

Same old song and dance from Gephardt — p. 4

Eurythmics new album savagely pleasing p. 5

Lady Raiders pound UAH, Raiders on ESPN — p. 6

MIDDLE TENNESSEE STATE UNIVERSITY

# SIDELINES

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Serving the campus community since 1925

Friday, February 5, 1988

## Allegations fly in Harvey incident

By D. BRIAN CONLEY  
News Editor

Last semester's disappearance of Harvey the totem pole opened up verbal arguments between Tennessee Tech's Student Government Association president and MTSU's Associated Student Body president, *Sidelines* has just learned. However, the instigator of the arguments has not been determined as accusations of uncooperation in recovering the pole have flown between the respective student officers.

"She stormed into my office and she stormed into the university president's office," Tech SGA Pres-

ident Ray Windor said of MTSU ASB President Holly Lentz.

But Lentz said it was Windor, not her, who was "uncooperative" in the matter.

"I did not storm in there," Lentz said. "Frankly, I went in there on quite friendly terms and, in turn, he was quite uncooperative."

Harvey was supposed to be given to the winner of the annual MTSU-Tech football game, but he was stolen a few years back.

Last semester Lentz learned Harvey (Shinny Ninny to the Tech community) had been found after his long absence. He was on the Tennessee Tech campus. Lentz

travelled to Cookeville to recover the pole.

What happened next is subject to argument.

"When she first came to my office I thought she was on a social visit," Windor said. "She was wanting her totem pole back and she was in a huffy situation, I guess."

**"I did not storm in there"**  
ASB President Holly Lentz

"But, you got your totem pole back so I assume she's happy," Windor said, speaking of the return of Harvey in December.

"She was a little steamed when she came down here and I don't

think I would act that way," he added. "I'm not trying to bad mouth her or anything. If she feels that's the way she needs to act to get her totem pole back that's her business. It's her prerogative to do that."

Windor alleged Lentz barged into his and TTU president Angelo Volpe's offices.

get on the phone and do this, do that.

"I don't think that would be right."

However, Lentz said Windor has the story all wrong.

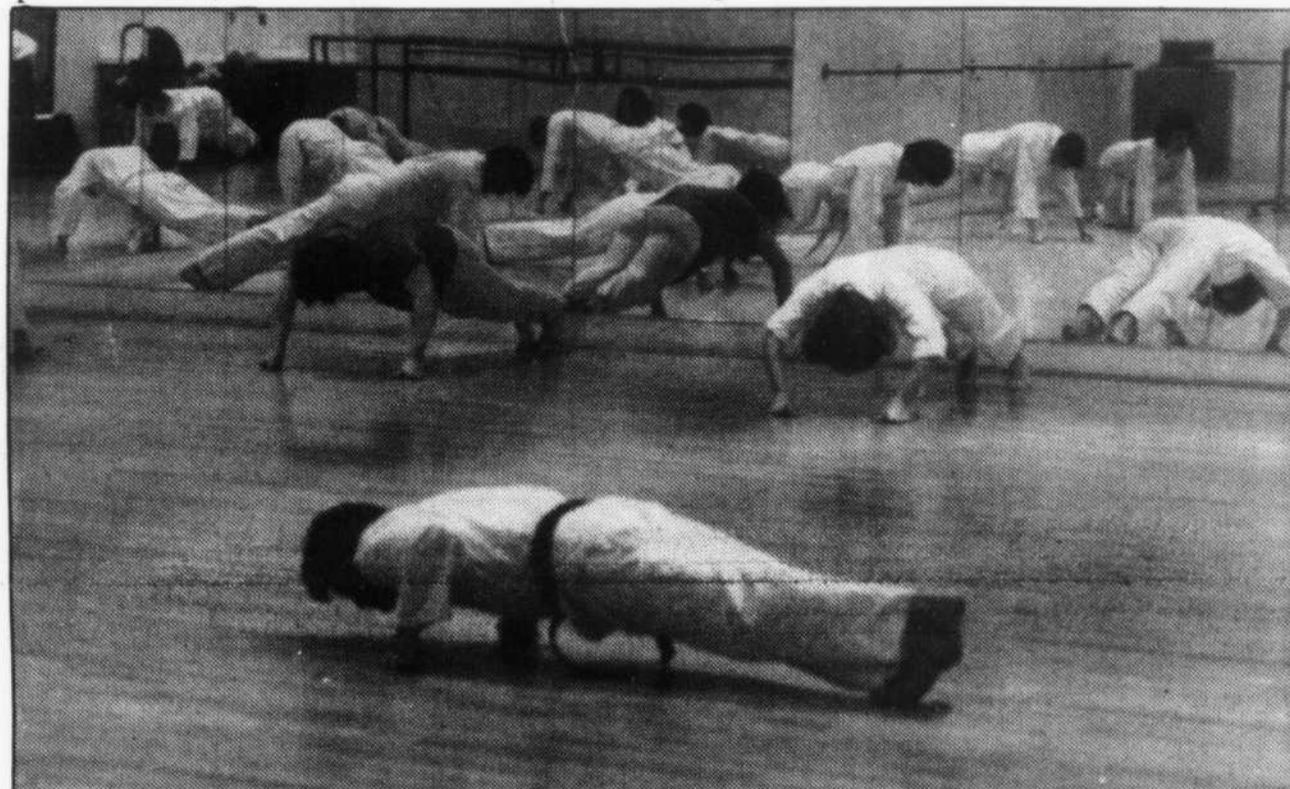
Lentz said she went to Windor's, Volpe's and the R.O.T.C. offices to find Harvey, who was being held in the R.O.T.C. office.

"When I got no cooperation there, I talked to everyone who was involved in it and no one seemed to want to take responsibility for it so I left," Lentz said. "I told them that I would have a warrant sworn

Please see **Harvey** page 2



ASB President Holly Lentz



Wayne Cartwright/Staff

**Uh, one anda, two anda ...**

Karate expert Bill Taylor leads members of the MTSU Karate Club in warm-up exercises before beginning practice in Murphy Center Tuesday afternoon.

## Greek GPAs drop in relation to other students: Cantrell

By D. BRIAN CONLEY  
News Editor

Grade point averages of fraternities and sororities on campus took a non-traditional swing in the fall of 1987, officials said.

The all-fraternity GPA was 2.19 as compared to the non-fraternity GPA of 2.31, a report filed by Dean of Students Paul Cantrell states.

A report filed by Judy Smith, associate dean of students, shows sorority and all-women GPA's at 2.58.

"Fraternity grade point averages are traditionally above the non-fraternity grade point averages," said Cantrell, who supervises the fraternity system. "That has been the case for several years."

Cantrell did add the all-fraternity GPA dropped below the non-fraternity GPA for the first time in spring 1986.

"A part of the fall [average] might have been the rushes and pledges for the first semester," he said, noting that pledge averages dropped from 2.40 to 2.18 for the fall.

Beta Theta Pi had the highest average GPA with a 2.47, the report states.

The three smallest fraternities in population also had the three lowest GPA's, the report shows. Omega Psi Phi, with 4 members, had the lowest average at 1.33.

A total of four fraternities had

GPA's below 2.00, the report states. They are Delta Tau Delta, Phi Sigma Beta, Alpha Phi Alpha and Omega Psi Phi.

There were no sororities with GPAs under 2.00.

Disciplinary action can be taken against fraternities or sororities who fall below 2.00 for an extended period, Cantrell said.

"There could be restriction of activities," Cantrell said. "After the

Please see **Greek** page 3

## Discussions highlight Black History Month

From Staff Reports

Several discussions highlight Black History Month activities at MTSU to be celebrated in February, said Ted White, director of minority affairs.

"The purpose of Black History Month is to further educate the MTSU campus to the achievements and contributions of black Americans to our society," White said. "There will be several movie presentations, skits and discussions."

The activities include:

● A lecture and discussion by MTSU Psychology Professor Forrest Toms on "The Psychology of the Black Experience: Historical and Cultural Perspective" in Room 305 of the Keathley University Center, Feb. 10 at 7 p.m.

● A lecture by Tennessee State University History Professor Bobby Lovitt on "The Meaning of Black History Month: Achievements and Contributions of Black Americans" in Room 322 of the Keathley University Center at 7 p.m.

## Gephardt must overcome image problem

By M.A. BROWN  
Editorial Editor

Democratic presidential hopeful Richard Gephardt is a presidential candidate who has an image problem.

The Missouri congressman has spent most of his campaign in the middle of the pack of "seven dwarfs" and seemed to be trapped.

Some voters seem to think that Gephardt is a boring candidate. A man who rehashes the same political slogans.

### News Analysis

into Washington politics to make any changes.

Although Gephardt is trying to distance himself from his congressional work, his accomplishments while in the beltway are the centerpiece of his campaign.

