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FIGHT: No arrests at MacArthur demonstrations

Continued from A1

Court by the Decatur School District and the Rainbow/PUSH Coalition.

Lawyers representing the school district filed for a temporary restraining order and a permanent injunction against Jackson and his Rainbow/PUSH Coalition to stop them from disrupting the educational process at Decatur's schools.

The district's lawsuit came shortly before Jackson's lawyer filed a lawsuit seeking monetary damages from the school district for releasing confidential school records of the expelled students.

Jackson said he will be in court today at 1:30 p.m. for a hearing about the restraining order.

MacArthur High School, meanwhile, was the setting Wednesday morning for a Rainbow/PUSH demonstration that resulted in no arrests.

The Decatur School District is seeking to bar Jackson, his supporters and the expelled students from coming onto district property, gathering within 50 feet of district property without permission, blocking access to any district building or engaging in any activity that would substantially disrupt school operations.

The school district lawsuit describes public demonstrations organized by Jackson as trespassing.

It also says the demonstrations have significantly interfered with student attendance, caused great fear among students for their personal safety, disrupted the daily operations of district high schools and caused "irreparable harm to the district's students through continued interference with the classroom educational process."

"Jackson and the other named defendants will not suffer harm if the demonstrations in support of the banished students are held in a location other than on or near the district's property," the district lawsuit says.

The Rainbow/PUSH lawsuit alleges Decatur Superintendent Kenneth Arndt, school board President Jackie Goetter, Assistant Superintendent Elmer McPherson and Robert Byrkit, director of special projects, released confidential school records to the news media and to people in the community. The suit seeks $5 million in damages for each of the six expelled students.

The suit says the school officials called people into their offices to show them private files to sway public opinion against the expelled students.

Lewis Myers Jr., the Chicago attorney who filed the lawsuit for Rainbow/PUSH, said he has affidavits from people who were shown confidential information by McPherson.

Jackson said Wednesday that Arndt showed specific school records to Keith Anderson and Rick Tomlinson of the Decatur chapter of Rainbow/PUSH. During the Wednesday night rally, Jackson displayed several papers, claiming they were the students' private records that have been distributed by the board.

"We will prove what we did in a court of law," Arndt said Wednesday. "Because of the pending litigation, that's all I can say."

Jackson said Wednesday the school board released private records to justify its actions. "Now, it must be a court fight in a combination of the court of public opinion and the legal courts," Jackson said.

A man served Jackson's group court papers as they entered the Macon County Courts Facility Wednesday afternoon. Jackson read the documents with a look of surprise before calling out for Myers. "I think they're panicking," Jackson said a few minutes later. "You don't have to come within 50 feet of school property to keep the pressure on."

Earlier in the day, Jackson remained on the sidewalk near MacArthur High School and watched as a small group of supporters tried to enter the building. Arrested Tuesday after attempting to enter Eisenhower High School, Jackson had already been banned from Decatur School District property as a condition of his recognizance bond unless given permission by Arndt to go there.

Rainbow/PUSH Vice President James Meeks, along with two other ministers and the parents of two expelled students, approached different sets of doors on MacArthur's east side and were turned away by police officers. After the five staged a brief sit-in at one door — marked by singing and chanting by a group of about 60 supporters — they moved to another part of the building before deciding to return later in the day.

When the group returned about noon, it was again turned away.

Inside the building stood at least eight officers at each locked door. Meeks said the strong police presence wasn't necessary.

"We have never demonstrated that we are an unruly group, and we don't want confrontation," he said. "We want to appeal to the principal, who is an educator. We feel that if we talk to the principal, he may be able to appeal to the board on that level and let them know how important it is for these kids to be back in school."

Jackson said his arrest at Eisenhower High School on Tuesday and the rejection that day of further compromise by the school board has taken the dispute to another level.

"Our interest is not in wearing them down," Jackson said of his ongoing confrontation with school board members, "but to make them think.

"We plan to be here for as long as it takes."

The Decatur police presence outside MacArthur was low key Wednesday, with a few officers posted at strategic points, like entrances. Others milled among the crowd, videotaping events while another filmed from the roof of the school.

