

# The Daily Tar Heel

**INSIDE FRIDAY**  
MARCH 15, 1996



**Durham Bound**  
The UNC band travels to Duke on Saturday to play for Florida in the women's NCAA Tournament. Page 3



**A Fair Fare?**  
The Chapel Hill Town Council faces the possibility of having to raise bus fares. Page 3



**From Hell's Angel To Heaven's Door**  
Gary Birdsong preaches in the Pit to save UNC's corrupt souls. Page 3

**Today's Weather**  
Cloudy, chance of rain; high 70s.  
This weekend: Highs in the 60s.

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## Spangler Denies Rumors of Forced Resignation

BY ROBYN TOMLIN HACKLEY  
STATE & NATIONAL EDITOR

UNC-system President C.D. Spangler flatly denied rumors that he plans to announce his retirement to the Board of Governors at its meeting this morning.

But two sources who said they wished to remain anonymous told The Daily Tar Heel that if Spangler does not resign on his own, BOG Chairman Sam Neill will call for a vote to oust him from his seat. Neill was unavailable for comment at press time.

When asked if he planned to tender his resignation to the board, Spangler said emphatically, "That is not the situation." Spangler said that "nobody in any way shape of form had pressured him to so"

at this point of time.

"I'm 63. Eventually I will be 65 and the Board of Governors and I will have that conversation at that point in time," he said.

Spangler will turn 65 on April 5, 1997. The search process to find a new system president would take about a year. At last month's BOG meeting, Spangler said he would announce his plans for the future in August.

Keith Bryant, current president of the Association of Student Governments and a non-voting BOG member, said he could not absolutely confirm information that Spangler intended to resign under the pressure being mounted by BOG members, but said, "I have heard some mention of it."

Bryant said opposition to Spangler could

come from the current conservative political climate and from the fact that Spangler will be 65 years old in a little more than a year.

"President Spangler is the richest man in North Carolina and the board just doesn't have any leverage on him. And the General Assembly has been more interested in micromanaging the UNC system. They want someone who will play their way," Bryant said.



UNC-system President C.D. SPANGLER will turn 65 in 13 months.

Spokesman for House leadership Don Follmer said he spoke with Spangler on Thursday, "As a matter of fact he sounded like he intended to be there a while."

N.C. Rep. Leo Daughtry, R-Johnston, said he was not aware of the current situation concerning Spangler's position with the system, but that he was under the impression that the relationship between the BOG and Spangler was touchy. "I know there have been some serious conflicts between Mr. Spangler and the board," Daughtry said.

N.C. Sen. Teena Little, R-Moore, said she had heard that Spangler was planning on leaving his position in the near future.

Spangler has been under fire since he accepted the position of system president

10 years ago. Spangler's personal financial success has been a magnet for criticism by some who feel he has neglected his duties to the 16-school UNC system.

After his involvement in a 1989 attempt to buyout RJR Nabisco, members of the BOG met behind closed doors to debate whether Spangler's role in the buyout compromised his leadership of UNC.

In addition to his current position with the system, Spangler is the director of BellSouth Corp. and National Gypsum Co. He was named the 135th wealthiest American in 1995 by Forbes magazine last fall based on his estimated net worth of \$800 million.

James Lewis contributed to this story.

## Race Grants in Spotlight

■ A law student's recent claim adds to uncertainty about race-based grants.

BY GRAHAM BRINK  
STAFF WRITER

A federal lawsuit challenging race-based scholarships at the 16 University of North Carolina campuses is further evidence of a trend away from using race as a criterion for awarding scholarships.

Citing a 1994 4th U.S. Circuit Court of Appeals ruling that a race-based scholarship at the University of Maryland was discriminatory, eight white male students from UNC-Chapel Hill, UNC-Charlotte, UNC-Asheville, Appalachian State University and Western Carolina University filed suit against the UNC system in Statesville on Monday.

The suit targets the UNC system's \$1.6 million minority presence grant program. The program, created in the 1970s

to boost minority enrollment, gives money to black students who want to attend predominantly white universities and to white students who want to attend historically black universities.

Jack Daly, 23, a law student who is a Republican candidate for state auditor and lead plaintiff in the lawsuit, said that scholarships should be based on need and merit, not skin color.

"The majority of the student population, both whites and blacks, have had their rights violated by this policy," Daly said. "We must strive for a colorblind society, and that begins with a colorblind government."

Proponents of the program point to the increased racial diversity and minority presence in the UNC system as reasons to maintain the scholarship program.

"The UNC system has successfully promoted diversity by using tools, such as the minority presence grants," said Julius Chambers, chancellor for N.C. Central University. "The current challenge to this prosperous program is alarming."

**Race-Based Challenges**

In the 4th Circuit, which includes Virginia, West Virginia, Maryland and the Carolinas, the current trend toward less emphasis on race began with the Podberesky vs. Kirwan case at the University of Maryland at College Park last sum-

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Analysis

**UNC System Grants Questioned**  
Page 3



UNC law school student JACK DALY is suing the UNC system saying minority presence grants violate his rights.