Gephardt takes great pride in claiming credit for "laying the ground-work for the historic Tax Reform Act of 1986" by introducing the Bradley-Gephardt Fair Tax Act into the House of Representatives in 1982.

This act was co-authored by Gephardt and fellow Democrat Rep. Bill Bradley.

Gephardt also holds up the Gephardt Global Market Access Amendment as the basis for his foreign trade policy if elected president.

This amendment, which Gephardt has pushed through the House, would levy stiff penalties against countries that continuously run high trade surpluses with the United States.

This schizophrenic approach to campaigning may pay-off for Gephardt in the long run. An early win in Iowa could give his campaign the boost it needs to keep running until Atlanta.

To become a presence at the Atlanta convention in July, Gephardt has to separate himself from the other Democratic candidates.

Perhaps, his new "anti-establishment" stance is the way to accomplish this feat.

However, if potential Democrat voters take a stance similar to Babbitt's and decide Gephardt's new image is a farce, the candidates run for the nomination could be a very short one.

[Editor's note: this is the fifth installment of a 13 part series on the presidential candidates. Please see page four for editorial views from the right and left of the political spectrum on Richard Gephardt. Tuesday's article will feature the Rev. Pat Robertson.]

## English professor nominated for Grammy

By CHRISTOPHER BELL  
Managing Editor

Charles K. Wolfe, an MTSU English professor, has been nominated for a Grammy in the Best Album Notes category.

The nomination, for Wolfe's work on the "The Bristol Sessions" album, is his third nomination by the National Academy of Recording Arts and Sciences.

Wolfe was nominated on Jan. 14 with the award ceremony taking place March 2 in New York.

The record, a double album released by the Country Music Foundation, is a collection of music originally recorded by RCA/Victor in 1927 in Bristol, Tenn. Also nominated for a Grammy is the album's producer, Kyle Young, deputy director of the CMF.

"This was the first time a major record company [RCA/Victor] from New York has come into the South and really encountered southern folk music," Wolfe said of the sessions. "They had done some experiments before, but this time they ran head on into the wide range of music the Tennessee area had to offer."

"This is the first time anyone writing notes for a folk or country album has gotten this far," Wolfe said. "Most of the members voting

live in New York or L.A. They just don't understand folk or country music."

Wolfe has twice before been nominated for Grammys. Once for production on "Tennessee Folk Heritage: The Mountains" and

again for "Laugh Your Blues Away," both in the Best Folk Music category.

Wolfe is not the only MTSU staff member to receive a Grammy nomination. Paul Wells, director of the Center for Popular Music, has

produced three albums nominated for awards.

Wolfe has also written album notes for a wide variety of record labels, ranging from Rounder Re-

Please see **Wolfe** page 2

**Super**  
  
**Tuesday**  
COUNTDOWN  
Fifth in a series

However, recently Gephardt has tried to change his image by becoming the "anti-establishment" candidate of the Democratic party.

This strategy seems to have paid off. Recent polls of potential voters in the upcoming Iowa Caucuses show that Gephardt is the newest frontrunner in the state.

This new strategy has created much chagrin among Gephardt's fellow Democratic candidates, especially former Arizona Governor Bruce Babbitt.

Gephardt has received some harsh criticism from Babbitt this week. Babbitt feels it is preposterous for Gephardt, a multi-term member of Congress, to claim he is a Washington outsider. According to Babbitt, Gephardt is too deep



Wayne Cartwright/Staff

English Professor Charles Wolfe, a Grammy nominee for writing liner notes to a folklore album, uses an original Victor Talking Machine to listen to a recording of violin music made in 1910.

# KDF's Shannon to judge pajama contest

By TONY STINNETT  
Editor in Chief

"Shannon, the most popular female disc jockey in Middle Tennessee," has committed to take part

in the upcoming pajama party, Feb. 12, according to Don Parente. Shannon will be representing KDF 103.3 FM as one of four judges for the event, Parente said.

Parente, special assistant to the president in charge of sports promotions, has set Feb. 12 aside as the night of the pajama party. Feb. 12 is also the night that MTSU will host Eastern Kentucky in an 11 p.m. ESPN nationally televised game.

"We are very excited about the idea of the pajama party," Parente said. "It gives the students a chance to show their spirit and at the same time have a chance to appear on national television."

Joining Shannon on the judges panel will be Glenn Himebaugh, a professor in Mass Communications, a representative from Sidelines and a representative from the Interfraternity Council and Panhellenic, Parente said.

Wolfe from page 1

cords to RCA.

"I had written quite a bit about the music, books and articles, and it was a natural extension," Wolfe said. "I try to approach music as if it were a type of literature."

"Folk music is the most important element in American pop music," Wolfe said. "The blues, the sound, the use of the guitar — all of that stuff came out of southern folk music. I think the Bristol sessions prove that."

Country music legends like Jimmy Rodgers, the Carter Family and Pops Stoneman made their first major records during the Bristol sessions, but country wasn't the only type of music recorded.

"There was gospel, fiddle, folk tunes, vaudeville, blues and every time of music you could think of," Wolfe said. "One of the things we found out while doing this was that this was probably the first time a white musician and a black musician had recorded together...there was a black harmonica player who recorded with a white guitar player."

"In many ways I think it probably changed the direction of American popular music," Wolfe said. "Had the big companies decided not to go in and record Southern music [then] what we know as popular music today would be drastically different."

Judging will take place in five categories with \$50 worth of prizes for first place and \$25 in prizes for second place.

The five categories are: traditional, exotic, best-dressed, funny and best-group of five or more, Parente said, adding that males and females will compete separately.

Parente said that judging will take place in Dance Studio A in Murphy Center at 9:30 p.m.

All participants in the pajama party will be called onto the floor at half-time and winners will be announced at that point, Parente said.

Harvey from page 1

out for their arrival if they didn't return him since he did belong to us.

"I would say they are the ones who were conducting themselves in a very unprofessional fashion," she added.

Windor said he wished things could be friendly.

"I hate that it can't get back into tradition because there are so many people on both campuses who do not know what it is," Windor said. "I wish we could get it swapping back and forth between the SGA's and be put in display forever."

Volpe declined comment on the incident saying it was a student matter.

## Campus

### Briefs

#### Midlander editor selection delayed

A Student Publications Committee meeting to name the 1988-89 editor of *Midlander* has been postponed due to the failure to meet a quorum.

A meeting has been scheduled for 3 p.m., Thursday, Feb. 11 in the Vice-President's conference room, to vote on the editor's position and to consider next year's Student Publications budget. All committee members should attend.

#### ASB presidential election date set

Qualifying petitions for Associated Student Body president, speaker of the House, Senate and Senators will be available in the ASB office, Room 304 of the Keathley University Center, beginning Feb. 10.

The elections will be held March 2 and March 3 in the Keathley University Center and Peck Hall for all positions.

Deadline for filing petitions is 4 p.m. Feb. 17 with active campaigning beginning Feb. 21.

#### Placement slates teacher week

The Placement Office is sponsoring Teacher Recruitment Week Feb. 22 to Feb. 26 for graduating education majors and graduate students interested in teaching in the public school systems, officials said.

Interviews will be conducted throughout the week by representatives from 12 different states and 58 public school districts, said Martha Turner, director of the Placement Office.

Tennessee will have 12 school districts represented, including the Nashville Metropolitan Public School System.

Interested students may sign up for interviews beginning Feb. 8. For more information contact Turner at the Placement Office in Room 328 of the Keathley University Center.

By Susan Wyant

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## Campus Capsule

*Sidelines* will attempt to use this space to publish items of interest to the MTSU community. To submit items for publication, either send a typed copy of your entry to Box 42 via campus mail, or come by Room 310 of the James Union Building. *Sidelines* cannot guarantee publication of ANY item. *Sidelines* reserves the right to edit items for clarity and brevity.

Male cheerleaders are being sought by the MTSU Cheerleaders. Deadline for filing an application is today. For more information call 898-2822.

The American Society for Personnel Administration will be meeting Feb. 8 at 3 p.m. in Room 205 of Kirksey Old Main. All business and psychology majors are urged to attend.

The Honors Lecture Series presents "Error Detecting Bar Codes: What's Behind All Those Bar Codes?" by David Sutherland, MTSU department of mathematics, Feb. 10 at 3:30 p.m. in Peck Hall Room 107. The lecture is free and open to the public.

Campus Recreation will be sponsoring a winter backpacking trip from Feb. 20 to Feb. 21. Sign-ups are Feb. 15 in the Campus Recreation office. For more information call 2104.

Campus Recreation is sponsoring a mixed doubles racquetball tournament starting Feb. 22. Sign-up date is Feb. 15 in the Campus Recreation office. For more information call 2104.

