement between Williams and the city, the auditor is recommending "The City Manager's Office and Human Resources should ensure that Last Chance Agreements are used for 'represented' personnel affected by substance abuse."

"The City Attorney's Office should review all Last Chance Agreements before being executed. Human Resources should implement a policy and procedure to address Last Chance Agreements. Human Resources should have a representative present at the administration of all Last Chance Agreements."

Segerblom, who did not respond to phone calls, told the auditor she felt uncomfortable questioning Williams about his timecards and leave because of his position

in the Legislature. The report suggests Williams might have been given preferential treatment in his promotion to his current post as administrative officer in Neighborhood Services, for which he's paid \$85,981 a year.

Segerblom told the auditor she didn't approve of Williams' promotion and that it was carried out by former City Manager Virginia Valentine. In the report, Valentine adamantly denied intervening in Williams' favor.

"This is business as usual and there need not be any scapegoats," said one official who wanted to remain anonymous. "Unwritten ways of doing business, what used to be called the 'good old boy systems,' has been commonplace in Las Vegas for years. To suddenly name scapegoats is itself a violation."

About preferential treatment, the auditor recommends "Neighborhood Services management should enforce existing policies and procedures consistently among staff. Neighborhood Services management should implement improved controls for tracking work hours and work performed by staff at off-site locations. Neighborhood Services management should perform routine and unannounced visits of any off-site locations to monitor operations."

The final recommendation by Snelding call for policies and procedures for dealing with elected officials.

"A written policy and procedure should be developed for employees who are elected officials of other entities," the report says. "These policies and procedures are for the protection of the city, the city employees who are

elected officials, and the employees charged with their supervision. The policy and procedure should cover at a minimum the following:

"Pay status during service in their elected capacity. Guidelines regarding the performance of city duties in conjunction with their other position. A written acknowledgment that the employee received and understands the policy and procedure."

Philly probe expands into developments

PHILADELPHIA (AP) - A federal investigation into possible city government corruption has spread to a waterfront development project and the city agency responsible for it, according to a published report.

The Redevelopment Authority, which annually allocates millions of dollars in federal, state and city money to troubled areas, received a subpoena last week related to the Penn's Landing development, The Philadelphia Inquirer reported in Sunday editions.

"We will fully comply with the request," Herbert Wetzel, executive director of the Redevelopment Authority, said Friday. He declined to comment further.

The agency's chairman is John J. Dougherty, a close ally of Mayor John Street and business manager of Local 98 of the International Brotherhood of Electrical Workers. Street handily won a second term in balloting Nov. 4. His campaign came to life after an FBI bug was discovered in his office one month earlier. Street's role in the probe has never been made clear.

Also questioned by the FBI was attorney Leonard Ross, an adviser to Street and chairman of a committee that will pick the developer of Penn's Landing, a 13-acre area on the Delaware River.

Ross told the newspaper that he was asked by FBI investigators about the city's plans to develop the site.

Since the discovery of the bug, federal agents have taken boxes of records from three city agencies, Philadelphia International Airport, the office of lawyer Ronald A. White, and the home and offices of Imam Shamsud-din Ali, a prominent Muslim cleric and longtime Street supporter. They also sought financial records of Street and his family.

Investigators also have sought records relating to bond deals and city contracts that involve allies of Street's, including White, who had a role in both the Redevelopment Authority and the competition for the Penn's Landing project, Ross said.

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