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Weather: fair

Duke decides to continue forestry school program

by George Bacso
Assistant Managing Editor

DURHAM—The Duke University administration has proposed a five-year plan to raise the academic quality of Duke's School of Forestry and Environmental Studies, reversing a decision made last February to phase-out the school.

University President Terry Sanford announced the reversal when he gave his address on the state of the university Thursday. Sanford formally presented the detailed plan to the Duke Board of Trustees Friday.

"Careful review of the Forestry School program has led administrators to believe it should be retained," Sanford said. I propose that we launch immediately a five-year development plan to strengthen the Forestry School's faculty and academic program, he said.

The phasing-out of the school was proposed last February because of a large deficit in Duke's budget. The announcement sparked student and faculty protests, with an estimated 1,000 students participating in demonstrations.

Sanford said Duke will attempt to raise a \$3 million endowment for the school through the current university fund-raising campaign. This would allocate from \$150,000 to \$180,000 annually to the school, he said.

Under the five-year plan, alumni contributions will be increased from \$10,000 to \$20,000 per year. Other support will be sought through corporate contributions, federal funding and research grants.

"Achieving this will give us the opportunity to achieve academic excellence," said Sanford, a former North Carolina governor and 1976 presidential candidate.

To raise the quality of the school's faculty, Sanford said a distinguished professorship

will be sought for the school, one of only two private forestry schools in the country. This senior professor would provide "leadership in strengthening the faculty and in money-raising," he said.

Sanford said the decision to continue the school was reached after consultation with faculty members, some of whom vocally opposed discontinuing the forestry program, and a team of outside forestry consultants.

He said the advisers made "encouraging recommendations" regarding the forestry program, but that the decision was "based on our own analysis of what should be done."

Dean Charles W. Ralston of the School of Forestry supported the decision. "We thought it was reasonable and we are fully committed to it," he said Thursday.

Rick Glazier, president of the Associated Students of Duke University (Duke's student government), said Sunday the five-year plan was "encouraging, because it entails a commitment."

"However, I have reservations because they have set a plateau and seemingly a time limit on the endowment," Glazier said. "I'm afraid that if they do not get the funds that they anticipate in the next few years, they

may drop the program after all."

It is still unknown whether the school will get any money under the McIntyre-Stennis bill, which has been giving federal funds to public forestry schools.

"As a private institution, we haven't been able to get any funds," Glazier said. "There seems to be a semi-movement to keep us and Yale (the only other private university with a forestry school) from getting any funds—the public schools of forestry don't want anything given to us because it may mean they get less."

Court upholds old bylaws

Media lawsuit decided

by Dan Fesperman
Staff Writer

The Student Supreme Court ruled unanimously Friday to re-establish the Media Board under its old bylaws, and several members of the Board said Sunday they will attempt to remove Board Chairperson Dick Pope.

The ruling came after a court hearing Wednesday night, called in response to a restraining order granted to nine Media Board members. The restraining order temporarily halted the dissolution of the Media Board by new bylaws that Pope wrote last week.

The new bylaws authorized Pope and George Bacso, treasurer of the dissolved board, to act as an interim board until a new one was established.

At the hearing, the board members maintained that Pope's board bylaws were illegally approved by the Campus Governing Council.

Pope contended he had written the new bylaws because there were no verified copy of the old bylaws.

The hearing produced contradictory testimony regarding the existence of a verified copy, but the court's opinion, written by Chief Justice Darrell Hancock, said the plaintiffs (the nine board members) had shown that a verified copy does exist.

Ben Steelman, who represented the defendant Pope, maintained the hearing that Article IV, Section 2 of the student constitution, which states that the Media Board bylaws must be approved by the CGC, gives the CGC power to write the Media Board's bylaws.

But the court's opinion stated that the constitution does not give the CGC the power to write the Media Board bylaws. The opinion said other sections of the student constitution where the CGC is given power beyond approval.

"If the contentions of the Defendants are upheld," the opinion reads, "we might well

assume that the CGC of its own initiative could appoint the Student Body Treasurer, Attorney General, or any other official which required their approval."

The opinion also said, "The very nature of specialized organizations such as the Media Board require that they be allowed to use their expertise to draft bylaws to suit their special needs."

