

The Daily Iowan

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THURSDAY, SEPTEMBER 12, 1991

IOWA CITY'S MORNING NEWSPAPER

25¢

NewsBriefs

NATIONAL

Senate votes on AIDS precaution rules

WASHINGTON (AP) — The Senate voted today to give the government less than three months to issue long-delayed rules requiring doctors, dentists and hospital staff to wear gloves and take other precautions against the spread of AIDS.

On a 99-1 vote, the lawmakers adopted the proposal, which was introduced by leaders of both parties and backed by the Bush administration, unionized health-care workers and AIDS advocacy groups.

The provision was added to a \$204 billion bill financing the Department of Health and Human Services and other agencies in fiscal 1992, which begins Oct. 1. The House version of that bill does not contain the Senate language on AIDS precautions.

Iran-Contra hearings begin in Washington

WASHINGTON (AP) — Former National Security Adviser Robert McFarlane said Wednesday his testimony at Oliver North's 1989 criminal trial was influenced by North's nationally televised appearances on Capitol Hill. But McFarlane could cite no examples.

McFarlane's testimony opened what could be months of hearings before U.S. District Court Judge Gerhard Gesell as Iran-Contra prosecutors try to have North's three felony convictions reinstated.

A federal appeals court set aside the convictions, saying prosecutors must demonstrate in court that North's 1987 testimony to Congress, given under a grant of immunity, wasn't used against him at his criminal trial.

INTERNATIONAL

Thirteen more killed in South Africa

JOHANNESBURG, South Africa (AP) — Assaults raked morning commuters with automatic gunfire Wednesday during a fourth day of violence in black townships that left 13 people dead, officials said.

Three railway commuters were killed by gunfire in Tokoza township, Police Col. Frans Malherbe said. Two people were killed by a grenade thrown into a commuter minivan, he said.

Violence has raged since Sunday in the black townships, raising fears that a new peace treaty could be crippled before it is signed Saturday.

Hundreds protest presence of U.S. carrier in Japan

YOKOSUKA, Japan (AP) — The USS Independence aircraft carrier sailed into its new home port today, opposed by hundreds of anti-nuclear demonstrators.

Its arrival symbolizes America's continued Pacific commitment following the end of the Cold War. The Independence and its crew of 5,179 replace the USS Midway as the only U.S. carrier based overseas and the hub of the U.S. naval presence in Asia.

The 80,643-ton ship was greeted by a flotilla of about 150 anti-nuclear demonstrators, who claim U.S. vessels routinely violate a ban on bringing nuclear arms into Japan, the only nation to suffer atomic bomb attacks.

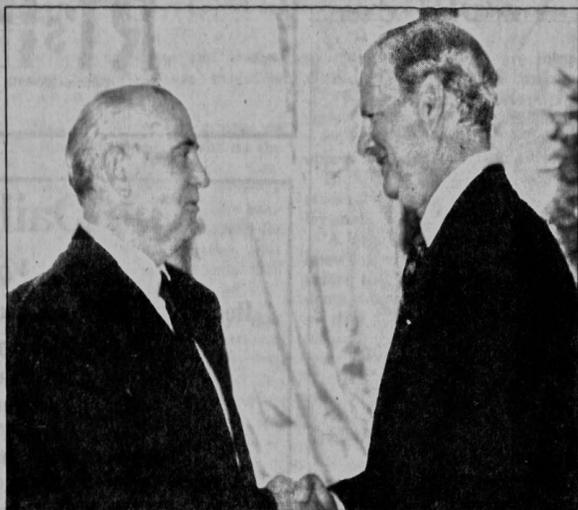
Australia proposes new method of storing nuclear waste

SYDNEY, Australia (AP) — As the United States and other countries struggle to find places to store nuclear waste, Australian companies say they have an answer: ship it to their vast country and store it in "synthetic rock."

They foresee a \$200 billion-a-year business by the year 2000. But they also face opposition by environmentalists.

INDEX

Features 2A
 Metro & Iowa 3A
 News of Record / Calendar 5A
 Nation & World 6A
 Crossword / Comic 4B
 Arts & Entertainment 6B



Soviet President Mikhail Gorbachev, left, greets U.S. Secretary of State James Baker in Moscow Wednesday. It is the first meeting by the two men since the failed coup attempt.

Gorbachev pledges to remove thousands of troops from Cuba

Thomas Ginsberg
 Associated Press

MOSCOW — President Mikhail Gorbachev said Wednesday the Kremlin will pull thousands of troops out of Communist Cuba, a major step toward erasing one of the lingering irritants in U.S.-Soviet relations.

The planned withdrawal of the troops, first sent in the wake of the Cuban missile crisis, would stop short of a complete Soviet pullout from the island 90 miles off Florida. And no timetable was given.

But it was the first concrete sign of a reversal in the 30-year-old Kremlin policy of maintaining a military presence on the United States' doorstep.

Cuba received the news bitterly. A statement from the Foreign Ministry in Havana said Gorbachev's remarks "were not preceded by consultations or any advance warning, which constitutes inappropriate behavior."

The pullout would sharply reduce the size of one of the largest Soviet foreign bases. It signaled a return to Gorbachev's policy of military retrenchment following the Aug. 18-21 coup that discredited hardliners.

Gorbachev made the announcement after a midday meeting with visiting U.S. Secretary of State James Baker, who called Gorbachev's decision "a substantial step" toward better superpower relations.

Gorbachev said talks would begin with Cuban officials on removing a training brigade based outside Havana. Asked how many from the brigade would be involved, he said "about 11,000," without specifying how many were soldiers, dependents or others.

The Cuban Foreign Ministry said the Soviet troop presence in Cuba was "essentially symbolic" and the numbers of troops much lower than the 11,000 mentioned by Gorbachev. The ministry statement, carried by the official news agency, Prensa Latina, did not give a specific figure.

"We intend to transform our relations with Cuba to a plane of mutually beneficial trade and economic ties," Gorbachev said.

MIDEAST

Release of hostages becomes more likely

Ahmed Mantash
 Associated Press

NABATIYEH, Lebanon — Hopes grew Wednesday for the release of Western hostages in Lebanon after Israel freed 51 Lebanese prisoners and handed over the remains of nine guerrillas in exchange for word that one of its servicemen was dead.

The Israeli move was seen as a crucial break in the hostage stalemate, heightening prospects for a broad swap including the rest of Israel's dead and missing servicemen, more Arab detainees and the 11 missing Westerners.

The Revolutionary Justice Organization in Beirut early today gave the first word about a hostage who has been held for two years.

The group said British hostage Jack Mann was alive and well and

that the release of prisoners by Israel had raised hopes of a "happy ending" — with Mann and other Westerners going free.

Revolutionary Justice accompanied the handwritten Arabic language communiqué it delivered to the independent Beirut newspaper *an-Nahar* with a photograph of Mann, a 77-year-old former pilot, who has been missing since May 12, 1989.

U.N. Secretary-General Javier Perez de Cuellar, the diplomatic point man in efforts to break the hostage deadlock, was "very encouraged" by Israel's actions, his spokesman François Giuliani said.

"He will now redouble his efforts to find a solution to the problems of all hostages, detainees and missing persons," said Giuliani.

Perez de Cuellar met Wednesday with Iranian officials in Tehran.



Israeli soldiers carry the coffin of a Muslim guerrilla, one of nine bodies and 51 Lebanese prisoners released in exchange for definitive information on missing Israeli soldiers, at Rosh Hanikra Wednesday.

REGULATIONS

DRUG POLICIES AND REGULATIONS

Penalties under Iowa Law for Distribution, Manufacturing, or Possession with the Intent to Distribute a Controlled Substance or a Counterfeit or Simulated Controlled Substance.*

| Class | SPECIAL CLASS "B" FELONY | CLASS "B" FELONY | CLASS "C" FELONY |
|------------------|--|--|---|
| Penalty | Imprisonment not to exceed 50 years and a fine of not more than \$1,000,000. | Imprisonment not to exceed 25 years and a fine between \$5,000 and \$100,000 | Imprisonment not to exceed 10 years and a fine between \$1,000 and \$50,000 |
| Substance | | | |
| Heroin | more than 1kg | >100-1000g | 100g or less |
| Cocaine | more than 5kg | >500-5,000g | 500g or less |
| Cocaine/Crack | more than 50g | >5-50g | 5g or less |
| P.C.P. (Pure) | more than 100g | 10-100g | 10g or less |
| P.C.P. (mixed) | more than 1kg | 100-1,000g | 100g or less |
| L.S.D. | more than 10g | 0-10g | — |

* This is a shortened list from the Table B contained in the "Policies & Regulations affecting Students (1991-92)" distributed by Student Services at the UI.

Drug, alcohol information section added to student policies handbook

Jessica Davidson
 Daily Iowan

Those students interested in the federal penalties for trafficking 1,000 kilograms of marijuana might want to check Friday's *Daily Iowan*.

The current edition of the *Policies and Regulations Affecting Students* will be distributed inside the edition.

Dean of Students Phillip Jones said most of the information contained in the booklet will be the same as last year's.

"There's nothing drastically new," he said, "except one section, which

is information about alcohol and drug-free campus stuff."

The new section includes three charts detailing the uses and effects of controlled substances, Iowa state law regarding penalties for distribution, manufacturing and possession with the intent to distribute controlled substances, and federal trafficking penalties.

Students who notice there is no information regarding penalties for possession or use should not be misled into believing there are none, according to Assistant to the Dean Thomas Baker.

"Next year's handbook will have more info on the results of posses-

sion offenses," he said. "This is not a comprehensive list by any means. This is not the university's final word on drug abuse."

Jones said the drug and alcohol information section is a response to a recent federal Drug-Free Campuses Act. This legislation requires universities to include drug and alcohol information in their student handbooks by 1991 in order to participate in federal programs.

Students may also notice a change in the handbook's looks. The paper is now a lighter stock, like newspaper.

Jones said the change is to facilitate See HANDBOOK, Page 5A

OPERATION RESCUE

AFAR gathers strength for upcoming protests

The local abortion rights group assesses the situation and develops a plan of action.

Loren Keller
 Daily Iowan

Though abortion rights advocates were not able to respond in equal numbers to Wednesday's gathering of anti-abortion demonstrators at the Emma Goldman Clinic for Women, 227 N. Dubuque St., preparations are being made for a predicted arrival of protesters from Wichita and other cities.

Dana Cloud, chairwoman of the local abortion rights group Action for Abortion Rights, said she is not sure what to expect over the next few days.

"I'm skeptical, but we're going to take it very seriously," she said. "You hear various things about

how many people are coming and where they're going to go and what they're going to do."

AFAR will organize its 225 supporters into squads and will hold a private meeting tonight to decide a specific course of action.

"I think we're ready, but it's going to take some intense organizational work tonight and tomorrow," Cloud said.

AFAR member Anne-Marie Gill said the group didn't know of Wednesday's anti-abortion press conference at the Emma Goldman Clinic until it started, and regretted that AFAR members weren't able to show up.

"We just don't have the days off that these people apparently do," Gill said.

She added, "We definitely have more people locally than they do. We outnumber them at least 10 to one."



Scott Kliever, a member of Operation Rescue, held a press conference in front of the Emma Goldman Clinic for Women Wednesday to proclaim the purpose of Operation Rescue's presence in Iowa City. Kliever hinted that Iowa City has been targeted for a series of protests similar to those in Wichita, Kan.

Local, visiting activists rally at IC clinic

Jude Sunderbruch
 Daily Iowan

For the second time in a month, Iowa City is bracing for a clash between anti-abortionists and abortion rights advocates.

A news conference and protest were held Wednesday afternoon in front of the Emma Goldman Clinic for Women, 227 N. Dubuque St. The news conference was led by Scott Kliever, a national leader of Operation Rescue who was present at anti-abortion protests in Wichita, Kan., this summer.

Kliever, a 28-year-old licensed evangelist who came from Wichita Wednesday morning, arrived in front of the clinic at 12:30 p.m. After an opening statement — "I've been sent to save babies" — he announced that Iowa City has been selected as the next large-scale site for protests, with demon-

See ABORTION, Page 5A

Features

REVIVAL

Korean Baptist Church gets new building

In celebration, the congregation is sponsoring a revival this weekend with guest speaker Esther Kim.

Kim Dykshorn
Daily Iowan

For the past six months, members of the Korean Baptist Church in Iowa City have met every night to pray for the construction of their new church on Mormon Trek Boulevard.

Through these prayer meetings, Pastor Jong Lee said, the congregation has "learned that together and with God's help we can do something that others think is impossible" — that is, build a church with very little money and an all-volunteer crew.

