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Student newspapers subject in court

By Rick Monroe

A class-action suit has been filed in U.S. District Court in Greensboro claiming student newspapers which are financed with student activities fees and express editorial opinions are in violation of students' constitutional rights.

The suit, filed by Charlotte lawyer Hugh J. Beard, on behalf of three UNC-Chapel Hill students, named the trustees of UNC-Chapel Hill and the UNC Board of Governors defendants.

The students, Richard J. and J.A. Kania, and Michael Morris, claim because the newspaper takes an editorial opinion different to their own, they should not be required to finance the paper with their student fees.

The suit asks that using mandatory student fees be declared unconstitutional and student monies spent by the newspaper be refunded to the students.

According to Beard, the students base their suit on the 1977 Supreme Court decision, *Abood vs. the Detroit Board of Education*. In this case, the court decided, "No person can be compelled to financially support political views contrary to their own."

In a similar 1972 case filed by students against the UNC-Chapel Hill newspaper, *The Daily Tar Heel*, the courts decided no violation of constitutional rights had been committed. In 1974, the U.S. Fourth Circuit of Appeals upheld the decision. Lou Bilonis, editor of *The Daily Tar Heel*, said he would not comment on the case until he had a chance until he had

a chance to review it.

Because the suit has been filed

against the UNC Board of Governors, the decision would directly affect the



SAFC members John Raymer (left) and Tony Taylor (right) discuss use of student activity fees after Wednesday's meeting.

Carolina Journal.

Nancy Davis, editor of the UNCC newspaper, said, "This case could start a surge of similar suits because there are so many incidences where a student could protest the use of student activity fees.

"Constitutionally, we're talking about the freedom of speech versus the freedom of speech," Davis said.

"I'd be interested in seeing how UNCC students would vote if they could decide whether or not the Editorial Board of a student newspaper should have any editorial rights. As long as a newspaper allows all activity fee paying students to respond with letters, then I don't see how there could be complaints."

Similar complaints by UNCC students

By Luann Whitley

Does the *Carolina Journal* have the right to "freedom of the press" in order to endorse a candidate for student body president? This question was brought up and discussed at the Student Activities Fees Commission (SAFC) meeting on Wednesday.

Ward Simmons, Student Body Government representative to SAFC, said, "When the *Carolina Journal* endorses a candidate, they are using the students' money to possibly go against their opinions. The students have no choice of whether or not to subscribe to the *Carolina Journal*. It just is not right for the Editorial Board, as a board, to endorse a can-

didate. They will be using their title to express their opinions," Simmons said.

Tom Chumley, chairman of the Elections and Publicity Committee noted "As long as it's clear the endorsement is just the opinion of the Editorial Board, it should be O.K."

Clayton DeCamillis, University Program Board representative to SAFC, said, "It would be nice to express the endorsement and have, in that same issue, endorsements from the students for other candidates. The *Carolina Journal* should notify the other candidates so they can have endorsements sent in for that issue of the *Carolina Journal*."

A decision was not made about the morality of *Carolina Journal* endorsements. Outside discussion was encouraged and SAFC stated if it became necessary the issue would be brought up again, though there was some concern over SAFC's authority on the matter.

Nancy Davis, editor of the *Carolina Journal*, said, "The Editorial Board has already voted in favor of endorsing candidates. The paper is accessible to letters from the students about other endorsements. It is part of the board's responsibility to endorse a candidate and we feel we are doing the right thing."

Legislature sitting well with new chair

By Nancy Davis

For more than two years, Student Legislature has been chaired under the gavel of Jack Summerlin. Two weeks ago, Joel Gilland, junior class president, was elected as the new chairman. Already, Gilland has jumped right into his job and is busily improving and redoing some of the procedures in Student Legislature.

A main concern of Gilland's has been to use *Robert's Rules of Order* more effectively during the meetings. At his first meeting, he "set up rules for decorum in debate, because we spend a lot of time on needless debate."

Gilland hopes by limiting debate to 10 minutes, doing away with committee reports and not voting on motions until a copy of the motion has been sent to him, he will quicken and improve the meetings.

The junior political science major realizes legislature has been through

some rough times, but said, "Legislature deserves a lot of what it gets." However, he disagrees with Student Body President Larry Springs statement in the Feb. 26 edition of the *Carolina Journal*, "75 percent of them are in government for themselves ..."

"There are more than 25 percent of them who are trying to do what they feel is right. We have a lot of potential," Gilland said. "Legislature is willing to accept their part of the blame if people are willing to accept their part."

While Springs called himself an "outspoken, radical black," Gilland doesn't feel his radicalism "has had the effect he thinks it has on people. He (Larry) is a concerned and active student in areas where some students may have been scared. I don't see him a radical."

Right now, Gilland thinks "cooperation" is needed to get the ex-

ecutive branch and legislature working together. "When both groups come in with the attitude the only way we're going to get anything done is to work together," he said, "then things will get done."

"Both groups got set in their minds compromise was a loss. It's not. It's a necessity. Both sides got awful stubborn this year."

Gilland said he wasn't sure how legislature would react to Springs' remark in the paper. "A lot of legislators will be discouraged and disappointed, but it won't last very long."

In regards to the vandalism done last semester to Springs' door, Gilland had heard about it "vaguely." He added, "It sounded like he had proof a legislator did it. If he does, he should go to the attorney general. There's no place in student government for that."



Joel Gilland, new chair of Student Legislature, has many plans for the legislative body in the next year.