Police Cmdr. Rich Ryan, overseeing security operations at MacArthur, said his officers respond to whatever is happening in front of them. "There was no concerted effort by anyone to get arrested today, so we just watched and let things unfold in their normal course," he said.

"My aim is to manage all this so that no one gets hurt," Ryan added. "When emotions are high — unless there is an overt act of violence — it's best just to keep things low key."

As Ryan spoke, Arndt and Jackson stood toe-to-toe on the MacArthur parking lot, holding an intensive, if low-key, conversation. Playing to a crush of television news cameras surrounding them, Jackson repeatedly asked why the school board had not put the students in an alternative education setting initially rather than simply expelling them.

Arndt responded that Jackson could help the students most by getting them into an alternative education setting immediately rather than bringing them daily to one of the district's three high schools in his continued effort to get them admitted to regular classes.

Following a pattern that has developed over the past two weeks at schools where the coalition has rallied, the absence rate Wednesday at MacArthur was higher (25.3 percent) compared to the other two high schools (8.8 percent for Eisenhower, 10.6 percent for Stephen Decatur). That meant 260 MacArthur students failed to show up Wednesday.

Among Jackson supporters at MacArthur was J.R. Johnson, 17, a junior. He said he feels confident in predicting the future: "I think the outcome of all this is going to be that we get the expelled kids back in school."

In the background were more than six television satellite trucks and a battery of camera lights shining down on dozens of protesters rallying in support of the expelled students, two of whom attended MacArthur.

"The Rev. Jesse Jackson has knowledge and power, people respect him, he is a good speaker and understands how people think," Johnson added. "I am confident that he is going to help those students; I really admire the man, I think he should run for president."

As the student spoke, Jackson rose heavenward amid the throng gathered on Fairview Avenue, lifted above the sea of heads on a hydraulic lift attached to the back of a truck.

"No blood, no guns, no knives," he said in what has become a familiar chant referring to the fight in the stands of a football game that led to the expulsions. "It's not about black and white, it's about wrong and right," he told the crowd, who repeated the words like a chorus in a song.

"Keep — hope — alive", cried Jackson, as his supporters replied with enthusiastic applause.

Kalin Leonard, 18, looking up at the figure of Jackson now backlit by bright November sunshine, said the efforts of the African-American leader and his Rainbow/PUSH Coalition had already provided some crumbs of comfort for supporters of the students.

"He's already got it decreased once (referring to the school board cutting the original two-year expulsions to one)," said Leonard, who lives in Springfield and is studying computer networks at Robert Morris College. "Maybe he can get it decreased again."

Kalin's brother Nicholas, 15, a MacArthur sophomore, said most people agreed two years was too long and that the cases of each student caught in the fight should have been reviewed individually to allow for different punishments.

"You can't just give one punishment to everybody because not everybody did the same thing," he said. Both brothers cited the case of one student in the fight who they said was jumped on by others and was not an aggressor. "He winds up getting suspended for two years for getting beat up," said Nicholas.

Some of the high school students have started wearing ribbons made of multicolored cloth in support of Rainbow/PUSH, much like the blue ribbons that have been circulating in support of the school board.

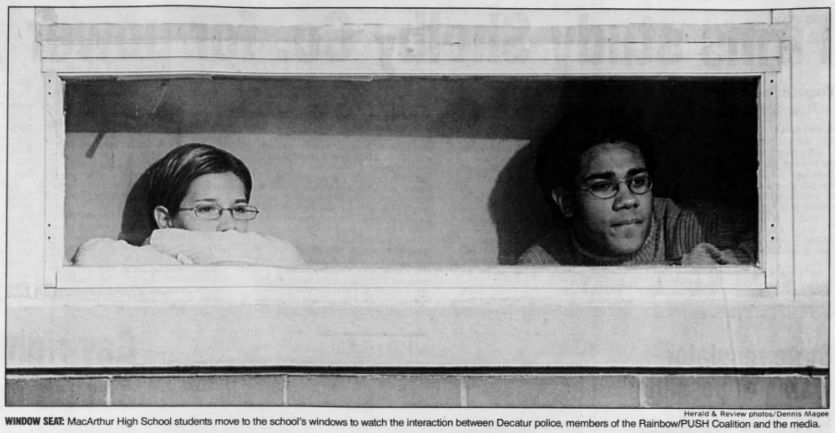
MacArthur sophomore Eric Jones, 15, said two years was too long but that some punishment was necessary for a serious fight. "I was there at the football game where it happened. I saw it," he said.

