

Non-profit status set for station

by Jim Roberts
Staff Writer

When Student Government reapplies to the Federal Communications Commission (FCC) for a non-commercial FM permit for its proposed station, it will probably form a non-profit corporation to handle its operation.

This is a change from the previous method of applying as an unincorporated organization, James Srebro, WCAR chief engineer, said Monday.

According to Washington lawyer John Pettit, Student Government's counsel for the proposed FM station, Student Government will have a better chance of getting an FM license if it forms a corporation to apply for it.

Pettit was retained by Gary Rendsburg, WCAR station manager, last week after Chancellor N. Ferebee Taylor notified the FCC that the University was withdrawing its prior support of the station.

The corporation will be set up somewhat like Student Graphics, Srebro said. The board of directors of the corporation will probably include Media Board members that are not representatives of one of the campus media.

The Media Board presently oversees the operation of all student publications on campus.

"There's no magic in being a non-profit corporation. It's just that they (the FCC) feel more comfortable with it," he said.

Having Student Government create a corporation to apply for a permit will not change the group in any way, Pettit said. It will only change the application's status in the view of the FCC.

"Whether the license is held by a corporation or an incorporated organization is beside the point," he said. "As far as Student Government is concerned, it will function the same way. Substantively, it doesn't make any difference one way or another."

When Student Government first applied for an FM permit as an unincorporated organization, the FCC requested that the University assume ultimate responsibility for the station.

Donald A. Boulton, dean of student affairs, subsequently wrote the Commission, accepting the University's responsibility for the station. It was reported last Tuesday that this action was not within Boulton's authority and that the letters had been retracted.

Boulton's letters of support were necessary because the FCC generally does not grant permits to student organizations without support of the parent university administration.

Applying as a non-profit corporation would get around this, Pettit said. "The FCC has made a practice of granting permits to non-profit corporations."

The probable reason for this practice, Pettit suggested, is that a non-profit corporation seems to have more permanence than a unincorporated organization like Student Government.

Frye joins campaign for student president

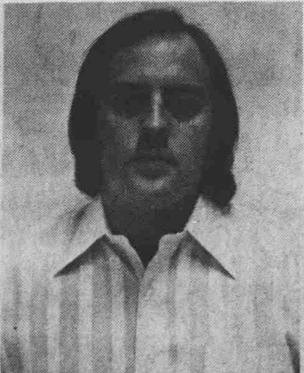
Robert Frye officially announced his campaign for Student Body President Monday, becoming the eighth candidate to enter the race.

A sophomore political science and business major from Hickory, Frye said a good Student Government should meet the needs of the students.

Frye, who has not served in Student Government (SG) previously, said SG "generates waste and inefficiency to a certain extent."

"I might have to step on some toes to clean it up, but I think the result of cleaning it up will be worth it."

Although he did not name any specific



Robert Frye



January's protest against David Duke has led to suit against BSM leader

Tenants still angry Dishwashers demanded

by Vernon Loeb
Staff Writer

The landlord-tenant controversy surrounding the Old Well apartment complex last fall continues, as tenants demand dishwashers that have not been installed in 22 of 25 Old Well buildings.

Last fall many Old Well tenants went without any appliances for more than a month and received \$30 a month reimbursement from Roberts Associates, the original owners of the complex.

On Monday, neither Chuck Clayton, Old Well manager, nor Robert Roberts, president of Roberts Associates, would disclose who currently owns the complex. Roberts also said Monday his corporation never owned the Old Well complex.

"There was never anything in the contract about putting in dishwashers," Roberts told Brad Lamb, a Student Consumer Action Union (SCAU) investigator last Thursday. "The builders left a space for them, but we are under no obligation to install dishwashers, even though we advertised

them," he added.

Monday, however, Roberts told the DTH "we didn't never advertise dishwashers."

Despite this claim, advertisements in the 1974 "Apartment Finder" and the July 1974 housing supplement to the Chapel Hill Newspaper, "Immediate Occupancy," stated dishwashers were a feature of the Old Well complex.

"When we were researching the 'Southern Part of Heaven' last spring," Kathy Moore, SCAU housing chairman said, "Roberts representatives told us that dishwashers would be included in the Old Well complex."

During last fall's controversy regarding installation of refrigerators and stoves, James H. Johnson, UNC lecturer in business law, told SCAU that "if the ads specify that certain appliances exist and a contract results from the ad, the tenants have a case."

Moore contacted the state Attorney General's office last week about the situation at Old Well and is waiting for a reply.

Candidates speak today

Candidates for editor of the Daily Tar Heel will present their platforms in speeches at 2:15 p.m. today in Howell Hall auditorium.

Each candidate will speak for eight minutes. The speeches will be followed by a question-and-answer period.

The presentation is sponsored by the editors of the UNC Journalist, a publication of the School of Journalism, and is open to all students and faculty.



To each his own: everyone has a different way of passing the time Monday in Carmichael Auditorium waiting for tickets to the UNC-State game

Marbley to be tried on disruption charge

by Kevin McCarthy
Staff Writer

Black Student Movement (BSM) President Algenon Marbley goes before Undergraduate Court tonight at 9 for his participation in the protest of more than 200 students, mostly black, who shouted David Duke offstage in Memorial Hall Jan. 16, sources close to the case revealed Monday.

Duke, national information director for the Knights of the Ku Klux Klan, was never able to deliver his Union Forum lecture because of the chanting students.

Arthur Pope, a freshman from Raleigh, filed the suit in January charging that Marbley had violated Section D (1.g) of the Code of Student Conduct delineated in "The Instrument of Student Judicial Governance for the University of North Carolina at Chapel Hill."

