

Flyer News

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University of Dayton, Dayton, Ohio

Thursday
Monday, April 2, 1987

Suitcase Party trip in center of dispute

Mike Airhart
NEWS EDITOR

A UD student has charged that Student Association is denying him a Dayton-to-Daytona trip his girlfriend won for him in the Suitcase Party March 6.

SA is contesting Mark Hutchins' claim on the grounds that he remembers the situation differently each time he protests the denial, and because his girlfriend willingly forfeited the trip because she has to stay in Dayton for some exams.

Hutchins said he went to the party with his girlfriend Vicki Morone of Columbus and bought 10 tickets. He put her name

on five of them, and when she actually won the trip and went up on the fieldhouse stage, accounts vary as to what happened next.

Hutchins says his girlfriend was told she could not have the trip because she was not from UD. However, there were no contest rules posted. Hutchins says Morone then said the trip was for him. SA then told the two that trip tickets are not transferable.

SA President Ted Stelites and SA Director of Entertainment Molly Quinn were present at the party and disagreed with that account, saying Morone told SA as soon as she stepped on stage

that she could not go because of the exams.

SA then gave her a beer sign as a replacement for the trip and immediately called someone else's ticket for the Florida trip, since she allegedly forfeited the trip without any disagreement on SA's decision.

Hutchins then intervened by jumping on stage.

"I was up there arguing with them" that they never publicized the restrictions, otherwise he would not have put Morone's name on the tickets, he said.

Quinn said there was never any attempt to stop a non-student from winning a Daytona trip.

She added that the rule on transferring tickets was not written anywhere, but that it was publicized at SA public meetings and special events meetings.

Hutchins said Quinn on March 9 offered him a discount on the trip, but he wants the whole trip.

The matter was discussed at the March 16 public meeting, and SA decided not to award him

the trip because Morone forfeited it.

Hutchins still claims his girlfriend did not forfeit it until Quinn allegedly told her that non-students could not win the trip.

Hutchins sought help from Student Development, but SA adviser Rosie O'Boyle was out of

SEE SUITCASE /2

Woman who had abortion warns people of costs

Folake Oladimeji
NEWS WRITER

"I had an abortion for what seemed to be all the right reasons. Physically I'm fine. But mentally, I have so many problems. Each year that's gone by finds me more remorseful for killing my daughter. I feel so helpless."

This is the testimony written on the front of a pamphlet which is produced by Women Exploited by Abortion.

WEBA is a five-year-old organization whose main stated goal is to

educate women about the potential physical and emotional effects of abortion, such as a perforated uterus, intense pain, loss of other organs, bleeding, guilt, anger, suicidal impulses and preoccupation with the would-be birth date. Barb Kolby, director of WEBA, said their hope is that women will seek an alternative.

"People don't want to accept the fact that women are affected by abortion," Kolby said in a March 24 speech sponsored by Students for Life. She said women are often more depressed

over abortion than over an unplanned pregnancy. Kolby noted that WEBA also tries to help these women deal with their lives in general.

Kolby was 8 weeks pregnant when she had an abortion at age 19. It was a very difficult decision, she said. "I did not know what to do."

Linda Rupp, WEBA treasurer, was 12 weeks pregnant and 17 years old when she had an abortion. "I did not get all the facts about the problem of abortion... I was

SEE ABORTION /2



James Baker

Dreaming of a white Easter

The Easter bunny pays a visit to the Gardens on East Stewart Street, courtesy of Monday's shocker of a snowstorm.

Graduate offers a respite to city's handicapped

Gerri Cassidy
NEWS WRITER

Theresa, 18, can't cut paper with a pair of scissors.

David, 13, talks constantly even if another person is not around.

Molly, 37, asks every few minutes, "Where is my Mommy?"

Lynne Mott, 24, spends his Saturdays taking care of David, Teresa and Molly along with 20 other mentally retarded children.

These "children" are of all ages, but each one is still under the constant care of his or her parents.

Mott is a UD graduate and the director of the Respite Program for the Board of Mental Retardation. The program is at Northview, a school for the retarded at 8114 N. Main St. From noon until midnight, parents can leave their mentally handicapped children for a fee of \$5. The main

purpose of Respite is to provide relief for the parents.

Editor's note: This is the second part of a Flyer News series highlighting news in the city of Dayton and its application to UD students.

"Some (children) always need to be watched," Mott said. "That's why the parents need a break. It's hard for them to find someone to stay with their children. Plus it gives the kids a

chance to get out of the home and interact with others."

One of Mott's responsibilities is planning the schedule of activities. It is difficult to think of new ideas, especially since the children are on such different levels. "It is because of the variety that so many are needed on the staff," she said. Some (of the children) can read and write but others require someone by

their side at all times.

For physical activities, the children are grouped according to their ability, and the staff leads them in exercises and playing games. They are also given free time in the gym to play on the special equipment.

Bobby, who is 9, has been in a wheelchair all his life. When he participates in Respite, he

SEE RESPITE /5

Suitcase

CONTINUED FROM /1

town and her secretary took Hutchins' phone messages.

O'Boyle said she took Hutchins' phoned complaints to the public meeting, but remained a third party in the dispute and left the decision up to SA.

While O'Boyle thought it was improper for

Hutchins to bypass Steliotes and go directly to her, Hutchins said he was frustrated that SA and Student Development both seemed to shun him and that SA's failure to post the rules allowed the situation to occur.

"My brother said maybe I should call the Better Business Bureau and get their opinion on

it," Hutchins said.

Steliotes charged, "Mark has changed his story right from the very beginning every single time we talk to him. . . . We're fed up with it."

Steliotes believes that to award the trip to Hutchins would be a misuse of student money, and that Hutchins had not been cooperative when they tried to work out a compromise.

Abortion

CONTINUED FROM /1

scared to death . . . no one told me what they would do, what would happen to me or about the baby in me," she said.

Rupp, who had her abortion in a hospital, said she was told, "What you don't know won't hurt you." She said staff members referred to her pregnancy as "a content of the uterus, a blob of

tissue."

Rupp also said that abortion is not a social need, and said she thinks "abortionists" draw attention away from humanity by identifying the unborn as mere fetuses.

Rupp said that the women in WEBA speak from the point of their experiences and for women who are fearful of standing before the public.

Kolby said, "I was emotionally disturbed for many weeks . . . I did not care about my friends, work and family." She said, "I went back to work and I figured if I partied long enough, I could get over this."

Rupp said people take abortion for granted; that because it is legal, "we think it is all right, that it has no problems."

Campus Notes

Today

■ **"Populorum Progressio 20 Years Later,"** a discussion of religious and ethical issues and dilemmas in development, and the ever-growing accumulation of material possessions and freedom versus some people whose human needs are not being met, will be from 3:30 p.m. to 5:30 p.m. in KU222. The deans of education, business, arts and sciences and engineering will be the panelists.

■ **Students Against Apartheid** will conduct a candlelight vigil at 10 p.m. in front of the library to commemorate the assassination of Dr. Martin Luther King Jr. All are welcome.

