

It should be rainy and cold this afternoon and tonight with the temperatures dropping to 20. Thursday should be clear and slightly warmer.

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Today is the last day to drop a course or to declare pass-fail. Completed forms should be taken to Hanes basement before 5 p.m. And later tonight the sixth-ranked Heels take on Maryland in Carmichael. See page 5.

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Court ruling may force big changes

From Staff and Wire Reports

A federal appeals court ruling that stated the University of North Carolina is guilty of reverse discrimination may have broader implications for North Carolina beyond its effect on the University.

The 4th U.S. Circuit Court of Appeals on Monday reversed a lower court decision that minority representation programs in the student government and on the Honor Court were acceptable.

"There certainly could be some further implications to the ruling," said Andrew A. Vanore Jr., chief deputy state attorney general. "There are other provisions for minority representation based on the same principle."

"It is my understanding that a number of public elementary and secondary schools there are minority-representative provisions not only on the student government but also with respect to cheerleaders and other things," Vanore said. "This case could have some effect on those situations."

Another lawsuit currently pending in federal court concerns a provision requiring minority representation on the UNC Board of Governors.

UNC officials have made no statement, but there is a possibility they will appeal the ruling to the U.S. Supreme Court. Until the University decides whether to appeal the decision, the minority representation rules will remain in effect, said Susan Ehringhaus, assistant to the UNC chancellor.

"The matter is being discussed seriously now, but we haven't seen the opinion," Ehringhaus said.

The case was filed in 1974 by Lawrence A. Uzzell and Robert L. Arrington challenging the regulations that relied solely on racial criteria. They contested the requirements that the Campus Governing Council, elected by the students, have at least two persons of a minority race, and that any student being tried by the Honor Court be entitled to be judged by a panel that included four of the seven judges from his or her race or sex.

Last year, Richard Kania and William G. Head III, currently students at UNC, joined the suit as plaintiffs.

"Of course I was happy to hear it (the decision)," Kania said. "It represents just one step in a long process needed to stop racism."

The representation of the CGC may be affected, since its only minority member was appointed by Student Body President Jim Phillips. The Honor Court, however, will remain basically unaffected, according to Suzie Mitchell, student attorney general.

"The only thing that will happen is the particular right (to have a majority of members of one's race or sex as judges) will have to be deleted," Mitchell said. "But, the makeup of the court will not be changed."

Most of the cases that come before the Honor Court do not have a student requesting a panel of judges of his own race or sex, Mitchell said. Furthermore, most of the cases that have been decided by a minority court are close to the same decisions arrived at in a similar case by a non-minority court.

"The rulings of the minority courts have been consistent with the rulings of courts in general," said George Maxwell, chairman of the Undergraduate Honor Court.

The ruling will not cause changes in any fundamental rights students now have under Honor Court provisions, Mitchell said.



From left: Reid Tuvim, Dinita James, Allen Jernigan and Sharon Clarke ...DTH' candidates Tuvim and Jernigan with aides at forum

Schedule mixups

Few attend candidate forums

By EDDIE MARKS
Staff Writer

Campus candidates took their campaigns to the dormitories Monday night, but lack of publicity or lack of interest caught most residents unaware.

A group of about 15 candidates for campus offices and their campaign workers showed up at 7 p.m. Monday in Cobb for the first in a series of meet-the-candidate forums sponsored by the Residence Hall Association. But none of Cobb's residents was waiting to meet them.

A poster in Cobb lobby listed the starting time for the forum as 7:30 p.m. so the candidates sat and waited. At about 7:40, six residents wandered in.

A forum for the women's Triad was scheduled at 9 p.m. in Kenan lobby but once again the time advertised in the dorms was a half hour later. Once again the candidates sat and waited. This time about 20 residents showed up.

RHA President Don Fox said a breakdown in communications was responsible for the schedule mixups and sparse attendance.

"We (RHA) just didn't do what we should have done for publicity," Fox said. "We switched the date for some of the forums too late. But I don't think there should be any problem for the rest of the forums."

Most of the candidates said they felt the forums suffered from lack of publicity.

