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dth online
Town Council to hold hearing about proposed hotel construction
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Money in Question

A UNC Board of Trustees committee today will consider raising student fees by \$74.92.
See Page 2

On a Roll?

Tar Heels aim for second straight upset.
See Page 7

Weather

Today: Partly Cloudy; H 36, L 17
Thursday: A.M. Snow; H 29, L 11
Friday: Partly Cloudy; H 31, L 11



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UNC System Won't File Brief on UM Case

Plans to stand behind ACE brief supporting UM

By CLEVE R. WOOTSON JR.
Senior Writer

The UNC system will not take a definitive stance in the recent debate over affirmative action policies in higher education, President Molly Broad said Tuesday.

Instead, Broad said, system officials will stand behind the American Council on Education, of which the UNC system is a member, when it files an amicus brief with the Supreme Court supporting a state's right to use affirmative action in its universities.

"We are represented in the amicus brief that will be sent on behalf of virtually all of the higher education organizations," Broad said. "They are the umbrella organization."

The University of Michigan-Ann Arbor Law School is appealing a 6th U.S. Circuit Court of Appeals ruling that the university's race-based admissions policy is unconstitutional. The Supreme Court is expected to begin hearing the case April 1.

ACE, a Washington, D.C.-based organization representing more than 40 higher education organizations nationwide, is expected

to file a brief with the court supporting the right of individual institutions to formulate their own policies on race and admissions, Broad said. She said a brief is being put together by ACE but has not yet been filed.

Amicus briefs are sent to the Supreme Court state where interested parties stand on the issue.

Officials at the UNC-Chapel Hill School of Law announced plans last week to file an amicus brief with the court, arguing that a diverse student body is a compelling interest in public schools, one warranting programs based on race.

Christopher Patty, general counsel for the University of California system, said the

brief sent by the ACE will not necessarily represent the beliefs of all universities that are members of the organizations.

In California, for example, Proposition 209, passed by voters in 1996, prohibits public universities from taking race into account when deciding whether to accept students.

"(ACE's) position is irrelevant to us," he said. "We just haven't taken an interest in this case because it doesn't apply to us."

Broad said the office of N.C. Attorney General Roy Cooper also is working with state attorneys general across the nation to formulate a brief stating that individual states have the right to dictate the role of race in their universities' admissions policies.

Ray Farris, a member of the UNC-system Board of Governors, said the BOG addressed race in admissions policies last year and decided to consider socioeconomic status instead of race in admissions policies.

He said it is unlikely – and unusual – for a body such as the BOG to take a particular stance on the UM lawsuit.

"I would be very surprised if (the BOG) did," he said. "We go through committees on almost all of our issues and we consider all the facets and then we take a position. None of that has been done."

The State & National Editor can be reached at stntdesk@unc.edu.



System President Molly Broad said the ACE brief will support schools' rights to create their own policies.

PETA Responds To UNC Report

UNC officials have not seen document

By EMILY STEEL
Staff Writer

University officials said Tuesday that they were unaware of the latest response filed by an animal rights organization related to allegations regarding the mistreatment of animals at UNC's laboratories.

People for the Ethical Treatment of Animals detailed "extensive factual errors, unsupported allegations and inconsistencies and contradictions" in its Jan. 14 response to a document submitted by the University last September.

The September report explained the changes made in response to complaints filed by PETA last April on animal treatment in UNC laboratories.

PETA released a video last spring of footage secretly collected by Kate Turlington – an undercover investigator for PETA – as she worked as a researcher in UNC's labs in the Thurston Bowles Building.

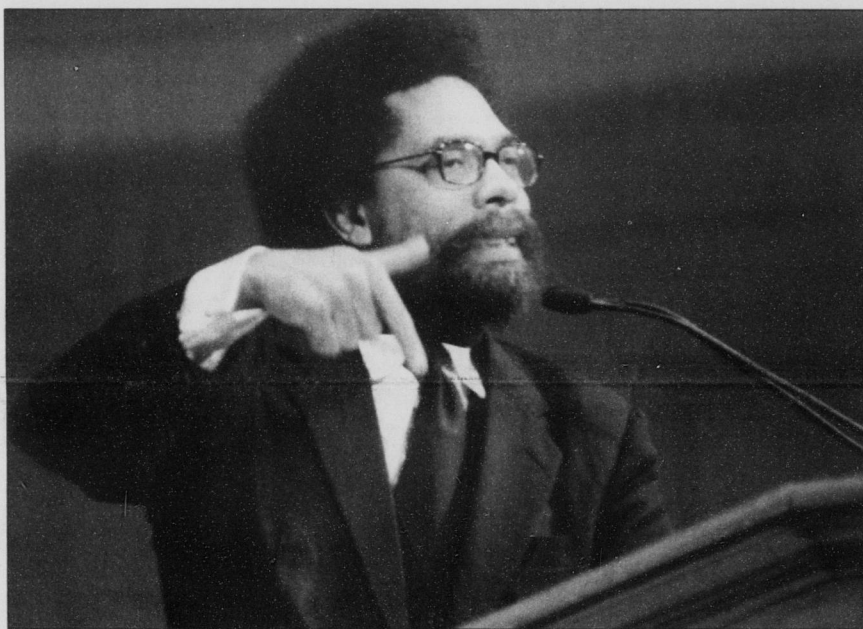
But PETA's 48-page review submitted to the National Institutes of Health on Jan. 14 discredits the University's response, said Hannah Schein, research associate in the Research & Investigations Department of PETA.