Friday

■ **DJ Marathon** to benefit the victims of cystic fibrosis will start at noon. It will feature WDCR disc jockeys Michael Manes and K.C.D. They will try to "Rock 'til they Drop." Stop by the station and see how Mike and K.C.D. hold up. Donations will be accepted.

■ **Students Against Apartheid** will sponsor a rally for divestment at noon in KU Plaza, in conjunction with the nationwide divestment campaign day. SAA will show the movie "South Africa Unedited" at 10 a.m., 11 a.m. and 1 p.m. in KU310.

Weekend

■ **Two one-act plays**, "The America Dream" and "The Sandbox" by Edward Albee, will be presented at 8 p.m. Friday and Saturday in Studio Theatre (Music-Theatre building). Free admission.

■ **Rep. Tony Hall** will receive Bread for the World's Outstanding Service Award at a noon Saturday luncheon downtown. Hall has led Congressional efforts to pass legislation aiding the hungry. Call Bob at x5279 to attend or receive more info.

■ **Plowshares** meets every Sunday at 8:30 p.m. in KU. Call Dan Montgomery at 252-7616 for more info.

Notice

■ **Writers** are being sought for 1987-88 news, critical reviews and features on UD events, student life, blacks, organizations, Greeks, international students, performing arts, sports, religion, dorms, each academic school, political issues on campus, SGA and general news. Stop by the Flyer News office at KU232 for more info.

■ **FINAL ISSUE** OF THE FLYER NEWS IS APRIL 9. ALL NEWS STORIES AND RELEASES ARE DUE TUESDAY AT THE LATEST. CLASSIFIED ADS ARE DUE MONDAY. ALL SPACE FOR DISPLAY ADS HAS BEEN TAKEN. HAVE A PLEASANT SUMMER.

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Hundreds sign anti-apartheid petition

Dave Mullaney
NEWS WRITER

Eight hundred students have signed a petition threatening not to contribute to the Alumni Fund after graduation until UD removes its investments from companies that conduct business with South Africa.

The petition was organized by Students Against Apartheid, a new group that is protesting the University of Dayton's investment policy.

Apartheid is a system of racial separation and oppression promoted by the dominant white minority government in South Africa.

"We are not asking for anything more than anybody else is asking

for," said Dan Kovalik, one of SAA's chairpersons. "Even Congress is asking for sanctions."

In three days, the group was able to gather the signatures of 500 students. The current figure of 800 is approximate and incomplete.

"It's probably not going to have an incredible effect," Kovalik said, "but what we are doing is informing the students and showing them we care. We are serious."

Brother Bernard J. Ploeger, vice president for administration, said the signatures might be more of a reaction to the situation in South Africa than a reaction to university policy.

The value of the university's investments in companies which operate in South Africa

was \$9,984,000 in June, according to Ploeger's June financial report.

Included among the companies doing business in South Africa in June — and in which UD is an investor are NCR Corp., IBM, General Motors, Cigna Insurance, Mobil Oil and Hewlett-Packard.

'Prudent people can see the situation in different ways.'

Some businesses have since decided to divest or partly divest. Others, like GM, will continue to conduct business with the new South African companies owning their plants.

Numerous state and private universities nationwide and the Marianist Society of New York have divested. The Marianist order has a series of "highly autonomous" provinces worldwide, however, and the Cincinnati province, to which the Marianists at UD belong, has not divested.

The investment subcommittee of the board of trustees decided last fall to remain an investor in companies which operate in South Africa as long as they subscribe to the Sullivan Principles or similar guidelines.

The Sullivan Principles were originally intended to guarantee equal opportunity and social expenditures. The principles were

originated in 1977 by the Rev. Leon Sullivan, a member of the board of directors at GM and a black minister from Philadelphia.

All of the American companies which have agreed to follow the principles are rated, but the materials used to rate the companies are provided by the companies themselves. Representatives for black trade unions usually are not consulted. Consequently, the Sullivan ratings have been widely accused of lacking objectivity.

Sullivan himself has grown dissatisfied with the effectiveness of the principles. He is asking all American companies to leave South Africa by the end of May, unless apartheid is dismantled.

Kovalik believes judging corporations based on their obedience to the Sullivan Principles is ineffective since the principles have not worked in changing apartheid.

Policy failure

"When you have a system as oppressive as apartheid, (the Sullivan Principles) are not changing the system of slavery that the country has. On the contrary, you are allowing that to continue. That's why we have a problem with the Sullivan Principles. It's making it look like there are little improvements, but it is not changing any system," Kovalik said.

"The real issue is that human beings are being killed, being discriminated against and being oppressed

because they are black. The situation is not being solved by the Sullivan Principles and it will not be. In fact, the South African government supports the Sullivan Principles because it takes away from the real issue," Kovalik said.

Ploeger disagreed. "The big thing is whether or not the Sullivan Principles, in some sense, challenge the apartheid system," Ploeger said. "My impression is that you believe in equal opportunity in the workplace and certainly equal access for any race. Those are just not things the South African government supports," Ploeger said.

Tactics

"I think the big thing is tactics," Ploeger said. "That is, does limited participation in the system, but challenging what the overall system is, is that going to be an effective strategy? Or is the only effective strategy complete non-cooperation?" he said.

According to Ploeger, only two universities in Ohio have completely divested. They are Ohio State and Ohio University. Ploeger said that "several other universities have made partial divestments if the companies are not following the Sullivan Principles." They are Denison, Wooster, Cincinnati, Miami, Oberlin, Case Western, Ohio Wesleyan and UD, he said.

"Prudent people can see the situation in different ways," Ploeger said.

Apartheid group: A question of morality

Students Against Apartheid co-chairperson Dan Kovalik says the 800 student signatures are not a measure to prevent alumni donations from being invested in South Africa.

SUNDAY:

Alumni Fund director responds to petition

Since alumni donations do not go into university investments, "The point is not where the (alumni contribution) money goes, but to take a stand and say that until the university changes policies which students feel are immoral, the students won't support the university."

The two SAA members said they believed that corporations such as NCR Corp. and Royal Dutch Shell Co. — either indirectly by their investments or perhaps directly — give South African authorities the "tools" they need to keep 24 million blacks under oppressive control.

Kovalik said money is being spent by various groups to keep universities from divesting, and that universities which choose to divest from companies in South Africa have seen those companies withdraw their endowments and other aid from the divesting universities.

In a recent speech for SAA, African activist Nozipo Glenn said, "Corporations are not here (in South Africa) to help us; but they are here to exploit our slavery."

Kovalik similarly believed the country is based on slavery as an economical system.

"The UN has been begging the U.S. and other nations to pull their corporations out, but the U.S. has turned a deaf ear," he said.

"The corporations are not stopping the murder, the torture, the jail sentences... the corporations can't stop it" and as a result, "(the South African people) hate us," Kovalik said.

Kovalik said that "Nazi Germany could not be improved; it had to be overcome," and that the same was true of South Africa.

