

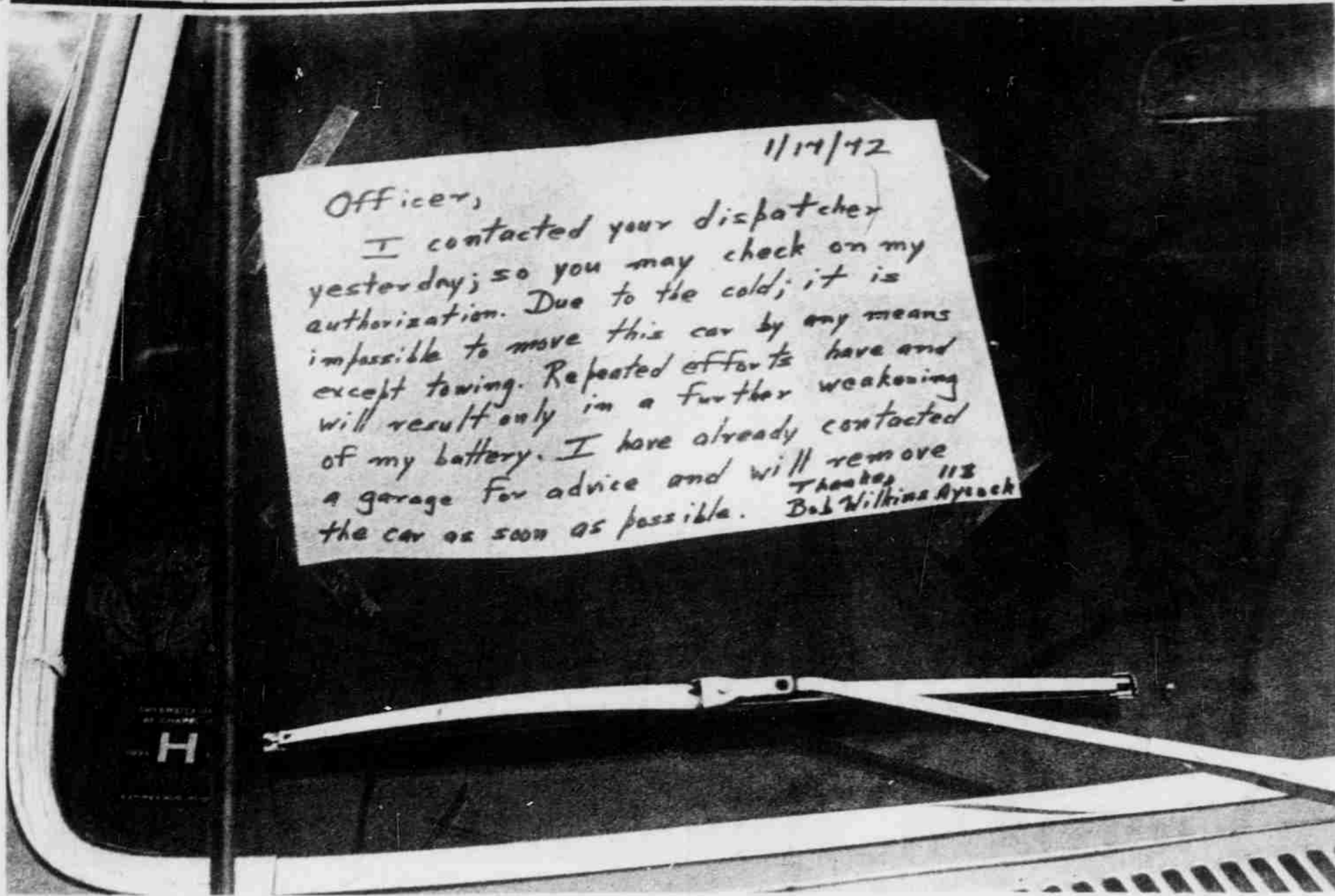
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The temperatures climbed above freezing Monday but it wasn't enough to revive the battery of this car parked in front of Aycock Dormitory. Hang in there, Bob. (Staff photo by Tad Stewart)

University appeals ruling on tuition

by Evans Witt
Staff Writer

The University has appealed the recent Superior Court decision that declared key portions of the tuition residency regulations unconstitutional.

Andy Vantor, a member of the State Attorney General's staff in Raleigh, said Monday notice of appeal has been filed in Wake County Superior Court where the case was heard.

Superior Court Judge E. Maurice Braswell ruled as unconstitutional Friday University requirements that N.C. residency can only be established by persons not in college and that a wife's residency follows that of her husband.

Until the appeals route has been

exhausted, however, the tuition residency requirements remain the same, according to Richard Robinson, assistant to Consolidated University President William C. Friday.

"The law is still the same and we will continue to enforce the regulations until the case has been decided by a court of competent jurisdiction," Robinson said.

