

The Daily Tar Heel

INSIDE
THURSDAY
FEBRUARY 20, 1997

What you don't know ...
A new bill could make colleges report all campus crimes. *Page 2*

DWI dismissal
A former Ephesus Elementary bus driver was acquitted of drunk-driving charges. *Page 2*

Day of reckoning
The UNC women's swimming and diving team is set for the ACC Championships. *Page 9*

Today's Weather
Partly sunny; mid 60s.
Friday: Showers; high 60s.

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UNC Hospitals records found at Caffetrio

BY ERIN VERNON
STAFF WRITER

A confidential UNC Hospitals document turned up in a very unlikely place this week: Caffetrio.

The detailed document contains 18 patients' names and ages, the time and room number for their surgeries and a description of their scheduled surgeries. The document lists such procedures as an implant penile prosthesis for one patient and an amputation for another.

A man who would not identify himself brought the record to The Daily Tar Heel office.

"That is definitely not good," said Linda Cowan of Cary, a patient whose name is on the schedule. "I'm surprised that someone would be that irresponsible."

Robin Gaitens, media relations liaison for UNC Hospitals Marketing and Public Relations, confirmed the serious nature of this event. "The document should not have been removed from Hospitals premises," she said.

She said only hospital-related personnel would have had access to the report. "It is an internal, confidential document that is distributed to hospital and medical school staff who are involved in and

responsible for patient care. The Hospitals and the School of Medicine feel strongly that confidential information should be vigorously protected."

Patient information beyond a standard condition report of "good," "fair," "serious" or "critical" is not released to the public, she said.

UNC Hospitals and the School of Medicine abide by the Confidentiality of Patient Information Policy and the Information Security Policy, she said.

The Confidentiality of Patient Information Policy states that UNC Hospitals accepts responsibility to protect medical records and confidential

patient information from the public.

According to the policy, confidential information can be accessed only by written consent of the patient or a legally qualified representative, court order, subpoena or statute.

The Information Security Policy states that all written, spoken and electronically recorded or printed information "will be protected from accidental or intentional modification, destruction or disclosure." Also, the policy protects information defined as "generated in the context of patient care."

Gaitens said UNC Hospitals had never experienced a violation of those

policies before. "I would certainly say this is not a regular occurrence."

"Patients who come to UNC for health care should expect that information about their medical treatment and procedures remain confidential," Gaitens said.

"The Hospitals and medical school will investigate the incident and take appropriate preventative and disciplinary action in accordance with hospital or university procedures," she said.

Jeffrey Fair, a transplant surgeon who was not listed on the schedule, said, "I'm sure (the document) got there by a benign, nonintentional mistake."

Congress candidates to file suit

■ The Elections Board announced re-elections for eight graduate districts.

BY NAHAL TOOSI
STAFF WRITER

At least two Student Congress candidates are upset enough about recent Elections Board decisions that they have decided to file suit with the Student Supreme Court.

The board announced Tuesday that Student Congress graduate districts 2 through 9 must re-elect representatives because computers used at poll sites might have misidentified voter's districts.

Candidates Bryan Kennedy and Dara Whalen said the board should not call for a re-election in their districts because the outcome of their races would not have been affected.

"The burden of proof will fall on the Elections Board to show that there was an irregularity in the districts," said Kennedy, an incumbent in District 4.

"The reason I'm going to file a suit is because any alleged violations in my district would not have changed the results in my district," Kennedy said. "I ran unopposed, with my name on the ballot, and there were no write-ins."

Kennedy said when he voted, the computer had displayed the correct district number. He said since there were no write-in candidates, one vote would have sealed his victory. "I could have gone, voted for myself, and won."

Whalen, the incumbent in District 8, said she would either join Kennedy's



District 4 candidate **BRYAN KENNEDY** said there was no need to have a re-election in his district because he ran unopposed.

UNC holds off Demon Deacons with early flurry, dominant 'D'

BY ROBBIE PICKERAL
SENIOR WRITER

With 1:22 remaining Wednesday night, 21,572 people at the Smith Center started chanting.

Overrated (clap, clap, clap-clap-clap), Overrated (clap, clap, clap-clap-clap).

Tim Duncan, Wake Forest . . . 60
UNC . . . 74
America center, stood under his own basket, disheartened, disgusted and subdued.

