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Orange County Assistant District Attorney Randy Griffin said Capel and Boden were not offered deferred prosecution because they had criminal records, unlike Cota and Newby.

Griffin said all defendants would have to pay the medical bills by May 5, and Cota and Newby had written statements which would be filed in Orange District Court within the next week.

The trial was the fourth court date in a case that has been delayed several times. The court dates were extended three times previously because of exams, the NCAA tournament game and other circumstances.

The brawl on Franklin Street occurred in the early morning of Nov. 1. Police had broken up a fight on Franklin Street, but the two sides continued the brawl near the Silent Sam statue on the UNC campus.

Cota said he was relieved the issue was resolved and was ready to move on. "I'm just glad we got an agreement, and I'm over with it," he said.

Cota and Newby both said they were innocent and their only role in the brawl was trying to break up a fight. "I'm not admitting guilt to anything," Newby said.

Godwin Ogunmefun, a UNC junior who had 19 stitches and lost a tooth in the fight, said he was pleased the trial was behind him. "The last six months, we (the victims) went through hell," he said.

Victim Tracy Monroe, a UNC junior who suffered a mild concussion, said he and the other victims were harassed by people who worried they were keeping Cota and Newby from focusing on basketball.

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must propose a vote to contest the ruling. Two-thirds of Student Congress must then vote in favor of the removal.

Then, a simple majority vote in favor of Downs' appointment would be required for her to become the new chairwoman.

Matthew Fisher, Dist. 1 said the possible rejection of the appointment would be a precautionary measure.

"There's an instrumental value in that it's better to protect people from using a position in an impermissible manner," he said. "I'm not saying (Downs) did anything wrong, but there's a value whether or not a violation actually occurred."

Michael Harris, Dist. 21, said Downs' post on the Elections Board during Matthew's February election posed a question of ethics, but he said those events were in the past.

Cooper said the committee's ruling was also partly justified by this year's record of mismanagement by the Elections Board.

He said two-thirds of Congress would most likely not favor the removal because of the body's composition. "The chance for the two-thirds vote is very, very slim."

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"I wrote this article about how he's a role model and a hero," she said. "I think he's great."

Jordan even drew an N.C. State University fan to Franklin Street. Happi Blackwood, an N.C. State graduate and student in the UNC speech pathology graduate program, was wearing an N.C. State sweatshirt as she waited for Jordan.

"I think he's a great guy," she said. "Society needs a great role model."

She was there with her aunt, Tommi Blackwood, who was wearing a UNC shirt. She said she had been a Jordan fan since he played for the Tar Heels.

Charles Wright III of 153 Chatham Drive in Chapel Hill stood outside with his father after Jordan went back in. He could hardly contain his excitement after seeing Jordan but he managed to sum it up in three words.

"He's the bomb."

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BROAD From Page 1

North Carolina's higher education system was to remain competitive.

Broad recently explained several ways in which the system, under her leadership, had promoted access.

She cited the development of the state's first large need-based financial aid program, the expansion of distance learning opportunities and an increase in high-school outreach programs.

Broad denied that her recent support of a tuition increase at UNC-Chapel Hill and N.C. State University represented a departure from her devotion to access. She said her goal was to ensure that students could attend one of the schools in the system, which is why she opposed tuition increase proposals at three other system campuses.

But although Broad has made progress toward achieving her initial goals, she also admitted that there were dimensions of her post that she she could not have foreseen two years ago.

She said she was surprised at the extent to which state regulation hampered campuses' flexibility. "The result is that it is very difficult for university campuses to respond quickly and innovatively to what I see as rapidly changing University considerations," she said.

The system's proposal to address capital improvements is one that has been stalled for nearly nine months now. The General Assembly adjourned in July without approving the system's multi-billion dollar bond proposal to fund building construction and renovation.

Broad has been working closely with a legislative committee formed in the fall that will make a recommendation concerning the system's capital needs to the legislature in May.

Rep. George Miller, D-Durham, is co-chairman of the committee and said Broad had done a solid job of illustrating the system's needs to the legislature.

"She was an able spokeswoman for presenting the case of the University," he said. "The fact that the legislature did not pass the higher education bond request was in no way to be attributed to President Broad."

But some state lawmakers have questioned Broad's competence as a leader, blaming her for the proposal's failure.

Sen. Virginia Foxx, R-Alleghany, said she was a strong supporter of higher education, but voted against the bond package because it included superfluous funding requests. Foxx said she recog-

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recommend a course of action."