The Fashion Merchandising Program is sponsoring the Cotton Patch Spring Wardrobing Workshop Feb. 8 at 7 p.m. in the Wright Music Building. For reservations call 893-4981.

The MTSU Speech-Language and Hearing Clinic and the Public Service Committee are sponsoring a one-day workshop on "Diagnostic and Therapeutic Methods for the School Age Stutterer" Friday, March 11, from 9 a.m. to 4 p.m. in Room 322 of the Keathley University Center. To register call Carolyn Shaw at 898-2661 by Feb. 19. The \$10 registration fee is waived for MTSU students.

The Association of Non-Traditional Students of MTSU will have its February General Membership meeting Thursday, Feb. 11 at 1:45 in Room 313 of the Keathley University Center.

Student Teaching Applications for the fall semester of 1988 must be completed and filed in the Student Teaching Office, Jones Hall Room 106, by no later than Feb. 12, 1988.

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# Handicapped parking violators towed: Chief

By KIM HARRIS  
Senior Staff Writer

Anyone parking in a handicapped place on campus without having the proper decal, will be towed if caught, said Jack Drugmand, chief of MTSU security.

"There is a problem and we are taking a hard, firm stand on this issue," Drugmand said. "We do tow 24 hours a day."

While he said not everyone park-

ing illegally in a handicapped spot will be caught, those who are caught will be towed—even if they are a faculty member.

Eight cars have been towed in violation of parking in handicapped spaces this week, he added.

Half of these offenders did not realize they were parking in a handicapped zone, he said.

"Some certainly did not intentionally park in those spaces. They

either didn't realize [they had parked illegally] or didn't see the handicapped mark," Drugmand said.

Faculty members have also parked in the handicapped spaces, he said, with the most noticeable problem being the loop in front of the library.

"There is no wheelchair mark in those spaces. We have a work order form and, weather permitting, we

will block off that section to paint tomorrow," Drugmand said.

Blue curbs and parking spaces are reserved for the handicapped, regardless of whether or not there is a wheelchair mark, he said.

The biggest problem has been "preferred parking."

Drugmand cited a car parked in front of the crossing from the physical plant to the art barn Wednesday morning.

"I can't feature people being so preoccupied. Had the person looked, there was ample space in the Greenland Drive parking lot 300 or 400 steps away," he said.

"If you're late for class, leave earlier," Drugmand said.

Handicapped student Jimmy Loftis said he had tried to get a parking space outside of K Apartments, only to find them all filled at 12:30 p.m. last Tuesday night.

Loftis said there were no permissive stickers or decals on the cars.

"It's not a major problem," Handicapped Student Services Director John Harris said, "in terms of students complaining to our office."

"We are not campus watchdogs, but if a person can't find a space and complains [then] it's rightfully so," Harris said.

In order to receive a blue decal for handicapped parking, a student must have a doctor's statement and a determined need.

"Based on what I've seen this year, we may have to take another look at our guidelines."

"We could get in a situation where there won't be enough spaces," Harris said.

"One of the beauties of this campus is that it is very accessible to the handicapped, being very flat in the first place," Drugmand said. "We have tried to improve upon that accessibility."



Frank Conley ● Staff  
Jim Hagle, panel moderator, and Roy Vaughn, vice president of Buntin Public Relations, show how a client and account executive work together. They were on campus for a graphics seminar Tuesday.

## Greek from page 1

first semester they are put on probation."

Cantrell said if the inadequate GPAs continue for an extended period, the fraternity's charter will be revoked by the campus or national organization.

"Most of the time the national fraternities keep a pretty close eye on that too," he said. "If their groups aren't performing well academically, they'll come in and

suspend the charter or they'll suspend all activities of the group until they get their grades up."

Sigma Nu and Alpha Tau Omega were suspended because their grades and overall performance did not adhere to standards, he said.

Phi Beta Sigma has been placed on a three year suspension by their national, Cantrell said, adding the suspension will be lifted in the summer if the grades improve. PBS has been on probation for five consecutive semesters.

Omega Psi Phi has been on pro-

bation for four semesters and "are in a restructuring program," Cantrell said.

This is the first semester Delta Tau Delta and Alpha Phi Alpha have had sub-par GPAs, Cantrell said.

Smith said the sorority with the highest GPA in the fall of 1987 was Alpha Delta Gamma with a 2.78. The lowest was Alpha Kappa Alpha with a 2.21.

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Sorry, no jokes hidden down here in the tiny type this time.

# Sidelines says don't drive while intoxicated



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Media Panel: Tracey Moore, Channel 28 News Director  
Marla Osburn, Sidelines Assistant News Editor  
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**February 23, 1988**  
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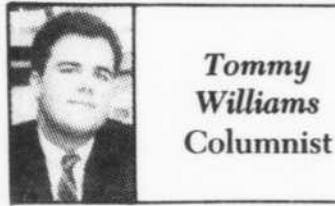
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# EDITORIALS

## Gephardt rehashes same old issues

### A View From The Left



Tommy Williams  
Columnist

Richard Gephardt's stand on issues are the same taken by many Democrats. These stands satisfy the political taste buds of many Americans. Who wouldn't agree that we need to reduce the federal deficit, promote agriculture, promote civil rights and seek improvement in education?

I like Gephardt, but who wouldn't? He takes a carbon-copy stand on subjects that other Democrats have dealt with for years.

Gephardt supports deficit reduction by \$30 to \$40 billion annually until a balanced budget can be reached. He feels that working with Congress and not against it will provide a productive atmosphere which will relieve our nation of its economic tensions.

In regards to agriculture, which all Tennesseans should be concerned about, Gephardt believes in the strengthening of the family farm, development of new uses for surplus crops and aggressive marketing of these crops abroad.

Concerning civil rights, he commits himself to the restriction of federal funds distributed to institutions which discriminate on the basis of race, age, sex, religion, national origin or handicap.

I don't agree with his stand on

non-discrimination of AID's victims in terms of housing and employment. Why expose Americans to the deadliest disease of our time for the mere theory that it violates civil rights? I won't make that sacrifice, Gephardt will.

Gephardt wants to lead an attack on illiteracy. This is an issue that has been overkilled. Every candidate, Republican and Democrat alike, promotes the battle against illiteracy.

Gephardt feels that among the problems in our educational system, money is the controlling and decisive factor. Gephardt wants to strengthen local planning for educational excellence which will attract strong southern support.

Gephardt's statement that "every American has a basic right to quality health care" assures voters of his positive stand on medical issues. He believes in the requirement for employers to provide health care benefits and the establishment of health insurance risk pools that would be set up on a state-wide basis.

His tax reform stand reaffirms his dedication to a fair and simple tax program that will promote economic growth. Gephardt and Senator Bill Bradley co-authored the Bradley-Gephardt Fair Tax Act which laid the groundwork for tax reform in 1986. He wants to "give the reformed tax code time to work" and only realign the income

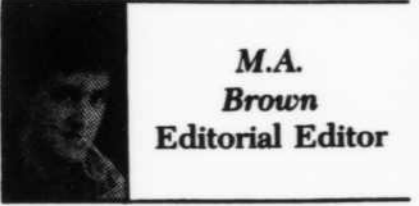
tax as a "last resort for raising revenue to address the deficit crisis."

Gephardt has a young and innocent political appeal. He has the charisma that will prove productive in the primaries.



Although he has taken a stand on a positive set of issues, Gephardt has failed to set himself apart from the other candidates. The winner of the 1988 presidential race will have to be different.

### A View From The Right



M.A. Brown  
Editorial Editor

Soaring oil prices and closed world markets would be the centerpiece of a Richard Gephardt administration.

Gephardt, a Missouri Congressman, has proposed everything

Gephardt Global Market Access Amendment and an oil import fee.

According to Gephardt, the United States lost 2.5 million jobs in 1986 "because other countries are stopping us from selling our products in their markets."

To remedy this situation, Gephardt would enact his Global Market Access Amendment, a piece of legislation he has already managed to push through the House of Representatives.

Under this plan, countries who export 75 percent more to the United States than they import would be placed on a list of "excessive surplus countries."

These countries would be subjected to heavy U.S. tariffs and a bilateral surplus reduction requirement of 10 percent for each four years if they do not reduce their surplus voluntarily.

This plan is nothing more than a bundle of protectionist rigamarole.

What Gephardt fails to realize is that if he implements heavy tariffs and surplus reduction requirements on foreign countries they will retaliate in kind. A trade war would not help the U.S. trade imbalance at all.

Secondly, if the U.S. were to take such actions against Japan, South Korea or a number of other nations who run a trade surplus with the United States, the resulting loss of their largest market would force the economies of these countries to plummet. This in turn would wreck

the world economy, of which the United States is now an inseparable member.