Bill Moss, one of the plaintiffs, said the board no longer has confidence in Pope because of the bylaws issue.

Pope said Sunday he would not resign. Rob Price, another Media Board member, said the entire board, with the exception of Student Body Treasurer Mike O'Neal, may attempt to remove Pope.

Pope said, "That (an attempt to remove him) would be fine. I'd be interested in seeing if they could bring formal charges against me, because they must if they want to remove me."

When asked about the board's deteriorating confidence in him, Pope said, "Why don't they ask Reynolds Bailey (Daily Tar Heel business manager) if he has confidence in me. The main thing should be if the publications have confidence in me."

Pope said membership confidence is necessary for the effective operation of the Media Board. "But if they feel that an action almost unanimously approved by the CGC (Pope's action of writing the new Board bylaws) destroys their confidence, then that is ridiculous, absolutely ridiculous," he said.

Price said he expects the Media Board to be able to remove Pope this week. He also said Mark Dearmon, former Media Board chairperson, would be Pope's successor. Dearmon said he had been approached by board members regarding the chairperson's position, but said, "I'd prefer not to go any further in discussing this."

Pope said that selecting Dearmon as chairperson would be a mistake, and charged Dearmon with misleading the board in the past few weeks. "They (the Media Board members) were willing to make decisions on half-facts, mostly half-facts presented to them by Mark Dearmon."

SG attorney one step closer

by Vernon Loeb
Staff Writer

First of a two-part series

The Campus Governing Council Tuesday took the first step toward student legal aid by passing legislation prohibiting a UNC legal aid attorney from suing the University or any other state agency.

Because Student Government is considered an extension of a state agency, the restriction on the attorney's power was necessary before the N.C. attorney general's office would consider changing three legal

opinions prohibiting any agency of the state from hiring private legal counsel.

The opinions maintain that the attorney general should represent state agencies (including Student Government) in all legal matters.

N.C. Senior Deputy Att. Gen. Andrew A. Vanore, who has represented the attorney general's office in negotiations with Student Body President Bill Bates, said earlier this month that the CGC legislation passed Tuesday was the most preferable way to proceed.

That legislation, which failed at the Sept. 9 CGC meeting, was lobbied for by Bates after

the bill's initial failure. Bates said he did not want to pursue other means of obtaining counsel.

Before last Tuesday's CGC meeting, Bates said that if CGC again defeated the bill prohibiting the legal aid attorney from suing a state agency, he would have considered hiring the attorney anyway and have him challenge the attorney general's opinions in court.

If the attorney general does not change the three opinions, Bates said Sunday he would not again consider challenging the opinions in court because "the opinions do not have to be challenged. We could hire the attorney and have the attorney general challenge us," Bates said.

Vanore has said previously, however, that it would not be advisable for Student Government to hire an attorney before the opinions held by the Attorney General are changed.

If an attorney is hired before the opinions are changed, Vanore said his office may seek a court injunction to stop Student Government's actions.

Vanore, Bates said, personally favors changing the opinions and allowing Student Government to hire a legal counsel. But the issue must go before the attorney general's review board for approval. A decision from the attorney general could come within two weeks, Vanore has said.

Tomorrow: The feasibility of having one attorney with 20,000 clients will be considered. How will he or she represent the entire student body and exactly what services will he be able to provide?

Treasurer selection tabled by committee

by Nancy Mattox
Staff Writer

The Campus Governing Council Administration Committee voted Sunday to table the appointment of a new student body treasurer because of controversy on whether or not the student body president has the power to fire the treasurer.

The CGC Administrative Committee met Sunday to appoint a replacement for treasurer Mike O'Neal, who was dismissed Sept. 24 by Student Body President Bill Bates.

O'Neal refuses to leave office, contending that the president has no legal right to remove an officer whose position is established in the student constitution.

Supporters of O'Neal said Sunday that nowhere is it explicitly stated in the constitution that the president has the right to fire the treasurer. While the president could fire any other member of the executive staff, the duties of the treasurer are clearly defined in the Student Government Code, O'Neal supporters said.

But those who support Bates' action say that the power to appoint immediately implies the power to dismiss.

