

The Daily Tar Heel

INSIDE TUESDAY
MARCH 12, 1996



Crime on Break
Despite a Sunday carjacking, local police said there was no rise in crime during the vacation. *Page 3*



GOP Youth Vote
UNC's student Republican leaders are divided over which gubernatorial candidate to back. *Page 3*



Butler Blasts UNC With Late Rally
Butler scorched the Tar Heels for three runs in the seventh inning. *Page 5*

Today's Weather
Partly to mostly cloudy, high 40s.
Wednesday, Warmer, high 50s.

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Student Files Anti-Discrimination Suits

■ UNC law student Jack Daly is also a Republican candidate for state auditor.

BY GRAHAM BRINK
STAFF WRITER

A UNC-CH law student filed a civil rights lawsuit Monday against the UNC system in an attempt to eliminate alleged discrimination in awarding scholarships.

Calling the current system of awarding scholarships "abhorrent, immoral and personally offensive," Jack Daly, 23, announced the filing of a two-part federal lawsuit that contends that sexual preference-based and race-based scholarships violate the first and 14th amendments.

In the first claim, Daly, one of eight white plaintiffs from various institutes in the UNC system, said that minority presence grants discriminate against the plaintiffs on the sole basis that they are not of the favored race.

The UNC system created minority presence grants in the 1970s to boost minority enrollment.

"Scholarships should be based on need and merit, not skin color or religious beliefs," Daly said.

Daly acknowledged the long history of discrimination against black students in the UNC system, but said history does not justify the current discrimination.

"Fighting discrimination with another form of discrimination will only compound the problem," Daly said. "We must help the economically deprived, but not on the basis of race."

In the second claim, Daly, the sole plaintiff, said the Alan Berman Memorial Scholarship, which commemorates the 1974 law school graduate, violated his first amendment rights by excluding students who hold traditional Christian beliefs.

"Fighting discrimination with another form of discrimination will only compound the problem. We must help the economically deprived, but not on the basis of race."

JACK DALY
Law Student

According to Daly, the Berman Scholarship is awarded to homosexual law students and law students involved in homosexual activities.

It is a felony in North Carolina to engage in the homosexual activities that are conditions of consideration for the Berman Scholarship, Daly said.

"I should not have to give up my Christian beliefs in order to be eligible for a scholarship," he said. "There must be a compelling governmental interest to award such a scholarship."

In a written description of the Berman Scholarship, Ellen Smith, director of public information at the UNC-CH School of Law, stated that the scholarship is awarded on the basis of a sound scholastic record and financial need.

A preference is given to students interested in working to advance civil rights for homosexuals.

"The scholarship is not given on the basis of sexual orientation," she said.

Susan Ehringhaus, senior UNC-CH council, said scholarships awarded by private groups, such as the Berman scholarship, are exempt from governmental guidelines. Daly disagreed.

"The state-run university is advertising and administering the scholarship so it becomes part of the public domain," Daly said. "Even though the government isn't



UNC law student Jack Daly answers questions at the State Legislature building in Raleigh on Monday afternoon. Daly has filed suit against the UNC system, claiming its method of awarding scholarships unfairly favors minorities.

involved in the initiation of the award, the government will be asked to enforce the scholarship guidelines."

Daly, a Republican candidate for state auditor, described these claims as "front-burner" political issues that cannot be eas-

ily dismissed. "People should not be summarily rejected for scholarship consideration on the bases of race or religious preference," Daly said. "We should strive for a colorblind society."

Graduate Programs Nab Magazine's Top Honors

■ U.S. News and World Report ranked five UNC departments in the top 25.

BY JOHN SWEENEY
STAFF WRITER

Although Chancellor Michael Hooker has expressed concern in recent months over UNC's fall in the U.S. News & World Report college ratings, newly-released rankings named five UNC graduate programs among the top 25 in the nation.

The March 18 issue of the magazine, which hit newsstands Monday, rated the School of Information and Library Science, Kenan-Flagler Business School and graduate programs in chemistry, computer science and biological sciences within the top 25.

The magazine also ranked three undergraduate programs in the School of Journalism and Mass Communication within the top 10 in the nation.

In the journalism school, the specialty program in print media ranked fourth, public relations ranked fifth and advertising ranked seventh.

Journalism rankings were determined by a national survey of deans and leading faculty.

"I would attribute (the rankings) to the quality of the faculty and the quality of our graduate students," said Associate Dean of the School of Journalism and Mass Communication Thomas Bowers. "This is a nice affirmation of the excellence that we've worked hard to build and maintain."