"Students have divided opinions on what the right punishment should be, and I think maybe (expelled) for the rest of this year would have been good."

Jones thought the school board's policy of "zero tolerance" for violence was unworkable because it would lead to massive punishments for small infractions of the rules, a view shared by Dale Greene of Decatur, a school maintenance worker for 36 years.

"If you gave every kid who fought in school a two-year suspension, there would be no kids in school," said Greene, 66, who said he stopped "many, many fights" in his school career. "I think zero tolerance is about trying to achieve a totally safe school, and you can't have a totally safe school; it's like saying we'll have a totally safe bank by keeping the doors locked all the time. It just won't work as a policy."

H&R Staff Writers Ron Ingram and Ken Jackson contributed to this report.



Herald & Review photos/Dennis Magee

WINDOW SEAT: MacArthur High School students move to the school's windows to watch the interaction between Decatur police, members of the Rainbow/PUSH Coalition and the media.

JOINT APPEARANCE: Superintendent Kenneth Arndt and the Rev. Jesse Jackson addressed members of the media briefly on Wednesday near MacArthur High School.

SILENT PRAYER: Ernestine Rice of Decatur offers a prayer Wednesday morning as protesters attempted to enter MacArthur High School.

Wednesday's developments

■ The Rev. Jesse Jackson announced plans to enroll the six expelled students in alternative schools today. He also canceled plans for a Sunday march in Decatur, instead urging supporters to gather Monday in Urbana for a hearing on a complaint filed in federal court to get the students back into their regular school buildings.

■ A lawyer representing the Decatur School District filed requests in Macon County Circuit Court for a temporary restraining order and a permanent injunction against Jackson, members of his Rainbow/PUSH Coalition and the six expelled students. The requests seek to keep Jackson and demonstrations in support of the students at least 50 feet from school district property and from disrupting school operations.

■ A Rainbow/PUSH Coalition lawyer filed a civil lawsuit in Macon County Circuit Court on behalf of the six expelled students, seeking $5 million each in damages from the Decatur School District. The suit alleges school board members and district officials released confidential information about the students to the news media and people in the community to garner support for the board's decision to expel the students.

■ In a meeting with the Herald & Review editorial board, Jackson specified what it would take for him to stop his crusade on behalf of the expelled students.

What's next

■ Decatur City Councilwoman Betsy Stockard said she will hold another "Stop the Violence" march at 1:30 p.m. Saturday. The march will begin at 16th and Cantrell streets.

TOLERANCE: National school violence changed perceptions

Continued from A1

the school board to reduce the penalties to one year each. In his crusade to have the students' expulsions reduced further, Jackson has criticized zero-tolerance policies as being unfair and extreme.

Members of the anti-violence focus group, which includes school administrators, mental health workers and law enforcement officials, say zero tolerance is not about handing out unjust punishment.

Decatur police Cmdr. Rich Ryan, who works on crisis management plans for school districts in Illinois, said the zero-tolerance policy is an important part of the planning process.

"It doesn't mean all violence is handled the same, it means every violent act will be punished and not ignored or accepted," Ryan said.

Mount Zion Superintendent Ken Hendriksen added: "People are relating it to (permanent expulsion) or two years out, but zero tolerance could mean detention or a parent conference."

Because there is no specific written policy involved, Marshall said zero tolerance could best be described as a philosophy or a culture where teachers and students clearly reject violence of any kind within the schools.

Jackie Goetter, president of the Decatur school board, said the board probably would have voted for a two-year expulsion even if the zero tolerance concept didn't exist.

"Our disciplinary policy was in place long before the concept of zero tolerance," said Goetter, adding the recent shooting tragedies in U.S. high schools have caused many school boards to take a tougher stand against violence.

Susan Martin, director of the Mental Health Association of Macon County, said the anti-violence focus group is not only committed to zero tolerance, but to identify students who are at risk for violence and provide intervention such as counseling.

The group, which meets monthly, is currently working to develop a protocol for prevention, recognition and assessment of high-risk situations.

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