When asked if he had ever been approached by O'Neal concerning upcoming issues, CGC Rep Zapp Jennings, who moved to table the appointment, replied, "It doesn't matter whether he lobbies or doesn't. Everybody has a right to their own opinion and a right to approach me, as a representative, with their opinion."

Both Jennings and Rittenhouse said O'Neal has never overstepped his duties as treasurer. When asked about the recent BSM funding freeze, Jennings said, "People shouldn't be getting mad at Mike; they ought to be getting mad at people who violate the law."

CGC Speaker Dan Besse, who voted against tabling the discussion, called the decision poor judgement on the part of the committee. "They were not acting on the

principle of whether to appoint, but supporting O'Neal," he said.

Besse said Jennings and Rittenhouse have already expressed support for O'Neal in a letter printed in the Daily Tar Heel on Sept. 23. The letter, signed by Jennings and Rittenhouse and five others, stated, "Our signatures affirm our personal support for Mike and ask that he not resign as treasurer."

CGC Rep. Dick Pope said the discussion of a new student body treasurer will probably be delayed until the Student Supreme Court defines the duties of the president and the legality of Bates' action, or until O'Neal resigns.



University of North Carolina President William Friday

Religion professor dies of heart failure

Dr. Bernard H. Boyd, a UNC religion professor for 25 years died early Sunday in Charlotte of an apparent heart attack. Boyd, an ordained Presbyterian minister, was in Charlotte to deliver a sermon in the morning service at the Tabernacle Associate Reformed Presbyterian Church.



Dr. Bernard Boyd

Stricken while speaking to a group of people after the service, he was dead on arrival at Charlotte Memorial Hospital. Boyd had planned to deliver a series of lectures this week in Charlotte.

Boyd came to Chapel Hill in 1950 as James A. Gray Professor of Biblical Literature. He served as chairperson of the religion department from 1952 to 1960.

Since 1965 Boyd has led several archeological expeditions in Israel. He received the Salgo Award for Distinguished Teaching and was twice the recipient of the Tanner Award, also for distinguished teaching.

Born in Mount Pleasant, S.C., on November 16, 1910, Boyd received his B.A. from Presbyterian College, Clinton, S.C., in 1932. He then went on to receive a Th. B. from Princeton Theological Seminary, an M.A. from Princeton in 1935, and a Th. D. from Union Theological Seminary in Richmond, Va., in 1946.

Boyd served as a professor of biblical literature at Presbyterian College from 1936 to 1946. From 1947 to 1950 he was a biblical literature professor at Davidson

College. He served as a Navy chaplain in World War II and received the Purple Heart.

Boyd is remembered by students and faculty as one of the outstanding University teachers.

"As a student of Dr. Boyd's, and in later days as a colleague, I can testify to the extraordinary impact he had on the minds of students," said professor Ruel Tyson, religion department chairperson.

Services for Boyd will be held at 2 p.m. Tuesday, at Walker's Funeral Home here. The burial will be at the Presbyterian Memorial Cemetery. He is survived by his wife Thelma.

Howes seeks seat on alderman board

Jonathan B. Howes, chairperson of the Chapel Hill Planning Board and director of the University of North Carolina Center for Urban and Regional Studies, announced Friday he is a candidate for the Board of Aldermen.

"Because new challenges face Chapel Hill as a result of continued growth, increased concern for the environment and shifting patterns of energy use, I feel that I possess the skills necessary to provide the special leadership needed in these crucial times," Howes said.

A member of the recently disbanded Chapel Hill Charter Commission, Howes, 38, cited his training and experience in urban and regional planning and his knowledge of Chapel Hill as his qualifications.

He said developing a proper relationship between the board and town manager, working with the state transportation department and adjusting to new ownership of the utilities are three areas in which he thinks he can benefit the town.

Howes said he would be more effective in

developing a comprehensive system for growth management as an alderman than as Planning Board chairperson.

A Knoxville, Tenn., native Howes earned his undergraduate degree at Wittenberg University. He holds a masters degree in regional planning from UNC and one in public administration from Harvard University.

Before returning to Chapel Hill in 1970, he was director of the Urban Policy Center of the National Urban Coalition in Washington, D.C., and was employed as a part-time faculty member at George Washington University. Before that he held various positions with the U.S. Department of Housing and Urban Development.