The 39-member construction crew from the First Baptist Church in Ferguson, Mo., arrived in Iowa City last Sunday to help build the church. They expect to have the frame completed within six days and the entire building finished in October.

"I hope it will help us to reach many Korean people for Christ in Iowa and also help us to grow."

Jong Lee, pastor

Lee said the 235-member church has outgrown its current place of worship, the University Baptist Church at 1850 W. Benton St. The new building will seat 350 people.

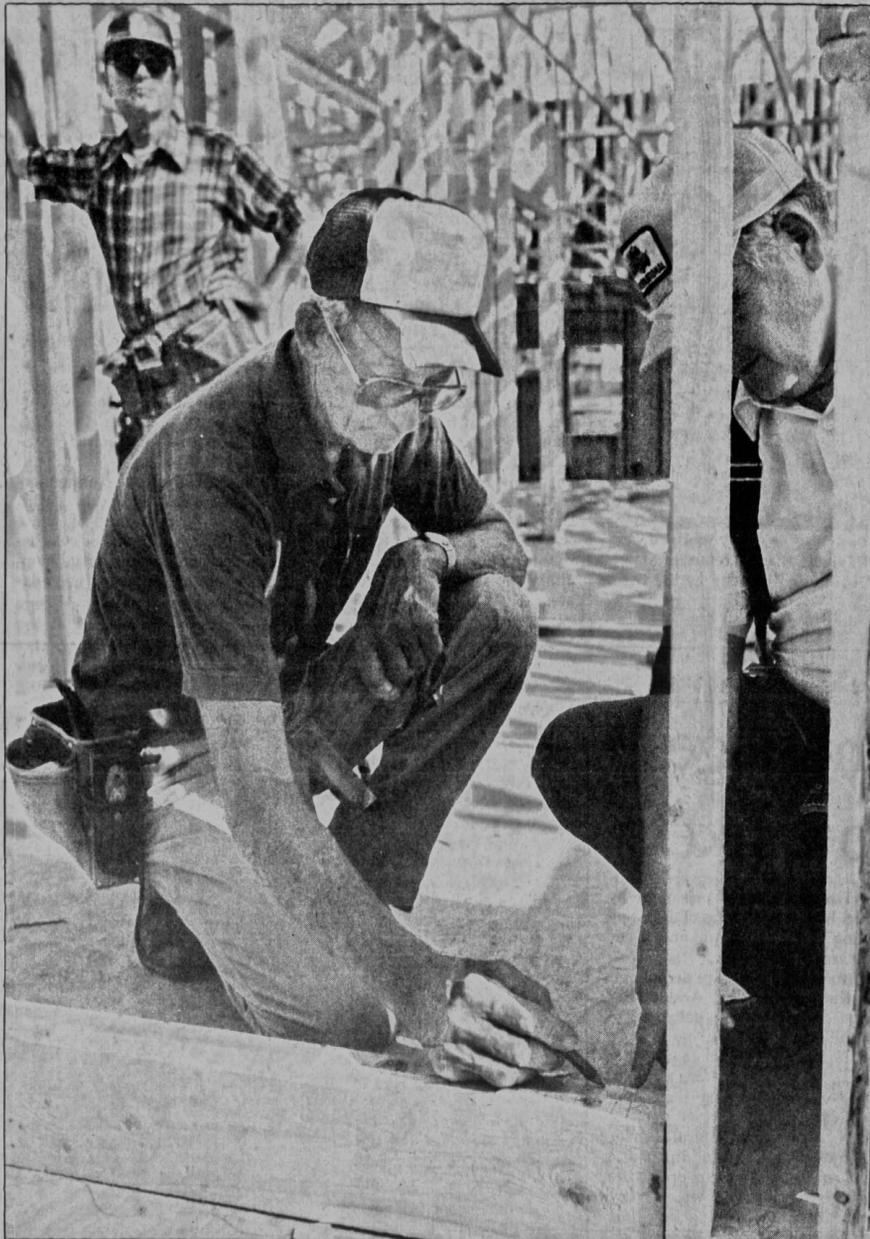
To coincide with the construction of the new building, members of the church have planned a 3-day revival meeting this weekend, Sept. 13-15. Korean churches throughout Iowa and in Omaha, Neb., received invitations to the meeting, which Lee expects to attract about 300 people.

"I hope it will help us to reach many Korean people for Christ in Iowa and also help us to grow," Lee said.

A special attraction to the meeting is guest speaker Esther Kim, an evangelist from Los Angeles, Calif., who, according to Lee, is a "living martyr to Christ in Korea."

"She has a real story to tell, very exciting and unusual stories," Lee said. Kim will speak on four different occasions about conversion, true faith, Christ's life and the suffering she experienced during Japanese colonial rule.

According to Lee, Kim was among the many Christians who suffered persecution during Japanese colonial rule of Korea from 1906-1945. During this time Koreans were



David Greedy/Daily Iowan

Retired carpenter Al Price is one of 38 volunteers from a baptist church in Ferguson, Mo., working on the construction of a Korean Baptist Church on

Mormon Trek Boulevard in Iowa City. Nearly all of the construction will be done by volunteers from various congregations around the nation.

forced to adopt the Japanese religion, which Kim refused to do. Months before the outbreak of World War II Kim warned the Diet, the Japanese Congress, that Japan would soon be destroyed. Her actions landed her in prison, where she faced the death sentence.

Six years later, in 1945, Korea won independence from Japan and Kim was freed from prison. She came to the United States in 1948 and earned a master's degree in Chris-

tian education from Southwestern Baptist Seminary in Texas.

Kim's book, "If I Perish, I Perish," describes her suffering during Japan's colonial rule and has also made her well-known among Korean Christians.

Lee and the members of his church consider Kim's presence a significant part of the revival meeting.

"Our church is five years old, and we thought it would be especially meaningful to invite her to speak," Lee said.

Kim will speak Friday, Sept. 13, at 7 p.m. and Saturday, Sept. 14, at 10 a.m. and 7 p.m. at West High School Little Theater. Sunday, Sept. 15, she will speak at 2 p.m. at the University Baptist Church.

Lee encourages Christians of all nationalities, not only Korean, to attend the revival meeting.

"As a church," Lee said, "we are glad to make a contribution to the community in addition to spreading the gospel. We will do our best to accomplish our task."

IOWA PRISONS

Inmate population to increase by at least 12%

Mike Glover
Associated Press

DES MOINES — Iowa's already jammed prisons will get 12 percent more inmates if nothing is changed and that number will nearly double if get-tough political talk becomes law, new projections show.

Under the most optimistic scenario, there will be nearly 1,000 more inmates than the system is designed to handle even after expansion projects are finished, the projections show.

The projections were prepared by the Division of Criminal and Juvenile Justice Planning to tell officials what effect changes in the law will have on prison population.

"Our model isn't meant to predict the future. It's meant to predict the future if nothing changes," agency head Richard Moore said.

If legislators decide not to tamper with sentencing laws — prison population will grow to 4,441 by the end of 1995, the projections showed. As of last month, there were 4,027 inmates in prison.

The projected prison population dwarfs capacity. There currently is space for 3,045 inmates in Iowa's prisons. Expansion projects will make that capacity 3,595, "well below current and expected populations," projections said.

Moore said the projections were based on assumptions that include no major changes in criminal law and "no catastrophic social or economic disruptions such as war or major economic depressions."

That's a fairly optimistic assumption. With most polls showing voters deeply worried about crime and drugs, the Legislature and

Gov. Terry Branstad have moved repeatedly to approve tougher sentences for more crimes, and there's already discussion of more.

Attorney General Bonnie Campbell, who has proposed sentencing reform, toured the Iowa State Penitentiary in Fort Madison on Wednesday and complained of the state's neglect of the prison system. She said there were more than \$25 million in deferred major maintenance projects at the state's prisons.

"This is a systemwide problem, and if we don't maintain the system, we pay a price. In this case, the price is a prison system less and less able to hold the people we want to hold," Campbell said.

The projections were designed to give officials some indication of the impacts that sentencing changes would bring, Moore said.

One popular notion, generally known as "truth in sentencing," calls for inmates to serve all of whatever sentence they are given. The projections show that if that law were currently on the books — and sentences were unchanged — prison population would grow to 8,420, adding almost 4,000 inmates to the system and putting population at more than double design capacity.

The projections put the state's politicians in a box. At the same time as legislators are eager to react to public worries about crime by approving get-tough sentencing measures, the state's budget cupboard is bare.

Prison space is enormously expensive to build, and it costs more than \$20,000 a year to keep inmates in jail after the space is built.

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Announcements will not be accepted over the telephone. All submissions must include the name and phone number, which will not be

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Questions regarding the Calendar column should be directed to Julie Creswell, 335-6063.
Corrections: The Daily Iowan strives for accuracy and fairness in the reporting of news. If a report is wrong or misleading, a request for a correction or a clarification may be made by contacting the Editor at 335-6030. A correction or a clarification will be published in the announcements section.
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RECYCLING
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Metro & Iowa

UIA

Participation on student committees increases in wake of last year's mess

Leslie Yazel
Daily Iowan

At a time when student government is working to clean up a reputation tarnished by disorganization and misappropriation, the number of student representatives on UI committees is strong. "Students are doing a better job of filling charter committees. Last year relatively few were filled because student government was in turmoil," Faculty Senate President Jack Fix said. "They have their act together this year." The UI Student Assembly is pleased with the participation. "It's part of a broader goal to make student government work like it's supposed to by getting students involved in the university," said Al

Beardsley, Graduate and Professional Student Senate executive officer.

Positions are still available on charter committees as well as the judicial boards and university commissions. An insert in students' September U-bills details the committees. The deadline to apply for the committees is Friday, but Beardsley said applications will still be accepted until Monday.

All of the 15 charter committees and one non-charter committee have student seats. The committees include: Campus Planning, Human Rights, University Libraries, Parking and Transportation, Student Services, and University Safety and Security.

Students interested in a seat on

one of the committees are interviewed by a nominating committee of students. The nominees are voted on by the UIA and forwarded to the president's office for approval, according to Beardsley.

The student seats are crucial for a student voice on campus, Beardsley said.

"A lot of times these committees know about decisions six months before they happen. This way students can get out and get mobilized — they have their vote and can communicate back to (UIA)," Beardsley said, adding he doesn't feel the university necessarily tries to hide things from students.

Beginning this year, student committee members will submit a form to the UIA after their meetings to promote better communication.

RIVERBOATS

Gambling revenues fall below slated projections in final week

Steven P. Rosenfeld
Associated Press

DES MOINES — In the last full week of monopoly operations, attendance on Iowa's Mississippi River casino boats edged below projections for the first time since the opening week of gaming, regulators said Wednesday.

The take from gaming remained well above projections but was nearly 4 percent lower than the previous week, the Iowa Racing and Gaming Commission said.

Although the past week included Labor Day, it also was a period in which most traditional vacations were over and families were at home for the start of the school year.

In the seven-day period that ended Sunday, 61,901 passengers left behind \$2,046,715 on the boats' gambling tables and in slot machines, the commission said. That compared with commission projections that during the peak summer season, the boats would attract 62,263 riders each week who would leave behind \$1,806,210.

Ridership, which was down 7.7 percent from the previous week, was 362 below projections. Chuck Patton, the commission's director of riverboat gaming, said the only other time the boats failed to meet ridership projections was in the first week of April when three boats began operations and attendance was 222 below expectations.

Still, he said he was encouraged that four of the five Iowa boats exceeded expectations for the per capita take from gamblers.

The peak season officially ends this week, and regulators said the inaugural summer of casino gambling was an overwhelming success, unlikely ever to be matched.

For one thing, the first gambling boat set sail this week in neighboring Illinois, where there are no limits on bets. Iowa law limits wagers on each game and sets a \$200 ceiling on individual losses per excursion.

Still, Iowa boat operators can savor the summer.

A record 81,985 riders took to the Mississippi in the week ended Aug. 18, and the biggest weekly take, \$2,344,661, occurred a week before that.

Since July 1, ridership was 21 percent above projections, or 132,206 more passengers than anticipated, and the take from gambling was almost \$22.5 million, or 24 percent higher than expected.

"I think it was a one-time event. Never again will we have a monopoly," said Patton of the summer performance.

Since the April 1 start of limited-stakes gambling on Iowa waterways, the riverboats have had 1,401,344 passengers and a take of \$40,577,602.

Patton said the challenge facing Iowa's five boats is meeting competition from boats in Illinois as

well as attracting repeat business and promoting gambling excursions as the weather turns colder.