North Carolina forward Antawn Jamison stood happily beside him, smiling to the rafters and nodding to the beat.

A minute and a half later, Jamison and Co. were surrounded by those fans as No. 12 North Carolina (18-6, 8-5 in the ACC) dismantled fourth-ranked Wake (20-4, 9-4) 74-60.

"It's a good feeling once you hear your crowd chant that," Jamison said. "... It's not that they're overrated. (But the chanting) really shows we can compete with a team like that."

The Tar Heels did more than compete Wednesday night, they showed

poise, maturity and an added dash of intestinal fortitude in a match-up of teams seemingly headed in different directions.

UNC, which started the league season 0-3, notched its sixth straight victory, which guaranteed its 33rd straight ACC season at .500 or better.

Wake, on the other hand, lost its second straight conference game and its first on the road.

"Am I concerned about my team?" Demon Deacon coach Dave Odom asked. "Absolutely."

Wake got off to an abysmal start early, shooting a measly 25 percent in the first period.

Tar Heel guard Vince Carter outscored the Deacs 21-18 in that half, upping his previous career scoring high (20) by one, his career high in field goals (eight) by one and matching a career high with three 3-pointers. He finished the game with 26.

"I just stepped up ... I got some good screens from my teammates tonight," Carter said.

"I just took advantage of what was given to me."

Center Serge Zwikker scored eight of his final 10 points in that stanza and combined with Jamison and Makhtar Ndaiye to limit Tim Duncan to seven first-period points.

"I don't know what kind of concussion he had," Odom said, referring to the headache that kept Zwikker out of the second half at Georgia Tech on Saturday.

"But I'd like to give one to a couple of my guys."

The Deacs didn't let down, however. Down 38-18 coming out of the locker room, Wake rallied with a 26-6 run on a bevy of shots from Duncan, Jerry Braswell and Tony Rutland to cut the lead to seven with 8:06 remaining.

"They made it interesting," UNC coach Dean Smith said. "You shouldn't say that you knew they were going to, but ..."

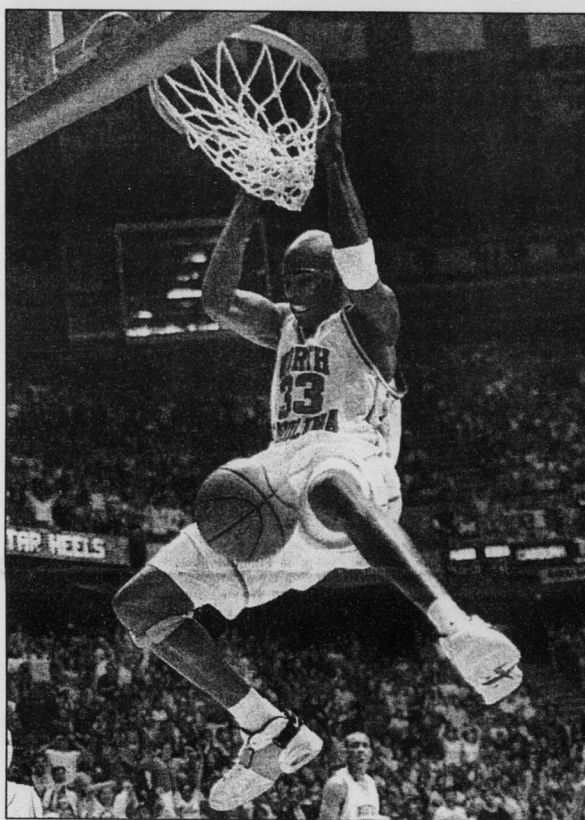
They are, after all, the No. 4 team in the nation.

Not that UNC cared. After an official timeout, UNC regrouped its attack. Freshman Ed Cota converted a layup from Shammond Williams. Cota fed Jamison inside, and Williams canned a trey in Rutland's face to put the lead back to double digits.

"I think we were able to play our style of basketball," Williams said. "We were able to control the tempo."

UNC never let up. Wake never recovered.

"We knew we had to turn this team around," Carter said. "This is the right way to do it."



UNC forward Antawn Jamison, who had 12 points and 10 boards Wednesday night, dunks in the closing moments of the Tar Heels' win over Wake.

