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Play practice

Flighty Jill Tanner (Christy Binz) makes the startling discovery that her new neighbor, Don Baker (Steve King), is blind in the MSC Summer Dinner

Theater production of Leonard Gershe's "Butterflies are Free."

Battalion photo by Pat O'Malley

Court says Bakke must be admitted

United Press International

WASHINGTON — The Supreme Court has ruled Allan Bakke must be admitted to the University of California, but said its future admissions programs can take race into account to redress historic discrimination.

Bakke, a 38-year-old white engineer, had sued the UC medical school at Davis because it denied him admission while admitting minority students with lower entrance exam scores. UC Davis, under an affirmative action admissions program, had set aside 16 of 100 openings for minority applicants.

It took the justices more than one hour to read their six separate opinions in the court's historic, long-awaited ruling. A hushed crowd packed into the ornate chamber.

In ruling Bakke must be admitted, the court said that although the Davis special admissions program is invalid, the school may use race as a factor in forming a new program.

The justices were divided. Five ruled Bakke must be admitted, but a second block of five also backed the concept of affirmative action.

Although they did not speak together in any one opinion, Justice William Brennan said:

"This should not and must not mask the central meaning of today's opinions: Government may take race into account when it acts not to demean or insult any racial group, but to remedy disadvantages cast on minorities by past racial prejudice, at least when appropriate findings have been made by judicial, legislative or administrative bodies with competence to act in this area."

Justice Lewis Powell, writing the swing opinion, said California courts, by barring consideration of race in admissions programs, "failed to recognize that the state has a substantial interest that legitimately may be served by a properly devised admissions program involving the competitive consideration of race and ethnic origin."

And Justices Brennan, Byron White, Thurgood Marshall and Harry Blackmun joined to say the decision "affirms the constitutional power of federal and state government to act affirmatively to achieve equal opportunity for all."

Powell said the Davis program was unconstitutional and Bakke's admission must be upheld because after the California courts had ruled in his favor, the university conceded it could not prove Bakke still would have been barred had there been no minority program.

Chief Justice Warren Burger and Justices John Paul Stevens, Potter Stewart and William Rehnquist said the program violated a section of the 1964 Civil Rights Act which bars discrimination in federally-funded programs. Bakke should be admitted for that reason, they said, since the Davis school gets federal funds.

But despite the technicality on this particular case, five jus-

tices said the university had every right to consider ethnic background in future admissions.

Powell said it is evident the Davis program involves use of an explicit racial classification "never before countenanced by this court."

"It tells applicants who are not Negro, Asian or 'Chicano' that they are totally excluded from a specific percentage of the seats in an entering class," he said.

The fatal flaw, the opinion said, is in the program's "disregard of individual rights as guaranteed by the 14th Amendment."

"Such rights are not absolute," the opinion said, "but when a state's distribution of benefits or imposition of burdens hinges on the color of a person's skin or ancestry, that individual is entitled to a demonstration that the challenged classification is necessary to promote a substantial state interest."

Marshall, the court's first and only black, said in a separate opinion that during most of the past 200 years constitutional interpretations did not prohibit "the most ingenious and pervasive forms of discrimination against the Negro."

"Now, when a state acts to remedy the effects of that legacy of discrimination, I cannot believe that this same Constitution stands as a barrier."

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Chief Justice Warren Burger and Justices John Paul Stevens, Potter Stewart and William Rehnquist said Title VI of the Civil Rights Act of 1964 prohibits programs such as that at the Davis Medical School, and thus Bakke's rights were violated and he should be admitted.

Powell, saying race may be taken into account in university admissions, said UC's program did not stand up. This made a five-man majority affirming the California Supreme Court's ruling admitting Bakke.

Brennan, White, Marshall and Blackmun held the Davis program constitutional, and wanted to reverse the California court on all points.

Powell joined with the Brennan group in saying that some uses of race in university admissions are permissible — making five votes to reverse the California court's prohibition on the university establishing race-conscious programs in the future.

He said an intent to discriminate is evident in the Davis program, whereas no such fault exists in a system whereby race or ethnic background is simply one element, "to be weighed fairly against other elements in the selection process."

Marshall said while the case was viewed by some as involving only Bakke and the University of California, he doubts "that there is a computer capable of determining the number of persons and institutions that may be affected by today's decision."

Minority enrollment low

Recruiting efforts have little effect

By FLAVIA KRONE

Battalion Campus Editor
Minority enrollment at Texas A&M University remains low despite widespread recruitment efforts by University officials, Dean of Admissions and Records John Cooper said.

Minorities make up about 2 percent of the total student enrollment at Texas A&M, according to figures released by the Registrar's Office.

The Registrar's Office recorded the following minority enrollment figures for the fall 1977 semester:

Black	111
American Indian	231
Hispanic	138
Hispanic-Surname	244

The minority enrollment figures do not include foreign students. There are about 50 foreign students on campus as compared to about 724 American minority students.