The boats in the report are The President in Davenport, the Casino Belle in Dubuque, the Mississippi Belle II in Clinton, the Diamond Lady in Bettendorf and the Emerald Lady, serving Burlington, Fort Madison and Keokuk.

The commission reported:
■ The President had 25,457 riders last week who left behind \$924,806, or \$36.33 each. That compared with commission projections that 26,671 riders would leave behind \$800,130, or \$30 each.

■ The Dubuque Casino Belle had 13,384 riders last week who left behind \$448,659, or \$33.52 each. That compared with projections that 15,032 riders would leave behind \$450,960, or \$30 each.

■ The Diamond Lady had 10,134 riders last week who left behind \$300,323, or \$29.64 each. That compares with projections that 8,687 riders would leave behind \$234,549, or \$27 each.

■ The Emerald Lady had 8,834 riders last week who left behind \$227,584, or \$25.76 each. That compares with projections that 8,873 riders would leave behind \$239,571, or \$27 each.

■ The Mississippi Belle II had 4,092 riders last week who left behind \$145,343, or \$35.52 each. That compares with projections that 3,000 riders would leave behind \$81,000, or \$27 each.

BOARD OF SUPERVISORS

Bicycles unlikely to share Sand Road with automobiles in months to come

Larry Offner
Daily Iowan

Bicyclists would like to share a widened Sand Road with motorists, but Johnson County has only the most tentative plans to improve the road — beginning, perhaps, in two years.

These were the conclusions reached Thursday in a discussion between Bicyclists of Iowa City and the Johnson County Board of Supervisors.

Shelley Plattner of the bicyclists' group asked the board about proposed improvements to Sand Road about which they had heard and read. He also suggested the group's own ideas for improvements.

These included widening the road so that motorists and bicyclists could share the pavement and avoiding the use of "rumble strips" if at all possible. Rumble strips are raised strips of pavement that cause an automobile's tires to "rumble" as it rolls from pavement to shoulder. Bicyclists dislike them

as they can cause falls.

Plattner said that his group also does not favor improved shoulders rather than widened pavement, as shoulders are not likely to be as well-maintained as the roadway.

Doug Frederick of the Secondary Road Department said the county's five-year plan did not call for any improvements to Sand Road until fall 1993 or spring 1994. A preliminary survey still has to be done, according to Frederick. He said that state standards would mandate 8-foot wide shoulders and rumble strips where required.

"There are standards for roadway width, shoulder width, ditch widths, foreslopes, backslopes, and horizontal and vertical curve data," Frederick said.

Supervisor Richard Myers said, "When we go to fix that road, we will have to meet those standards."

Supervisor Pat Meade said she had a problem with those state standards.

"Drive up First Avenue extension,

and look at the width and depth of some of those ditches," said Meade. "I would like to change those standards, but my hands are tied."

Supervisor Charles Duffy noted that five-year plans have been modified in the past. He said the board had discussed beginning improvements from 520th Street north rather than from Iowa City south.

Myers agreed, saying the county expects Iowa City to annex to the south one day.

Meade said that while improvements to Sand Road may have been on the board's past agenda, a bicycle path has not been discussed.

Plattner said a separate trail that would restrict where bikes could travel was not favored by his group.

Supervisor Stephen Lacina said he was glad to hear that because he did not know where the county would get the money for a separate bike path anyway.

Waterloo religious leaders infuriated by cross' conversion to 'symbol of hate'

Associated Press

WATERLOO — Waterloo clergy are denouncing the people responsible for burning a cross Monday in Sullivan Park.

Police and clergy said the cross-burning is the first they know of in Waterloo.

Three cross-burnings and an attempted burning were reported in the Dubuque area this summer.

"That this symbol of love and brotherhood and receiving people be turned into a symbol of hate to divide the community is something we're all against," said the Rev. Bob Johnson, chairman of the

Black Hawk Area Religious Coalition.

The burning was reported early Monday morning after a Waterloo television station received an anonymous call about three burning crosses. Several police officers went to the park but were unable to locate any crosses.

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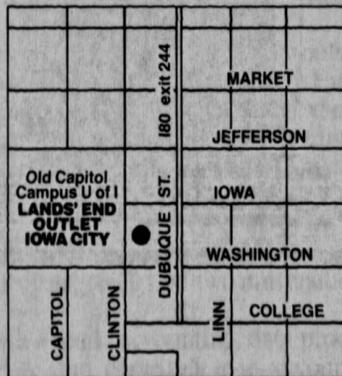
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MEN'S BASKETBALL TRYOUTS

All eligible student-athletes intending to try out for the Iowa Basketball Gray Team are required to sign up at a meeting in the Big Ten Room of Carver Hawkeye Arena (3rd Floor) on **Tuesday, September 17, 1991 at 1:00 p.m.**

The gray, or walk-on team, has been a tradition that originated during Coach Davis' days at Lafayette and was continued at Boston College, Stanford and now Iowa. It is probably the only situation of its kind in major college basketball today and will provide a unique opportunity for those who participate.

Metro & Iowa

CAMPUS

UI Asian conference to attract Midwestern students, teachers

The 40th annual Midwest Conference on Asian Affairs expects to draw hundreds to the UI Sept. 13-15.

Chris Pothoven
Daily Iowan

Over 300 participants from the United States and abroad are expected to attend the 40th annual Midwest Conference on Asian Affairs Sept. 13-15 at the UI.

Hosted by the UI Center for Asian and Pacific Studies and affiliated with the national Association for Asian Studies, the conference will attract students, teachers and scholars interested in the study of Asia, said Tom Rohlich, director of CAPS.

"The focus is on both pre-modern and modern Asia, which is a very dynamic area," he said. "It's a great opportunity for our center to host so many people from across

the Midwest."

Forty-one panels and several other activities will be offered for participants to choose from, Rohlich said. Panel topics range from 20th-century China and Japan to South Asian film.

Included in these panels will be several programs of interest for elementary and secondary school teachers such as panel discussions on teaching about Asia in the elementary grades, strategies and techniques for teaching about China in junior and senior highs, and outreach programs in the Midwest.

Other events connected with the conference are showings of a trio of Asian films: "Akira," an animated film from Japan; "Ju Dou," from China; and "Two Daughters," a rarely seen film from India.

"Ju Dou," about a sexual liaison between a young wife and her husband's younger brother, was nominated for an Academy Award, Rohlich said.

"It's one of those new Chinese

films that was very highly thought of but very controversial," he said.

Additional highlights are a concert of Indian music by Ali Akbar Khan, considered by many to be the greatest living interpreter of Indian classical music, and the Hancher performance of "Labor of Love," to which participants in the conference can buy discounted tickets.

An original musical about rice farming set in both rural Japan and rural Louisiana, "Labor of Love" is a "very unusual production," Rohlich said. The production has received much attention in Japan, he added, because of the rice issue and trade disputes.

Students and K-12 educators may register for the conference for a fee of \$10, exclusive of banquet and special event tickets. The public is also encouraged to attend, said Rohlich, at a fee of \$30.

For more information about the conference or to register, contact the Center for Conferences and Institutes in the Union.

RAPE TRIAL

Jury acquits football player Porter of charges of 3rd-degree sexual abuse

Marcey Bullerman
Daily Iowan

UI football player Marquis Porter was found not guilty of third-degree sexual abuse charges Wednesday.

A near-capacity crowd waited for approximately an hour and a half while the jury deliberated.

"This is a heartbreaking case. There is no dispute about that," defense attorney Leon Spies said.

Porter, 20, was a redshirt freshman for the Hawkeyes last year and had been prevented from practicing with the team this fall because of the trial. He is a defensive back.

The charges stem from an incident that occurred last fall in Slater Residence Hall.

A woman claimed that on Feb. 21 she met Porter in the lobby of the hall and went up to his room with him where he forced her to have sexual intercourse with him while she tried to escape.

"This is a heartbreaking case. There is no dispute about that."

Leon Spies defense attorney

During arguments Spies said that the woman suffered no physical injuries or damages. Porter testified that there were times during the incident when he got up to turn off the lights and television and the woman didn't try to leave the room.

Spies said the two did have sexual intercourse, but it was consensual and not an assault on Porter's part.

The prosecuting attorney, Jane

Lyness, told the jurors they would have to decide who was lying.

The woman, who reported the attack to Iowa City police in May, said she waited two months to report the attack because a friend had advised her to forget the incident in fear of activating her struggle with anorexia nervosa. The woman's counselor, after learning of the incident, encouraged her to report it.

Porter, a Blue Chip and Super Prep all-American from Newark, N.J., is cleared to begin practicing with the football team again.

"I'm just very relieved," Porter said. "This is a big weight off my shoulders."

Porter wasn't listed on the Hawkeyes' two-deep roster at the end of practice last spring but recorded three tackles in the spring game. During his career at Weequahic High School, he accounted for 4,142 all-purpose yards and had 22 interceptions.



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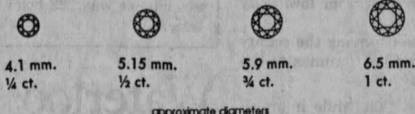
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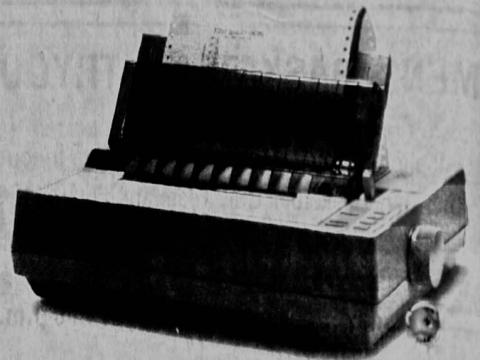
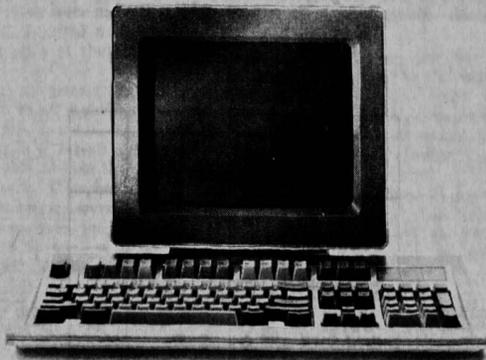
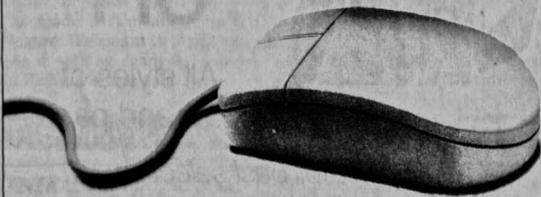
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ABORTION

Continued from Page 1A
 grators from Wichita, Detroit and other cities due to arrive over the next few days.

Before Kliewer arrived, clinic Director Gayle Sand spoke to the press.

"The work that the Emma Goldman Clinic does in one hour does more to prevent abortions than these groups do ever," she said. She added that all scheduled activities of the clinic would continue, including abortions.

About 12 anti-abortion demonstrators picketed the clinic, most carrying signs with slogans such as "Abortion Stops a Beating Heart" and a graphic photo of an aborted fetus. They were all members of the local anti-abortion group Operation Life-Iowa, according to Larry Johnson, a member and the group's de facto spokesman before Kliewer arrived.

During the news conference, Kliewer refused to give specific details about when the protests were going to begin as well as the number of protesters expected, though he alluded to the thousands of demonstrators present during the Wichita protests.

He outlined the anti-abortionists' general strategy for the coming weeks.

Protests were to begin Wednesday, Kliewer said, expanding greatly in the days to come. Early protests will be made by members of local anti-abortion groups, he said, with others from around the nation arriving eventually.

Kliewer said "something big" was scheduled for Saturday but declined to elaborate. He added that he expects to contact anti-abortion leaders in Detroit and hopes "buses" of people from the Detroit area will arrive in Iowa City soon.

"Rescues" — with protesters blocking doors to clinics, trying to convince entering patients not to have abortions and "praying in the streets" — will occur in Iowa City

at some point in the near future, he said.

Kliewer said all five Iowa City abortion clinics will be picketed, including UI facilities. In addition, he said, the homes of the directors of all these clinics will be the site of protests.

When asked if his organization was prepared for opposition from local abortion rights advocates, Kliewer replied that when confronted in Wichita anti-abortion organizers were able to quadruple their numbers.

"We're ready for them," he said. Kliewer repeated a claim often used by local anti-abortion activists as a reason for the protests, saying Iowa City has the highest per capita abortion rate of any city in the United States — "second to China," he said.

He also said that any women who choose not to have an abortion during the upcoming protests will be provided with both medical and financial support for free, but he did not say where the money would come from.