The true reason why the United States cannot compete in international markets such as Japan, is the quality of American products. The Gephardt Global Market Access Amendment fails to address this issue and offers no incentive for U.S. producers to put out a better product.

Gephardt's other brilliant idea is to enact an oil import fee.

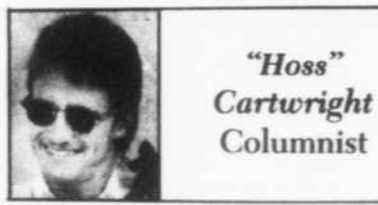
The Missouri Congressman feels that America is becoming too dependent on foreign energy sources, specifically oil, and the time has come to make America an energy-independent country again.

How is he going to do this? By slapping a variable fee on oil entering the United States which would set a price floor of \$24 per barrel.

This legislation would not serve to make America more energy independent. It would only serve to drive our fuel prices sky-high.

Personally, I don't want to pay megadollars for goods and a gallon of gas just because Dick Gephardt and his erroneous economic policies are in Washington.

## Environment headed for bad times if precautions not taken in future



"Hoss" Cartwright  
Columnist

I'm gonna be late for work. Of course, I'll save time in the shower because of that darn U.N. regulation on water conservation. I can remember those glorious days of two minute showers. My wife, Oprah, is sending the kids to school.

"Now Jake, don't forget to cover your whole body when your class goes outside for recess. I know it's summer, but those ultra-violet rays don't care. Elwood, don't you dare walk out of this house without your gas mask and oxygen tank! Honey, your synthesized eggs are getting cold! Oh no, it's acid-rain again!"

This somewhat futuristic scene is not so far down the road — possibly within ten years.

Environmentally speaking, this world is destined to resemble hell within the next few decades.

Yes, people are starving and waging war in Third World countries. Yes, the most important threat to

the human race is not pollution (yet), but global nuclear war. But what's the use fighting for peace when we won't be able to enjoy it?

The past few generations, including ours, are obviously to blame.

Individually, consider Thomas Midgely — the man who invented chlorofluorocarbons (CFC's) in 1930. These chemical compounds mainly take the form of refrigerants and coolants, but since their invention and widespread usage, they are also terrible for the ozone layer, which protects us from the sun's ultra-violet rays. This means massive world-wide damage.

For humans, the ozone layer's depletion means an increased number of victims with skin cancer, cataracts and immune system breakdowns.

For plants, edible and non, this means stunting of growth, smaller leaves and reduced energy.

For other organisms, especially those in the sea, they will suffer similarly.

Other gaseous pollutants are also destroying the atmosphere by the "Greenhouse Effect." This means

the build-up of the gases are collecting in the atmosphere and retaining heat in the process. Thus the build-up leads to smog, ice-cap melting, rising oceans (say goodbye to Florida and the East Coast) and more.

Then there's water pollution.... So you're saying, "Big deal, Hoss. None of this will happen while I'm alive." It's happening now, Einstein. It's just hard to see through this valuable stuff we call air.

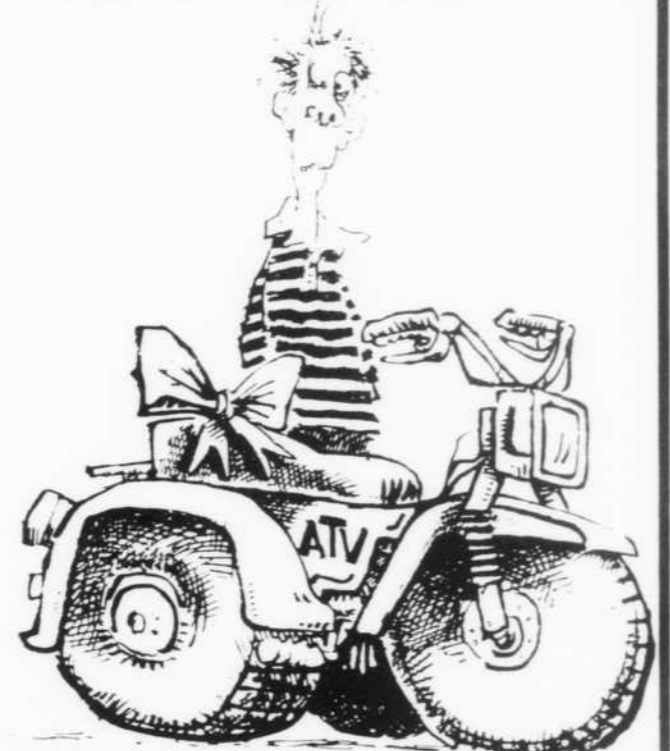
Aside from being ignorant, it's also kinda selfish not to consider future generations.

I guess I finally understand my friend Cara's oath not to have children because of the world in which they'll have to live. I disagreed at first, only because she meant the social and economic worlds.

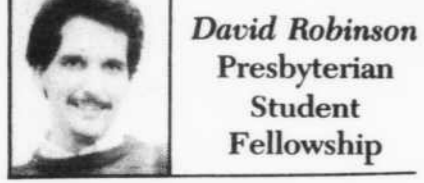
At least environmentally, I now believe she's definitely justified. All she has to do to support her stance is look outside.

He believed the food poisoning, the "faulty wiring" incident and that messy business with the meat cleaver had all been "accidents."

Now, on his birthday, Mr. Wooster was convinced — his wife was trying to kill him!



## Pro-lifers should support all life



David Robinson  
Presbyterian Student Fellowship

In reflecting back on 15 years of *Roe v. Wade*, I am glad that the door which opened wide the way for legalized abortions is moving in the pro-life direction.

I read in the *Seattle Times* recently that fewer and fewer doctors in the state of Washington are willing to do abortions, and each year has seen the closing of more and more abortion clinics.

I'm not against each and every abortion performed. Many are acts of mercy for various reasons. Yet, I have difficulty with those who view abortion as just another form of birth control, an easy way out of an inconvenient pregnancy.

Those who have had an abortion know that it's not such an easy way out. We all know that a fragile fetus is so much more than a mere

P.O.C. [product of conception], or merely a mass of tissues to be removed and discarded.

As an Old Testament poet said in Psalm 139:15, "My frame was not hidden from you, when I was made in the secret place. When I was woven together in the depths of the earth your eyes saw my unformed body."

We all know down inside the great value of human life. The incredible beauty and worth of every fetus. Every unborn child. What a tragedy to know of hundreds of thousands of couples on long waitlists for a child to adopt while hundreds of thousands of unborn lives are discarded merely because it was inconvenient.

Every year, more and more voices are crying out in support of the millions of unborn children who are powerless and voiceless. Yes, let's have compassion for these unborn.

But, there is another side to the story. Many have compassion for

the unborn, take up anti-abortion placards and march around abortion clinics protesting the silent holocaust. Yet, many of these same people turn their backs in condemnation on those who have gone through the deep trauma of abortion.

In counseling, I have witnessed first hand the deep emotional wounds experienced by women who have had an abortion. They experience loss, grief, guilt, pain, isolation, loneliness, depression, fear and a memory which casts its long dark shadow across the future.

On top of all that, they have to put up with attitudes of condemnation from those who claim to be pro-life.

If you are pro-life, then be completely pro-life. Extend your compassion not just to the unborn, but to the hurting women who have for whatever reason gone through the difficult and painful experience of having an abortion.

## STEVE BEAT BY KENT WHITAKER



### LETTERS POLICY

Letters to the editor are encouraged and will be considered for publication on the basis of timeliness, interest and space. Editing of letters because of spelling, grammar and length will be at the discretion of the editorial editor.

Profanity and vulgarities will not be tolerated in letters under any circumstances.

Offensive or insulting letters will be disqualified from consideration for publication.

Relevancy and coherence will be considered in the publication of all letters.

Letters must include the author's name, MTSU box number and telephone number. Telephone numbers will not be printed and are for verification purposes only. Withholding of names will only be honored under extenuating circumstances.

Address all letters and inquires to *Sidelines*, Editorial Editor, Box 42, or come by Room 310 James Union Building. A letters box is also located in the Keathley University Center Grill.

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*Sidelines*, Middle Tennessee State University's student newspaper, is published every Tuesday and Friday. Editorials and columns reflect the opinions of their authors and do not necessarily represent the views of the management of this paper.

# ENTERTAINMENT

## Eurythmics' 'Savage' innovatively pleasing

[Editor's note: A five-star rating system is used in evaluation purposes. One being poor, two fair, three good, four very good and five outstanding.]

★★★

By JONATHAN PINKERTON  
Entertainment Critic

Since the Eurythmics topped the charts with "Sweet Dreams," the title track from their American debut album, they have been a sure source of some very innovative sounds — a sound that has become a trademark.

### Review

"Savage," the latest release by the English duo of Annie Lennox and David Stewart, simply reinforces their outstanding ability as one of music's most creative groups.