Kovalik further said, "The same arguments not to divest were used to argue against letting the blacks free before the Civil War."

Citing a London Times survey, Kovalik said the African National Congress is "the most-supported group in South Africa" and that the ANC has a "one person, one vote."

"That whole nation was built on the backs of blacks — it was they who built it," he said.

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Government out of balance?

Mark J. Ingram
NEWS WRITER

NEWS ESSAY

Second of two parts. In part one, noted historian Garry Wills was reported as saying America has made great progress in civil rights since 1789, but that presidential powers — especially in war-making — have dangerously exceeded Constitutional allowances.

"The War Powers Act itself, which was an attempt by Congress to regain some of the control it has on the Constitution over the declaring of war, was unconstitutional in that it gave away part of its war-making powers. It said that the president can go to war for a while if he'll tell us about it someday down the line under certain rules. The Constitution says

nothing like that; it says that Congress shall declare war."

This, according to award-winning Yale University professor and writer Garry Wills in his March 19 speech for the history department's Constitution series, is a particularly disturbing situation for America because under the present arrangement there is no Constitutional body that can interpose itself between the president and the atom bomb.

"If we have given the president all that power, how can we quibble when he takes that power and uses it to declare war on little countries in secret, to assassinate the rulers of other countries, to mine

harbors in Nicaragua, and to pass out assassination manuals," Wills said.

In a way, Wills believed, "We're in a permanent state of war, and in wartime we turn everything over to the commander in chief and it's all in his power.

"When Truman set up the CIA, a secret body functioning under the president of the United States, he did so in an unconstitutional way," he said. "Article I of the Constitution says that all public monies must be publicly accounted for; the CIA's monies are not publicly accounted for. They weren't accounted for at all for a while, and now they are accounted for in a quite suspect way, to a small number of congressmen, and they are not the public."

Someone asked the question, "Are our Constitutional rights collapsing insofar as congressional accountability to the people, and presidential accountability to Congress?"

"The trend certainly points that way," Wills believed.

Young at heart

'Frisch's field' site of center

Folake Oladimeji
NEWS WRITER

The University of Dayton has approved and begun the construction of a new day-care center for children of the faculty, staff and students.

The proposal for the self-supporting child care center was made about two years ago, but was not approved until this year, according to Joan Slonaker of the home economics department."

The center, which is scheduled to be finished on August 1, 1987, will offer a home-like environment for young children. The center will open August 17.

The center has been financed internally by

the university. The initial cost to construct the center is \$578,200. Slonaker said the center is under "long-term funding." This means that the center will pay back the university once it is in operation.

Each group of children will have a teacher and a student as a teacher's aide. The center will maintain a kitchen, office and classrooms.

The center will hire 40 to 50 students, making it the second largest hiring department in the university.

Students in home economics, education, psychology and physical education can use the center as field study and also get credit hours for work.

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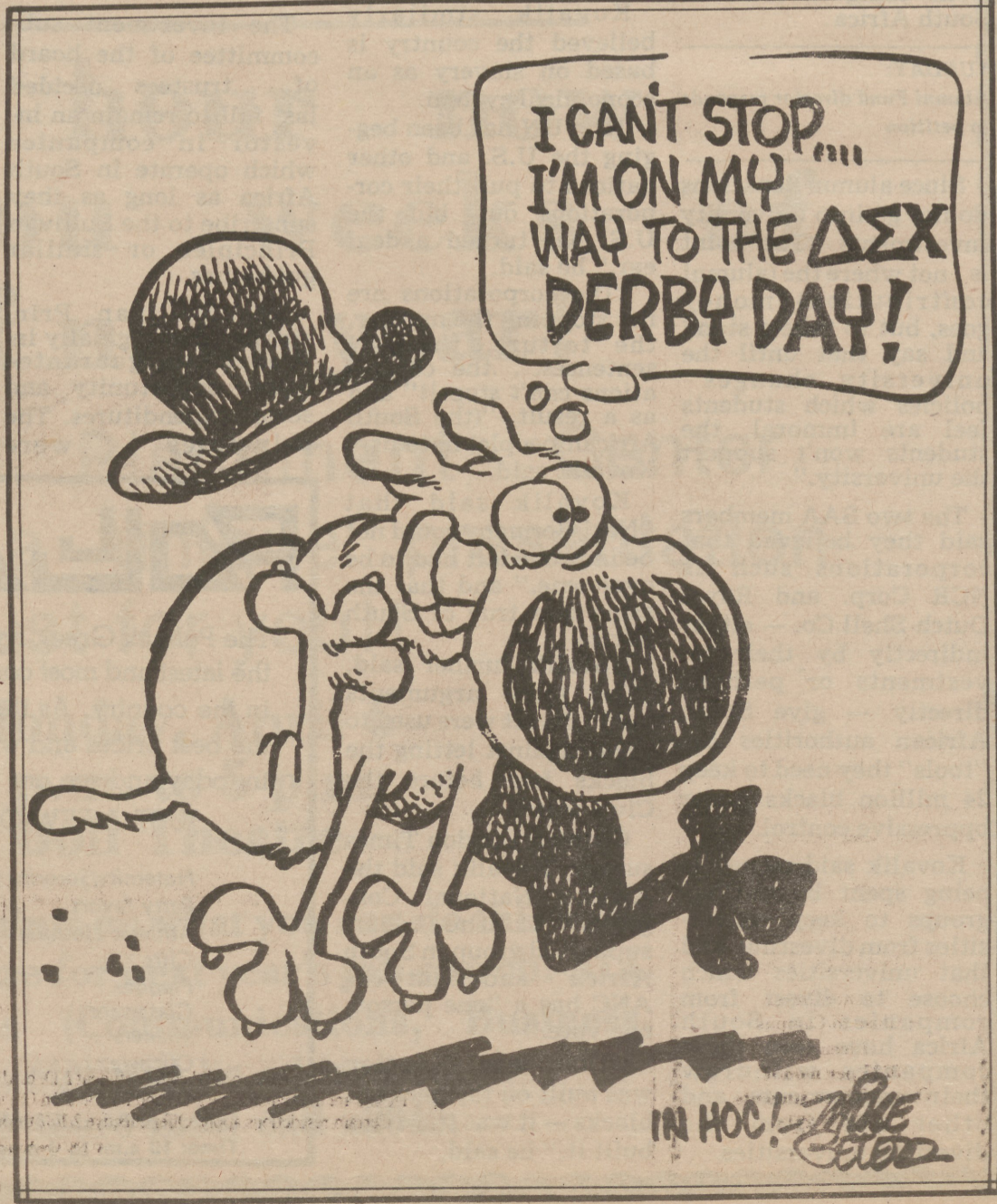
Packaging Store

Triathlon scheduled

There will be a triathlon of bowling, billiards and pinball in the KU games room Saturday from 11 a.m. to 3 p.m. The

registration deadline is Friday, and the entry fee is \$1.

Cash prizes will be awarded to the overall winner of the day.



Respite

CONTINUED FROM /1

can use a swing made especially for people in wheelchairs.