The plaintiffs in the thus far successful challenge to several tuition residency requirements are Anthony B. Lamb of Carrboro and Kenneth Glusman of Fayetteville, graduates of the UNC School of Law.

Just which higher court the appeal will go to has not yet been decided by the Attorney General's office, Vantor said.

"Since the case involves important constitutional issues, it will probably go to the State Supreme Court," he said.

He said Superior Court Judge E. Maurice Braswell indicated early last week following oral arguments that the university would lose the case. The University asked Braswell to stay the execution of his order and to include in his decision the notice of appeal by the University.

Braswell's decision, filed Friday, included the notice of decision and delayed the implementation of the order striking down the relevant sections of the ordinances.

The University has 55 days from the date of the decision to file arguments with the appropriate court for appeal.

Vantor said a motion will most likely be filed with the State Court of Appeals asking that the case be sent to the Supreme Court.

The plaintiffs, Lamb and Glusman, will have 30 days to file counter-arguments after the University files arguments.

The original regulation voided by Braswell requires that a student maintain his residence in the state for six months before enrolling "exclusive of any time spent in attendance at any institution of higher education."

Since the court suit began, however, the N.C. General Assembly has changed the residency period from six to 12 months. This change in the length of the residency requirement has no material effect on the court's decision.

Who is effected by the change in the residency period is still a moot point, Lamb said.

The regulation struck down in the decision forced students to drop out of school to achieve resident status for University tuition purposes.

The validity of charging a residency differential and constitutionality of a required length of residency were not issues in the case, Lamb said Sunday.

The required length of residency has been approved by several Supreme Court decisions, Lamb added.

The other regulation voided in the case forced a wife's residency to follow that of her husband's for tuition purposes. Lamb and Glusman argued that the regulation unconstitutionally discriminates against men in not allowing the husband's residency to follow his wife's as well as vice versa.

Braswell agreed with the argument, saying the rule was based on an out-moded concept of common law.

'Concrete proposals' forthcoming

SG reorganization report due

by Jessica Hanchar
Staff Writer

A proposed amendment to the Student Constitution which could radically change the structure of the legislative and administrative branches of Student Government (SG) will be completed in about a week, according to the chairman of a group studying SG.

Jay Strong, chairman of the Presidential Commission on the Goals and Organization of Student Government, said the proposal would streamline SG organizations, make some budgetary

changes and guarantee representation of women, blacks and graduate students in SG.

The commission will submit the completed proposal to Student Body President Joe Stallings, who will determine which proposals to file with Student Legislature.

The Student Constitution provides for two amendment procedures — action by Student Legislature or initiation by the student body.

The commission has been systematically investigating problems of SG since it was formed last September to

recommend alternatives and definite changes in the present system.

"We are determined not to let this commission make vague recommendations," Strong said. "The members were dedicated from the start to produce some concrete proposals that would provide something definite as far as recommendations go."

Stallings' appointments to the commission were made of students from all areas of the campus, including black, white, male, female, Greek, residence college, graduate, undergraduate, on-campus and off-campus students.

Sex counseling group expands hours, service

by Norman Black
Staff Writer

UNC's sex counseling service has expanded its hours of operation and now offers additional counseling in the areas of homosexuality and abortion.

Robert Wilson, director of the Human Sexuality Information and Counseling Service and co-chairman of the Human Sexuality Committee, said the operation is being expanded to meet the demand from students.

According to Wilson, the 26 people now serving as counselors have completed training in the area of homosexuality counseling, and two homosexuals have been added to the staff to aid people who have problems or questions concerning homosexuality.

Wilson said 11 counselors have been trained to handle abortion counseling and

referrals. The human sexuality service will provide information on all procedures and will counsel any age person, regardless of whether the person is a student at UNC.

The information service is now prepared to offer information on types and costs of abortions, pregnancy verification, doctors in other N.C. cities who will give pregnancy tests and abortions, alternatives to abortion and clinics available across the country.

The service has also expanded its counseling hours from last semester. The service will be open for calls or appointments from 11 a.m. to 5 p.m. and 7 to 10 p.m. Monday through Friday.

Wilson said an answering service will be in continual operation by next week, and the service will offer hours on the weekend within a few weeks.

The Human Sexuality Information and Counseling Service is also seeking 10 more volunteers to be trained this semester as counselors. Volunteers who are accepted will be trained by counselors and professionals to replace those who graduate in May.

Those interested in serving as counselors may pick up applications today in the Human Sexuality Counseling office, Suite C, Student Union.

The human sexuality service began last October and has averaged 10 calls or walk-ins a day, dealing with numerous problems of human sexuality. The service works with seven doctors from the Student Health Service who are on call whenever needed.

The number to call for human sexuality information or to request an appointment is 933-5505.