Schein said that PETA found several inadequacies and contradictions in UNC's response.

"(The prolonged suffering and/or the miserable death for animals) was demonstrated not only by out-an-out failure to treat ill animals or to euthanize moribund animals, but also by something as simple as failing to enter health information into the veterinary com-

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"(King's) hope was such ... there is nothing that's going to turn us around in our struggle for freedom and equality." – CORNEL WEST, Princeton University Professor



DTH/HUNTER McRAE

UNC hosted Cornel West on Tuesday as a part of the University's 22nd annual Dr. Martin Luther King Jr. Birthday Celebration. West spoke about King's legacy and the future of race in the United States.

WEST INVOKES KING'S MEMORY

Today's America would sadden King

By JENNY IMMEL
Staff Writer

Renowned scholar Cornel West told audience members Tuesday night that if Martin Luther King Jr. was still alive, he would not be pleased with the state of race relations.

Not a single seat remained empty in the cramped auditorium as roughly 700 people listened earnestly to West at the 22nd annual Martin Luther King Jr. Birthday Celebration.

Sporadic laughter and nods of affirmation and agreement broke an anxious silence Tuesday as West remembered and honored King.

West also spoke about other pressing issues that have affected society since King gave his "I Have a Dream" speech 40 years ago.

This was West's second appointment with UNC for King's birthday celebration, but last year's appearance was canceled due to an illness.

The committee asked him again this year, and West confirmed almost immediately, said senior Rob Moore, a member of the Chancellor's Committee for the Martin Luther King Jr. Birthday Celebration.

"He was our first choice, and he said yes as soon as we asked him," Moore said. "We have never confirmed a speaker so quickly."

West, a professor of religion and a scholar in African-American studies at Princeton University, has written



DTH/HUNTER McRAE

Eight-year-old Caylon Faulkes reflects during a candlelight vigil held Tuesday in King's memory.

numerous books on race relations, including the 1993 best-seller "Race Matters" and "The War Against Parents" and a spoken compact disc, "Sketches of My Culture."

West moved to Princeton after a public dispute with the president of Harvard University, where he had been a faculty member for eight years.

At Tuesday night's celebration, West remembered King as an intellectual who examined life. He said he was a wild man.

"We do not want to tame Martin Luther King Jr. We do not want to domesticate Martin Luther King Jr. ... like we do each year," West said. "Martin Luther King Jr. never bowed down."

West's speech focused on what King would think if he was alive today – and West said King would shed a tear.

America is still scared of integration in schools, housing districts and the workplace, and many white people still do not see the need to increase minority presence in other areas, he said.

West characterized the views of whites today as being, "At 2 percent (minority presence) we're doing OK, at 5 percent we're well-integrated, but at 7 percent it's time to leave."

West also commented on public policy, affirmative action, the continuance of racism in America and the stigmas placed on black schools and black neighborhoods by the media.

Katie Fuller and Reena Arora, both members of Students for the Advancement of Race Relations, said they were both anxious to see West.

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IFC Funds To Keep Homestart Operating

Projected to stay open until June 30

By JACK KIMBALL
Assistant City Editor

Despite losing 80 percent of its funding, Project Homestart, which provides temporary housing for homeless families in Chapel Hill, will remain open until June 30.

The project lost \$366,156 when the U.S. Department of Housing and Urban Development decided to reallocate funds to other programs that provide for permanent affordable housing.

"For this grant to go away is really going to make it difficult for the homeless community," said Chris Moran, executive director of the Inter-Faith Council.

Project Homestart is one of many programs controlled by IFC, which includes a crisis intervention center, a soup kitchen and an overnight shelter. IFC officials said this week that they will continue to provide services for the project even though the funding from HUD will end March 31.

IFC has an under-expenditure of \$40,000 to \$50,000, but it will take \$90,000 to fund the project until June.

Moran said IFC will cover the extra cost by "being frugal" and through community help during its spring fund-raising campaign.

"We're not going to sacrifice any of our services," said Moran. "We're hopeful revenues come in at the end of the year."

IFC is lobbying local U.S. congressional representatives to try to get the funding back, but Moran admitted that it would be difficult to restore the funding.

"This administration is not interested in continuing services as they once were," Moran said.

Support for Project Homestart could come from the Orange County Board of Commissioners, who addressed the issue at a meeting late Tuesday.

"We want the federal authorities, who are responsible for the program, to pay for it," said Commissioner Barry Jacobs.

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"We're not going to sacrifice any of our services. We're hopeful revenues come in at the end of the year."

CHRIS MORAN
IFC Director



DTH/JESSICA FOSTER

Protesters used civil disobedience to attract attention as they gathered Tuesday outside the office of Sen. John Edwards, D-N.C.

The task of a leader is to get his people from where they are to where they have not been.

Henry Kissinger