"I think the students are interested in these forums, but they didn't hear about them," said Matt Judson,

candidate for Carolina Athletic Association president. "I didn't even hear about them until two days ago."

Bob Cramer, candidate for senior class vice president, said the forums need better organization.

"There was no advance preparation," Cramer said. "The turnout was too low. This is the best way possible to meet the residents if the organization is better."

But the residents who did show up at the forums were interested in what the candidates had to say. Several took notes and asked questions at the end.

Three candidates for student body president attended the forums. Chris Mackie and J.B. Kelly were at the forum in Cobb. Kelly and Richard Klimkiewicz were at the Kenan forum.

Kelly said he planned to concentrate on academic issues.

"A lot of people talk about grade inflation," he said. "But the reason grades are inflated is that the quality of education remains constant while the quality of students increases."

Mackie said he would concentrate on the student housing shortage.

"I would like to open the dorms two days early," he said, "so that all the people who don't have a place to live could come back to the dorms for two days and get a head start on looking for housing."

Klimkiewicz said he wants to get more people involved in Student Government.

See EMPTY on page 2

Sets new criteria

Court strikes down rule barring votes

By JACI HUGHES
Staff Writer

is not domiciled in the place where the college is located. The court upheld that presumption in its Monday decision.

The state Supreme Court Monday overturned a lower court order that would have purged 2,000 student voters from the Orange County voter rolls and at the same time established new criteria for determining a student's legal residence for voting purposes.

The court's ruling also sent a lawsuit by members of the Orange County Conservative Group, back to Wake County Superior Court, overruled an order requiring Orange County elections officials to administer a questionnaire to students registering to vote.

In a unanimous decision, the court ruled that a student can be considered a local resident for voting purposes if "He has abandoned his prior home, has a present intention of making the college town his home and intends to remain in the college town at least as long as he is a student there and until he acquires a new domicile (residence)."

Two justices, who were not members of the court when the case was heard in September 1978, did not vote in the decision.

The 42-page opinion, written by Justice James G. Exum, states that registrars are not bound by a student's statement that he intends to reside in the college town and that registrars may ask additional questions to determine a student's domicile.

In the opinion, Exum said recent U.S. Supreme Court cases involving student voting and domicile convinced the court that a student who intends to remain in his college community only until graduation "should not for that reason alone be denied the right to vote in that community."

Exum added that the recent Supreme Court decisions may require a modification of the N.C. Supreme Court's 1972 ruling in *Hall v. Wake County Board of Elections*. The Hall ruling has, until now, served as the state's model for cases involving student voting.

The Hall case concerned a student at N.C. State who was denied the right to vote in Wake County by elections officials there. Susie M. Sharpe, who is now chief justice of the state Supreme Court, wrote the opinion in that case.

The Hall decision included a criterion that there is a presumption—which may be rebutted—that a student who leaves his parents' home to go to college

Kitchen Josey, attorney for the Orange County Conservative Group, said Tuesday he had not received a copy of the decision. "Judging from what I've heard and read in the newspaper, it (the decision) adds some things to the Hall case and makes it less strong," Josey said. "It is certainly a little broader and I believe more liberal than the Hall case would indicate. And it does make it a little less burdensome on the student (to prove domicile)," he said.

The student voting controversy dates back to February 1978 when members of the Orange County Conservative Group filed suit in Wake Superior Court charging that the Orange County Board of Elections was allowing students who were not residents of the county to vote.

In March 1978, Superior Court Judge James H. Pou Bailey ordered the elections board to check its voter rolls against UNC registration records and remove all full-time students from the rolls who listed a home address outside Orange County.

Bailey also ordered the county elections board to administer a specific questionnaire to students to determine their domicile. The questionnaire was never used because the N.C. Court of Appeals stayed Bailey's order in April 1978. The questions included: "Would you be living in this university town if the school were not here? For what purposes other than attending school are you in this college town? Where do you maintain banking and business connections? Have you listed taxes in Orange County?"