UNC football: part two

Carolina: football versus academics

(Editor's note: The following story is the second in a five-part series on UNC football. UNC offensive tackle George Simpson first published this series in the Winston-Salem Journal. Simpson has amended the story for The Daily Tar Heel.)

by George Simpson
Special to the DTH

The greatest problem facing any college football player is the conflict of interests between playing the game and his academic work. At times, the two are incompatible, creating pressure and tension for the player.

I asked 44 members of the present varsity football team at North Carolina if they felt football interfered with their academic work? Thirty-five answered YES, and six said NO; one player said "sometimes" and two did not answer.

The overwhelming majority who said YES felt football takes up too much

time, and the remainder complained it is too physically or mentally tiring.

During the season, football-related activities can consume four hours per day and even more time if a player is injured and requires extra treatment. Practices, as a rule, are not really exhausting but they are time-consuming and, coupled with the mandatory 11 pm curfew Coach Dooley maintains, leaves the player precious little time to study or attend functions on campus.

Of 44 players responding to the survey, 29 felt they would make better grades if they did not play football. Asked why, their answers ranged from "I'd have more time to study" to "I could take more enjoyable courses." Whether they would spend that "more time" studying is open to speculation.

Realizing the time-consuming nature of playing football the athletic offices maintain a sizable stable of tutors to aid players in their work. Players with quality

point averages below a certain mark are required to attend a supervised study hall in the evenings. But all these measures are in vain if the player will not put out the effort to make his grades. Unfortunately, most of the players are unwilling to make that effort because there is an easier way out — cheating.

Players complain that after hard practices, especially during spring practice, that they don't feel much like studying. They are too tired and they have so little free time, they'd rather relax than study. So many players go to elaborate lengths to find ways to cheat on tests and papers because they haven't prepared properly. Perhaps the most depressing statistic on the entire survey was that out of 44 players responding, 41 freely admitted to having cheated in class. The reason most often given was, "I didn't have time to adequately prepare." And the ratio is probably in line with the rest of the student community's cheating.

Although an honor court office several years ago told the team that football players on trial comprised ten per cent of their cases that year, most players feel the risk is not so great to deter them from cheating. And those who consciously might want to refrain from such practices often feel obligated to help teammates with classwork even though it involves dishonesty. Out of 44 responses, 25 players gave reasons like "They'd help me so I'm willing to help teammates" or "We're all in this together and it helps team unity" as reasons why.

The days of the proverbial "dumb jock" are for the most part over, and players are intelligent and quite capable of doing college-level school work, but if he is to perform within the honor system at UNC, a player will find himself severely pressed for time and consequently the scope of his educational experience will be restricted and narrowed. Between playing ball and

legitimately doing class work the student-athlete would exhaust the entire day with little or no time for extracurricular activities like club meetings, seminars, films or visiting lecturers. It is often said one learns more out of the classroom than in one while at college and it is quite true. Therefore restricting players to football and studying is grossly unfair and might be valid rationale for players cheating.

Not only is lack of time a disruptive element on the road to higher education for the football players, the problem of "pressure" is constantly present, especially during the season. The primary reason players gave when over half who responded to the survey said college football is definitely too "professionalized" was there is too much pressure and emphasis on winning. Everyone expects a football program at any school to be geared to winning but few realize the enormous amount of

pressure on players as a result of sincere belief in that adage. "Winning is not the best thing... it's the only thing."

Competition is so keen on the football team that players will skip class to rest up for practice, or will cut class because they are injured and it is painful for them to move about. And the coaches' attitude only adds to the problem. Three players said they weren't receiving a "good education" because the coaches made them feel football was more important than their school work and they weren't able to concentrate on both.

One of the first things the coaching staff will tell a player at UNC is that his education is more important than football. But every week during the season, long about Wednesday or Thursday the coaches tell the players, "Get everything else out of your mind and think only about so-and-so."

See Widespread, p. 5

Students organize to draft Sanford

A group of college students from across North Carolina have begun a drive to draft Duke University President Terry Sanford for President of the United States.

A drive to get 10,000 names on a qualifying petition for the May N.C. Presidential primary will begin on campus today, according to organizer Bill Blue, a UNC law student.

Tables will be set up near the Information Desk in the Student Union and in the Y Building lobby from 10 a.m. to 3 p.m. to collect signatures.

Weather

TODAY: sunny and cold; highs in the upper 30s, lows in the teens; little or no chance of precipitation.

The official kick-off for the state-wide drive to collect signatures will be at a Thursday press conference in Chapel Hill with leaders of the campaign.

Developing an organization for the Sanford drive across the state is already underway, Blue said. Students on every campus in the state are being organized to spearhead the petition drive.

Organizing in other states for Sanford's presidential bid is also in the preliminary stages, he said.

The state petition to qualify Sanford for the state preference primary has been approved as to form and legality by Alex Brock, chairman of the State Elections Board. Blue said approval of the petition came from Brock's office in Raleigh last week.

Sanford, a former N.C. governor, did not know of the campaign to draft him for the presidency prior to published reports of the drive.

Sanford has made no public comment on the drive.