Howes was a member of the Task Force on Land Use of the Council of State Governments in 1973-74. In addition, he served with Tennessee Gov. Winfield Dunn as co-chairperson of the Committee on Growth Management Policies of the Southern Growth Policies Board in 1974.

—Richard Whittle

Mooers enters alderman race

Frank B. Mooers, a member of the local political pressure group, Citizens for Chapel Hill, entered Friday the race for one of five Board of Aldermen seats to be filled here Nov. 4.

A retired 3M Company employee, Mooers, 63, paid his filing fee Friday. "I'm only going to serve one term if elected, so I've got no axes to grind," he said.

Pointing to "40 years of sound business experience," Mooers said he would seek better management of the town's money and a more responsive town board and town manager.

"I'm neither a liberal nor a conservative," he said, adding that he favors the bus system but wants to see it managed and regulated better.

Mooers said he dislikes what he calls interference by the mayor and aldermen in the town's management. He said the Board of Aldermen should confine itself to making policy.

"I'm going to argue with anybody who tries to involve himself in the (town) manager's affairs who isn't a paid manager," Mooers said.

If elected, Mooers said he would be

responsible only to Chapel Hill citizens. He also said he thinks he is attuned to the citizens' needs.

A 1933 graduate of Washington & Lee University in Virginia, Mooers worked briefly for the Minnesota Gas Co., before beginning a 32-year career as engineering and manufacturing manager for Minnesota Mining & Manufacturing (3M) Co. Mooers lived in Minneapolis, Minn., for most of his career before coming to Chapel Hill 13 months ago.

—Richard Whittle

NAACP files desegregation suit

UNC, seven other schools named in 115 page motion

by Art Eisenstadt
Staff Writer

The NAACP has filed a court motion requiring the Department of Health, Education and Welfare (HEW) to enforce stricter desegregation measures at the University of North Carolina and seven other state-supported schools.

The NAACP Legal Defense Fund Inc. filed the motion Aug. 1 in U.S. District Court in Washington, the University disclosed last week.

University of North Carolina officials have indicated that the motion, if accepted by U.S. District Court in Washington, could require new higher education desegregation plans by the 16-campus consolidated university and seven other states' systems.

But consolidated university President William Friday said the University itself is not a party to the motion. It has actually been filed against HEW, Friday said.

The 115-page motion charged that while racial admission barriers have been dropped at public colleges and universities, little has been done to ensure that traditionally white campuses attract black students, and vice versa. "The mere abandonment of racial barriers to admission in

elements of the higher education system no more satisfied the obligations of state school officials that did the 'freedom of choice' claim" in public schools, the motion charged.

"Freedom of choice" refers to a school desegregation plan whereby any student should be allowed to attend any school. The University of North Carolina System was specifically cited as an example where the NAACP feels little has been done to encourage desegregation.

The university was accused of discouraging desegregation by refusing to:

- encourage black admissions, scholarships and programs at "prestigious white institutions";
 - end duality of programs between black and white schools;
 - upgrade facilities at black schools;
 - reassign faculty and staff among black and white schools to encourage better racial balance;
 - set specific goals or dates by which complete desegregation could be achieved; and
 - accept responsibility for desegregation on statewide level, instead of shifting responsibility to the individual schools.
- No other state listed in the motion was accused in all six areas.

Most university officials, both in the consolidated system and on the individual campuses, have not yet been able to closely examine the motion. Although it was filed in court on Aug. 1, copies of it did not reach university officials until last week.

University system President William C. Friday said, "If implemented, (the motion) would change the racial mix of the institutions very substantially. Each school would apparently have to match the racial mix of the graduating high schools classes."

Last year, the composite North Carolina graduating class was about 27 per cent black. Black enrollment of the 11 predominantly white state universities is about seven per cent of total enrollment, while about 90 per cent of the students at the remaining five institutions in the system are black.

In a related development, Friday announced last week he is scheduled to meet with HEW officials in Washington, D.C., Thursday, concerning the school's current desegregation plan.

HEW has not fully accepted the UNC plans, and Friday said the meeting will be a discussion session between the two organizations. He said he does not expect a final world from HEW on the plan.