"Savage" opens with a very airy



Annie Lennox

track titled "Beethoven." The juxtaposition of the confused title gives the listener a hint of the style of this track. While Lennox recites spoken lyrics which could easily be a poem by Emily Dickenson, her voice is almost overpowered by the background vocals which repeat portions of Lennox's dialogue. In addition to the jumble of lyrics, the listener is also treated to the continuing repetitive drum beat and a slight touch of some classical sounding orchestration.

One interesting thing about all this is the fact that all the vocals of this track belong to Lennox — combined by some excellent mixing by Manu Guiot, who was also the mixing engineer on the Eurythmics' last album, *Revenge*, which contained the super-hit, "Missionary Man."

"I've Got A Lover" is the next track. This song ends with spoken lyrics and is full of the sounds of Lennox's beautiful voice and a very strong string sound.

One of the best tracks follows this one. "Do You Want to Break Up?" again is a very airy, floating melody. Despite the apparent subject of this track, it is a very upbeat, almost sarcastic look at breaking up. The lyrics add to the tongue-in-cheek attitude of this song: "Yea..Oh Yea..Yea..Do you want to break up?" For such a somber subject, Lennox gives the illusion of not being scorned, but the end lyrics reveal that this is simply a cover up.

"You Have Placed a Chill in My Heart" is another perfect example of the sound that is pure Eurythmic. This is not to say that all their material sounds alike — far from it! There is simply a "Eurythmic Sound" that is present.



Eurythmics' "Savage"

The next two tracks, "Shame" and "Savage," the title track, are short, but effective songs. Both songs use the title in a very repetitive and haunting way. While "Shame" is fast and accusing, "Savage" is very seductive and slow, with long pieces of lyrics and equally long segments of synthesized guitar.

The current release from this album comes next with "I Need A Man." Lennox begins this raunchy rock tune by yelling: "HEY! Is this my tune?/Do you want me to sing now?..." Then she proceeds to belt out my favorite tune since "Would I Lie to You?"

The video for this track is the second in a series of "story" videos. The first was released with "Beethoven," in which Lennox is first seen as a dowdy plain woman who is transformed into a raunchy made-

up slut by the end of the video.

In the video for "I Need A Man," Lennox is seen entering a night club and proceeds to belt out this tune. In an interview on MTV, Len-

More people have survived cancer than now live in the City of Los Angeles.



nox said by the third video in this series, her "slut" character will be totally transformed into nothing more than a highly-exaggerated version of a glamorous woman.

Like the group that produced this work, *Savage* is an excellent addition to any music collection. The remaining five tracks are all great examples of the work the Eurythmics are capable of doing.

In addition to this album and the videos, the Eurythmics are busy in other areas too. They contributed their own version of "Winter Wonderland" to the Special Olympics A

Very Special Christmas album. Stewart was married to Bananarama's Siobhan and Lennox starred in a television version of Harold Pinter's "The Room."

The Eurythmics are currently in the studio working on the soundtrack for a movie in which the two will star.

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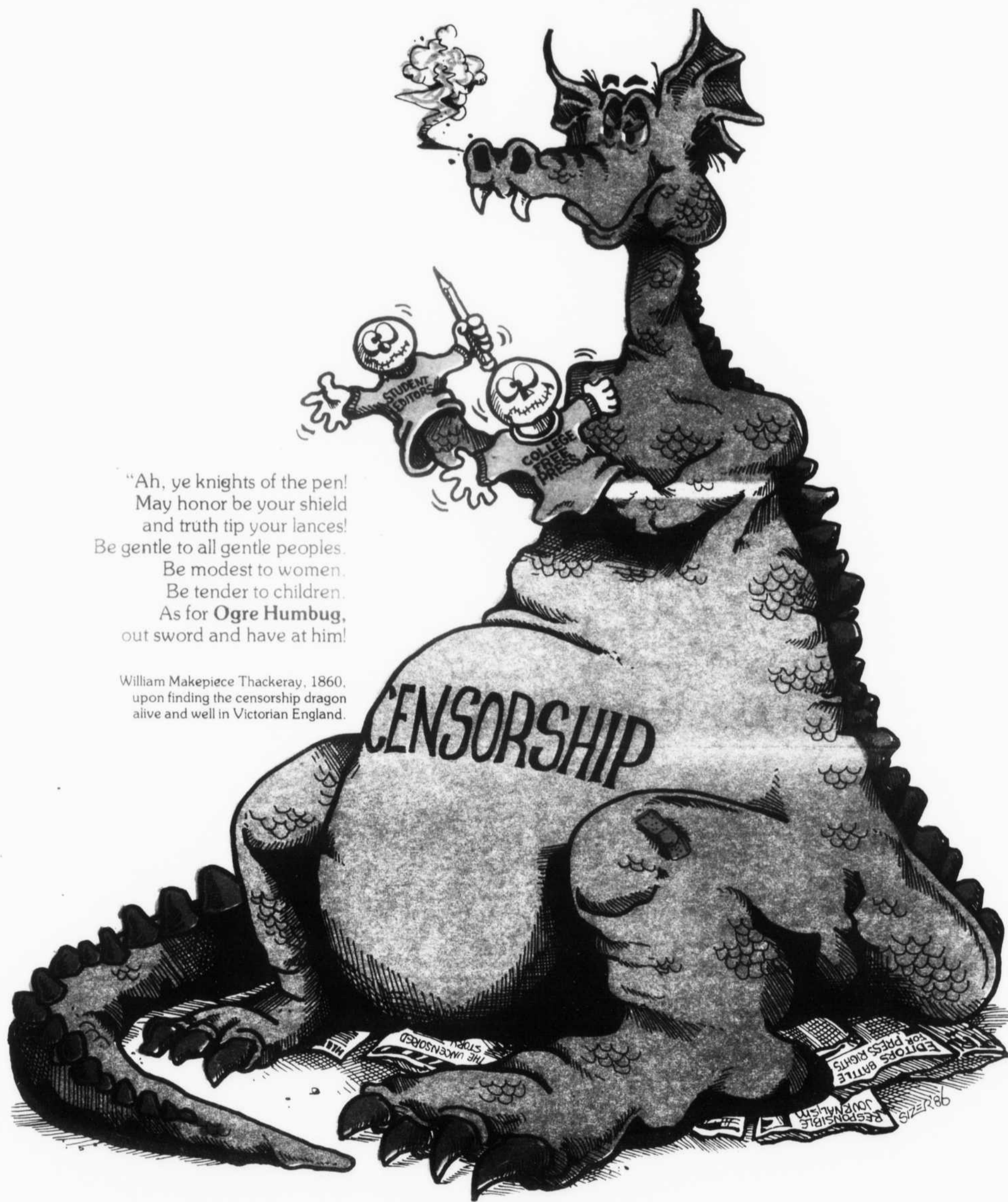
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# Keeping Free Presses Free

An Examination of Censorship  
on the Campus in America  
Prepared in Observance of  
Freedom of the College Student Press Month  
January 1988



"Ah, ye knights of the pen!  
May honor be your shield  
and truth tip your lances!  
Be gentle to all gentle peoples.  
Be modest to women.  
Be tender to children.  
As for **Ogre Humbug**,  
out sword and have at him!

William Makepiece Thackeray, 1860,  
upon finding the censorship dragon  
alive and well in Victorian England.

"Keeping Free Presses Free" was prepared by members of the Press Law Committee of College Media Advisers, Inc., for distribution to college newspapers to encourage observance of, discussion about and commentary on their First Amendment freedoms.

College newspapers and others may reproduce any or all of the

materials in this publication—the entire publication may be used as a supplement to an issue of a campus newspaper—for use during the January 1988 celebration of Freedom of the College Student Press Month or any other time.

# Freedom of the Campus Student Press Month

## January 1988

Since colleges using the early semester plan might not be in session on January 19, the entire month of January 1988 has been designated as a time for suitable commemorative events and articles for the 1988 observance.

2

## Press censorship on campus—a continuing problem

Censorship continued to be a major problem for the college press in 1987-88. Administrators concerned with maintaining the good image of their schools, and students leaders consumed with the power of their SGA offices are all candidates to attempt to censor the campus press.

Center stage this year is *Hazelwood School District v. Kuhlmeier*, a high school case, but one that is likely to set or reset the position of administrators on public and private college campuses because of the Supreme Court ruling, expected early this spring.