"The killing has got to stop," Kliewer said.

Another speaker, Chicago anti-abortion leader Jay Huddle, said Chicago area anti-abortion groups will lend support to Operation Life-Iowa.

Kliewer said that all the protesters are non-violent and will not fight back if struck. "It takes two to make a fight," he said.

The protest was relatively peaceful until local anti-abortionist Tony Nucaro began claiming loudly that he was assaulted by Sand. Nucaro, who had been videotaping most of the news conference with a small video camera, said Sand pushed the video camera into his eye and that he plans to press charges. Sand, however, ignored Nucaro's accusations and walked back into the clinic.

Throughout the protest and news conference, people in passing cars

and trucks yelled various slogans at the protesters. One man pulled up and lectured the anti-abortionists about living in an "utopia" where all children are cared for.

Bruce Dahlem, a member of Operation Life-Iowa present at the

protest, said he "was arrested several times" before and would be willing to be arrested again. He seemed excited by the action of the last few days, saying there has been "more activity in two weeks than two years. There's something happening here today."

HANDBOOK

Continued from Page 1A

tate distribution inside the *DI* and "simply as a means of economy."

"We considered trying to mail the handbooks to every person, but in the booklet form they were in, we just couldn't afford to do that," Jones said. "We mailed them last year, and the cost was more than we could afford this year."

Mailing through the *DI* and using the lighter stock of paper will save \$20,000, Jones said.

The student handbook was originally a spiral-bound booklet distributed to students at orientation or registration.

"But when we moved to ISIS, there's no common collecting place to pick them up," Jones said. "Going from a site for registration to electronic registration, a new means of distribution had to be developed."

Jones said the *DI* was "the most reasonable way to achieve the widest distribution."

"We know that every student has access to a *DI*," he said. "And we believe that it has wide reader-

ship."

Jones said the new distribution method is part of a larger need to be cost efficient.

"This is just one of the efficiencies that was created in order to save some money to be used for purposes more directly related to student programs," he said.

Students can also pick up copies at the Campus Information Center at the Union.

"As a citizen, every student has a responsibility to know what their rights and responsibilities are," Jones said. "In order to protect their rights in any living environment, they should become as educated as they can be about the policies and regulations."

Baker said although he doesn't expect students to memorize the handbook, they should be familiar with the basic policies, especially sexual harassment policies and the "Code of Student Life."

"A lot of this is stuff you don't need to know until it becomes a problem or you become a victim," he said.

LEGAL MATTERS

POLICE

Sound equipment was stolen from the Masonic Temple, 312 E. College St., on Sept. 10.

Police were called when a white male wearing a baseball hat was seen Sept. 10 looking into windows on Woodside Drive.

Police responded to Towncrest Trailer Court Sept. 10 when a person was seen throwing eggs at a trailer.

Robert Hopson, 30, 222 S. Lucas St., was charged with theft in the third

degree after he wrote checks on the Art History Society Account for personal use on Sept. 11.

Compiled by Brad Hahn

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CALENDAR

EVENTS

■ Downtown Association will present music by Festy Fenton and the Fret Fanatics from 7 to 9 p.m. by the Pedestrian Mall fountain.

■ Campus Crusade for Christ will hold "Prime Time," a "time of Christian fellowship and fun," from 7 to 8 p.m. in the Union, Indiana Room. All are welcome.

■ The Iowa City Public Library, 123 S. Linn St., will hold a "Big Kids' Storytime" for ages 3 and up at 10:30 a.m. in the Hazel Westgate Story Room.

■ West Side Players will hold auditions at 7 p.m. in the Union, Big Ten Room. This is the last day of auditions; no experience or preparation is required. For more information call 338-8113.

■ Business and Liberal Arts Placement will hold a registration meeting for on-campus interviewing at 3:30 p.m. in room 100 of Phillips Hall if Business Administration. For more information call 335-1023.

■ Campus Bible Fellowship will hold a Bible message, "The Day God Saved Me," at 6:30 p.m. in the Danforth Chapel in Hubbard Park.

■ South Asian Studies Program will present "The Poetry of Mirabai," a talk about a 16th-century saint-poet of North India by Usha Saxena Nilsson of the University of Wisconsin-Madison, in room 230 of the UI International Center.

■ The After Breast Cancer Support Group will meet at 7 p.m. in the McAuley Room of Mercy Medical Plaza, 540 E. Jefferson St. Dr. Drew Dillman, a plastic and reconstructive surgeon, will speak on "Reconstructive Surgery After Breast Cancer." This group is open to any woman who has experienced breast cancer. For more information call 337-9389 or 339-3670.

■ The Episcopal Chaplaincy will celebrate the Holy Eucharist at 6:30 p.m. in the Chaplaincy Room in the lower level of Old Brick, 26 E. Market St.

BIJOU

- "Horse Feathers" (1932) — 7 p.m.
- "Two Daughters" (1961) — 8:30 p.m.
- "French Can Can" (1955) — 7:15 p.m.
- "Akira" (1988) — 9 p.m.

RADIO

■ WSUI AM 910 — Live coverage of the Senate Judiciary Committee's confirmation hearings for Judge Clarence Thomas beginning at 9 a.m.; "City Club," at noon, presents Henry Manne of George Mason University speaking on "Insider Trading."

■ KSUI 91.7 FM — The Cleveland Orchestra, with Michael Stern conducting, presents Strauss' "Der Rosenkavalier" Suite at 7 p.m.

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PLANE CRASH



Associated Press

Investigators look at the wreckage of a twin-engine plane which crashed near Eagle Lake, Texas, Wednesday.

11 passengers, 3 crew killed outside Houston

Wendy Benjaminson
Associated Press

EAGLE LAKE, Texas — A Continental Express commuter plane crashed Wednesday after a fiery explosion blew off a wing, killing all 14 people aboard, according to witnesses and authorities.

The twin-engine plane crashed during a flight from Laredo to Houston, spewing wreckage over a southeast Texas ranch.

The late morning crash occurred about 60 miles west of Houston, killing the occupants of Flight 2574, said Mike Cox, a state Department of Public Safety spokesman.

The airline said the plane, an Embraer-120, carried 11 passengers, two pilots and a flight attendant. The victims' names were not immediately released.

The Brazilian-made E-120, also known as the Brasilia, can carry up to 30 passengers in addition to

its three-person crew. It is the same as one involved in an April crash near Brunswick, Ga., that killed former Sen. John Tower, astronaut Manley "Sonny" Carter Jr. and 21 others.

Witnesses to Wednesday's crash said they heard explosions and saw a fireball.

"I was in the field about two miles from where it landed," said Charlie Labay, 76, a rice farmer. "I heard a loud explosion. My son said, 'Look, daddy, there's a ball of fire!'"

"It was just spinning and just coming straight down."

Cary Labay said the plane "was going round and round. The left-hand wing was off of it, was blown off. It was on fire."

Vance Duncan, whose family owns the ranch where debris landed, said, "It was still burning when I got there. The fire truck was already there trying to put the fire out. It's not a pretty sight."

Fiers to testify before committee at Gates' CIA confirmation hearing

Jim Drinkard
Associated Press

WASHINGTON — Former CIA official Alan Fiers, who pleaded guilty to Iran-Contra charges, will testify next week at confirmation hearings for Robert Gates to be CIA director, Sen. Frank Murkowski said Wednesday.

Murkowski, the senior Republican on the Senate Intelligence Committee, also said in an interview that the panel's investigators had found no hard evidence that Gates knew more than he has previously admitted about the Reagan administration's worst scandal.

"I think that's a fair statement," said Murkowski of Alaska. "There's nothing new."

Murkowski and other committee Republicans met Wednesday with President Bush to discuss strategy for the hearings, where Gates

supporters will argue that strict compartmentalization of the spy agency made it possible for Gates to be in the dark about much of the Iran-Contra affair.

The confirmation hearings are scheduled to begin Monday, with Gates as the first witness. He will be followed by about half a dozen other witnesses, including Fiers, who will appear under a grant of limited immunity.

One other witness the panel had hoped to hear from, former agency Operations Director Clair George, will appear only if he decides to do so voluntarily, Murkowski said. George, indicted last week on perjury and obstruction charges, is unlikely to be given the same immunity Fiers will have.

Efforts still are under way to get answers to a series of written questions from George, Murkowski said.

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Nation & World

THOMAS HEARINGS

Judge still refusing to take stand on abortion

James Rowley
Associated Press

WASHINGTON—Supreme Court nominee Clarence Thomas said Wednesday he was "very, very pained" by the thought of back-alley abortions and insisted he would have an open mind as a justice about keeping medically safe abortion legal.

However, he declined under persistent questioning to say whether he believed the Constitution protected a woman's right to end her pregnancy.

On the second day of his Senate Judiciary Committee confirmation hearings, Thomas was immediately confronted on the issue by Sen. Howard Metzenbaum, D-Ohio.

Over and over, Metzenbaum pressed for his view. Over and over, Thomas refused to say how he would vote on challenges to the 1973 Supreme Court decision legalizing abortion.

To answer that question "would undermine my ability to sit in an impartial way on such an important case," he said.

"I have no reason or agenda to prejudice the issue ... or a predilection to rule one way or another on the issue of abortion," he added.

Thomas, who would become only the second black justice in history

after replacing Thurgood Marshall, was also asked why he had criticized Supreme Court decisions upholding affirmative action programs to remedy discrimination.

Sen. Arlen Specter, R-Pa., expressed concern about whether Thomas would respect the intent of Congress while interpreting civil rights laws that have long been regarded as requiring affirmative action hiring.

Thomas said he would follow the intentions of lawmakers and added that his criticisms of Congress and of Supreme Court decisions were made when he chaired the Equal Employment Opportunity Commission.

"I advocated as an advocate, and now I will rule as a judge," Thomas said.

But it was Thomas' views on individual privacy and abortion that most interested his Democratic questioners.

Thomas recalled that during the era when abortions were barred by law "you heard the hushed whispers about illegal abortions and the individuals who performed them in a less-than-safe environment."

"If a woman is subjected to an environment like that, on a personal level, certainly, I am very, very pained by that," Thomas said. "I think any of us would be. I

wouldn't want to see people subjected to torture of that nature."

Sen. Patrick Leahy, D-Vt., expressed surprise at Thomas' insistence that he had no opinion on the landmark 1973 abortion decision even though he had cited the case in several speeches and articles.

"I can't believe that all of this was done in a vacuum, in the absence of any clear consideration of Roe vs. Wade," Leahy told Thomas.

Metzenbaum, who opposed Thomas when the Senate confirmed him as a federal judge last year, told reporters that Thomas' refusal to answer the abortion question "makes it more difficult to vote for him."

But Sen. Dennis DeConcini, D-Ariz., said he thought Thomas "handled the privacy questions very well" without taking a stand on abortion. "I don't see how you could ask him to do anything more."

Thomas was also pressed on whether he had undergone what Metzenbaum called a "confirmation conversion" when on the first day of his hearings he disavowed his earlier advocacy of using natural, or higher, law principles to interpret the Constitution.

Opponents say such a "natural law" theory could be invoked to

outlaw abortion.

"We don't know if the Judge Thomas who has been speaking and writing throughout his adult life is the same man who is up before us for confirmation," Metzenbaum said. "Frankly, it gives me a concern."

Thomas said that his writings about natural law were part of an attempt to "ask the basic question of how do you get rid of slavery" and rally conservatives to a more aggressive civil rights stance.

"The issue of civil rights is something that has affected my entire life," said Thomas.



Associated Press

Four members of the Senate Judiciary Committee talk before the start of Clarence Thomas' nomination hearings. From left are, Sen. Strom Thurmond, R-S.C.; Sen. Joseph Biden, D-Del., chairman of the committee; Sen. Edward Kennedy, D-Mass.; and Sen. Howard Metzenbaum, D-Ohio.

HEALTH

Use of estrogen after menopause reduces heart disease in women

Daniel Q. Haney
Associated Press

BOSTON—Taking estrogen pills after menopause cuts in half the risk of serious heart disease, the leading killer of older women, according to the largest study ever conducted on the subject.

Though already widely recommended, the use of estrogen supplements is still controversial, in part because the treatment also increases the risk of two forms of cancer.

However, the new study supports the belief of many specialists that the benefits of estrogen after menopause far outweigh its hazards.

About 20 percent of post-menopausal U.S. women use estrogen. If more took the hormone, "there is a potential for a very large public health impact in reducing heart disease," said Dr. Meir Stampfer. "It would translate into many tens of thousands of premature deaths that could be postponed."