Joseph Nassif, elections board chairman, said Tuesday night the Supreme Court's decision would not affect registration procedures in Orange County. "We don't intend to change anything," Nassif said. "It (administering questionnaires) is not required (by the state elections board). We maintain the use of questionnaires is illegal."

Josey said the Orange County has not lost its case yet because the Supreme Court remanded the case back to Wake Superior Court. "The case itself never really left Superior Court. It was never really tried in full. Only the questionnaire and the purge was before the (Supreme) court," Josey said.

"I think we obviously did have a chance (in Wake Superior Court) before this case was written. It depends on how strong or weak the language is (in the decision)."

ERA introduced in both houses; picks up steam in Senate

By TERRI HUNT
Staff Writer

The Equal Rights Amendment, defeated three times in the General Assembly, was introduced Tuesday in both chambers of the legislature, and its supporters say they are becoming more optimistic as each day passes.

"We've got the votes, because I'm confident we'll be able to sway the undecided votes to our side," said Senate President Pro Tem Craig Lawing, D-Mecklenburg. "I expect we'll be ready to vote on it by next Thursday or Friday."

Lawing filed a bill for ratification of the amendment, with 20 co-sponsors, with the Senate principal clerk on Monday, and the bill was officially introduced in the Senate on Tuesday. It now must be reviewed by the Senate Constitutional Amendments Committee.

In the House, Rep. George Miller, D-Durham, filed a companion bill in the House clerk's office for

formal introduction today.

Before the bill could be introduced in the Senate, committee chairman Sen. Cecil Hill, D-Transylvania, called a public hearing on the amendment to be held next Tuesday at 3 p.m. in the auditorium of the Legislative Building. The House Constitutional Amendments Committee, which will receive the House version, joined the Senate panel in calling the hearing.

In recent days, support for ERA has picked up momentum, gaining favorable votes from four previously uncommitted senators.

"Originally, we had wanted to wait until we got the 26-vote majority needed in the Senate, but why wait when we feel confident we've got them now?" Lawing said.

Gov. Jim Hunt, traveling in Switzerland on an industry-hunting trip, issued a statement Monday night calling for ERA's ratification.

"I hope very much that ERA will be ratified in North Carolina this year, because I believe strongly,

as does my wife, that it will result over time in us valuing women in our society more," Hunt said. "We do not presently show enough appreciation for women who choose to be full-time mothers and homemakers. I believe ERA will help us do that, both legally and in terms of attitude."

While attention is focused on the Senate, some supporters worry that the House vote is being taken too lightly. In 1977, ERA passed the House by a 61-55 vote and most forces expect a similar outcome during this vote.

"People have almost forgotten about the House vote, because the press has concentrated on the Senate," said Rep. Irish Hunt, D-Orange. "That's where all the attention is, but we've still been doing the work in the House. We're not taking anything for granted. We hope to push the bill through both houses at about the same time, but we would prefer it get through the Senate first."

"There is a danger," said House Speaker Carl Stewart, D-Gaston, and ERA supporter. "The vote

in the House is likely to be closer. The issue is still in doubt. I believe there are 56 votes each way, and eight undecided. It's just as close in the House as it is in the Senate."

However, the Senate still remains the primary concern of both opponents and supporters of the bill. Most estimates claim 23 firm opponents, 22 supporters and five uncommitted.

Both sides agree the uncommitted senators will make the difference. Those uncommitted are: Joe Thomas, D-Craven; Joe Palmer, D-Haywood; Billy Mills, D-Onslow; Walter Cockerham, R-Guilford; and R.C. Soles, D-Columbus.

"Sure, lots of people from both sides have talked with me," Palmer said. "But there hasn't been a lot of formal lobbying going on. I'm sure now there will be plenty of it."

"We're taking nothing for granted in either house," Lawing said. "There are 50 people over here (in the Senate) who must vote, and they need people who support ERA yelling at them to give it a positive vote."

Black admissions issue progress good, but slow

By THOMAS JESSIMAN
Staff Writer

Last fall, people heard a great deal about Hayden B. Renwick, assistant dean of the College of Arts and Sciences, and his charges that the University discriminates against blacks in its admissions policies.