Dan, 23, has little coordination ability. Yet he can play on a special trampoline that eliminates the possibility of falling.

When it is time to eat, the group makes a snack that everyone can participate in cooking. Dan says he likes making cupcakes and baked potatoes the best.

Although Theresa struggles with scissors, arts and crafts is her favorite part of the program because it gives her something to take home. She enjoys making cards for her boyfriend.

In the evening, they watch cartoons and movies. During this time, they can also play checkers, draw or sleep.

The group also takes field trips. In the past, they have played putt-putt golf, gone swimming and gone out to eat. Activities common to most people are a special outing for them.

"When we go out in public," Mott said, "we

split up into groups of about four to blend more easily. We don't want them to stick out."

She stressed how important it is for the community to treat them like anyone else. "The better ones are aware that they are different. They don't want to be around others who are retarded because people recognize them as being retarded, too," she said.

The children in the program are extremely friendly and get very excited when a new person is present. They introduce themselves and shake hands; they tell jokes and sing. They

laugh and clap their hands. More than anything else, they smile.

Mott said she believes that once a person is around the mentally retarded, he or she learns about the world as the retarded person experiences it. "You can tell people everything about these kids, but until you spend time with them, you never really understand," she said.

The work seldom gets Mott down because she realizes the importance of Respite to both the parents and the children.

"Improvement can be seen in their behavior (as a result of the Respite

program). They become a lot more independent and learn to tell the staff what they want," she said. "I tell the staff never to do anything for them that they can do themselves."

But for staff member Beth, who wishes not to use her full name, the emotional strain is not always easy to handle.

"It can be hard," she said. "She's not as bad as some of the others, but I can't imagine always being around someone who isn't on as high of a level as she is. It's tough enough being a sister. I can't imagine being a parent."



Bill Cunningham

Hip to be square

Huey Lewis proves he's just an ordinary guy when he takes time out to loosen up and shoot some hoops with UD students at the PAC just before his concert.

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Editorials

Rule of thumb

Groups should print contest rules

The recent disgruntlement of a UD student when his girlfriend was not awarded the main prize when her name was drawn at the Student Association Suitcase Party brings home an important point: Organizations should express contest rules in writing.

In the SA case, representatives say the woman agreed to take another, smaller prize when she said she was unable to go on the trip awarded her.

But the incident brings up questions as to whether the prize was transferable and whether a non-student could win. The answers to these questions, even if they do not pertain to this case, should have been in writing.

Spelling out the rules and publicizing them not only protects the contest participants, but protects the organization from unplanned difficulties as well.

Why choose UD?

John Cowley
COLUMNIST



Peter Pennyloafer chuckles to himself as a campus tour parades past his bench in front of St. Mary's.

"Ah, the next generation. So good to see the baton passed into such capable hands!" He makes a slight bow. "We salute you, young ones!"

A friend asks, "Do I detect an acid coating on that tongue of yours, Pete?"

"Me? Naw. More power to 'em if they want to set up shop here. I was just thinking about a particularly difficult question that came up during my 'Breakfast with Brother Fitz' last week."

"Oh yeah? Were you debating whether or not to brave the mushroom omelets they served?" asked my friend.

"I wish it was that simple. No, I'm talking about when Fitz asked all the students to give the reasons why they came to UD."

"THAT'S a tough question? All you'd have to say would be something like 'Well, the people were really nice and the school wasn't too huge and...'"

"And that's the stock answer, and that's what most of the students said," I said. "A few of them babbled something about Marianists or about a Catholic education, but I had no idea. Based on the majority of answers, I suspect I'm not alone in that department."

"You honestly believe there

are students who are paying thousands of dollars to come here and they don't have a good reason why?"

"Right. Keep in mind I'm not talking about the types who have their entire lives planned out before they get here. You know, the ones who determine in the seventh grade that they will become nuclear biochemists and then structure all their activities accordingly. For the people I'm talking about, it's more of a crap shoot. They don't have as many rigid specifications for college selection, so they're more apt to choose a place like this just because they have 'neat feelings' about it."

"Sounds like you're generalizing your feelings to the rest of the student population," said my friend.

"I WOULD be if people didn't tell me this themselves. You learn UD is a party school. You enroll, figuring it'll be a place where you can have a good time and get an education on the side."

"The Great Vacation Syndrome strikes again," my friend said.

"Exactly," I said. "But you don't want people to know that, so you make up reasons as you go along. Say you've taken a couple comm courses you liked. Your reason then becomes 'I chose UD because I heard they had a good communication department.'"

"And nobody will ever know it was because they had a Division 1 basketball team," my friend said.

"Or because you never thought someone would ask you why you came."

Editorial Board

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Get contract facts

Ginny Judge
COLUMNIST



For the hundreds of students who have reached their level of tolerance for dorm life, next year will be an exciting one. Especially if they are "ghetto bound." If you are one of those students fortunate enough to obtain university housing, far be it from me to dampen your enthusiasm.

If, however, you have ventured into the deep dark world of the private landlord ghetto house, please harken to a few words of warning.

One thing to keep in mind is your damage deposit. As the year progresses, keep a list of any damages that may occur. If you don't, the landlord may accuse you of doing damage and keep your damage deposit.

Also, lots of people in need of housing hook up with acquaintances for roommates. Much of the time, it works well and friendships result. In certain situations, however, friendships do not really develop and thus, there is a lack of loyalty.

What's the significance, you ask. Am I implying that these acquaintance-roommates will steal your peanut butter? Pilfer your oreos? I wish it were so trivial.

In reality, they may not pay their rent if their circumstances force them to leave school.

Big deal, right? It's not your

problem. You paid your share of the rent. The landlord will understand.

Wrong. Read the fine print of that housing contract that symbolizes your entry into that glorious ghetto dwelling.

Many times, students (like I once did) sign a contract stating that a TOTAL amount of rent will be paid, regardless of the number of people in the house. The contract will usually state an amount like \$2500.00 for the whole semester.

Check your contract. If you haven't yet signed, see if you can get a clause in it that will specify that you are only responsible for your share of the rent. Go to the law school if you're not sure what you've signed and what your responsibilities are.

If you've already signed, see if you and your housemates can come up with your own contract stating that each will be responsible for their rent, even if they must leave school. Another option is to make an agreement to pay the entire year in full when the year begins in August.

Living in a landlord house can be a great experience. You learn a great deal of responsibility. One of those responsibilities involves knowing what you are getting into before you get into it. If you go into a situation with open eyes, you'll be better prepared to handle every situation, be it hooking up your gas and electric or handling a sticky rent situation.

Columnists wanted

The Flyer News is now accepting writing samples from students wishing to be Flyer News columnists for the fall semester.

Applicants should submit three samples of their work. All samples must be typed, double-spaced and no longer than 300 words. Please include

a home and school address, as applicants will be notified of the editorial board's decision by mail.

Deadline for application is Friday, April 10. Submit writing to Maureen Osborne or Tony Hubert in the Flyer News office, KU 232.

