

Florida Smokers' Lawsuit Has N.C. Officials Sweating

Associated Press

Tobacco interests in North Carolina fear a Florida jury's \$6.9 million award to two sick smokers was a prelude to a potentially crippling punitive verdict against Big Tobacco that could bankrupt them.

"This was a big shoe dropping, no doubt, but the really big shoe is still to come," said David Logan, a product liability law professor at Wake Forest University in Winston-Salem. "These are absolutely uncharted waters because there has never been a case anything like this."

Jurors on Friday ordered the companies to pay the money to compensate a pair of sick smokers. The smokers are representing as many as 500,000 current and former Florida smokers in the first class-action lawsuit against tobacco companies to reach trial.

The same jury is expected to reconvene in a couple of weeks to consider what punitive damages to levy against cigarette makers. Tobacco companies have said they fear the punitive damages could easily top \$100 billion and might

be more than \$300 billion.

Punitive damages of this size could cost North Carolina thousands of tobacco jobs and millions of dollars in tax revenue should cigarette companies be forced into bankruptcy. It also could jeopardize more than \$6 billion expected to flow to the state from the landmark settlement cigarette makers reached with 46 states in 1998.

"Our tobacco farmers in the next week to ten days will begin planting tobacco all across this state, and to have these companies have to declare bankruptcy to protect themselves certainly will be devastating not only to tobacco farmers but to the whole economy of North Carolina," says Larry Wooten, president of the North Carolina Farm Bureau.

Cigarette makers are concerned they could be crippled just by posting bond to appeal such a verdict. N. C. legislators earlier this week met in a special session to cap the amount of an appeal bond against an N. C. company at \$25 million.

Lawmakers said the law was aimed specifically at protecting the state's cig-

rette makers in the Florida class-action lawsuit.

N. C. Sen. Linda Garrou, D-Forsyth, a primary sponsor of the appeals cap legislation, said the General Assembly acted prudently.

"If you ask me, it looks like we acted just in time," she said. "I'm not sure what would have happened if we hadn't taken action this week."

While some law experts question the constitutionality of such a cap, Logan said it was very unlikely that a \$300 billion award would soon force cigarette makers into bankruptcy.

"Although a jury can do just about anything it wants, the judge has an obligation to make sure the verdict doesn't violate the due process of the companies," Logan said.

Even if the verdict were to stand up on appeal, Logan predicted cigarette makers would be free to try to settle the lawsuit at any point.

R.J. Reynolds Tobacco Co. in Winston-Salem, one of the tobacco company defendants, said in its statement that trial judge Robert Kaye made errors that would be raised in appeals.

Education Schools Get Grades

By ALICIA GADDY
Staff Writer

The N.C. Department of Public Instruction recently rated 46 education programs at state colleges and universities to determine which ones made the grade.

While some schools were lauded for preparing their graduates for the classroom, others received mediocre ratings.

But officials at some schools claimed the study, in its first year, yielded incomplete data.

DPI spokeswoman Kay Williams said North Carolina's colleges and universities rated from 50 to 130 on a 145-point scale. UNC-Chapel Hill received 125 points.

She said the ratings were based on three major areas: compliance with state and national accreditation standards, quality of grades and involvement with public schools. She said they also surveyed graduates, employers and mentor teachers to gauge satisfaction.

Williams said she hoped the study would encourage N.C. schools to raise standards. "Our goal is to improve the quality of teacher education programs."

She said the report card program facilitated Gov. Jim Hunt's plan to make N.C. schools first in the nation by 2010.

She said that because this was the report's first year, the results were sub-

ject to change. No actions would be taken against schools that did not measure up.

"We feel sure that this report will improve," Williams said. "There will not be rewards and sanctions this year."

She said schools scoring lower than 70 would have to make reports to the DPI to justify their ratings.

But some schools' administrators said they had complaints about the study results.

Robert Shaw, dean of academic affairs at Wingate University, said the study's criteria was flawed. Wingate received a rating of 95. "I'm not sure of the relationship between some of those variables and performance of our graduates," he said. Shaw said that although Wingate's program was small and scored low, it was exemplary in teacher preparation.

"We have about 25 graduates per year," Shaw said. "We have an excellent program - we have no desire to get any larger."

Guilford College President Donald McNemar also said the report's scoring methods were inadequate, citing incom-

plete data and a small survey size. Guilford scored 80.

"Guilford is known for the quality of its graduates who are teachers," McNemar said. "I regret that this first survey is incomplete."

Officials from Appalachian State University, which has one of three top scoring programs, also said the study was questionable. Charles Duke, dean of ASU's Reich College of Education, said that while he was happy with the school's score, the rankings were not written in stone.

"I think the rankings should be viewed very carefully," he said. "People need to be very careful about saying 'this institution is better than that institution.'"

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CHARLES DUKE
ASU Reich College of Education Dean

But Duke said ASU had a large program with a long history of educational preparation. He said 14 percent of N.C. teachers had graduated from ASU.

"If you trace it's roots back 100 years, it started out solely to prepare teachers," he said. "We're one of the largest teacher education programs in the state."

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