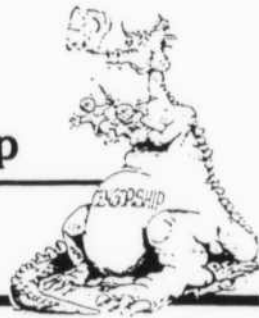
One of the last major pronouncements on high schoolers' First Amendment rights from the Supreme Court was 18 years ago in *Tinker v. Des Moines Independent Community School District*, a case that held students have First Amendment privileges to peacefully express themselves on school grounds. In July the Court ruled 7-2 in *Bethel School District v. Fraser* that high school officials can legally "prohibit the use of vulgar and offensive terms" used in a school-sponsored assembly.

In *Hazelwood*, the Court has suggested it will attempt to focus on two particular questions: 1. Is a school-sponsored newspaper, produced as part of a journalism class, a public forum protected by the First Amendment? and 2. When can school officials censor a school-sponsored publication?

Although students at Hazelwood, Mo., High School gave permission to be quoted with pseudonyms in a story on student attitudes toward teen-age pregnancy and divorce, school officials removed two pages of the paper, describing it as too sensitive.

A lower court ruled in favor of the school district, but the U.S. Eighth Circuit Court overturned in favor of the publica-

### Censorship



tion and students, saying the paper was a forum for students and that the administration could not demonstrate the articles would disrupt normal school activities.

Eleven journalism organizations and the Student Press Law Center in Washington, D.C., have filed friend-of-the-court briefs on behalf of the student publication.

Censorship attempts can be classified into three general patterns: 1. by power of the purse; 2. by direct order, rule or edict; 3. by withholding information.

A number of cases have been decided in recent months, including:

#### Public Colleges

An eight-page April's Fool insert to the North Adams State College, Mass., Beacon, called *The Bacon*, resulted in the removal of the paper's editor by the Student Government Association and reinstatement two weeks later by the vice president of student affairs.

Most offensive to readers was a mock ad for phone sex that contained a composite photo of the school president's face on a bikini-clad body. Her phone number and school extension were listed. The special section contained a disclaimer that the *Bacon* was a fictional,

non-profit newspaper.

Soon after the SGA senate voted 24-4 to remove the editor. After an administrative appeal to the vice president, the editor was reinstated. The paper is now under evaluation and policy changes are possible.

Trustees of the California State University system, in response to a three-year-old lawsuit filed by a former Humboldt State editor after he was fired for running an editorial in favor of a political candidate, have overturned policy prohibiting student newspapers from endorsing candidates and requiring editorials to be signed.

A reporter from the *Rocky Mountain Collegian* was arrested in November because campus police suspected he got some of the information to document the

See Censorship, page 3

## Who, where, when and why of 'Keeping'

"Keeping Free Presses Free" is published annually by College Media Advisers for distribution to the nation's campus press to promote Freedom of the Campus Student Press Month in January.

The 1988 edition is devoted to recapping attempts at censorship of the college press during the 1986-87 school year as reported in "Student Press Law Center Report."

We hope campus journalists will be inspired by "Keeping" to learn more about their First Amendment rights and to use the issues described here to stimulate discussion of student press freedom on their campuses during January 1988.

Recipients of the publication may

reprint it in its entirety, reproduce any part of it or use it in any other way to generate discussion about free expression.

The summaries here are far from comprehensive—"SPLC Report" published 120 pages in three issues during 1986-87 in attempting to cover the First Amendment trials and tribulations of the student press.

The CMA Press Law Committee, which prepared "Keeping," urges all college journalists and their news media to keep themselves informed about First Amendment issues by subscribing to "SPLC Reports."

For a one-year subscription, send \$10 to Student Press Law Center, 800 18th St., N.W., Suite 300,

Washington, D.C. 20006.

Members of the CMA Press Law Committee who participated in preparing this edition include John David Reed, Chair, Eastern Illinois University; Laurence B. Alexander, University of New Orleans; Rick Branson, Ferris State University; Mark Goodman, Student Press Law Center; Ivan Holmes, University of Arkansas-Fayetteville; James Tidwell, Eastern Illinois University; L. Owens Whitlaw, University of South Carolina at Aiken; and David Womack, Temple University.

"Keeping" was printed by The Daily Eastern News, Eastern Illinois University, Charleston, Ill. 61920. Please address inquiries or requests for additional copies to that address.

## College press fighting for access to campus meetings, records

College journalists were at the forefront of fighting for access to meetings and records in at least four states in 1987-88.

### Mississippi

The Mississippi Supreme Court ruled that the College Board, which governs the state's eight public-supported universities, must adhere to the state's open meetings law.

The case arose when a reporter was excluded from a meeting between the board and university president.

The 13-member board argued that because it was created by statute to govern state-supported universities its constitutional duties conflicted with the open meetings law. The board argued that the open meeting law had to "yield for it to effectively function and perform its constitutional duty."

The Court held that the sessions with institutional heads were "meetings" and that all deliberative stages of the decision-making process that lead to "formation and determination of public policy" are required to be open and public.

The board also tried to keep its academic program reviews confidential, claiming that privacy would encourage frank discussion. The court ruled that reviews are "a legitimate inquiry into the operation of a public body."

### California

The University of California-Los Angeles *Daily Bruin* and the chancellor agreed to work together to establish a document detailing which committee meetings

### Access to Information

should be open, ending a two-month dispute over media access to university committee meetings.

"The objective of the document is to reach an understanding to have uniform procedures that will be uniform and consistent. This is an agreement to adhere to avoid having any controversies," said John Sarbrook, UCLA's assistant chancellor.

The dispute involved differing interpretations of the California Bagley-Keene Open Meeting Act, which stipulates that governmental bodies keep their meetings open to the public. A 1985 amendment to the act made the University of California (UC) Board of Regents subject to the act.

UCLA administrators argued that the open meeting law only applies to the UC Board of Regents committees and not to committees on individual campuses. The *Daily Bruin* said the statute covered UCLA committees. The *Daily Bruin* Editor Peter Pae, decided not to fight the matter through the courts, but work to establish guidelines on the campus.

Essentially, we've both grown up something," Pae said. "We won't pursue our right to cover these meetings legally, and then UCLA can't prohibit those meetings."

The case arose when the *Daily Bruin* Law in San Francisco was asked to file public access to the Bagley-Keene Open Meeting Act was sufficient to allow an appropriate review.

The case arose when Peter Pae, law student, sought to prevent the Board from meeting in private to discuss matters of educational policy and approve the nomination of new appointments of deans and gifts.

Student argued that because the faculty was elected by the Board of Regents, that acts in an advisory capacity to the Board and that the Board is a state body, under the meanings of the state open meeting act.

The court held that the legislature did not intend to subject the Hastings faculty meetings to Bagley-Keene, although the Board of Regents would be.

### Indiana

Two staff members of the *Ball State University Daily News* filed suit against the school barring their access to certain meetings and records, claiming that university officials broke Indiana's Open Door and Open Records Law.

The two students contend the BSU's refusal to reveal the names of applicants for a variety of administrative positions violated the open records statute. The

university officials contend that the open records law does not apply to them.

The students are also contesting the legality of closed meetings held by a committee responsible for the campus switch from a quarter to a semester academic year.

Associate Provost Thomas Gaudynski says that the meetings do not fall under the open door law because the committee was internally appointed.

### New York

The Commentator of the New York University School of Law had been reporting on controversial, semi-private campus intrastudies.

A reporter was denied permission to attend a faculty meeting, although reporters had previously attended the meeting on a regular basis. The dean defended the barring of the reporter, saying the meeting was an informal one.

The newspaper learned that some significant decisions were made. Because the faculty had not decided to prohibit reporters, a grievance was filed at the university. The dean met with two-thirds of *The Commentator's* editorial board and agreed that in the future, meeting access would be put to a faculty vote.

As a private school, the school has no statutory obligation to open any meetings, although it does have a policy to protect the student press from "arbitrary action arising out of student, faculty, administration, alumni, or community disapproval of editorial policy or content."

"Congress shall make no law respecting an establishment of religion, or prohibiting the free Exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

First Amendment,  
U.S. Constitution



# Freedom of the Campus Student Press Month January 1988

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3

## Reassigned adviser settles suit, gets job back

A veteran Northern Illinois University newspaper adviser who was removed, reassigned and reinstated within a month's time in 1986 settled his lawsuit against school officials in 1987 rather than continue a court fight which was costly, both emotionally and financially.

The settlement allows Jerry Thompson to keep his job at the DeKalb, Ill., campus and requires NIU to pay \$15,000 of his nearly \$23,000 in legal expenses.

Both time and expense, Thompson said, were key factors in the decision to settle. "A lot of people wanted us to take this through to the end," he said.

Thompson was reassigned after editors at the *Northern Star* ran a series of articles in 1985-86 detailing incoming president Clyde Wingfield's expenditures of state funds. In the next 10 months, the newspaper staff pursued the story and revealed that more than \$100,000 had been spent to remodel the president's home and to pay for his inauguration.