Since that time, the public discussion has died down, but private talks have continued. Representatives of the Black Campus Cabinet met with Chancellor N. Ferebee Taylor Jan. 25 about admissions, and both sides say prospects for progress look good.

The meeting was constructive, Taylor said Thursday.

Allen Johnson, Black Student Movement chairman and a member of the caucus, said last week in a separate interview. "The dialogue was good and maybe we might have moved an inch forward. I'm glad he (Taylor) consents to the dialogue." But the problems of black admissions are far from solved, Johnson said.

"There are some serious discrepancies in some of the figures the admissions office has released since 1972," Johnson said. "There could be a logical explanation for those mistakes, but right now we don't have an answer.

"We need to clarify and find out what is really reliable. I'm implying that they (admissions) ought to take better care of and put more effort into their record keeping."

Johnson was unwilling to release some of the figures he had spoken of with Taylor. "It's hard to tell where you have been when your records are so shoddy. I can't handle all that information being spewed around, and none of it's synchronized."

Taylor refused to comment on the alleged discrepancies Johnson mentioned. "I will not comment substantively on this matter while it is in the hands of the Faculty Advisory Committee on the subject."

"As far as I am aware," Taylor said, "the committee has been given full and accurate data and information pertinent to the subject."

Taylor asked the 11-person committee last Nov. 2 to clarify and make recommendations regarding the University's admissions policies.

Johnson said he feels like a tennis ball being knocked back and forth between sources. He said he wishes he had been able to arrange for Taylor, Renwick and others to sit down together to discuss the issues.

Johnson said he is baffled by Taylor's



BSM Chairman Allen Johnson (left) and members of the Black Campus Cabinet met Jan. 25 with Chancellor N. Ferebee Taylor (right) to discuss black admissions. Both say the talks were constructive and a move in the right direction.

desire not to have such a meeting and frustrated at not being able to make progress with the matter.

Taylor said he sees no need for such a meeting. "The committee has met with a number of persons, and I believe that among the persons they met with was Dean Renwick."

Both Taylor and Johnson had praise for the supportive services program



offered by the University. "I believe the operation in the office of the dean of the College of Arts and Sciences, which has been headed up by Dean Renwick, has been a useful program," Taylor said. "So much so that we added for this fiscal year another \$25,000 to the dean's budget in support of the program."

See PROGRESS on page 2

Rules change probable; Press building possible

By TYRE THOMPSON
Staff Writer

Architectural changes in plans for the new UNC Press building may earn University officials a second chance to apply for a Certificate of Appropriateness from the Chapel Hill Historic District Commission.

Last October, the commission denied the University a Certificate of Appropriateness, which is required to build in the historic district saying the Press building did not blend with the neighborhood setting. A lawsuit between the town and University appeared imminent until the two agreed last month to negotiate a compromise.

Commission chairman Joe Herzenberg said Monday it's likely the commission will approve a change in the rules of procedure that would allow UNC planners a chance to reapply for certification.

Bob Anderson, the Press building's architect, explained the design changes during an informal meeting of the Historic District Commission and University officials Monday. The changes include:

- Sharpening the roof and changing its composition to blend better with neighboring buildings.
- Making the building appear less

horizontal by changing some windows and the landscaping.

According to City Planner Liz Rooks, the commission is not able to reconsider denied requests for a Certificate of Appropriateness. The proposed change in the rules of procedure would allow the commission to reconsider requests on projects of this magnitude.

Gordon Rutherford, director of University planning, says he is optimistic about receiving certification. He said an adjustment in the commission's certification procedure is necessary and will not only benefit the University.

"If it had not been this project, it could have been a sorority house," Rutherford said. "Their whole process will be strengthened because of it (the rule change)."

The passage of the rules change does not automatically guarantee the University a Certificate of Appropriateness. Commission members were non-committal on whether they would issue the Certificate of Appropriateness.

The Commission will consider the rules of procedure change at its regular meeting Thursday night. If the commission grants the University the reconsideration, officials indicated they would reapply at the commission meeting Feb. 22.