Court to hear student's sexual harassment case

FROM STAFF AND WIRE REPORTS

A man who says two teachers pressured him into a homosexual relationship as a 16-year old was too emotionally disturbed to file a lawsuit within the three-year statute of limitations, the N.C. Court of Appeals said Wednesday.

The ruling revives a lawsuit filed by Christopher Soderlund, a ballet student who attended the N.C. School of the

Arts in 1983 and 1984.

A lower court dismissed Soderlund's suit against dance instructors Richard Kuch and Richard Gain because it was filed in 1995, 11 years after Soderlund, now 27, says he was pressured and seduced into a relationship with Gain.

Soderlund said he was not invited back to the school for the 1984-85 school year after breaking off the relationship

with Gain.

And he says both Kuch and Gain harassed and humiliated him at the school.

Soderlund, who was 16-years old when the relationship with Gain began, said in his appeal he suffered several emotional breakdowns after his rejection by the school, which made him incompetent to pursue a lawsuit against

the two instructors.

During one of those breakdowns in 1992, he told his mother about the relationship.

The appeals court agreed that Soderlund's mental state, including a diagnosis of post-traumatic stress syndrome, made it impossible for him to file his lawsuit within the three years.

Soderlund's lawsuit sparked an inquiry by the Board of Governors. An independent commission concluded that some teachers at the school acted improperly, but that sexual misconduct was not rampant on the campus.

BOG member Kathleen O'Kelley, chairwoman of the Committee on University Governance, said she worked hard to make the universities safer.

"I don't know what else the board could do," she said in a telephone interview.

After an investigation, BOG members ruled that allegations of rampant sexual misconduct at the School of the Arts were unfounded.

The BOG set up a hotline for current and former students to report cases of sexual improprieties. Although 60 former students reported knowledge of incidents, none were students who attended the school at that time.

"It's very important to us that our students study and learn in a very safe environment. We do all that we can to ensure a good place for students," O'Kelley said.

Kuch and Gain resigned in August 1995, just before a hearing on their dismissals was to begin. They denied the accusations.

School of the Arts Chancellor Alexander Ewing declined to comment on the case Wednesday evening.

Graduate students complain about inequitable treatment

BY BRIAN MURPHY
STAFF WRITER

With student fee allocation hearings starting Friday, some graduate students are worried that their groups will not receive equitable treatment from Student Congress.

Graduate and Professional Student Federation President Katherine Kraft said the problem was historical.

"Congress has a reputation for not

being graduate friendly," Kraft said. "Practices used in the past need to be reconsidered."

Graduate student Rep. Michael Holland, Dist. 6, agreed with Kraft's assessment. "I don't believe (graduate students) are getting a fair shake," he said.

Holland said the problem stemmed from several factors, including political interests and graduate student organizations' lack of broad appeal.

"When undergraduate representatives vote, one of the questions they ask is 'Does it have broad appeal?'" Holland said. "But graduate and professional groups are more focused."

"(Student Congress) continually makes the mistake of holding political tests," he said. "Any group which does

"Congress has a reputation for not being graduate friendly. Practices used in the past need to be reconsidered."

KATHERINE KRAFT
GPSF President

anything conservative or liberal is treated differently."

Holland said the undergraduate representatives voted for more conservative groups, but groups perceived as liberal had a strike against them. He said the graduate groups were most often perceived as liberal.

But Rep. Jason Jolley, chairman of the Student Congress Finance Committee, said inequality did not exist. "This started over Town and Gown. It's just one issue that has been blown out of proportion," he said. "Grad and undergraduate students receive equal treatment."

Town and Gown, a graduate student organization that is responsible for the publication and distribution of a bimonthly newspaper, was at the heart of a Student Congress funding debate last semester.

The controversy arose when some undergraduate Student Congress members questioned the publication's place in the University community.

Graduate Student Congress representatives walked out of the meeting,

SEE GPSF, PAGE 4

STIMULATING CONVERSATION



Sophomore Roxanne Hall distributes condoms and information as a part of Condom Awareness Week. The booth is sponsored by Student Health Service.

DTH/CARA BRUCKMAN

Life is strange. Every so often a good man wins.

Frank Dane