The library science program tied for second in the nation with the University of Michigan at Ann Arbor. It was the first time such a ranking, determined by a sur-

Pulling Rank

U.S. News and World Report's national rankings of UNC graduate programs and specialty areas.

Library Science	2nd
Journalism and Mass Communication	
Print Media	4th
Public Relations	5th
Advertising	7th
Doctoral Sciences	
Chemistry	15th
Kenan-Flagler Business School	17th
Computer Science	18th
Biological Sciences	25th
School of Education	32nd
School of Law	34th

vey of deans, administrators and senior faculty, was included in the U.S. News & World Report rankings.

The Kenan-Flagler Business School graduate program, which placed 18th last year, moved up to 17th in this year's rankings.

The program was evaluated on student selectivity, placement success and reputation. Three doctoral science programs from Arts and Sciences were listed in the top 25. The chemistry program ranked 15th, the computer science program ranked 18th and the biological sciences program ranked 25th.

In the chemistry program, the analytical chemistry program ranked 25th.

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Robbins' Bid to Dismiss Suit Fails in Pre-Trial Hearing

■ The case will be heard by the Student Supreme Court on Thursday night.

BY NATALIE NEIMAN
STAFF WRITER

A trial will be held Thursday night to determine whether a Senior Class recall election will occur, despite arguments from the Elections Board and Senior Class President-Elect Ladell Robbins and Vice President-Elect Amelia Bruce during a pre-trial hearing Monday.

In the run-off election held Feb. 20, Katie McNerney and Minesh Mistry defeated Robbins and Bruce by a narrow margin. After a recount, it was determined that Robbins and Bruce had won the race by a single vote.

Mark Shelbourne, legal counsel for plaintiffs McNerney and Mistry, said during the pre-trial hearing, that a trial should be granted because evidence that the Elections Board had not adequately performed its job existed.



The team of KATIE MCNERNEY and MINESH MISTRY (left) is suing LADELL ROBBINS and AMELIA BRUCE and the Elections Board.

"We have some basic questions of (elections) law here," Shelbourne told Chief Justice Wendy Sarraat, who presided over the hearing. "Is it sufficient to leave the ballot boxes unsealed for 13 hours? The fact is: These errors have removed a sense of fairness."

The plaintiffs have a total of seven witnesses: three who saw ballot boxes stuffed over capacity, three who witnessed Elections Board members categorizing students



wrong and one who says the ballot boxes were not properly secured, Shelbourne said. Joseph Burby, legal counsel for defendants Robbins and Bruce, said McNerney and Mistry's allegations were based on speculation rather than fact. "The allegations are so unfounded and outrageous and without any supporting evidence," he said. "Plaintiffs have the burden of establishing the possibility of an election error. This does not establish its probability."

Even if ballot boxes were brimming over, both sets of candidates would be affected equally, Burby said. "The plaintiffs are grasping for straws," he said. "We're hoping tonight that you can save everyone some time by not granting a trial."

Robbins and Bruce have 23 witnesses: 13 members of the Elections Board, themselves and eight other witnesses.

Elections Board Chairwoman Annie Stuart and board member Brian Ferrell, who represented themselves, argued that McNerney and Mistry filed their election complaints as an administrative error, instead of filing it as a complaint with certification of the election, as described in the Student Code. Because they filed the complaint the wrong way, their request for a trial should be dismissed, Ferrell said.

After Sarraat rejected this motion, Ferrell argued that the fines levied against McNerney and Mistry for failure to remove posters after the elections put them over the spending limits allowed for candidates. Candidates who exceeded the limit were automatically disqualified from elections, Ferrell said.

McNerney and Mistry were on a "fish-

"Plaintiffs have the burden of establishing the possibility of an election error. This does not establish its probability."

JOSEPH BURBY
Legal counsel for defendants Ladell Robbins and Amelia Bruce.

ing expedition" to find any way possible to obtain a recall election, Ferrell said.

"The fishing expedition is over, and the fish is on the boat," Shelbourne responded.

A recall election was needed to insure that students chose the Senior Class president and vice president, McNerney said before the pre-trial. "The decision should be made by the students, and as it stands now, it's a decision made by the Elections Board," she said. "Both sets of candidates have put in numerous hours of hard work and energy, and it's discouraging the result has been a misunderstanding to say the least."

Students Allotted 30 Tickets For NCAA Opening Rounds

BY ROBBIE PICKERAL
SPORTS EDITOR

John Swofford, UNC's director of athletics, was excited when he learned that the Tar Heel basketball team would be playing its first-round and second-round games in Richmond.