Students should be informed of rights

Vincent De Pascale

GUEST COLUMNIST
ATTORNEY AT LAW

Editor's note: Vincent De Pascale received his B.A. from UD in 1963. He is familiar with police law and civil rights, use of force and civil and criminal liability of both police and civilians.

The Dayton Police can be sued and/or prosecuted for beating a student for mere words, or for an arrest made without an underlying criminal act, or for harassing students engaged in non-violent, legitimate pursuits or for civil rights violations committed during an arrest even if the person is guilty of an offense.

I have recently become aware of the situation that exists at UD and the events and incidents relevant to the March 7, 1987, Notre Dame weekend. I have read the articles, arguments and position statements in the Flyer News. I have a moral responsibility and the professional expertise to respond.

The police have an absolute right to preserve the peace, and to protect themselves from personal harm while they are doing so, so long as they are acting lawfully. The police have no right whatsoever to:

- Use force or violence in response to anything oral, including verbal abuse;
- Threaten peaceful, unarmed civilians with bodily harm;
- Hit, threaten, abuse, detain, arrest or otherwise harass civilians who are not engaging in criminal acts;
- Enter upon private property without a warrant, consent of owner, or probable cause to believe a crime is in progress;
- File unfounded criminal charges to control a "situation," nor because of name calling;
- Use more force than is reasonably necessary to enforce their lawful duties or to effect a lawful arrest;
- Create a "situation" so they can then make arrests to stop the resulting altercation;
- Break up a peaceful assembly of persons (such as a party) because they think it may get out of hand.

Students have the absolute duty to obey the law, to obey all lawful orders of the police, to offer no violence to the police and to peacefully submit to a lawful arrest irrespective of guilt.

Regardless of the

preferences of either side, both the police and the students are subject to the same laws; such laws protect all equally, or they protect no one.

A police officer may not legally arrest you for what you say, unless your statement constitutes a crime or incites violence. Mere name-calling at police cannot result in a legal arrest sufficient to support a conviction.

If the police use

violence without sufficient cause the student has the absolute right to charge the officer with assault (a crime having a penalty of up to six months in jail and a fine of up to \$1,000), and to sue the officer, the police department and the City of Dayton in state or federal court.

A police officer has no right to order a student off a public sidewalk, out of a private yard or off a private porch unless that

student is committing a criminal act there.

Burning a couch or a dumpster is a crime, intoxication is a crime, disorderly conduct is a crime. Watching a fire is not a crime, having a party is not a crime.

A public disturbance (unless it is a riot) without property damage requires that the public, not the police, be disturbed.

The police cannot send multiple cruisers into an

area where there is only a party in progress and then claim they are disturbed by what is there, when they arrived only so they would be disturbed.

If the police stay in their cars and on the public streets and students do not go into the streets, throw items at the cruisers or otherwise become abusive, there is no reason under

SEE LAW/8

WHEN IS THE RIGHT TIME TO CALL YOUR PARENTS?

- a) When you're stuck in your room because someone "pennied" your door.
- b) When you spent all your money playing video games and you still have to buy books for Developmental Psych.
- c) When you just miss hearing their voices and telling them what you've been doing.

One thing about parents: they love to hear what you've been up to. But you should call them anyway.

And when they ask where you were last night, tell them that you always call using AT&T Long Distance Service because of AT&T's high quality service and exceptional value.

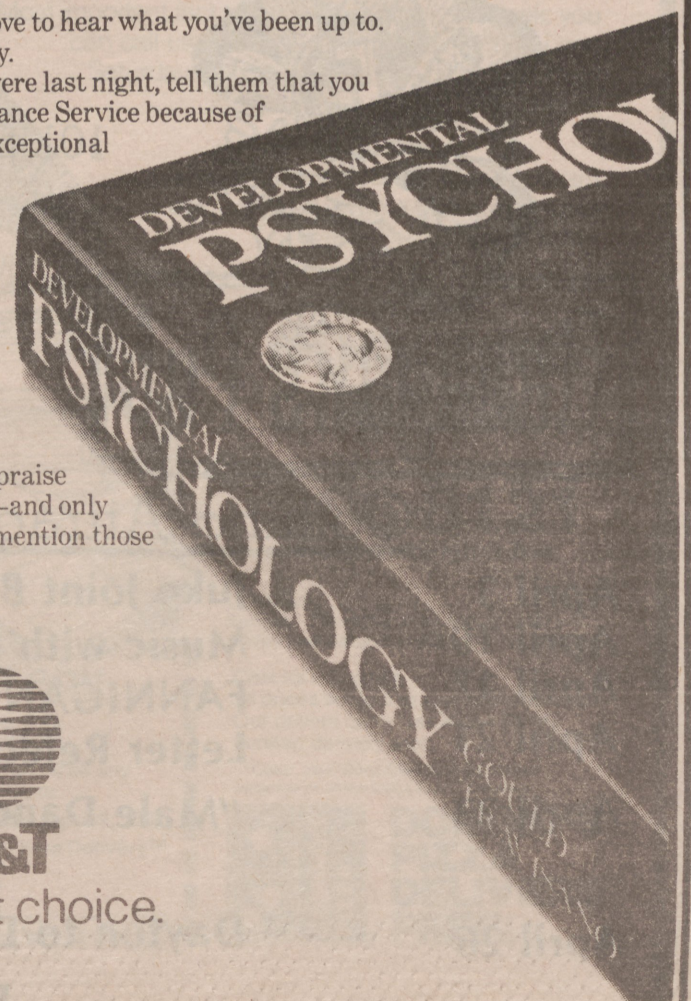
When they ask how your studies are going, remind them that AT&T gives you immediate credit if you dial a wrong number.

And when they ask about your plans for the weekend, note that you can count on AT&T for clear long distance connections.

And when, at last, they praise you for using AT&T, then—and only then—you might want to mention those Psych books.



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Law

CONTINUED FROM/7

law for them to interact. The police are required by law to use only so much force as is reasonably necessary to effect a lawful purpose such as an arrest. Such force cannot be excessive and must be suited to both the purpose and the threat. Such force must also proceed in stages, from low to high, and the police cannot respond to words with clubs or guns.

Unless a student responds with violence or resists a lawful arrest, the police cannot proceed past the verbal phase. If the student goes quietly, the police cannot hit him, no matter what he says.

A neurotic misuse of authority by the Dayton police, if it exists, is actionable through the courts and is not justified by misdemeanor conduct.

If there is an element within the Dayton police that is out to get UD students, then they are an insult to every honest, competent, dedicated police officer in Ohio. Their peers should ostracize them and their city should deal with

them.

As to arson, the only question I have on that point is that if arson was being committed and there was the clear and immediate threat to life and property, why did the Dayton police show up with paddy wagons instead of fire trucks? 1309 Alberta St., where I spent four years, would burn to the ground in travel time from the fire station. A fire truck on the spot would be a far better and more logical answer and would furnish the credibility lacking in the police department's arguments.