These figures represent only rough estimates of the true minority population at Texas A&M, Cooper said. The inaccuracy results from the method by which minority enrollment statistics are gathered, Cooper said.

"To defend our position of being unbiased in our admissions procedures,

about eight years ago we removed all indications of race from our applications for admission," Cooper said. Instead, students are requested to volunteer minority status information at registration time.

"There is no way that this information can be verified for accuracy," Cooper said.

A request for racial identification was put back on Texas A&M applications for admission beginning with fall 1977 applications, according to Cooper. Requests by the federal government for minority enrollment figures prompted the move.

"We feel that the figures we get at admission time are more reliable than those received at registration," Cooper said.

Minority status information received at the application stage also aids recruitment efforts by University officials, Cooper said.

"Just because a person applies to Texas A&M doesn't mean he will come here," Cooper said. "If we want to make special efforts to recruit minorities we need to know where they are, and the application gives us this information."

The main thrust of Texas A&M's recruitment program involves sending representatives to high school "college night" programs, Cooper said.

From September 1976 to March 1977 Texas A&M representatives from the Office of Admissions and Records visited

about 240 high schools and junior colleges in the state and interviewed about 10,173 prospective students.

Texas A&M alumni also help recruiters by participating in a High School Relations Program, Cooper said. Alumni act as liaison between Texas A&M and community high schools and refer outstanding high school students to the Office of Admissions and Records.

As of fall 1977 every state in the nation and all but three Texas counties were represented by students enrolled at Texas A&M.

Despite these recruitment efforts minority enrollment at Texas A&M remains low.

"When you get down to basics there are only two really effective recruiting methods," Cooper said. "One is to get people to the campus to show them what it's like. The second is word-of-mouth advertising by the prospective student's peer group."

"A student can go back home and tell his friends about the dorms, the quality of the food, the classes and the type of people here," Cooper said. "That's what really sells schools."

The small minority population at Texas A&M prohibits much peer group selling to prospective minority students around the state, Cooper said.

"Our minority student enrollment will grow after we develop a nuclear minority population on campus that can spread the word," Cooper said.

Campus job vacancies become harder to fill

By DEBBY KRENEK

Battalion Editor
More than 150 full-time, non-faculty positions on the Texas A&M University staff are vacant. They have been for some time.

"Job vacancies in the Texas A&M system are becoming increasingly difficult to fill," Jane Armstrong, employment manager in the personnel department, said. Armstrong is in charge of finding applicants for openings not only in departments on campus, but in the agricultural extension and experiment services, the Texas Veterinary Medicine Diagnostic Lab, the forest service and research foundation.

"We are not getting enough applicants to fill all the jobs that are available," Armstrong said. Vacancies are spread throughout the University system; however, the majority of the vacancies are in clerical and secretarial capacities in academic departments on the Texas A&M campus, she said.

The secretarial and clerical jobs on campus are divided into three wage categories.

Clerk Typist I and Clerk I are paid the minimum wage. No previous experience is required for these positions. Applicants must only pass the typing and math tests that the personnel department gives to be considered for this position. Fifteen jobs presently are vacant in this category.

Secretary, Clerk Typist II and Clerk II are paid \$3.02 an hour. To be considered for one of these positions, an applicant must show "good" typing or bookkeeping skills as well as have one or two years experience in this type of job. Fifty-six positions are vacant in this category.

Senior Secretary and Clerk III are paid \$3.69 an hour. Applicants must display "exceptional" secretarial or bookkeeping skills. The senior secretaries, who are usually secretaries to department heads, must type at least 60 words per minute and take shorthand. Clerk III must have an extensive bookkeeping background. Three to five years experience are required of these applicants.

"The second area (Clerk and Clerk Typist II) is the most critical," Armstrong said. She cited the competition for employees from the Bryan-College Station businesses coupled with the 2.2 percent unemployment rate in the community as the reason for the high number of vacancies in this area.

"There are so few people with experience in the area looking for jobs, and the competition for labor with the community is great because there are so many new businesses opening," Armstrong said. "People come to work for the University, gain a few years experience and then leave the University for better paying jobs. Once they have the experience they can learn, for instance, to run a cash register and make \$4 or \$5 an hour as a grocery store cashier rather than the \$3.02 an hour the University pays."

"Also, many of the Clerk IIs move up to the Clerk III positions after one to two years. So keeping Clerk IIs is difficult," she said.

Meanwhile, some professors and department heads are being forced to answer phones and do other tasks around the office that cut down on their actual work time.

The waiting period to fill these non-faculty jobs used to be from one to two weeks, Armstrong said. Now it has been stretched to as long as six weeks.

Some departments have hired students to fill these full-time positions for the summer until someone can be hired on a permanent basis for the fall, Armstrong said. Students are not being considered for these positions in the fall because they cannot take classes and put in the 8 a.m.-5 p.m. day the jobs require since there are very few night classes offered at A&M, she added.