After the last issue of the 1985-86 *Northern Star* was distributed, Wingfield transferred Thompson to a public relations job and cited figures from an internal audit critical of the newspaper's business practices.

Thompson said the transfer was an attempt to muzzle the *Northern Star*, whose daily circulation is about 17,500 and whose news pages carried the majority of the stories on Wingfield's expenditures during spring semester 1986. The adviser filed a suit in U.S. District Court against school officials and sought reinstatement as well as \$110,000 in

### Advisers



damages for defamation of character.

Wingfield, who was later forced to resign, said, "There is not in any way a First Amendment issue here. You cannot hide behind a symbol such as a free press to disguise the fact that we've had a fiscal and managerial non-feasance, at best, for a better part of a decade."

Thompson and the newspaper editors said they corrected many of the business problems cited in earlier audits and pointed out that the newspaper never lost money during Thompson's tenure as adviser. At the end of 1985-86, the newspaper was \$90,000 in the black.

After Thompson filed suit, national attention was given to his plight. Staffers at the *Chicago Tribune* and *Sun-Times* formed "Alumni for a Free Press," a group that protested and raised more than \$3,000 for Thompson's legal fees.

At court, Thompson was granted a temporary injunction and an extension to keep his position until July 1986. At the end of June, NIU's Board of Regents voted to reinstate Thompson, pending the outcome of the suit.

At that time, university officials an-

nounced that Thompson's reinstatement would depend on the report of a 15-member committee of NIU's University Council which was set up to examine the structure of the *Northern Star*.

Thompson said the committee recommended that the newspaper incorporate separately from the university but continue with the status of a university-related organization.

Although Thompson said he thinks that a corporate set-up will prevent "a president from doing what this Wingfield did," he wonders if the process to incorporate is worth going through to stop "what any fair-minded person wouldn't do anyway."

"Our concern remains that we make sure that it doesn't cost the newspaper extra to incorporate," Thompson added.

Costs—including the physical and emotional ones—are not new to Thompson after the past two years. At issue during that time was not only Thompson's job as an adviser, but the threat to students' First Amendment Rights.

Thompson said he hopes what happened in Northern Illinois will be a deterrent for administrators who want to tangle with student newspapers.

"I would hope that for us and for other papers that a signal will go out to administrators that they just can't have their way if they have disagreements with content," Thompson said.

As Thompson had noted early in the battle, "We've got to have a free press. You can't let it be eroded away even on one little college campus."

## Censorship

article on Colorado State University hiring practices from business cards stolen from a university safe. In the story the reporter mentioned he had obtained business cards. Journalism faculty, local media and the Collegian staff rallied around the reporter, calling the arrest outrageous and a scare tactic to impede news gathering. The charges were dropped 16 days later.

Following an 11-year battle over the student press at Tulsa (Okla.) Junior College, the college's board of trustees voted to establish a student newspaper in January 1988.

The new newspaper will have editorials and letters to the editor and will be circulated to all 15,000 students on the college's three campuses.

The college's previous paper, the *TJC Horizon*, was distributed only in journalism classes. From 1971 until 1978 the paper ran editorials and was circulated to the entire student body. Then the school president formulated editorial guidelines banning editorials and letters to the editor following an editorial challenging college policy that appeared in 1976. The paper's circulation was later restricted to journalism classes only.

The Oklahoma Legislature adopted a non-binding resolution in reaction to the TJC situation, prior to the regent action.

The resolution reads, in part: "It is the intent of the Legislature that institutions of higher education within the Oklahoma state system of Higher Education respect the First Amendment rights of the students of such institutions, especially with reference to freedom of the press of student newspapers."

University of Maryland yearbook, *The Terrapin*, was the subject of a number of protests after it ran a photo in the 1987 book of a bare-breasted coed being showered with beer by male students. Although policy changes were discussed, no formal action will be taken.

A cartoon strip in a lampoon issue featuring "Star Trek" characters involved in "homosexual promiscuity" persuaded administrators at Erie Community College in Buffalo, N.Y., to threaten censorship and back down. The administration threatened to withhold stipends to the adviser, editor and secretary of the newspaper, *The Promiscuous*, eventually with the county attorney's threat was reached to withdraw the threat.

Three students at two California student papers were suspended after publishing a comic strip satirizing affirmative action. The editor-in-chief and art director at the *UCLA Daily Bruin* were reinstated by the school's Communications Board the next day because of a process consideration, but the new editor at California State University, Northridge's *Daily Sentinel* sustained by a journalism instructor adviser suspended as the paper's publisher, was not. The suspension was for two weeks for publishing a summarization of the UCLA controversy in an opinion column and the cartoon itself without showing it to the adviser. The editor filed an academic grievance.

### Private Colleges

A Massachusetts state court said students attending Boston University are guaranteed the same free speech rights as those attending public institutions. Few cases have resulted in decisions speaking directly to the issue of a free press on a private campus as this one does, and, although its holding is limited to Massachusetts, its effect as precedent

See Censorship, page 4

## Libel suits against student papers still a rarity

Although college journalists should, of course, be vigilant in their quest to avoid publishing libel, student publications historically have had few libel suits filed against them.

1987 was no different. The Student Press Law Center Report published only one story of a libel suit actually being filed against a college newspaper. It also reported a settlement of a libel suit filed in 1982 and the awarding of attorney's fees to a college newspaper for its defense of a previous suit.

The one suit filed was against the *Tufts Daily* at Tufts University. The plaintiff in the suit, campus political activist Ian Kremer, reported to police that he had been attacked on campus shortly after midnight by three or four white men who called him "nigger lover, Jew boy and Commie pinko."

Seven days after the attack the *Tufts Daily* printed a story containing accounts by students near the scene of the crime who said the incident never occurred. Campus police and university President Jean Mayer also questioned the credibility of Kremer's story.

In addition to the news story, *The Tufts Daily* published an editorial which stated that "The Tufts community has been deceived... Ian Kremer, through his vile act of deception, has clearly overstepped acceptable bounds in his efforts to further his political views."

"In addition, he has caused the university and its students immense negative national publicity for a heinous crime that never occurred."

Kremer's suit, filed in Massachusetts court in April, named Mayer, campus police officials and the *Tufts Daily* as defendants. It said that those who publicly raised doubts about Kremer's story were trying to muzzle his outspoken

### Libel



views about racism at the university.

The 1982 libel suit which was finally settled involved a former student at the Medical College of Georgia who claimed the school's newspaper, *The Cadaver*, libeled her. She reached an \$8,000 out-of-court settlement.

The dispute between Susan Brooks and the editors of *The Cadaver* started when she wrote a letter to the editor criticizing the satirical newspaper and saying that if the editors upgraded the publication, maybe it would "be in the hands of the students more and the bottoms of bird cages less."

The letter spurred the following published response from the editors of *The Cadaver*: "You are obviously a sensitive, caring member of society. We appreciate that, we really do, and certainly with your God-given sensitivity you should try to understand how and why those less fortunate members of our society deviate from acceptable forms of behavior... We have backgrounds different from the rest of you. Our mothers were German shepherds, our fathers were camels, so naturally we love to hump bitches in heat. Say, Ms. Brooks, when do you come in season?"

A trial court agreed with the editors that their response did not constitute libel because it was provoked. However, the appellate court and the state supreme

court reversed and sent the case back for a new trial to determine whether the response was libelous.

Both sides said they agreed to the settlement to avoid mounting legal costs. One *Cadaver* editor had earlier settled with Brooks for \$2,250.

The only other report during 1987 involving a college newspaper and libel resulted in the *Florida Flambeau*, the independent student newspaper at Florida State University, being awarded \$6,500 of attorney's fees for its defense of a libel suit.

The suit against the paper was filed by a local businessman who was the former proprietor of a local restaurant who had run advertisements in the paper.

In August 1984 the newspaper ran a story about the closing and reopening of the restaurant in which the new owners stated that the previous owner had left the business in a state of disrepair and even left food to rot.

The former owner, Jeff Shaffer, refused to pay his advertising bill of \$1,248 and threatened to sue for libel. The *Flambeau* attempted to collect the debt.

The newspaper went ahead and sued for the debt in small claims court, and Shaffer, true to his word, filed a libel suit, claiming the news story damaged his business reputation.

The Florida circuit court allowed Shaffer three opportunities to amend and refile his complaint, after defects were found in it before finally dismissing the claim with prejudice.

Shaffer was ordered to pay *The Florida Flambeau* \$6,500 because Florida law permits an award of attorney's fees for frivolous complaints. The court also ordered Shaffer to pay the newspaper the \$1,248 he owed for the unpaid advertising.

"No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States, nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of its laws."

From the  
14th Amendment,  
U.S. Constitution

## 2 courts say papers can't be forced to run ads **Censorship**

Federal and state courts in Nebraska and Idaho refused in 1986-87 to allow censorship of state college newspapers through compelled publication.