Diseases of the heart and circulatory system kill nearly 500,000 U.S. women annually, twice as many as die of cancer.

Stampfer's findings were based on the Nurses' Health Study at Brigham and Women's Hospital in Boston, which is following the health and habits of 48,470 post-

menopausal nurses. The study was published in today's *New England Journal of Medicine*.

Most major studies have found that estrogen helps keep women's hearts healthy. But some doubt remains, largely because of a report released six years ago by the long-running Framingham Heart Study. The Framingham researchers concluded that estrogen raises the risk of heart trouble rather than reduces it.

However, Dr. Peter Wilson, who directed the Framingham research, now concedes that those findings don't apply to the estrogen pills currently in use. His study was based on women who took estrogen in the late 1960s and early 1970s, when typical doses were much higher.

He said most heart specialists believe "that modern use of low-dose post-menopausal estrogen is probably cardio-protective."

In the latest study, doctors followed the health of nurses for 10 years. They compared those who took estrogen after menopause to those who did not. Among the findings:

- Women who currently take estrogen are half as likely as those who never used the supplements to suffer non-fatal heart attacks or to die from heart disease.
- The death rate from all causes

was 19 percent lower among the estrogen users.

- The benefits of estrogen wore off quickly when women stopped taking the supplements.

- Using estrogen did not appear to increase the risk of strokes.

Estrogen probably works by its effect on cholesterol. The hormone increases levels of high-density lipoprotein cholesterol, HDL, the so-called good cholesterol, while lowering levels of dangerous low-density lipoprotein cholesterol, LDL.

In addition to protecting the heart, estrogen prevents bone loss that leads to hip fractures and crushed vertebrae, and eases hot flashes and other symptoms of menopause.

However, it also increases the risk of breast cancer and uterine cancer.

In an accompanying editorial, Drs. Lee Goldman and Anna Tosteson of Brigham and Women's Hospital attempted to weigh the relative importance of these benefits and hazards.

They said a variety of studies show that post-menopausal estrogen reduces the risk of hip fractures by 60 percent, raises the risk of breast cancer 30 percent and increases the chance of uterine cancer six-fold.

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Viewpoints

STUDENT BOYCOTT

Do it right

Tomorrow students are being asked to boycott their classes in protest of the recent budget cuts. Organizers of the protest want to promote awareness of how these cuts will affect the quality of education at Iowa's three state universities. Regardless of how one feels about the efficacy of this action, a number of concerns should be kept in mind.

First, the boycott will only be effective if students who cut class show support by attending the rally and the round-table discussion that follows. By boycotting classes, students will obviously be hurting their education; the hope is, however, that by showing a concerted front against these cuts, the student

The boycott will only be effective if students who cut class show support by attending the rally and the round-table discussion that follows.

population will ultimately secure needed funds. As Jennifer Kelly, Awakening Day Committee chairwoman, states, "It is extremely important that all students understand the importance of their contribution to our message by attending the Pentacrest rally Friday from noon to 1:30 p.m. One person, one vote made this country great. We need the students to turn out and express their opinion."

Second, the decision of those students who do not skip class should be respected. Some students, especially those who are barely able to afford the high cost of a college education, value their time in class. Not everyone sends her or his U-bill home to mom or dad. People who pay the bills appreciate what they are buying and are therefore less willing to make such a sacrifice.

Third, skipping class is easy, especially since the boycott was conveniently scheduled for Friday, but to make a difference, students will need to be more vocal in the future. Letters and phone calls to legislators will emphasize that this is not just a passing fad. Paying attention to state races and voting for candidates who support student issues will be much more effective than a day spent in the sun on the Pentacrest.

Finally, the administration is not to blame for these cuts; anger should be directed at the Board of Regents, at board President Marvin Pomerantz, and ultimately at the Legislature and Gov. Branstad. Granted, the UI administration could allocate state funds more judiciously, but the current crisis was not caused by poor management, it was caused by a lack of money.

To boycott or not to boycott: that is your question. But for those who choose to do so, at the very least it should be done thoughtfully and sincerely.

Byron Kent Wikstrom
Viewpoints Page Editor

LETTERS

UI makes public relations mistake with \$74,800 public relations assistant

To the Editor:

The university's new public relations assistant has a difficult task: making a new \$74,800 administrative position look like a wise use of taxpayer money. Hundreds of hourly staff have been laid off, and an already large and well-paid administration gets raises and new positions. I couldn't sell that as anything other than self-perpetuation of bureaucracy at the expense of those it should serve.

Imagine the public relations success if the administration had announced that they would hire back four clerks or add two professors, rather than add this position. The university could have both saved money and improved student services.

The university's image suffers every time that budget cuts require a department to cut sections of a desperately needed class, require the library to cut hours, require an office to cut services. It seems to me that it would make more sense to address these very real deficiencies rather

than hire a high-priced flack.

Kristin M. Evenson
Iowa City

Well-intentioned errors

To the Editor:

I laud the tone of Nile Smith's opinion piece, ["Racism permeates all aspects of this society," Sept. 5] which urges a spirit of cooperation, tolerance and appreciation of diversity. However, if Smith is writing a book about racism in America, as the *DI* tells us, he'll need to correct some factual inaccuracies.

For example, Martin Luther King Jr. is from Atlanta, not Montgomery, although he lived in Montgomery briefly during the 1955-56 bus boycott. Second, King delivered his famous "I have a dream" speech not in front of the White House steps but in front of the Lincoln Memorial (indeed, he even explains why he is standing there, rather than elsewhere, in the speech). Finally, Louis Farrakhan, leader of the Nation of Islam, would be surprised to read that he "claims to be a Christian," since he views Christianity primarily as a tool that whites have used to enslave people of color.

Robert Morey
Iowa City

MARK CULLUM



LETTERS POLICY. Letters to the editor must be signed and must include the writer's address and phone number for verification. Letters should be no longer than one double-spaced page. The Daily Iowan reserves the right to edit for length and clarity.

OPINIONS expressed on the Viewpoints page of The Daily Iowan are those of the signed authors. The Daily Iowan, as a non-profit corporation, does not express opinions on these matters.

NAT HENTOFF

Lawyer fought unjust criminalizations of racism

During its next term, the Supreme Court will hear arguments on a crucial case concerning the First Amendment's Establishment Clause. (Government cannot support religion, directly or indirectly, but must remain neutral in these matters.)

Lee vs. Weisman began with Deborah Weisman objecting when the Nathan Bishop Middle School in Providence, R.I., a public school, invited a rabbi to speak at graduation exercises. The rabbi came and thanked God for "the legacy of America where diversity is celebrated" — and for a number of other things.

A U.S. District Court and the 1st Circuit Court of Appeals agreed with Weisman and her father that the prayer at these exercises was out of place and out of the First Amendment. The Supreme Court's decision to hear the case could result in razing of much of the wall between church and state. At least four justices, including Chief Justice William Rehnquist, have been waiting impatiently to harvest a fifth vote for the conclusion that religion must be much more generously "accommodated" in public places.

The Providence School Board, fighting the lower court decision, wanted a major league advocate to present its case before the court of last resort and chose Charles Cooper. A former clerk for Justice Rehnquist, Cooper had been in the

Justice Department's Civil Rights Division and then — during the stormy reign of Attorney General Edwin Meese — became head of the Office of Legal Counsel. It is fair to say that Cooper interprets the Constitution much more as Rehnquist does than as William Brennan did.

This was to be the most important case of Cooper's career, and he almost never got a chance to argue it. A member of the Providence City Council, Joshua Fenton, charged last spring that Cooper, in his work at the Justice Department, has "a history of what I consider to be racism."

Cooper because he "does not represent the goals and beliefs of the Providence City Council." Another council member spoke of the "many, many serious flaws in his character."

The beleaguered attorney wrote a letter to all members of the council, pointing out that he strongly believed, then and now, that Bob Jones University "did not deserve a tax break and the Congress should deny tax-exempt status" to that university and to "any other entity that maintains racially discriminatory policies."

Cooper did, however, believe — he

In an editorial, *The Providence Journal Bulletin* recalled that, some years before, the American Civil Liberties Union, which (in the present case) "opposes the school board's decision to appeal the prayer ban ... successfully defended the right of Nazis to conduct a march through a largely Jewish neighborhood in Skokie, Ill. Were the ACLU lawyers in that instance exhibiting sympathy for the Nazis' anti-Semitism? Of course not, and neither did Mr. Cooper's analysis of the constitutional issue in the Bob Jones case indicate approval of the school's racial policies."

At last, City Councilman Fenton withdrew his resolution that had disassociated the council from the allegedly racist Cooper. Fenton manfully said he had achieved his goal of drawing attention to Cooper's record.

"This kind of guilt by association," Cooper told me, "is the liberal version of McCarthyism. The analogy even struck a conservative like me."

"This kind of guilt by association," Cooper told me, "is the liberal version of McCarthyism. The analogy even struck a conservative like me."

Fenton claimed, as a key example, that Cooper had been "in the forefront" of a Justice Department attempt to give tax exemption to Bob Jones University in South Carolina, even though that God-fearing institution forbade interracial dating.

Cooper was furious and was much concerned that the label "racist" might follow him for the rest of his career and, he added, "goad others to use it." He was even more outraged when the Finance Committee of the Providence City Council voted 5 to nothing to endorse Fenton's resolution that the school board "disassociate itself" from

told the members of the council — that the Internal Revenue Service did not have the statutory authority to deny tax-exempt status to institutions that did not conform to its view of "public policy." He wanted the Internal Revenue Code amended "to expressly deny tax exemption to racially discriminatory institutions."

Cooper eagerly offered to come to Providence and confront Fenton. But meanwhile, the members of the council were finding out more about Cooper, and there was increasing discussion as to whether a lawyer's character should be judged by the positions he takes in cases he argues.

The members of the Providence City Council had also received letters, at Cooper's suggestion, from black friends and black groups for which he had done *pro bono* legal work. But that should not have been necessary and probably didn't make any difference. It was Cooper's own direct repudiation of the reckless charge of racism that kept him on the case that he will, alas, probably win.

Nat Hentoff is a staff writer for *The Village Voice*.

JEFF MACNELLY



JIM ROGERS

Thomas' views better than intuitionism

Everyone knows that Supreme Court nominee Clarence Thomas is a conservative. Thomas' critics have spilt a lot of ink against his confirmation because they think they know what all conservatives believe, and thus make arguments in the form of: Conservatives hold X; Clarence Thomas is a conservative; therefore Thomas also holds X.

But rubrics like "conservative" are, perforce, generalizations — useful and efficient generalizations, to be sure, but generalizations nonetheless. While such rubrics help to summarize tendencies of groups of people, it is a much more precarious business to deduce a person's specific beliefs solely by reference to a rubric. And conservatism, like every other movement, is not a monolith; the rubric "conservative" is a mansion with many rooms.

In Thomas' case, oft times critics condemn with the mere pretense of knowledge — they think that if they know the label, then they know the man — rather than condemn with actual knowledge. Thus, for example, the NAACP's draft report on Clarence Thomas claims that "Judge Thomas' conservatism ... generally favors a government's interests over an individual's."

While this is, at best, a caricatured summary of Robert Bork's doctrine of deference to electoral majorities, this statement is not true of Thomas in the least.

Contrary to the report's assertion, and contrary to Bork's highly positivist constitutional methodology, Thomas argues that the U.S. Constitution does not stand as a self-contained entity. Rather we must locate the spirit of the American regime, and the Constitution animated by that regime, in the principles asserted at its founding. Of all of the expressions of these principles, the Declaration of Independence is the most elegant and economic.

In 1987, Thomas delivered an address in

celebration of the Martin Luther King holiday. This speech has been widely cited by senators opposing his confirmation as containing worrisome language on natural law. Some of these senators, like Biden, now argue that Thomas has repudiated his arguments on natural law in his testimony before the Senate Judiciary Committee. But even a half serious reading of the text will show that Thomas' position in the speech outlines the position he has taken in the Senate hearings. The passage deserves to be quoted at some length:

"Dr. King gave us more to think about concerning the source of his confidence in his 1963 book, 'Why We Can't Wait.' Here citing [natural law theologian] Thomas Aquinas, he notes that 'An unjust law is a human law that is not rooted in eternal law and natural law.' But 'a just law is a manmade code that squares with the moral law or the law of God.' This theme of a higher law behind the positive law is one that we today, we lawyers, we citizens who believe in the rule of law, and we who honor Martin Luther King need to take seriously.

"For, as he maintained, American politics and the American Constitution are unintelligible without the Declaration of Independence and the declaration is unintelligible without the notion of higher law by which we fallible men and women can take our bearing. . . .

