

CENSUS

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ulation in past censuses, but the standards for the 2000 census were less stringent than in previous years. The looser standards are constitutionally suspect as they might qualify as a form of sampling, which the Supreme Court has previously ruled unconstitutional.

In 1999, the Supreme Court ruled 5-4 to prohibit "the use of statistical sampling in calculating a population for purposes of apportionment" but did not strike down the use of any statistical methods whatsoever.

During the hearing Wednesday, Utah counsel Thomas Lee argued that inferring the population of a home based on that of a neighboring residence is unconstitutional because making such an inference goes beyond using a mere statisti-

cal method for gathering data. "That's sampling," he said. "Sampling is taking information about a part to make an inference about the whole."

But U.S. Solicitor General Theodore Olson, who represented the federal government, argued that estimating occupancy in a select few cases is not a form of sampling.

"Sampling technique is completely discrete from the imputation technique," Olson said. "In my thinking of it, it is drawing logical inference from the data available."

But Justice Sandra Day O'Connor held that the key was not to determine whether hot deck imputation was a statistical method but whether all statistical methods can be ruled unconstitutional sampling. "We have to establish whether this hot deck imputation is a type of sampling, which it seems to me it very well may be," she said.

Justice David Souter said a distinction should be made between making an inference for a small group and random sampling like that previously struck down by the court.

Souter held that it is logical to make an educated guess about occupancy based on who lives next door. "Birds of a feather flock together," he said. "People who live near one another tend to be alike."

But Souter said that no matter whether inference is determined to be unconstitutional sampling, Utah's grievances might not be redressable because more than two years have passed since the transgression occurred.

"It's a real issue in this case whether a statute that is geared to information at a particular time can reverse itself," he said.

O'Connor concurred that both states have progressed since the census was taken and that population likely has

shifted. "Things have happened since that census was taken," she said.

But Lee claimed Utah could not have filed suit earlier than it did and that revised population numbers could still be legally gathered and used for apportionment.

The Supreme Court is expected to rule some time before its summer recess.

Even if the Supreme Court were to rule in favor of Utah and new population data were collected, President Bush might not submit those numbers to Congress and would be within his legal right not to do so, stated several justices, including Justice Antonin Scalia.

"I sort of wouldn't want to take away a representative from the people of North Carolina," he said. "If I were the president, I might not want to do it and risk making the people of North Carolina mad."

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STATE BUDGET

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The N.C. General Assembly will consider recommendations from those committees when it reconvenes May 28 and begins redrafting the budget.

But legislators insist that the current figure for budget cuts is preliminary.

"That's just a target," said Rep. Warren Oldham, D-Forsyth and co-chairman of the House Appropriations Committee. "That's just what we're trying to reach. It has to do with a certain percentage of the budget, and education accounts for a great proportion of the budget."

Although Gov. Mike Easley informed state agencies last week to brace for budget cuts, he wrote in a March 21 letter to UNC-system chancellors that one of his goals was to "protect the classroom" from the effects of the budget cuts.

Since then, the Easley administration and the General Assembly have produced conflicting numbers about the best way to spare education from the cuts while balancing the budget.

But Jeff Davies, UNC-system vice president of finance, said the system budget could not stand to lose hundreds of millions of dollars. "If those kinds of dollars are cut, we would certainly cut instruction," he said. "We are very hopeful that this will change substantially."

Davies said the UNC system usually tries other measures like restructuring school administrations and leaving vacant positions unfilled - only rarely does it make cuts directly to the classroom.

"I don't doubt that we have an economic problem in the state," Davies said. "But I don't think that we could provide the same level of education with those cuts."

Oldham said universities can manage the cuts better than K-12 education or community colleges.

"At the higher education level, they do have some options," he said. "The larger research institutions have the option of going to funding provided by research (grants)."

He said the legislature's numbers are not in agreement with the governor's because Easley has a dual role - dealing with the current budget and attempting to formulate one for the next fiscal year.

Sen. Howard Lee, D-Orange, co-chairman of the Senate Appropriations Committee, said the General Assembly will consider factors besides finances when making cuts to the UNC system.

"The subcommittee will take the (\$695 million) and apportion it out," he said. "They will also evaluate if they took the whole amount and find out the impact on the (individual) campuses."

Lee said he further expects the subcommittee to look at cutting administration costs first.

"Obviously, our first commitment is to protect the classroom," Lee said. "As to the university system, our other commitment is to fund enrollment. It'll be painful, and it'll be tough to do. Everything has to be justified at this point."

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ACADEMICS

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cerns, saying lack of funding in the dramatic art department has prevented the hiring of new tenure-track faculty for the past five years.

"At the present time in terms of regular faculty we have no members of color," Dooley said. "We have self-identified the need to diversify the faculty."

Kenan-Flagler Business School Dean Robert Sullivan said there is a lack of qualified minorities for faculty positions, so there is a high demand for candidates. The school has 12 minority faculty members - 11.8 percent. "We specifically try to seek out talented minority faculty," Sullivan said. "There is clearly a recognition to increase the size of the pool."

Administrative Response

Despite the gap between the number

of white and minority faculty and students, officials said diversity is an integral element in any learning environment, and efforts are being made to increase the number of minorities at UNC.

"I'm going to make better decisions when I'm sitting at a table and nobody looks like me," Shelton said.

"You want that diversity of input." Minorities make up 19.7 percent of the business school's undergraduate population and 48 percent of students in the Master's of Business Administration Program.

According to Jeff Cannon, director of the school's undergraduate program, 15 of the 20 black students who applied to enter the business school this coming fall were accepted.

Sullivan said it is much easier to attract graduate students because the school can more directly target them.

The school works to attract minorities to its graduate school through programs like the Consortium for Graduate Study

in Management, an alliance of 14 business schools that offers merit-based scholarships to facilitate the entry of minorities into managerial positions.

Sullivan said the school also has joined other business schools in introducing a program for minority high school students in hopes of promoting the business administration major and attracting students to the University.

Cole said the journalism school makes many efforts to recruit minorities. Also, Cole said the school has a number of scholarships with minority preference.

Shelton also suggested that more enticing introductory classes may make certain majors more attractive. He said diversity is necessary among faculty and students and that efforts like these are just the first step in making UNC a more inclusive and realistic place to teach and learn.

"It is a much better preparation and reflection of the real world," he said.

Dooley also said he strives to include minorities and minority issues in all aspects of the dramatic art department.

"We take the idea of diversity very seriously," Dooley said.

"It is not an addition to an education. It is an education."

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PARKING

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"Knowing transit will be available from the parking lot, as opposed to what students on North Campus experience now, provides safer parking for our students who will be here in the evening," said Sue Kitchen, vice chancellor for student affairs.

But others expressed worry that students might have to walk farther to their destinations or wait alone for buses.

Young said he hopes that when the trustees vote on the proposal, they will keep students' safety and access needs in mind. "To us, in our eyes, the safest alternative is granting access as we do now and letting us park near where we need to go."

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MARCH REPORT

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became a member of the Transportation and Parking Advisory Committee.

But Young said he felt his connection with campus administrators deteriorating throughout the year. "It became a little more strained," he said. "It tended to

be frustrating at times."

He said that once he and his officers noticed the trend, they did their best to continue to communicate student concerns to administrators. "We stepped in where we could, but the outcomes were a little unfortunate, in my eye."

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