Clifton Metcalf, UNC-system vice president for state government affairs, said it was probable that there would be a referendum on the bond issue.

"The members of the legislature have wanted to do something for a year or more," Metcalf said. "The passage of the bonds is fairly important for the universities."

Student Board of Governors member Jeff Nieman said the system had never taken a stance on whether the bond proposal should go to a referendum.

Nieman said the proposal indicated legislators were ready to talk some sort of action on the system's capital needs. "I am encouraged to see that some of our state leadership is actually coming out in favor of (the bond proposal)."

But Nieman said system advocates still had to wait and see what decision came out of the legislative committee before they would decide on a lobbying strategy. "The game starts once we have

nized the system's capital needs. But she said Broad's package, which would have funded facilities such as theaters, should go to a referendum in November.

"I was quite disappointed that the package given to the General Assembly had a lot of pork-barrel funding in it," she said. "I think a bond of that magnitude should go to the people for a vote."

Foxx also faulted Broad for failing to persuade legislators that this next round of capital projects would not merely serve as a stop-gap measure.

She said campus administrators had failed to address capital needs as they arose, resulting in the need for a massive capital package. "I was also disappointed that President Broad did not, or would not, answer the question raised by some people, both Democrats and Republicans, as to what guarantee she could give us that university administrators would not repeat their performance which had created these abominable situations," she said.

But Jeff Nieman, a UNC-Chapel Hill senior who has served on the Board of Governors for two years, said Broad was often mistakenly held responsible for the bond's failure, as it was the legislature's responsibility to fund the system's needs. "I don't think it's fair to rest all of the factors that went into the failure of last summer's bond package on her shoulders," he said.

Broad has also been effective at soliciting student opinions before heading to the legislature to lobby, Nieman said.

He said Broad had worked to incorporate students' views into the system's agenda. "I have never felt that a priority given to her by the student leadership has been ignored," he said.

Broad's predecessor, C.D. Spangler, who served as system president from 1986 to 1997, also said she had succeeded so far at balancing the interests of many different constituencies - students, faculty, alumni and legislators. "Keeping all that balanced has been a very difficult job," Spangler said.

But Broad might have to continue this balancing act for a while. She said she anticipated retaining her current post and helping the system embrace the many changes in higher education she saw on the horizon - hopefully with the aid of legislative funding. "It is my firm conviction that universities 10 years from now will be quite different," she said. "Those universities that are prepared to engage the future will be successful, and those universities that sit back and wait for the forces of change to roll over them will not be successful."

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an official report from the committee," he said.

Metcalf said the committee tours had helped legislators see the system's needs.

"It's been interesting to see them develop a sense of urgency (as the tours progressed)," he said. "(Legislators) knew the needs intellectually but to have someone tell (the needs) to you is one thing. Seeing it on the ground is another matter altogether."

The legislative tours started after the legislature adjourned last summer without deciding the bond issue.

The Senate last year approved a \$3-

billion bond issue for colleges but without requiring voter approval. House Republicans, later joined by many Democrats, insisted that voters should have the right to approve the bonds.

McMahan said he and Gray, who worked last year to develop a compromise bond plan, did not want to make the issue political.

"We don't want it to be partisan," McMahan said. "Maybe it was presented last year that we were the ones who blocked it. We didn't block it."

But McMahan said a referendum had to be part of the bond package to win approval in the House.

In the Senate, which resisted voter approval last year, Senate President Pro Tem Marc Basnight said he was "open to discussing any proposal that will help us provide the laboratories and classrooms our students so badly need."

An oversight committee should be set up to make sure the bond money is spent on top-priority items, McMahan said. He said the bonds should be used to pay for projects deemed the most important by chancellors at individual campuses. "Politics must be removed from the allocation of these funds."