"Of course, there will be dispute about the proper interpretation of those ideals, and their application in a particular circumstance, and so forth. Democratic government and the majority rule behind it allow such disputes to be judged in a rational way. But majorities can themselves abuse power; they are legitimate majorities only insofar as they comply with the higher law background of the Constitution. Thus, completely consistent are strict obedience to the law and Dr. King's civil disobedience on behalf of a higher law, against segregation statutes."

This passage underscores several points. First, Thomas does not, as the NAACP claims, embrace a philosophy which defers necessarily to legislative or electoral majorities. Thomas makes it clear that individuals have rights that the

state cannot take away. (In a brazen display of inconsistency, the NAACP report, after insisting that Thomas' conservatism meant that he would defer automatically to majoritarian choices, then went on to argue that Thomas should not be confirmed because of his doctrine of radical individualism. That is, for believing too strongly that people have lots of rights, too many rights against majority decisions.)

Second, Thomas points out in this speech that the declaration's natural rights doctrine informs how we view the Constitution, but does not dictate specific decisions. He observes that these ideals are general and constrain governmental action only in the most extreme circumstances (such as slavery and segregation). This is exactly the line that he has taken in the Senate hearings. He has not repudiated his natural law theory; he has pointed out what he has always held: that it is irrelevant to the vast, vast bulk of judicial decisions.

Finally, if one compares Thomas' view of natural law as expressed in the Declaration of Independence, to other views already on the court, there is no reason in principle to oppose his confirmation. In contrast to the idea of natural law, the Supreme Court has felt itself obliged to divine the "evolving standards" of society in order to proclaim specific laws constitutional or not. This sort of divination is hardly more specific than the doctrines of natural law and enjoys a far shorter intellectual heritage (if, indeed, it enjoys one at all).

Thus, for example, Justice Marshall, the man who Thomas is replacing, felt compelled to figure out what an "informed citizenry" felt about particular subjects before he could rule on them. And it becomes clear that his definition of an informed citizen is one who agrees with Marshall's own intuition on a matter.

Whether we call this intuition natural law, or whether there really is something objective about natural law, Thomas' doctrine of natural law cannot be any worse, and may be better than other justices' blatant intuitionism.

Jim Rogers' column appears Thursdays on the Viewpoints Page.

Policies & Regulations affecting Students 1991-1992

Table of Contents

| | |
|---|----|
| I. STUDENT RIGHTS | |
| A. Student Bill of Rights | 1 |
| B. Policies Related to Student Rights and Responsibilities | 1 |
| C. Treatment of Student Educational Records | 1 |
| D. Student Complaints Concerning Faculty Actions | 2 |
| E. Student Complaints Concerning Actions by Teaching Assistants | 2 |
| F. University Policy on Human Rights | 2 |
| G. Office of the University Ombudsperson | 2 |
| H. Policy on Sexual Harassment and Consensual Relationships | 2 |
| I. Student Employee Grievance Procedure | 3 |
| II. STUDENT RESPONSIBILITIES | |
| A. Code of Student Life | 3 |
| B. Judicial Procedure for Alleged Violations of the Code of Student Life | 4 |
| C. Academic Misconduct | 6 |
| D. Policy Regarding the Use of Illegal Drugs and Alcohol | 8 |
| E. Uniform Rules of Personal Conduct at Universities under the Jurisdiction of the State Board of Regents | 8 |
| F. Judicial Procedure for Alleged Violations of the Regents' Rules of Personal Conduct | 9 |
| G. Housing Regulations | 9 |
| H. Residence Hall Judicial System | 9 |
| I. Legal Assistance for Students | 9 |
| J. The Pentacrest | 9 |
| III. STUDENT ORGANIZATIONS | |
| A. Recognition of Student Organizations | 10 |
| B. Regulation of Student Organizations | 10 |
| C. University Policy on Student Organization Housing | 10 |
| IV. MISCELLANEOUS | |
| A. Registration of Student Automobiles | 10 |
| B. Lost and Found | 10 |
| C. Reporting Correct Address | 10 |

I. Student Rights

A. STUDENT BILL OF RIGHTS

It is the policy of The University of Iowa that each student shall be guaranteed the following rights and freedoms; enumeration of the rights or registration at the University shall in no manner be construed to nullify or limit any other constitutional or legal rights or freedoms possessed by students as citizens or residents of the United States or of the State of Iowa:

1. The right to participate freely in University-sponsored services and activities without discrimination based on the student's race, creed, color, national origin, age, sex, or any other classifications that deprive the person of consideration as an individual.
2. The right to obtain a clear statement of basic rights, obligations, and responsibilities concerning both academic and non-academic student conduct.
3. The right to be evaluated in the classroom solely on the basis of academic achievement and fulfillment of educational requirements with freedom of expression protected and respected.
4. The right to organize and join associations in order to promote common interests.
5. The right of protection from the maintenance by the University of records reflecting the student's beliefs or his or her political activities and associations except for counseling records, health records, and records of disciplinary proceedings, and the right of protection from the release to persons outside the University community of such records as well as academic and disciplinary records without the express consent of the student or a court order.
6. The right to petition for changes in either academic or nonacademic regulations, procedures, or practices.
7. The right to be represented by a democratic student government.
8. The right to have clearly defined means to participate in the formulation and application of institutional policy affecting both academic and nonacademic student affairs. The student's participation shall include the right to gain access to information, to express views, and to have these views considered.
9. The right of protection from the placement of non-University financial obligations on the student's University account without the express consent of the student.
10. The right to be free from disciplinary action by the University for misconduct except under reasonable rules which have as their substantive basis the protection of some clear and distinct interest of the University as an academic institution.
11. The right to due process in any action brought or taken by the University against the student which can reasonably be expected to affect the student's status with the University or any of its constituent parts or agencies.
12. The right to protection from *ex post facto* regulations.

B. POLICIES RELATED TO STUDENT RIGHTS AND RESPONSIBILITIES

As in the broader community, many of the values and standards of behavior desired in an academic community are best transmitted by example, persuasion, and mutual respect. Beyond the unwritten code which governs us, however, is the need for formal, written policies and procedures which will ensure due process to any and all who become involved in a dispute or conflict within the academic community.

These policies and procedures—which are furnished to every member of the student body so that all might become familiar with them—are essential to the spirit of cooperation, compromise, and civil behavior which underlies productive human relationships. In short, the policies and procedures contained herein are the real-life mechanisms by which the University remains a place where essential rights and freedoms are preserved. These freedoms and rights include, but are not necessarily limited to, the freedom to teach, the freedom to learn and pursue truth no matter where that pursuit may lead, the freedom of speech, and the freedom of assembly. All communities must adopt whatever regulations their members require to ensure that conflict or misconduct does not diminish the rights of free people. Acceptance of and adherence to these fundamentals of freedom are necessary for continued membership in the community. When members of the University community consider what matters may require regulation by written code, these guidelines apply.

1. All the University's resources must be fully employed in the intellectual and personal development of its students.
2. Institutional regulations should be adopted only when necessary to the achievement of the University's academic goals, the safety and freedom of individuals, or the orderly operation of the University.
3. Students should be encouraged to participate, through orderly procedures, in the establishment and revision of regulations governing their conduct.
4. Regulations should be clearly stated and made conveniently available to every student.
5. Disciplinary action for violation of regulations should be corrective, rather than punitive.
6. Disciplinary procedures should be consistent with the principles of due process, channels of appeal should be clearly defined, and information relating to appeals should be readily accessible to all students.

Institutional regulations cannot provide specifically for every question of conduct under every set of circumstances which might arise; they are intended to define the practices ordinarily necessary to maintain working order in a complex system and to protect the essential freedoms of everyone in the community.

Advice on and review of University policies and regulations rest with general University committees. Committees dealing with the activities of students include students. Representatives of the appropriate administrative offices serve as consultants to committee members.

Student, staff, and faculty members may introduce topics for the agenda, debate proposals, and vote on all recommendations. Student members can contribute most effectively to the work of the committees by maintaining regular lines of two-way communication with the student government and with other groups and individuals interested in their committees' particular areas of concern. As members of the larger community of which the University is a part,

students are entitled to all the rights and protections enjoyed by other members of that community. By the same token, students are also subject to all civil laws, whose enforcement is the responsibility of duly constituted civil authorities, with whom the University has a policy of full cooperation. It should be emphasized that when a student's violation of civil law also adversely affects the orderly operation of the University, the University must enforce its own regulations regardless of any civil proceedings or dispositions.

Final authority in all cases rests with the University president and the State Board of Regents. Included here are the primary statements of University policies on rights and responsibilities of students. It is to your advantage to give them a careful reading and to keep your copy at hand for reference.

Interim changes in regulations are published in the student-edited newspaper the *Daily Iowan*. A complete set of current general University regulations is always available in the Office of the Dean of Students. For information on curricular matters, consult the appropriate college office.

C. TREATMENT OF STUDENT EDUCATIONAL RECORDS

As a student at The University of Iowa, you have certain rights pertaining to the privacy of your educational records. These rights are explained in the University policy on the treatment of student records, copies of which may be found in the Office of the Registrar, 1 Jessup Hall. University policy is consistent with Section 438 of the Family Educational Rights and Privacy Act of 1974 and federal regulations under that act. The act protects the privacy of records, establishes the right of students to inspect their educational records, and provides guidelines for the correction of inaccurate or misleading data through informal and formal hearings.

The University may, at its discretion, release the following information to anyone who requests it: name, local address, telephone; hometown; major fields of study; college enrolled in; dates of attendance, including the current class or year; full-time/part-time status; degrees and awards received; height and weight of members of athletic teams; and information about participation in activities and sports.

You are entitled to restrict the release of this information. To restrict the release of this information and to avoid publication of the information in the University directory, you must submit a request no later than seven calendar days following the first day of classes of fall semester to the Office of the Registrar, 1 Jessup Hall. In addition, to restrict the release of this information except as it may appear in the University directory, you must submit a request no later than seven days following the first day of classes of spring semester or summer session to the Office of the Registrar, 1 Jessup Hall. The request to withdraw directory information will be effective only for one year; that is, fall semester, spring semester, and summer session. A request to withdraw directory information made during spring semester or summer session will be effective only for the balance of that year.

If the request is submitted at a semester other than the fall semester, it cannot be effectuated with respect to information published in the University directory.

You have a right under the act to file a complaint concerning any failure by the University to comply with the act. Questions concerning your rights under this act or University compliance with the act should be directed to the Office of the Registrar, 1 Jessup Hall.

D. STUDENT COMPLAINTS CONCERNING FACULTY ACTIONS

Student complaints concerning actions of faculty members are pursued first through the informal mechanisms established in each college for this purpose. Although there is some variation among colleges, these mechanisms generally involve the following steps: (1) The student should first attempt to resolve the issue with the faculty member involved. (2) Lacking a satisfactory outcome, the student should turn to the departmental executive officer, if any. (3) If a satisfactory outcome still is not obtained, the student may take the matter to the collegiate dean.

The colleges of Education, Engineering, Liberal Arts, Medicine, and Nursing have written policies and procedures for resolving complaints. In addition, some colleges (Dentistry, Engineering, Law, and Nursing) also have established an ombudsperson system as an alternative mechanism for handling student complaints. Information concerning the informal mechanisms established in a specific college is available in the collegiate dean's office.

Graduate students should consult with the associate dean for academic affairs in the Graduate College concerning mechanisms for resolving complaints. In addition, a uniform policy defining procedures to be followed in the dismissal of graduate assistants may be obtained from the Office of the Dean of the Graduate College.

A student dissatisfied with the outcome of a complaint against a faculty member at the departmental and collegiate levels may ask the Office of the Vice President for Academic Affairs to review the matter. In addition, a student dismissed from a college or from the university for academic reasons may ask the Office of the Vice President for Academic Affairs to review the matter. A student who wishes more specific information about the review by the Office of Academic Affairs should inquire at the office of their respective dean or the Office of the Ombudsperson.

If a student's complaint concerning a faculty action cannot be resolved through the informal mechanisms available, the student may file a formal complaint which will be handled under the procedures established for dealing with alleged violations of the Statement on Professional Ethics and Academic Responsibility as specified in section 20.290 of the *University Operations Manual*. A description of these formal procedures, found in section 20.260 and following of the *University Operations Manual*, can be obtained from each college dean's office; collegiate ombudsperson; University Ombudsperson; College of Liberal Arts, Office of Academic Programs; or the Undergraduate Advising Center.