The alleged code of silence among the students howls even to the deaf when compared with the code of silence in a police department. The police department's argument in this respect is clearly the pot calling the kettle black.

The fact that some students did commit crimes cannot and does not justify a field day without penalty on the part of the police.

When there is no justification for much of the harassment that went on, when students who were

literally minding their own business were interrogated, arrested and even subjected to violence, the remedy is not compliance or silence, but rather complaint and exposure.

Irresponsible students who ignite dumpsters and test the theory of hyperbolic arc with bottles should be detained by their peers and remanded to the police.

I have the following suggestions:

- Obey the law.
- Drink in moderation. At one beer per hour you cannot test drunk on a BAC no matter how many hours you drink.
- Do not offer violence to the police. Make them take the initiative.
- Photograph in detail any con-

frontation between the police and a student, including such instances as the police dragging a bleeding student away.

■ Photograph any arrest for jaywalking, paying particular attention to where the student is standing.

■ Photograph any situation where there are multiple police officers interacting with a single student.

■ If you see a friend being arrested, make as many written notes in detail as you can, honestly listing as much information as possible. Get badge numbers as the names are much harder and the badges are assigned.

■ If you believe you have been unjustly arrested, get a lawyer. The conviction you may otherwise get will stay with you for many years.

■ If you are arrested for intoxication and do not believe you are drunk, demand a blood alcohol test from the police.

They will probably refuse it, but you can bring out that information in court.

■ Talk to your lawyer about forcing the police to identify you.

The foregoing does not constitute, nor is it intended to constitute, legal advice. For legal advice you should contact an attorney of your choice and seek his counsel.

I believe the university administration should take a more student-oriented position, or at least one based on law and fact in this matter, as the students are far more important to the continued existence of UD than the police department.

Grading system needs revamping

The University of Dayton needs a new grading policy that is fair to both the students and professors. It needs to adopt a grading policy that would include adding a plus to the final grade.

For instance, in the present grading policy, a student who has an 88 percent average and a student who has an 80 percent average will both receive a letter grade of

"B" equal to 3.0. This grading policy makes it very hard for a professor to award a student who works hard all semester.

This new grading policy would justly

award those students who work hard all semester and who would have had to settle for an unfavorable grade in the old grading policy.

Stephen Paccione

Positions still open

The Flyer News is still accepting applications for the positions of copy editor, production manager and advertis-

ing manager for the 1987-88 school year.

To apply, contact the Flyer News office.



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Coming Attractions

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April 10
April 17
April 21
April 23
April 26

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UD

TKEs say damage responsibility is not theirs

Early in the morning of Jan. 11, an unknown group of assailants threw snowballs and rocks through the windows of the Tau Kappa Epsilon house at 305 Kiefaber St. Eighteen windows were smashed.

Soon after the incident, our fraternity was billed the full amount for the damages sustained.

As a fraternity, we feel that TKE should not have to pay for the windows for the following reasons: First, the attack on the TKE house was entirely unprovoked. The residents of the house were asleep and no other TKEs were around when the attack occurred.

Several witnesses said they saw people breaking the windows from the outside. The witnesses also said all the lights in

the house were off.

Second, even though Campus Security was called several times throughout the night, they failed to respond until we called them again after the attack. Campus Security told us they would investigate the

matter. We never heard from them again. The only thing we received in the mail was a bill for the damages.

It is painfully obvious that our fraternity should not be held liable because the attack was

not our fault, and because Campus Security could have prevented most of the damage if they had shown up when they were called.

Unfortunately, this and other incidents of violence in the Ghetto on-

ly show that the university does not have enough consideration for the safety of its students and its property.

Matthew Lintz
Vice president, representing the brothers of TKE.

Group to protest apartheid on Friday

Students Against Apartheid invites all students to participate in a rally for university divestment from South Africa on April 3 between noon and 1 p.m. We will be rallying in solidarity with people all over the country in commemoration of Martin Luther King's assassination.

Speeches will be held in the plaza by people who are intimately con-

nected with the issue of apartheid and divestment: Nozipo Glenn, who is a South African exile; Gordon Welty, co-chairperson of the Ohio Anti-Apartheid Coalition; Emily Blumenfeld, from the Dayton chapter of Women for Racial and Economic Equality; the Rev. Gilbert, head of the Dayton Southern Leadership Conference; and a representative from the Rainbow Coalition.

Also, at 10 p.m., 11 p.m. and 1 a.m., we will be showing the film "South Africa Unlimited" in KU.

We hope that many students will be in attendance to protest the university's investment in the South African economic system which is oppressing, subjugating and ultimately enslaving persons because of the color of their skin. We, as students, must not re-

main silent; we must call out for justice.

Also, there will be a Mass and candlelight vigil on April 2 at 9 p.m. in the chapel. We invite all students to attend.

We thank all students who have supported for divestment and we call for your further support.

Christine Haas
Jill Jacklitz
Dan Kovalik

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UD-3



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Features

Local band takes its music seriously

Scott Elliott
FEATURES WRITER

*Sit in front of the real world
Watch the real world all night
Pass us into certain cues
My feet are slipping in my shoes.*

They may be watching the real world, but soon Dayton local music fans will be watching the Holy Ghostly. Made up of four University of Dayton student Tim Fox, Jerry Williams, Dan Toohey and Mike Dombrowski, the Holy Ghostly is a new band emerging on the local scene.

The band's music, a combination of 1960s pop, 70s experimental and 80s rock-n-roll, according to Dombrowski, may not appear at first glance to have a specific purpose, but the concerns of the band are reflected in the lyrics.

"I think our I's and me's go beyond the I and me," said Williams. "The

common denominator in our lyrics is turning misery around to be something joyful."

The band began in September 1986, when lead vocalist Williams and guitarist Fox met Dombrowski, a drummer. The three played with a different bassist under the name the Hospitals until January when they added Toohey as the new bass player. Fox and Williams, both English majors, and Toohey, a mechanical engineer, are from Dayton. Dombrowski, a communication major, is from Akron.

As with many bands, their name invites the question, "What is a Holy Ghostly?" Fox explained that the name, which comes from a Sam Sheppard play, doesn't necessarily represent the attitude of the band, but symbolically it does carry meaning.

"It's not pro- or anti-religion," Fox said. "But there's a certain amount

of holiness in being in a band. Also, there's the fact that if a ghost isn't holy, what is?"

Fox and Williams write the lyrics, and they try to incorporate many literary images into the songs they write. "We try to be as literary as possible," said Fox. "We want the words to be able to stand on their own, without music."

Gotta find God before the cops get here.

The band played their first nightclub appearance at Gilly's March 28. They played at Canal Street Tavern last night. The band has just begun to get into the Dayton scene.

"We made a seven-song demo tape which we took to Canal Street," said Dombrowski, who is acting manager for the band. "They seemed to like it. We also took it to a local promoter who books national acts and we hope something comes of that."

Right now the band is just looking for a break to get going. "Last Saturday the promoter called us to replace an opening act he thought might be a problem," said Dombrowski. "The act showed, but we got to play too."