Student dailies at the University of Nebraska and the University of Idaho were both targets of attempts to use the courts to force their editors to grant access to the advertising columns of the papers.

The *Daily Nebraskan* and the *Idaho Argonaut* wound up in court when they refused to run classified ads which they found to be, respectively, sexually discriminatory and potentially libelous.

The U.S. Court of Appeals for the 8th Circuit reaffirmed in September a U.S. District Court ruling favoring the *Daily Nebraskan's* right to refuse ads designating sexual orientations for roommates.

Pam Pearn and Michael Sinn filed suit against the paper in 1985, claiming their First and Fourteenth Amendment rights had been violated when the *Nebraskan's* editor refused to run their ads for homosexual roommates.

The question hinged on whether the *Nebraskan's* refusal to run the ads was a "state action," since the paper was

### Advertising



created and sponsored by a state university.

The lower court determined that the paper was editorially independent of the university and not subject to its control, and the 8th Circuit Court of Appeals found therefore that no state action was involved in the editor's decision; thus, the *Daily Nebraskan* did not have to accept the ads. No appeal of the 8th Circuit Court's decision is expected.

The *Idaho Argonaut's* refusal to run a potentially libelous ad resulted in a court case which was decided in January of 1987.

An Idaho state court decision said that a student editor had the right to reject ads he or she felt were not suitable to print, regardless of whether they were libelous.

The opinion also discounted a breach of contract claim.

Student Bill Owens filed the suit when the paper refused to run his ad which offered special rental rates for paint pistols and paint pellets used for mock assassination games on college campuses.

Owens sued on the grounds the paper did not have the right to refuse a non-libelous ad.

Owens also sued on the grounds of breach on contract and said that because the paper had refused to print his ad, he had lost \$2,500 in sales.

As in the *Daily Nebraskan* case, the *Argonaut's* attorney argued the paper had the right to reject unsuitable advertising, a policy which was provided in information to all advertisers in the *Argonaut*.

The policy provides that all advertising is subject to acceptance by the *Idaho Argonaut*, which reserves the right to reject ads at its discretion.

Although the court upheld a motion for summary judgment filed by the *Argonaut's* attorney, Owens said he would appeal the case on contractual grounds. However, at this writing, Owens has not appealed the decision.

may be of great value to the student press on the private campus located in other states.

At the University of Pennsylvania in May during Alumni Weekend about 1,000 copies of the *Daily Pennsylvanian* were removed from two Wharton School of Business buildings. The edition contained a story on a Wharton professor charged with rape and an article on four students, one from the business school, who were arrested on drug charges. No one admitted responsibility for the missing papers, and the president's office said such removal "is entirely inconsistent with the University's policies and procedures, and with the ideals of the University." No further action was reported by either side.

At Yale, the board that governs the campus press rescinded punishment of a student who had satirized the campus gay community. The reversal came after many protest were lodged in favor of free speech. The editor cited a portion of the university's undergraduate regulations which reads: "even when some members of the university community fail to meet their social and ethical responsibilities, the paramount obligation of the university is to protect their right to free expression." Under Yale rule, racial and ethnic slurs can still be brought before a grievance board.

Still unresolved at Maine's Bowdoin College is what to do about a local printer, operating under a verbal contract to print the newspaper, who refused to print an issue because of content the printer deemed "sophomoric, vulgar and sexist." Student editors pulled that story for one issue, then decided to print it anyway, in the process changing printers. The editor said that, because of the few printers the paper had access to, the first printer's actions was certainly a form of censorship.

Notre Dame officials suspended the student literary and news magazine for four days during the spring term for printing a photo of impressionistic artwork depicting two individuals engaged in a sexual act, a photo previously censored from the student art journal.

An assistant director of student activities for media and programming saw proofs of the magazine, asked the editor to remove one photo of artwork. The editor did, but substituted one of the artwork by the same artist.

The staff said it believed it was operating under a written policy that "student publications should be free of censorship and advance approval of copy, and their editors and managers should be free to develop their own editorial policy and coverage."

The lockout of staff from the publications office came with a letter from the director of student activities stating the "decision to run the photograph in the *Scholastic* was done without consultation with or knowledge of the Student Activities Office." A few days later the adviser and editor issued a joint statement that all editorial decisions concerning the magazine's content would remain with the editors and the publication would be "free of prior approval of copy."

### Dragon by Sizer

Paul Sizer created the cover art for "Keeping Free Presses Free" in 1986 while he was a senior in graphic design at Western Michigan University, where he contributed his "Bill the Cat" comic strip three times weekly to the *Western Herald*.

"Bill the Cat" earned several national awards, including first place honors in the 1986 Columbia Scholastic Press Association's Gold Circle Awards competition.

## Subpoenas threaten campus reporters

College and university reporters fell victim in 1986-87 to a threat to press freedom that has plagued their commercial counterparts for years—subpoenas to reveal sources and information.

In increasing numbers, civil and criminal litigants nationwide—often those representing the police or another governmental unit—are demanding that reporters appear during judicial proceedings to present information that may assist them in presenting their case.

Journalists have typically rankled at such subpoenas. They assert that reporters must be able to promise confidentiality to some sources to get the information necessary to satisfy the public's right to know.

They also raise concern over appearing to be an investigative arm for the state and point out that some litigants would rely on the press to do their dirty work for them.

In 26 states, the legislatures have adopted shield laws affording the news media varying degrees of protection against subpoenas. In other states, the courts have recognized qualified First Amendment privileges that protect reporters from being forced to disclose confidential sources and information. These legal protections have seldom

### Confidentiality



been applied to student journalists.

However, student journalists are voicing the need for such protections.

In April, student editor Kathy Kessenger of the *Clark College Independent* in Vancouver, Wash., was subpoenaed and forced to answer questions about a jail-house interview she conducted with a fellow student charged with aggravated murder.

The prosecuting attorney read of her interview in a front page *Independent* story and subpoenaed Kessenger hoping to obtain information about accomplices. Kessenger enlisted the assistance of the local newspaper editor and was ultimately forced only to answer four questions, all of which she claimed were obvious from her story.

In Binghamton, N.Y., the editor in

chief of the student newspaper at Broome Community College was subpoenaed in late June by a county attorney to testify in a labor practice hearing. Thomas Frisk received the order after writing several articles that investigated a contract dispute between faculty members and the college.

County officials believed the faculty had been involved in a work slow-down as part of the dispute by reducing their office hours, which might have violated fair labor practice standards.

They wanted Frisk to testify at a hearing about information he had obtained for his stories from the faculty association president.

Frisk and his newspaper adviser, Anita Knopp Doll, strongly objected to the subpoena.

"(The newspaper) cannot and should not take sides in gathering and reporting the news," said Doll. "We are not an extension of county government. To force newspaper editors into this role through subpoenas or other means is to seriously jeopardize the newspaper's credibility on campus and its ability to gather news."

In August, before the hearing was held, the faculty and county government reached a settlement in their dispute. Frisk was never called to testify.

## FCC concerns: 'Fairness' out, 'decency' in

In April 1987, the Federal Communications Commission announced new indecency standards for broadcasters and warned a student noncommercial radio station against broadcasting sexually explicit material.

Station KCSB-FM at the University of California at Santa Barbara was warned after one of its disc jockeys played "Making Bacon," a song by a British punk rock group which described oral and anal bisexual intercourse.

The Commission found that the music broadcast contained a number of patently offensive references to sexual organs and activities as measured by contemporary community standards for the broadcast medium.

The song was played during a late-night radio show. The FCC determined that even though the material was aired at 10 p.m., there was still a reasonable risk that children may have been in the audience at that time.

Instead of using the previously ac-

### Broadcast Journalism



cepted definition of indecent which meant broadcasting the "seven dirty words" made famous by comedian George Carlin, the FCC decided that any broadcast which contained explicit, offensive descriptions of sexual or excretory activities was indecent.

The FCC did not impose a heavy fine or take away the station's license to broadcast, but it gave the station a warning against the continued use of indecent material.

In addition to warning KCSB-FM, the Commission directed the Mass Media

Bureau to make further inquiries as to whether the University of California exercises the degree of control over the station required of Commission licenses.

In another major broadcasting decision, the Commission voted to abolish the fairness doctrine because it contravenes the First Amendment and thereby does not serve the public interest.

The doctrine, created by the commission in 1949, requires individual stations to allow a reasonable opportunity to present opposing view points on controversial issues of public importance.

The FCC concluded that the fairness doctrine chills speech and is not narrowly tailored to achieve a substantial government interest.

Following the commission's decision, Congress passed legislation that would have resurrected the fairness requirement. However, President Reagan vetoed the bill, and Congress did not attempt an override.