E. STUDENT COMPLAINTS CONCERNING ACTIONS BY TEACHING ASSISTANTS

A student who has a complaint about a class, discussion section or laboratory for which a teaching assistant has responsibility should pursue the following informal procedure:

(1) The student should first attempt to resolve the complaint by discussing it directly with the teaching assistant.

(2) If the matter is not resolved satisfactorily or if discussion with the TA is deemed inappropriate, the student should discuss the complaint with the faculty member responsible for the course or the chair of the department offering the course.

(3) If the complaint is not resolved at the departmental level, the student may take it to the dean's office.

(4) If the complaint is not resolved at the collegiate level, the Associate Vice President for Academic Affairs who is responsible for faculty personnel and development will review the complaint.

If a student's complaint concerning a teaching assistant cannot be resolved through the informal steps described above, the student may file a formal complaint which will be handled under the procedures established for dealing with alleged violations of the Statement on Professional Ethics and Academic Responsibility as described in Section 20.290 of the *University Operations Manual*. A description of these formal procedures can be obtained from each college dean's office, the University Ombudsperson, the Office of Academic Programs in the College of Liberal Arts, or the Undergraduate Advising Center.

F. UNIVERSITY POLICY ON HUMAN RIGHTS

The University of Iowa brings together in common pursuit of its educational goals persons of many nations, races, and creeds. The University is guided by the precept that in no aspect of its programs shall there be differences in the treatment of persons because of race, creed, color, national origin, age, sex, disability, and any other classifications that deprive the person of consideration as an individual, and that equal opportunity and access to facilities shall be available to all. Among the classifications that deprive the person of consideration as an individual are those based on affectional or associational preference. This principle is expected to be observed in the internal policies and practices of the University, specifically in the admission, housing, and education of students; in policies governing programs of extracurricular life and activities; and in the employment of faculty and staff personnel. The University shall work cooperatively with the community in furthering these principles.

G. OFFICE OF THE UNIVERSITY OMBUDSPERSON

The Office of the Ombudsperson responds to problems and disputes brought forward by all members of the University community—students, staff and faculty—which appear unresolvable through existing procedures or systems. The Ombudsperson investigates claims of unfair treatment or erroneous procedure, and serves as a neutral and detached listener, information resource, adviser, intermediary and mediator. The Ombudsperson considers all sides of a question in an impartial and objective way.

The Ombudsperson is an independent entity—not part of, and not reporting to, the University administration. All requests and consultations are treated in the strictest confidence; the Ombudsperson will never divulge a client's name or the nature of his or her complaint without the client's consent. Complainants can consult with the Ombudsperson without fear of exposure.

For many problems, a procedure is outlined by University rules or policies. Where practical, faculty or staff members should discuss problems with department chairs and/or supervisors; students should observe the *Policies and Regulations affecting Students* handbook. The appropriate academic adviser, department head, supervisor, chairperson, dean, or other administrator should normally be consulted before contacting the Ombudsperson.

Sometimes, however, an individual may have reasons for not advancing a complaint through official channels. These channels may mean lengthy delays, or entail a lack of confidentiality and/or impartiality which may be detrimental to the complainant's case. In these situations, the Ombudsperson may present a desirable alternative.

The Ombudsperson has no power to order changes in rules, regulations, policies, procedures, or the behavior of others. Solutions reached through the Office of the Ombudsperson are nonbinding; it is the responsibility of the involved parties to see that they are implemented. Through the use of moral persuasion, however, and by virtue of its respected position within the University community, the Office of the Ombudsperson successfully provides an effective route for solving problems.

H. POLICY ON SEXUAL HARASSMENT AND CONSENSUAL RELATIONSHIPS

Division 1. Sexual Harassment

Section 1. Rationale (a) Sexual harassment is reprehensible and will not be tolerated by the University. It subverts the mission of the University and threatens the careers, educational experience, and well-being of students, faculty, and staff. Relationships involving sexual harassment or discrimination have no place within the University. In both obvious and subtle ways, the very possibility of sexual harassment is destructive to individual students, faculty, staff, and the academic community as a whole. When, through fear of reprisal, a student, staff member, or faculty member submits or is pressured to submit to unwanted sexual attention, the University's ability to carry out its mission is undermined.

(b) Sexual harassment is especially serious when it threatens relationships between teacher and student or supervisor and subordinate. In such situations, sexual harassment exploits unfairly the power inherent in a faculty member's or supervisor's position. Through grades, wage increases, recommendations for graduate study, promotion, and the like, a teacher or supervisor can have a decisive influence on a student's, staff member's, or faculty member's career at the University and beyond.

(c) While sexual harassment most often takes place in situations of a power differential between the persons involved, the University also recognizes that sexual harassment may occur between persons of the same University status. The University will not tolerate behavior between or among members of the University community that creates an unacceptable working or educational environment.

Section 2. Prohibited Acts No member of the University community shall engage in sexual harassment. For the purposes of this policy, sexual harassment is defined as unwelcome advances, requests for sexual favors, or other verbal or physical conduct of a sexual nature when

(a) Submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or status in a course, program, or activity;

(b) Submission to or rejection of such conduct is used as a basis for an employment or educational decision affecting an individual; or

(c) Such conduct has the purpose or effect of unreasonably interfering with an individual's work or educational performance or of creating an intimidating, hostile, or offensive environment for work or learning.

Section 3. Examples of Sexual Harassment Sexual harassment encompasses any sexual attention that is unwanted. Examples of the verbal or physical conduct prohibited by Section 2 above include, but are not limited to

(a) Physical assault;

(b) Direct or implied threats that submission to sexual advances will be a condition of employment, work status, promotion, grades, or letters of recommendation;

(c) Direct propositions of a sexual nature;

(d) Subtle pressure for sexual activity, an element of which may be conduct such as repeated and unwanted staring;

(e) A pattern of conduct (not legitimately related to the subject matter of a course if one is involved) intended to discomfort or humiliate, or both, that includes one or more of the following: (i) comments of a sexual nature; or (ii) sexually explicit statements, questions, jokes, or anecdotes;

(f) A pattern of conduct that would discomfort or humiliate, or both, a reasonable person at whom the conduct was directed that includes one or more of the following: (i) unnecessary touching, patting, hugging, or brushing against a person's body; (ii) remarks of a sexual nature about a person's clothing or body; or (iii) remarks about sexual activity or speculations about previous sexual experience.

Section 4. Isolated and Inadvertent Offenses

(a) Members of the University community who, without establishing a pattern of doing so, engage in isolated conduct of the kind described in Subsections 3(e) and (f) or who exhibit a pattern of engaging in such conduct but fail to realize that their actions discomfort or humiliate demonstrate insensitivity that necessitates remedial measures. When University administrators become aware that such activities are occurring in their areas, they should direct that those engaged in such conduct undertake an educational program designed to help them understand the harm they are doing.

(b) If, after participating in the educational program or failing to participate after being directed to do so, a person continues to engage in the conduct described in Subsection 4(a), he or she will be deemed to have engaged in a pattern of conduct intended to discomfort or humiliate the one at whom the actions or statements are directed.

Division 2. Consensual Relationships

Section 5. Definition As used in this division, the terms *faculty* or *faculty member* mean all those who teach at the University and include graduate students with teaching responsibilities and other instructional personnel.

Section 6. Rationale (a) The University's educational mission is promoted by professionalism in faculty-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty members and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse or appear to abuse their power in such a context violate their duty to the University community.

(b) Faculty members exercise power over students, whether in giving them praise or criticism, evaluating them, making recommendations for their further studies or their future employment, or conferring any other benefits on them. Amorous relationships between faculty members and students are wrong when the faculty member has professional responsibility for the student. Such situations greatly increase the chances that the faculty member will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such relationship is suspect, given the fundamental, asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty member in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as unethical if faculty members engage in amorous relations with students enrolled in their classes or subject to their supervision, even when both parties appear to have consented to the relationship.

Section 7. Consensual Relationships in the Instructional Context No faculty member shall have an amorous relationship (consensual or otherwise) with a student who is enrolled in a course being taught by the faculty member or whose academic work (including work as a teaching assistant) is being supervised by the faculty member.

Section 8. Consensual Relationships outside the Instructional Context Amorous relationships between faculty members and students occurring outside the instructional context may lead to difficulties. Particularly when the faculty member and student are in the same academic unit or in units that are academically allied, relationships that the parties view as consensual may appear to others to be exploitative. Further, in such situations (and others that cannot be anticipated), the faculty member may face serious conflicts of interest and should be careful to distance himself or herself from any decisions that may reward or penalize the student involved. A faculty member who fails to withdraw from participation in activities or decisions that may reward or penalize a student with whom the faculty member has or has had an amorous relationship will be deemed to have violated his or her ethical obligation to the student, to other students, to colleagues, and to the University.

Section 9. Filing of Complaint A complaint alleging violations of Division 2 may be filed by any person, or the process may be initiated by the vice president for academic affairs.

Division 3. Procedures

Section 10. Informal Complaint (a) At the complainant's option, a complaint that one or more provisions of this policy have been violated may be brought to any appropriate member of the University community, including any academic or administrative officer of the University such as the director of affirmative action; the vice president for student services; the associate dean of the faculties; the associate vice president for finance and university services; any collegiate dean, director, supervisor, department head, ombudsperson, or adviser; and departments or organizations like the Women's Resource and Action Center and the Rape Victim Advocacy Program.

(b) The person to whom the complaint is brought will counsel the complainant as to the options available under this policy and, at the complainant's request, (i) may help the complainant resolve the complaint informally and/or (ii) help the complainant draft a formal complaint if the complainant decides to follow that route.

(c) The person to whom the informal complaint is brought will not inform the accused of the complainant's action without the consent of the complainant.

Section 11. Investigation Prior to Formal Action (a) A complainant wishing to make a formal complaint and have it pursued should file it with the Office of Affirmative Action, which will consult with the appropriate administrative officer to determine the method by which the investigation will be conducted.

(b) The purpose of the investigation is to establish whether there is a reasonable basis for believing that the alleged violation of this policy has occurred. In conducting the investigation, the appropriate administrator may interview the complainant, the accused, and other persons believed to have pertinent factual knowledge. At all times, the administrator conducting the investigation will take steps to ensure confidentiality.

(c) The investigation will afford the accused a full opportunity to respond to the allegations.
(d) Possible outcomes of the investigation are (i) a judgment that the allegations are not warranted; (ii) a negotiated settlement of the complaint; or (iii) institution of formal action described in succeeding sections of this policy.

Section 12. Process of Taking Formal Action

(a) If after reviewing the report of the investigator the appropriate administrative official, as described in Subsection (b) of this section, concludes that there is a reasonable basis for believing that the alleged violation of this policy has occurred and a negotiated settlement cannot be reached, formal action will be taken.

(b) The decision to take formal action in cases in which

i. a faculty member, graduate assistant, or other instructional personnel has been charged will be made by the chief academic officer of the University, currently the vice president for academic affairs or that person's designee;

ii. a staff member has been charged will be made by the vice president responsible for the unit employing the person charged or that person's designee;

iii. a student has been charged will be made by the chief administrative officer of the University in charge of student affairs, currently the vice president for student services or that person's designee.

Section 13. Formal Action

Except as specifically modified by other provisions of this policy, formal action involving allegations of

(a) Violations of this policy by faculty members will be governed by the General Faculty Dispute Procedures (see *University Operations Manual* Sec. 20.260) and the portion of the procedures dealing with faculty ethics (Sec. 20.266).

i. Upon motion from one of the parties made before the start of the hearing process, the hearing panel shall close all or part of any hearing held under this policy. Upon motion from one of the parties after the hearing has started or from some other interested party, the hearing panel may close all or part of a hearing held under this procedure.

(b) Violations of this policy by staff members will be taken by the vice president (or designee) responsible for the unit employing the accused staff member. Appeals from any formal disciplinary action against a professional and scientific staff member are governed by Section 20.311 of the *University Operations Manual*. Organized merit staff have access to a contractual grievance procedure, and nonorganized merit staff have a procedure available under Regents Merit System rules;

(c) Violations of this policy by graduate assistants will be governed by the procedure for dismissal of graduate assistants (*University Operations Manual* Sec. 20.230);

(d) Violations of this policy by students will be governed by Judicial Procedure for Alleged Violations of the Code of Student Life. (Both the Code of Student Life and the Judicial Procedure are published and distributed to students annually in *Policies and Regulations affecting Students*.)

Section 14. Protection of Complainant and Others

(a) Investigations of complaints will be initiated only with the complainant's consent. The complainant will be informed fully of steps taken during the investigation.