There were no ideas to believe in

*No forks in roads
No singing to be done.*

Like other bands, arguments are common place in rehearsals, performances and general get-togethers. Williams, a junior who is not enrolled this semester because of a financial error, claims that the fights don't bother the band once they've passed. Fox sees some good come out



Bill Cunningham

Holy Ghostly left to right: Mike Dombrowski, Dan Toohey, Jerry Williams, Tim Fox

of fighting.

"I think that even though it happens and it might be detrimental to the mood for an evening, in the long run I think it makes us all feel terrible on our own which is good. Then we all feel guilty."

I'm applying for the position of your face.

All of the Holy Ghostly are planning for careers in music. "Except Mike," said Williams. "He wants to spend his life sitting around all day making funny faces at girls."

Dombrowski, however, admits that he is also thinking about a career in music.

"I don't think about anything," Toohey added, "it just happens."

While most of the time the band doesn't take anything seriously, they do take their music seriously. They practice four times a week in the basement of Stuart Hall.

Fox and Williams consider their lyrics important and serious commentary about a variety of subjects.

As for Dayton, the band is hoping to be the first of their kind to make it out. They feel local music isn't very good since there are few nightclubs and Dayton isn't a big enough city to attract the kind of attention to a band the way Cincinnati or Cleveland would be.

Their song *Easttown, East of Town* captures their feelings toward Dayton.

"The song doesn't come out and say 'This town sucks and we hate it,'" said Williams. "It says 'Explain why you don't like this place.' Is it the place you don't like, or is it your life here or you being in this place?"

Whether the Holy Ghostly shows the serious side they project in their music, or the less serious side that accompanies them through their daily lives, they have something to say.

Scared and coming down from the holy black

I bring the body under the rage of the bleached ghost.

■ Holy Ghostly will be the second of three acts at Ghettofest Friday. Ghettofest is sponsored by Epsilon Delta Tau and begins at 3 p.m. Food and beverages provided.

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Sports

Prop

CONTINUED FROM/12

ever, will have to wait until the 1987-88 campaign to use Springer's talents. In fact, as a result of the NCAA's legislation, Springer could not even practice with the Flyers this past season.

"That's stupid, it's real stupid," Springer said in regard to that specific aspect of the Proposition 48 legislation. "I heard a talk show on that. Digger Phelps (Notre Dame head coach) said 'You wouldn't stop a violinist

from playing a violin the whole year.' So why stop a basketball player from playing the whole year? Or at least from practicing with the team? That way the player doesn't mature physically with the team. He has to mature on his own."

But Springer is hoping to put the whole episode behind him. Thus far, he has been successful in the classroom at UD and is anxious to begin playing once again. In fact, he is quite the optimist.

Late arrivals cost Lacrosse

FROM STAFF REPORTS

The Flyer Lacrosse team hit the road last weekend for three games and came away with a win and two losses.

On Friday they travelled to rural Earlham College in Indiana. Earlham had their full squad of 30 players suited for the game while Dayton showed up late with a small squad of only 13 players. This proved to be tough on the Flyers as they lost a close game,

5-3. Dan Reily scored two goals for Dayton; Matt Abrams added one.

On Saturday, the Flyers packed up again to visit the University of Kentucky only to forfeit as they arrived late again.

Sunday, however, proved to be a different story as the Flyers salvaged the weekend from total disaster with 10-4 win over Heidelberg College at home.

Pete Kraft and Mike

Squire pumped in two goals apiece in the win which broke the Flyers losing streak. The other six goals were scored by the "Long Island lax attack" of Steve Olvany and John Conroy each with a goal and Dan Reily who had a phenomenal game with four goals.

The defense was also outstanding led by goalie Jay Grownny and defenders Tom O'Leary, Scott Fitzgerald and Steve Lollahub.

Classified Ads

Classified ads are to be dropped off at the Flyer News office, located in KU232. Classifieds must include a name and a telephone number. Deadlines for Thursday editions are Mondays at noon. Deadlines for Monday editions are Thursdays at noon.

□ HELP WANTED □

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Pre-school asst. Part time. 222-0622.

Nice family with two young boys, ages one and three, needs babysitter for some evenings during the summer and into the school year. Must have own car. Babysitting experience and current references. Please call 832-0220 after 5 p.m.

PART-TIME HELP two to four hours per week. Donate plasma. Earn up to \$115 dollars per month in your spare time. Sera Tec.

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A Few Spare Hours? Receive/forward mail from home! Uncle Sam works hard — you pocket hundreds honestly! Details, send self-addressed, stamped envelope. BEDUYA, Box 17145, Tucson, AZ 85731.

Restaurant and Bar Personnel — Elsa's Mexican Restaurants need cocktail waitresses and bartenders at the South location. No experience necessary. Openings start now and run through summer. Night hours — Good pay — Fun atmosphere. Willing to work around your schedule. Apply now in person, Mon. — Fri. 10 a.m. to 6 p.m. at Elsa's Mexican Restaurant South, 6318 Far Hills Ave. 439-3897.

CHILD CARE WANTED: Part-time for 18 month old. Experienced and with transportation. Call 294-0181.

Je suis perdu... car nous sommes dans l'île des Esclaves.

SUMMER EMPLOYMENT: Full-time summer positions available in our branch offices. Qualified individuals will have a working knowledge of major U.S. highway systems and excellent communication skills. Candidates must be able to train in late April — early May. Our offices are located in Rocky River, Maple Heights, Ravenna, Painesville, Cleveland and Lyndhurst. Interested individuals should call (216) 361-6151.

□ ACTIVITIES □

Ah! Ah! Ah! la drole d'aventure!

Friday, April 3, it's Blues from Columbus with the Columbus Jets. 1/2 off admission with your college ID (admission \$3).

JUKE JOINT will be appearing at Flanagan's Pub Friday, April 3. 9 p.m. to 2 a.m. Cover \$1.

GHETTOFEST III this Friday at 3 p.m. 448 Kiefaber St.

Divino. Lo que se dice divino!

Sat. at Gilly's McGuffey Lane Country Rock at its best.

Ecoutez, écoutez, voici le plus plaisant...

EDT and GHETTOFEST III!

Sunday at Gilly's... it's famed Jazz guitarist Kenny Burrell.

An evening of Comedies of Character in Spanish and French, Tuesday, April 7, KU Ballroom, 7:30 p.m. Free of charge.

GHETTOFEST III — A festive occasion.

April 16 at Gilly's — it's Steve Smith former drummer with rock band "Journey." His band is called Vital Information.

L'île des Esclaves, par Marivaux, Bienvenido, don Goyito, de Manuel Mendez Ballester, Tues., April 7, KU Ballroom, 7:30 p.m. Free of charge.

April 23, it's Reggae with Irie!

□ FOR SALE □

For rent: Fully furnished duplex. Three to four students. Best rates in area. 748-2596.

Hold it! Hold it! No seguir contando!

NEED CASH? Audio Etc... pays top dollar for scratch-free records, tapes and compact disks. 3864 Dayton-Xenia Road, Beavercreek. 429-HIFI.