## Study Shows Five UNC Schools Are Underfunded

BY NICOLE QUENELLE  
SENIOR WRITER

Is the UNC system distributing its funds equitably?

The Board of Governors got an answer to that question Thursday — and they say they aren't sure what the results mean.

What the Budget and Finance Committee did discover was that historically black colleges lead the system in funding per student, and that five schools are underfunded, according to a preliminary study released Thursday.

"It's much too early to try to definitively state what kind of effect this will have," BOG member Samuel Poole said.

The full BOG will review a final report of the funding equity study at its meeting April 12.

The report, presented by Kent Caruthers, senior partner of MGT of America Inc., was an interim briefing on the results of a two-part study.

Assessing the equity of the UNC system's funding practices in 1993-94 and 1994-95, the report showed that compared with average funding, UNC-CH was overfunded by 4.07 percent. But other historically black universities were overfunded by significantly higher percentages. Elizabeth City State University was overfunded by 22.2 percent, Fayetteville State University by 17.4 percent, Winston-Salem State University by 17.7 percent, N.C. Central University by 13.3 percent and Pembroke State University by 10.4 percent.

The study also showed that five institutions in the UNC system are underfunded in comparison with the average: UNC-Greensboro, UNC-Charlotte, UNC-Wilmington, Appalachian State University and East Carolina University.

Caruthers' study suggested that these universities be considered for potential funding equity adjustments. If accepted, a full adjustment would total approximately \$23 million. Caruthers said he would not want the board to take current funding away from those universities that are overfunded and give it to the underfunded institutions.

The BOG will review a new funding model during the second part of the study which must be presented to the Joint Legislative Education Oversight Committee and the House and Senate Appropriations Subcommittees on Education by Nov. 15.

BOG member Keith Bryant said he was not concerned about UNC-CH suffering in any way from any decision the board could make in lieu of the study because it is a flagship university.

"It (UNC-CH) will always get the funding it needs," he said. "There may be some discomfort, but there definitely won't be any suffering."

Bill McCoy, vice president of finance of UNC General Administration, said the study examined not whether the UNC system had adequate funds, but whether or not it was distributing the available funds equitably.

"Our charge was not to study the adequacy, it was to study the equity," he said.

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## On Their Heels for NCAAs

Tim Price arrived at New Orleans in May of 1994, as the lesser, and perhaps inconsequential, part of the deal that brought head coach Tommy Joe Eagles from Auburn to the Privateers to replace the outgoing Tim Floyd.

Eagles was a popular pick in the area after the success he achieved as the coach at Louisiana Tech. He brought Price with him to New Orleans after a disappointing season at Auburn.

But two months later, while Price was on a recruiting trip, Eagles died of a heart attack.

Price was named the interim coach, but it was his first head coaching position, and a long tour with the Privateers was not expected.

"I think they wanted to see how I ran my program, and kind of watch how my kids carried themselves," Price said. "They watched how I ran my practices and ran my offense."

By December the interim label was removed, and Price was given a four-year contract. His team overachieved, notching a 20-11 record.

This season the Privateers racked up a 21-8 mark, winning their last nine games. They won the Sun Belt regular season and tournament and got back into the NCAA Tournament for the first time since 1993.

"Just the way they finished up is just outstanding," North Carolina coach Dean Smith said. "To go on the road to your rival school and have to win to go to the tournament, and they did that against Arkansas-Little Rock."

The Privateers are led by do-everything guard Tyrone Garris. The 6-foot-1 senior leads the team in scoring and assists, accounting for almost 25 points per game.

"He's probably our most consistent performer at both ends," Price said.

"He's one of the best unknown players in the country."

Price gets a chance to face the man he grew up watching on television in Danville, Va., when the Privateers meet UNC in the first round of the NCAA Tournament tonight at 10 p.m. He used to watch UNC games with his mother and says she may be torn on whom to root for.

"My mama thinks he's (Smith) the best coach since they made sliced bread," Price said.

He's read numerous books about Smith and says Smith has had an influence on his coaching style.

But the team Price plays is vastly different from the ones he used to watch.

For the 25th ranked Tar Heels, their seeding is an unfamiliar position. The only time the Tar Heels (20-10) have been seeded lower than this season's No. 6 slot was in 1990.

Like the 1990 Tar Heels, expectations for a long stay at the dance are slim and doubtful. UNC has lost three of its last four games, and it failed to score in the final six minutes in the quarterfinals of the ACC tournament in losing to Clemson.

"I'm thinking of our other losses, we've had so many I can't remember them," Smith said.