Marbley is charged with "willfully disrupting a normal operation or function of the University or any of its organizations or personnel by engaging in, along with others, conduct which prevented members of the University community from conducting their normal and legitimate activities within

the University by preventing David Duke from speaking."

Pope said Monday, "Any actions I took were on my own. I am part of no group or organization on campus."

If convicted, Marbley could face expulsion, suspension or lesser punishment, such as probation, Student Attorney General Nita Mitchell said Monday.

Mitchell strongly objected to the Daily Tar Heel publicizing the case because Marbley had not asked that the trial be open. All Undergraduate Court, Graduate Court and Professional Court trials are closed unless the defendant specifically requests otherwise in writing.

"If the defendant wanted it to be known," she said, "he would have brought it out himself."

She also feared publication would possibly bias the jury.

DTH Co-editor Jim Cooper responded: "I think the students' right to know supersedes, in this case, Mitchell's objections. We have weighed the drawbacks and have decided to print. It is an important public matter, and the whole University should know of the trial."

The Duke protest aroused a flurry of debate on campus. "The Tar Heel received at least 50 letters within a week after the protest," Co-editor Greg Turosak said. "The reaction was far greater than for any other event of the past year."

Marbley has requested, under the judicial guidelines, that the seven-man jury consist of at least four minority students.

The full section under which Marbley is charged states: It is an individual offense to "willfully obstruct or disrupt any normal operation or function of the University or any of its organizations or its personnel (including students) by engaging in, or inciting others to engage in, individual or collective conduct which, because of its violent, forceful, threatening or intimidating nature, or because it restrains freedom of lawful movement, prevents any member or members of the University community from conducting his or their normal legitimate activities or duties within the University."

Advisory committee votes rent increase

by Jim Bule
Staff Writer

Dorm residents can expect an increase of approximately \$30 in room rents for the 1975-76 school year, according to recommendations voted Monday by the Housing Department Budget Advisory Committee.

The Committee, chaired by Douglas Mallory, assistant for business affairs, and composed of students from each residence area approved a \$3.48 million budget for the Housing Department next year, a 13 per cent increase over the 1974-75 budget.

To finance that budget, the committee recommended an increase of approximately 14 per cent in room rents—a \$25-\$30 increase for women and coed dorm residents, and a \$30-\$35 increase for residents of male dorms.

Mallory said, however, that he was hopeful "the Chancellor (N. Ferebee Taylor) will come up with other sources for some of the expense items we have specified," so rent rates could be kept at the lowest possible level.

"Students have to accept the fact that there is going to be an increase," Mallory said. The increases are precipitated by increases in utility rates, a 5 per cent raise for state employees voted by the state legislature, and a 10-cent-per-hour salary increase for resident advisors.

"This is the lowest budget we can go with and still perform all services," Mallory said. Students on the committee expressed the hope that the rent difference between male and female dorms could be made more equitable before the final budget is approved next week.

Title IX of the Education Amendments Act of 1972 requires that facilities and dorm rent levels of male and female dorms be equalized.

Mallory said the committee worked closely with the different administrative divisions of the Housing Department to calculate budget needs.

"They were instructed on the overall budget increase that would be tolerable. We let them go back and cut their own budgets so they would be in the best position (when cuts were made.)

Out of the total 13 per cent increase over the 1974-75 budget, 33 per cent is tentatively recommended for the contract division, 19 per cent for housing operation, six per cent for the dorm enhancement fund (used for improvement of general physical conditions of each dorm), 10 per cent for physical plant operations, three per cent for residence life, 0.8 per cent for administration and 22 per cent for security.

The budget now goes to James D. Condie, director of University Housing, and Dean of Student Affairs Donald Boulton, then to Taylor for final approval.

Public health school debates ban on classroom smoking

by Ben Kittner
Staff Writer

"A number of years ago there was a common practice of asking your company do they mind if you smoke. This practice seems to have been lost."

This was one of the comments made Monday as faculty and students of the School of Public Health debated a proposed ban on smoking for all classrooms in the school.

The forum was sponsored by the School of Public Health student union. Approximately 40 persons attended the meeting. None smoked.

Randall K. Thomas, smoking activities chairman for the group, said,

"We don't feel a healthy diffusion of smoke takes place in the average classroom. Also, many students suffer an affliction to tobacco smoke."

Dr. John Cassel, chairman of the Department of Epidemiology, countered Thomas's argument, saying the smoking ban was "trivial." "Why invoke health hazards as major reasons for banning smoke? How long would it take to be affected by smoke in a room? This is not like spending one hour beside a Los Angeles freeway. And you don't see banning highways."

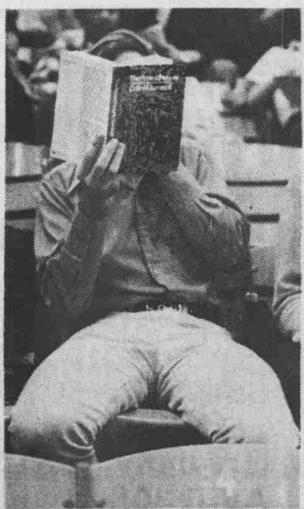
John Sawyer, a public health student who is also a Campus Governing Council representative, said Friday he may ask CGC to consider a campus-

wide smoking ban. A similar smoking ban in classrooms is in effect at N.C. State and Appalachian State Universities.

Most of the proponents of the ban asserted that smoking is inconsiderate to non-smokers and that the environmental quality of a classroom can be impaired when smoking is allowed.

Opponents of the ban argued that smoking is not a proven environmental hazard and that a smoking ban was an infringement upon the rights of smokers.

The smoking ban will ultimately be decided by the Dean's cabinet, the policy-making body of the School of Public Health.



Staff photos by Charles Hardy