APARTMENT near corner of Chambers St. and Alberta St. Four apartments: Three and two bedrooms with one, one and a half, and two baths. Two: Two bedroom apartments with baths. Available May 1, 1987 and for 1987-88 school year. Call Vicki at 223-9790.

En verité, voilà d'étranges conditions, cela revolte!

Audio Etc... has top quality new and preowned audio and video. We buy, sell and trade. 35 east to Dayton-Xenia Road. Beavercreek. 429-HIFI.

DELUXE ACCOMMODATIONS: Lg. two bedroom apt. for two students — \$300 per month. Utilities \$85 per month. Prefer female students. Call Mary at 252-8356 after 6 p.m.

Two IBM compatible (NCR) computers. One with a 10 meg hard drive. Color monitors. Less than a year old. 293-7281 or 274-3887.

Chambers Street: Apt. for up to 4 students, \$540 per month. Utilities run approx. \$80 per month. Prefer female students. Call Mary at 252-8356 after 6 p.m.

NO ROOM AT HOME? Call ALLSTOR — the Storage Place. (513) 866-1255. Show student ID for 25% discount off first full month's rent.

FOR RENT: Lowes Street house. 1987-88 term. Summer 1987 also. 222-0913.

WORD — PROCESSING SERVICES — RESUMES: Give your papers or resumes added impact with near typeset quality word processing. Papers, \$2 per page. 50 cents for duplicate pages. Resumes (you write), \$30 for 25 copies. Your choice of type style and paper stock. Prices may vary with some requests. 15 minutes from campus — off of I-675. Call Doris at 878-7784 or 434-0081. All jobs payable in cash. You deliver and pick-up.

College furniture sale — prices negotiable. Great bargains! Teri 298-3853.

□ MISCELLANEOUS □

Never underestimate the enthusiasm of the DOTs!

Delta Omega Tau is Number 1!!!

Congratulations new Lambda Nu sisters!

SCHOLARSHIP FOR YOU. Apply now for scholarships, grants and financial aid. Available regardless of grade points or financial needs. Matching students to funds nationwide. For information, \$1 write: National Scholarship Assistance, Post Office Box 8425, Wichita, Kansas 67208.

15 years of social excellence.

Social Excellence — Lambda Nu

Delta Sigma Phi rash has hit Phi Sigma Sigma once again. Girls better get out the bug spray.

There's a sorority at UD.

We'll always drink to Lambda Nu.

HATS OFF! Vote Karla Schottle (Delta Omega Tau) for DERBY DARLING!

Ahi si hay tela de donde cortar.

Welcome Lambda Nu Alumnae.

Congratulations Phi Sigma Sigma Lili brothers. We're all psyched!

Delta Sigma Chi — beware — you can never tell where a DOT may be hiding!

CHUCK & GREG — Keep the SPIRIT! DOTs will win Derby Days!!!

Social Sisterhood — Lambda Nu.

Pero no se te ocurra ir vestido de mamarracho.

Lambda Nu.

15 years.

Delta Sigma Chi — Jo and Mike — we are going to win — Phi Sigma Sigma

Quiteleš la mascara! Descubralos!

DELTA OMEGA TAU keep up the good work!

Welcome Lambda Nu Alumnae

Nous ne nous vengeons plus de vous! nous vous corrigeons.

Chris, Kim, Lynn and Tracy — we are so psyched for you! Love Delta Omega Tau.

Unity — Lambda Nu.

HATS OFF! Vote Karla Schottle (DOTs) for Derby Darling!

L'île des Esclaves, par Marivaux, Bienvenido, don Goyito, de Manuel Mendez Ballester, Tues., April 7, KU Ballroom, 7:30 p.m. Free of charge.

15 years of Excellence.

Female Apt-mate wanted. private room. Rent \$150. Quiet area. For more info, call Nancy at 298-4421

Mary Pat — April Fools!

When it comes to ed boards and ads, I may be believin', but one thing's for sure, I don't get mad. I get even. MPT

Proposition 48 'victim' endures winter

Dave Mullaney
SPORTS WRITER

For Ray Springer, the wait is over.

No longer will the University of Dayton freshman have the cloud of Proposition 48 hovering over his future in college basketball.

Proposition 48 is the new NCAA rule which specifies that college freshmen must meet two requirements in order to be eligible to compete athletically. The first is a minimum grade point average of 2.0 in a curriculum of 11 academic courses in areas of

English, math, social science and natural or physical science. The second is a minimum score of 700 on the SAT or a score of 15 on the ACT.

Springer, a 6-foot-1 point guard, had the grades at Meadowdale High School in Dayton, but failed to meet the minimum test score required and had to sit out the entire 1986-87 season.

"This has been the biggest setback of my life," Springer said. "What makes it so bad is that it wasn't my grades. It was just the test score. I could see if I had bad grades, but I suffered for some-

thing that I didn't deserve. Anything can happen when you take the ACT."

Many college coaches and administrators also disagree with such an emphasis being placed on standardized tests. The emphasis on such tests has also been viewed as being particularly discriminatory against inner-city black athletes.

"That's what a lot of people say," said Springer, who is black and a product of the Dayton public school system. "But I don't strongly disagree with the test. I

just disagree with the rules.

"A lot of black athletes get on TV and make themselves look like fools," continued Springer, "But when you judge a person of my caliber, I did the work and was in to both academics and athletics."

Springer does agree that certain provisions of Proposition 48 do discriminate.

"The bottom line is if you're rich, you can pay your way to school (for a year) and you won't lose a year of eligibility," he said.

If an athlete is ruled ineligible for his freshman year, the individual can still retain four years of eligibility by paying for their first year's tuition.

Another alternative would be to attend a junior college, where an athlete affected by Proposition 48 is still eligible to compete.

"I never did think of going to a junior college," said Springer. "I told myself that I didn't think I deserved junior college. I didn't have bad grades. My cousin was forced to go to a junior college because he didn't have a 2.0 (GPA). I just didn't feel I had to settle for a two-year school."

It is ironic that UD's basketball program is the benefactor of Springer's misfortune. If Proposition 48 had gone into effect a year later, Springer would currently be playing basketball for the DePaul Blue Demons.

DePaul head basketball coach Joey Meyer wanted Springer. The Blue Demons, however, had already signed players who were in jeopardy of failing to meet the requirements of the new rule. If they committed to Springer and he failed to score the minimum on the ACT, DePaul would have been faced with a depth problem for the upcoming season. When DePaul learned of Springer's scores, they backed off. Instead they recruited Kevin Edwards, a junior college transfer from Cleveland, who was instrumental in leading the Blue Demons to a 28-3 record this season.

With DePaul no longer interested, Springer signed a letter of intent in late July to attend Dayton.

"I could have gone away from home to another big school," Springer said. "But I looked at the opportunities I'll have here and some of the things after basketball. It worked out all right, so I stayed home."

That decision was pleasing to Dayton head basketball coach Don Donoher. Donoher, how-

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