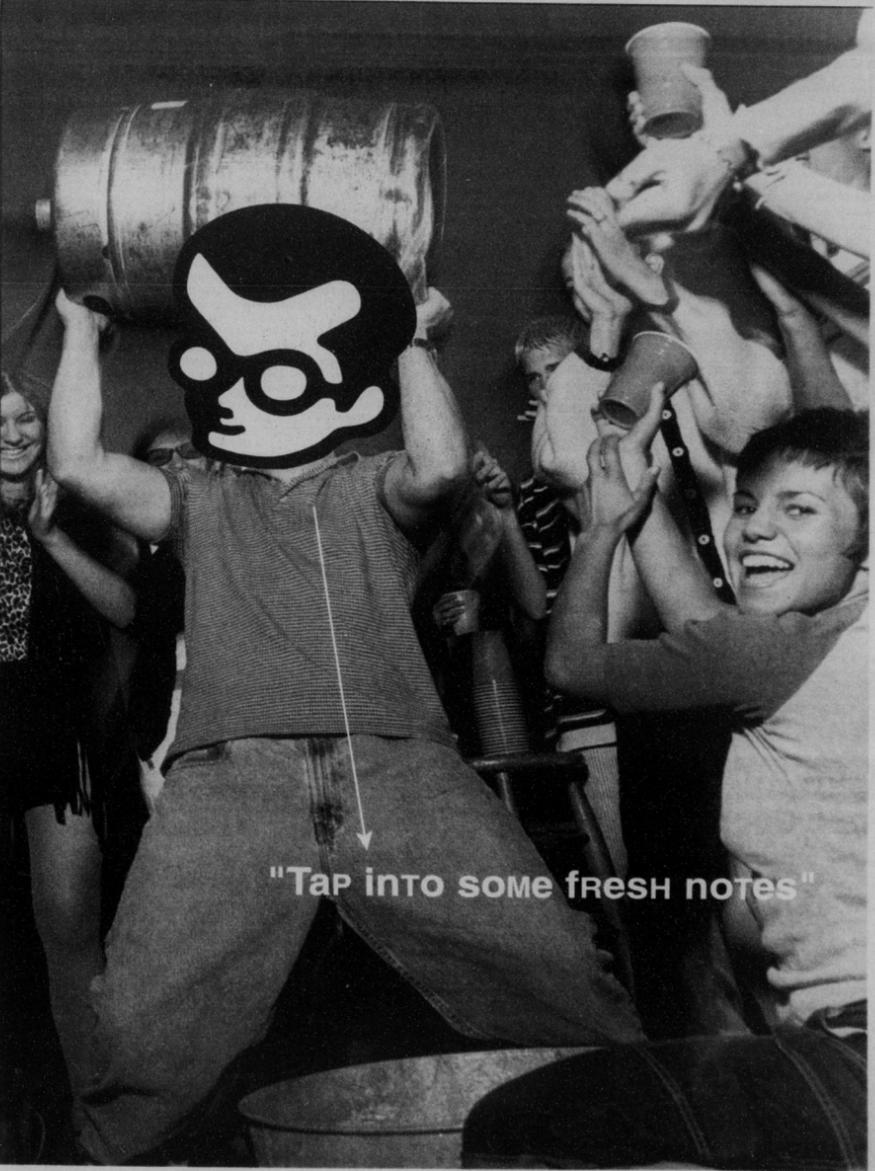
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THE Daily Crossword

By Diane C. Baldwin

Crossword puzzle grid with clues. ACROSS: 1 Toe the line, 5 Scholarly volume, 9 Wet thoroughly, 14 Take on, 15 Concept, 16 Pixyish, 17 Carrot-top's cousin?, 20 Solemn ceremony, 21 Time to remember, 22 Spiny trees, 26 Ammunition wagon, 30 Turn around, 31 Overtake, 32 Slash mark, 33 Big hit, 34 Nautical direction, 35 Cleansing ritual, 36 Fats Domino hit, 39 Pix about people, 40 Nervous, 41 Jockey Arcaro, 43 Green-card org., 44 Criticize severely, 45 Author of "The Honorary Consul", 46 Subhuman, 48 Iditarod partici-; 5 Shinbones, 6 "Waiting for Lefty" dramatist, 7 Slight, 8 Corn serving, 9 Rubble, 10 Earthenware vessels, 11 Sci-fi craft, 12 Iniquity, 13 Conclusion, 18 Squirm, 19 Like bad bread, 22 long, vita brevis, 23 Merge, 24 Perplexed, 25 bell (cause for war), 26 Keep in stock, 27 Burned with liq-; 44 Boneless cut of meat, 45 Stared fixedly, 47 Confiscates, 48 Suit fabric, 50 Exceedingly dry, 51 Old crane, 52 Inarticulate comment, 53 Magnon, 54 Hot-dog holder, 55 Air circulator, 56 Wrath, 57 Original, 58 "King" Cole.



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