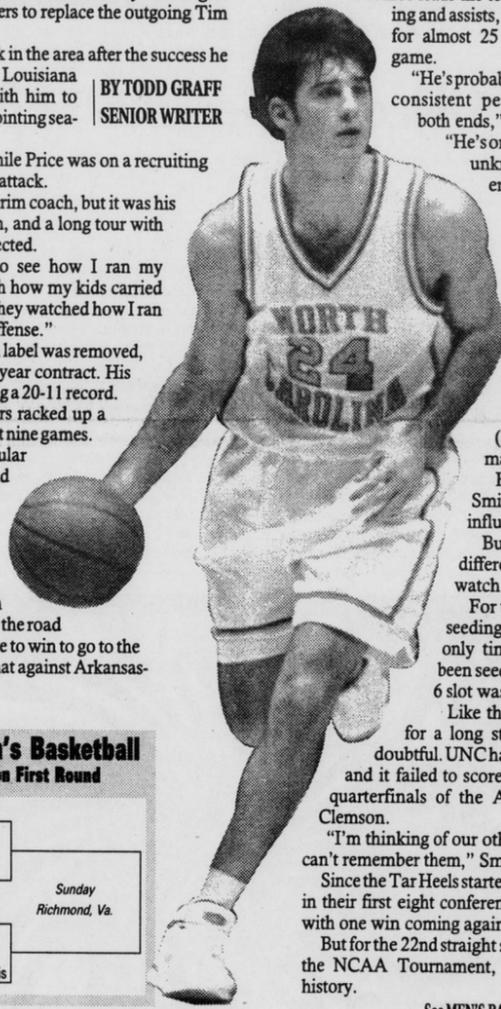
Since the Tar Heels started 9-2 and then ran off seven wins in their first eight conference games, they have gone 4-6, with one win coming against VMI.

But for the 22nd straight season, UNC received a berth in the NCAA Tournament, the longest streak in tourney history.

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### NCAA Men's Basketball East Region First Round

6. North Carolina	Sunday Richmond, Va.
Tonight, 10:10 p.m.	
11. New Orleans	Sunday Richmond, Va.
Tonight, 7:40 p.m.	
3. Texas Tech	Sunday Richmond, Va.
14. Northern Illinois	



## Marathon Court Hearing Leaves Senior Class Race Up in Air

BY LILLIE CRATON  
STAFF WRITER

At midnight Thursday, the Student Supreme Court had not decided whether students will go back to the polls to choose senior class officers.

The court might hold another hearing before issuing a ruling.

Elections Board members defended their administration of the Feb. 20 Senior Class run-off elections at the hearing, which went on for more than five hours.

Former Senior Class president and vice president candidates Katie McNerny and Minesh Mistry filed a complaint Feb. 26 against the Elections Board and Senior Class President-Elect Ladell Robbins and Vice President-Elect Amelia Bruce after a recount showed Robbins and Bruce as the winners of the run-off.

The initial count on Feb. 20 showed McNerny and Mistry ahead by two votes. After three recounts, the final count certified on Feb. 22 made Robbins and Bruce the winners with 367 votes, beating out McNerny and Mistry's 366 votes.

McNerny and Mistry are suing for a re-election, citing discrepancies between the counts and claiming the Board was irresponsible.

Katie Savas, who voted at the Student Union on Feb. 20, testified that the ballot box at the site was overflowing and not well maintained.

"As I recall, the box was nearly busting out the sides," she said. "It was definitely over capacity."

Savas also testified that the ballot box was made of cardboard and had a large central hole through which someone could easily remove ballots. When the defense council presented the box that Board members said was used at the poll site, Savas said she did not think that was the box she had seen.

The box presented by the defense had three small slots and was secured with metal clamps.

"(The box at the Union) had no sort of clamps, and it had one center hole," Savas said.

Annie Stuart, Board chairwoman, said she was certain the box presented at the trial was the one used at the poll site. "The Elections Board only owns two kinds of boxes, and these are the only ones we used," she said. Stuart said the Board did not own a box like the one Savas described.

Savas suggested that the box at the hearing might have been filled and then replaced with another box like the one she described.

Scott Barnett, a freshman serving on the Board, said he was certain that no other box had been substituted. "No ballot box was full to the extent where we needed a second ballot box," he said.

Several students testified that there appeared to be no clear policy about whether or not third-year students who were classified as seniors could vote.



Joseph Burby (left), defense counsel for Senior Class President-Elect Ladell Robbins (right), displays the ballot box that the Elections Board says was used at the Student Union poll site.

A terrible thing happened again last night — nothing.

Phyllis Diller

### The Daily Tar Heel

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Call for times, scores, and information for the NCAA Basketball Tournament.



### Last Chance to Make History

Students can apply now to be members of the 11-person board to select the 1996-97 DTH editor. Selection Board applications are available at the Carolina Union information desk and are due by 5 p.m. today. Being a member of the selection board provides a unique opportunity to make a vitally important decision with a relatively small time commitment. Applicants must be available for a briefing session from 5-6 p.m. Thursday, March 24 and all day Saturday, March 25, beginning about 8:30 a.m. for editor candidate interviews and selection.