"The big point to be made here," Ray Smith, director of the personnel department, said, "is that whereas vacancies used to be seasonal, they are now continual." And the situation is going to get worse, he said.

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U.S. reporters charged with slander in Russia

United Press International

MOSCOW — Two American reporters have been ordered to stand trial July 5 on civil charges of slander brought against them by the Soviet state committee for radio and television.

Craig Whitney, 34, of the New York Times, and Hal Piper, 39, of the Baltimore Sun, spent 10 minutes before a Soviet judge Wednesday and were told to return to court Friday to file written responses to the civil slander suit, and to be prepared to go to trial July 5.

Soviet authorities originally ordered the trial for July 4, but postponed it one day when Whitney and Piper pointed out that

July 4 was a national holiday for Americans.

The television authorities brought the case against Whitney and Piper in response to articles they wrote, quoting Soviet dissidents as saying that they fabricated a filmed confession by Georgian dissident Zviad Gamsakhourdias.

Whitney told the Moscow court judge that he had planned to be away on vacation at the time set for trial.

The judge told him the authorities could not order him to remain in the Soviet Union in a civil case, but they hoped he would appear for the trial July 5. They pointed out that under Soviet law a trial can proceed even if the defendant is not

physically present.

The summonses raised concern among reporters in Moscow because it was feared the Soviet Union may be starting to use such cases to respond to any unfavorable reporting. Such tactics could keep reporters endlessly tied up in legal actions, stifling their ability to cover news.

Piper said he and Whitney assume the case involved stories they wrote in May from Tbilisi in Soviet Georgia quoting dissidents criticizing the televised confession of human rights activist Zviad Gamsakhourdias. The sources claimed the recantation was manufactured.

Under the Soviet Criminal Code, publishing a slander of a Soviet institution can bring up to three years in prison, but the corresponding article in the civil code was not clear.

Illegally parked police cars get ticketed at hotel

United Press International

NEW ORLEANS — Police Chief James Parsons, cited for illegal parking with a number of other policemen, admitted it and apologized — then "went through the roof" when he heard his order against future illegal parking by police was ignored.

Larry Hardison, who works near the Grand Hotel, tagged 19 police cars — all of them illegally parked in a tow-away zone — with letters Tuesday telling the officers "one of the best ways to lose the respect of citizens is to break the rules which you enforce."

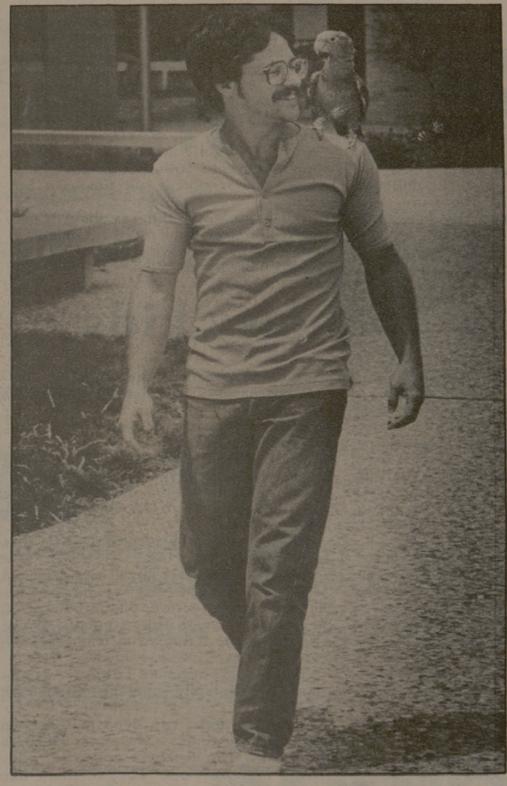
One of the cars was Parsons'. When he took office earlier this month, he vowed to improve the image of the police force and he apparently was embarrassed. Parsons called Hardison immediately to apologize. The police cars, parked outside the hotel because of a seminar on homicide, were moved.

Wednesday, however, more police cars were parked illegally. This time, Hardison called police to complain.

"The powers that be went through the roof (when Hardison complained again) and ordered that the cars be ticketed," said an officer who works with Parsons. "And (he) said that if there are any cars illegally parked there tomorrow, they'll be impounded."

Police spokesman Frank Hayward, who said he also has parked illegally many times at the hotel, said Parsons sent several motorcycle units to the area Tuesday after Hardison's complaint.

"Policemen are no different than anybody else," he said. "The citizens park illegally and I guess the cops thought they could park illegally. And what about all of those news cars I saw illegally parked around there?"



Dog Day . . . or just for the birds?

These Aggies seem to have a couple of interesting companions. Patrick Childers, a horticulture major, gives a lift to an unnamed friend he says is a "double yellow-headed Amazon." Meanwhile, "Use-



less' proves to be a real swinger with the help of a Frisbee and owner David Woodin. Woodin is a graduate student in biology.

Battalion photos by Pat O'Malley