"I was watching the seedings Sunday night, and I was initially thrilled to be playing so close to home," Swofford said. "And then I realized what a ticket nightmare it was going to be."

Indeed, only 30 tickets will be available to students. Vouchers will go on sale at 8 a.m. today at the Smith Center ticket office. Cost is \$25 each, and students must show valid UNC identification and a driver's license.

Virginia Commonwealth University is hosting the East Region site. According to the VCU ticket office, each of the eight

schools received 350 tickets to be divided by each respective athletic department. Swofford said 30 of those 350 tickets would be available for students, 30 would go to the band, and four tickets would be available for each of the 13 varsity basketball players.

That accounts for 112 of UNC's allotment.

Moyer Smith, the executive vice president of UNC's Educational Foundation, said the foundation expected to receive around 100 tickets, which it would make available to members based on the amount of donations made.

That accounts for 212 of UNC's allotment.

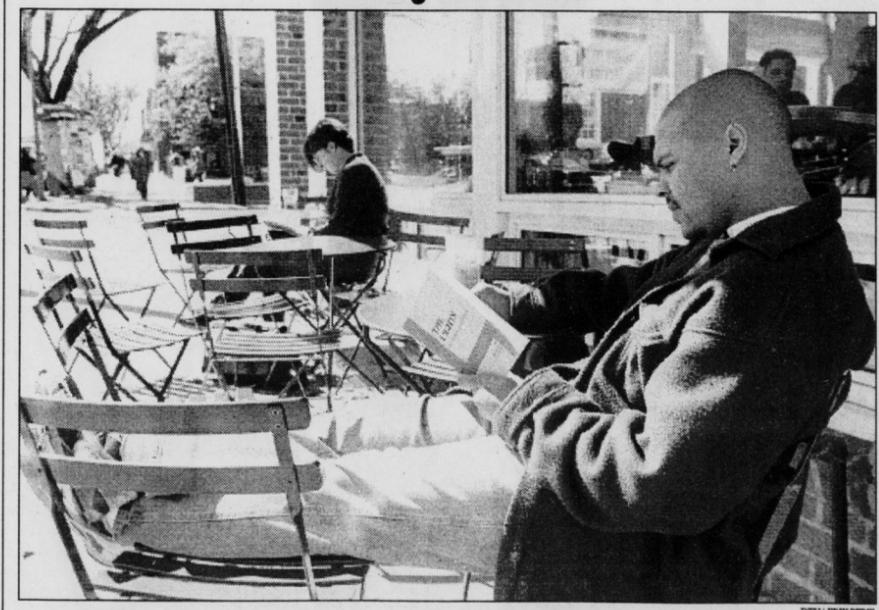
Finally, Swofford said the remaining tickets were reserved for season ticket holders, faculty, administration and coaches' families.

Swofford said that with so few tickets available to each school, it was impossible to satisfy the ticket demands of any constituency.

"When your program is as popular as ours is ... it's an absolute problem," Swofford said.

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Drinking and Drama



Chris Johnson, a senior from Charlotte, reads Howard Korder's "The Lights" outside Caffetrio on Monday. Johnson, who is reading the play for a production class, said he frequents the spot about four times a week.

Jordan Group May Donate Funds to UNC

■ The School of Social Work may receive a contribution after the foundation closes.

BY MARISA FERGUSON
STAFF WRITER

UNC's School of Social Work could get a boost in funding if rumors of a major donation are true.

Representatives from the Michael Jordan Foundation of the Carolinas announced Friday that the organization would close on March 31, and its funds might go to the UNC School of Social Work.

The foundation has offices in Charlotte and Chicago. The closing came as a result of expensive administrative costs. Representatives from the foundation announced the family's plans to continue helping disadvantaged children. Jordan's mother, Deloris, is a board member of the School of Social Work.

The family hopes to direct its support to the Institute of Families, a center of community support being developed in the School of Social Work, a Foundation press release states.

"The Jordan family has always demonstrated a support for such organizations," said Elizabeth Benefield, assistant dean for development and external relations at the School of Social Work. "They are interested in joining forces with this organization and others across North Carolina."

Deloris Jordan and Michael Jordan, a UNC alumnus and player for the Chicago Bulls NBA basketball team, serve as president and CEO, respectively, of the Foundation. The Jordans hoped to have a positive effect on troubled youth and their communities.

The Jordans hope to make more progress in their goals through their work with the Institute of Families, the press release states.

"The Jordan family is excited about the transition, believing that this is a positive move that will enable them to make an

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Every great man has his disciples, and it is always Judas who writes the biography.

Oscar Wilde