(b) All reasonable action will be taken to assure that the complainant and those testifying on behalf of the complainant or supporting the complainant in other ways will suffer no retaliation as the result of their activities in regard to the process. Steps to avoid retaliation might include

i. lateral transfers of one or more of the parties in an employment setting and a comparable move if a classroom setting is involved, and

ii. arrangements that academic and/or employment evaluations concerning the complainant or others be made by an appropriate individual other than the accused.

(c) In extraordinary circumstances, after consulting the presiding officer of the Faculty Judicial Commission, the vice president for academic affairs may, at any time during or after an investigation of a sexual harassment complaint, suspend from teaching responsibilities any faculty member or teaching assistant accused of sexual harassment if, after reviewing the allegations and interviewing the accused, the complainant, and, if it seems appropriate, some others enrolled in the class, the vice president finds that it is reasonably certain that (i) the alleged sexual harassment has occurred and (ii) serious and immediate harm will ensue if the person continues to teach the class.

Section 15. Protection of the Accused

(a) At the time the investigation commences, the accused will be informed of the allegations, the identity of the complainant, and the facts surrounding the allegations.

(b) In the event the allegations are not substantiated, all reasonable steps will be taken to restore the reputation of the accused if it was damaged by the proceeding.

(c) A complainant found to have been intentionally dishonest in making the allegations or to have made them maliciously is subject to University discipline.

Section 16. Protecting Both Parties

(a) To the extent possible, the proceedings will be conducted in a way calculated to protect the confidentiality interests of both parties.

(b) After the investigation, the parties will be informed of the facts developed in the course of the investigation.

(c) The parties will be informed promptly about the outcome of the proceedings.

Division 4. Educational Programs

Section 17. Education as a Key Element of University Policy

Educational efforts are essential to the establishment of a campus milieu that is as free as possible of sexual harassment (Division 1) and in which high standards of conduct in consensual relationships (Division 2) are observed. There are at least four goals to be achieved through education: (1) ensuring that all victims (and potential victims) are aware of their rights; (2) notifying individuals of conduct that is proscribed; (3) informing administrators about the proper way to address complaints of violations of this policy; and (4) helping educate the insensitive about the problems this policy addresses.

Section 18. Preparation and Dissemination of Information

(a) The Office of Affirmative Action is charged with distributing copies of this policy to all current members of the University community and to all those who join the community in the future. An annual letter from the Office of Affirmative Action will be sent to all faculty and staff to remind them of the contents of the University's Human Rights Policy, including the provisions added to it by this policy. A copy of the Human Rights Policy will be included in student orientation materials, including those distributed to students in professional schools. In addition, copies of that policy will be made continuously available at appropriate campus centers and offices.

(b) The Office of Affirmative Action will develop a series of training sessions for persons who are likely to receive complaints that this policy has been violated, including, but not being limited to, such persons as residence hall resident advisers, academic advisers, supervisors, and University and collegiate ombudspersons. Academic departments are encouraged to provide training sessions for graduate assistants and other instructional personnel.

(c) The Office of Affirmative Action will develop a course designed to inform those who inadvertently violate this policy (Section 4) of the problems they create by their insensitive conduct. The course shall be mandated for those in violation of Section 4 and may be an element in the settlement of a complaint. It also may be mandated for persons found to have violated this policy.

I. STUDENT EMPLOYEE GRIEVANCE PROCEDURE

1. Scope of the Procedure A grievance is a difference, complaint, or dispute regarding the interpretation or application of established policies and/or procedures governing terms of employment, working conditions, hours of work, or compensation. General Wage adjustments are excluded from the grievance procedure. These procedures shall apply to and be considered the right of any University of Iowa non-academic employee who is (a) a student currently registered in an undergraduate, graduate, or professional program on campus; and (b) has no other employee grievance procedure available for use. The student employee shall have the right to be accompanied by two representatives throughout these proceedings.

2. Employee's Initial Time Table The initiation period for a grievance must be within 21 calendar days of the date of discovery, by the employee, of the grievance, and within one year of the actual incident. The employee shall be allowed a reasonable time, not to exceed four hours, off from duties without loss of pay to investigate a grievance. Such time is to be scheduled with the supervisor's permission. What is a reasonable time shall be determined by mutual consent of the parties involved. If the parties are unable to agree, the time reasonably necessary to investigate the grievance should be determined by the Dean of Students or designee.

3. Management's General Time Table

All levels of supervisory personnel involved shall be directed to consider the grievances as soon as is reasonably possible. An extension of time limits specified in the grievance procedure may be made when mutually agreed upon by the employee and the administrator to whom the grievance is being addressed.

4. The Four Stages of Grievance Resolution

Step 1 A grievance proceeding shall be commenced by the employee presenting the grievance orally to her/his immediate supervisor. Such supervisor shall make an immediate response to the grievance.

Step 2 If the oral response of the immediate supervisor fails to satisfy the employee, within four working days of receipt of the immediate supervisor's oral response, the employee shall file a written grievance with the immediate supervisor. If no oral response is made, a similar writing shall be filed with the immediate supervisor within four working days of presenting the oral grievance. In either case, the writing shall set forth with reasonable particularity (a) the events concerning which the employee feels aggrieved; (b) the date or dates on which the events occurred; (c) the date of the presentation of the oral grievance to the immediate supervisor; (d) the date of the immediate supervisor's oral response, if one was made; and (e) the employee's understanding of the immediate supervisor's oral response, if one was made.

Within four working days of receiving the written grievance, the immediate supervisor shall respond to the employee in writing stating with reasonable particularity the supervisor's understanding of the facts and of her/his oral response, if either or both differ from that of the employee. If not resolved:

Step 3 The written grievance shall be sent by the employee within five working days of receipt of the supervisor's response to the department head and an administrator designated by the Dean of Students. A meeting called by the administrator will then be held, if possible within five working days of receipt of the grievance or as soon thereafter as is feasible among the administrator, the department head or his/her designee, the employee and the employee's representatives, if any. A written response is required within five working days following the meeting. The response must be written by the department head in consultation with the administrator. If not resolved:

Step 4 The written grievance should be forwarded by the employee within five working days of receipt of the department head's response to the Office of the Associate Vice President for Finance and University Services. Within five working days of the receipt of the written grievance, or as soon thereafter as feasible, a meeting should be called by the Associate Vice President or his/her designee of all parties who previously had participated in the case. The final administrative determination should be made by the Associate Vice President for Finance and University Services, or designee, in consultation where appropriate with the Dean of Students, to be communicated to the parties in writing within three working days of the meeting.

II. Student Responsibilities

A. CODE OF STUDENT LIFE

Introduction

Academic institutions exist for the advancement of knowledge, the pursuit of truth, the development of students, and the general well-being of society. Free inquiry and free expression are indispensable to the attainment of these goals. As members of the academic community, students are encouraged to develop a capacity for critical judgment and to engage in a sustained and independent search for truth. Freedom to teach and freedom to learn are inseparable facets of academic freedom. The freedom to learn depends upon appropriate opportunities and conditions in the classroom, on the campus, and in the larger community. Students are expected to exercise their freedom to learn with responsibility and to respect the general conditions conducive to such freedom. Accordingly, the University has developed the following general regulations pertaining to student conduct which provide and safeguard the right of every individual student to exercise fully freedom to learn without undue interference by others.

The Code of Student Life is applicable whether or not the University is in session and pertains to all persons registered for a University of Iowa course; all persons admitted to any academic program, and all persons attending a University-sponsored program. In addition, conduct violative of the Code of Student Life and engaged in prior to admission or after withdrawal from the University may be taken into account in admissions decisions and may be grounds for filing disciplinary charges after admission or acceptance into a program. For purposes of the conduct regulations and judicial procedures, a student is any person fitting one or more of these descriptions.

It is the duty and responsibility of all students to acquaint themselves with all provisions of the code and particularly with the rules and regulations pertaining to personal conduct, and every student will be conclusively presumed to have knowledge of all rules and regulations contained in the code from the date of his or her initial registration at the University. The code may be amended at any time by authority of the president of the University. Amendments are effective upon approval of the president and publication in the Code of Student Life, provided that if the president deems an amendment of immediate importance, it shall be effective from and after publication in the *Daily Iowan*, which will be conclusively presumed as adequate notice to all students. A full and complete text of the code and other general University rules and regulations of personal conduct currently in effect, including all amendments, shall be on file in the Office of the Vice President for Student Services at all times and shall be available for inspection by students. The vice president for student services shall be responsible for making available to students copies of all amendments deemed of immediate importance and for distributing copies of such amendments to all housing units, affected student organizations, and otherwise, as the vice president for student services deems appropriate, provided that failure to make such distribution shall not affect the effectiveness of such amendments.

General Conduct Regulations

Any student who commits any of the following acts of misconduct shall be subject to disciplinary action by the University. These regulations shall apply only where a student's misconduct has adversely affected some University process or function or some other distinct and clear interest of the University as an academic community. As used in these procedures, "willful" and "intentional" conduct includes conduct which the student knew or reasonably should have known could lead to the results listed below. These regulations shall be construed so as not to abridge any student's constitutional rights of free expression of thought or opinion, free association, peaceable assembly, or the petition of authorities.

1. Academic misconduct, including the acquisition of honors, awards, certification or professional endorsements, degrees, academic credits, or grades by means of cheating, plagiarism, or falsification, including forgery, with respect to any examination, paper, project, application, recommendation, transcript, or test, or registration document or by any other dishonest means whatsoever, or aiding or abetting another student to do so. Resolution of Section 1 complaints will normally be handled within the college or department concerned, with provision for review (see Part C, Academic Misconduct).

2. Willful misrepresentation of any material fact to any member of the faculty or staff of the University or to any office, department, or committee thereof, or willful misrepresentation to anyone, within or without the University community, of his or her status or academic performance with the University or of the support, sponsorship, or approval by the University of the services or activities of any person, group, or organization.

3. Willful failure to comply with a proper order or summons of any member of the faculty or other University official, properly identified—by stating his or her name and title if requested by a student—and acting within the scope of his or her authority, or willful failure of a student to identify himself or herself by stating his or her name to such faculty member or official. In the absence of specific authorization by a member of the central administration, it is understood that faculty members who do not hold administrative appointments are authorized to require identification as contemplated in this section only in a class, in the faculty member's office, in a library as to persons defacing or otherwise abusing library materials, and at University functions at which the faculty member is presiding.

4. Forgery, alteration, or misuse of any University record, form, or document, or of any student identification card.
5. (a) Intentionally disrupting the orderly processes of the University, or (b) intentionally obstructing or denying access to services or facilities by those entitled to use such services or facilities, or (c) intentionally interfering with the lawful rights of other persons on the campus, or (d) inciting others to do acts proscribed by paragraphs (a), (b), or (c) of this section.
6. Willful demonstrations within the interior of any University building or structure, except as specifically authorized and subject to reasonable conditions imposed to protect the rights and safety of other persons and to prevent damage to property.
7. Unauthorized entry into or occupation of any University room, building, or area of the campus, including such entry or occupation at any unauthorized time, or any unauthorized or improper use of any University property, equipment, or facilities.
8. Intentional setting of fires in any University building or on the campus without proper authority, or intentional sounding of a false fire alarm or improper use of fire prevention equipment in any University building or on the campus.
9. Misuse or misappropriation of University property or private property on campus or off-campus in connection with University activities, including but not limited to, theft or attempted theft, burglary, willful possession of stolen property, and willful destruction, damage, defacement, or mutilation of property belonging to or in the custody of the University or another member of the University community.
10. Assaulting, threatening, physically abusing, unduly harassing, or endangering in any other manner the health or safety of (a) a University student, staff, or faculty member if such conduct relates to the official business of the University or (b) any person on the campus or at any University-sponsored or supervised function or event.
11. Use or possession of serviceable firearms, ammunition, explosives, fireworks, or other dangerous articles on campus or within any University building on the campus, or at any University-sponsored or supervised function or event, except in authorized facilities.
12. Possession or consumption of an alcoholic beverage on campus, within any University building, or at any University-sponsored or supervised function or event off-campus, except as permitted under the Policy Regarding the Use of Illegal Drugs and Alcohol, Code of Student Life, the Residence Hall Guidebook, or as authorized by other University regulations.
13. Use or possession of any narcotic drug, marijuana, or any other addictive, dangerous, or controlled substance on campus. Students found in violation of this section will, under ordinary circumstances, be required to complete a substance abuse evaluation and attend any educational or counseling sessions recommended as a result of the evaluation.
14. Sale, manufacture, distribution, or administration of any drug described in Section 12 or 13.
15. (a) Intentionally disrupting access of other students, faculty, or staff members to University computer resources, or (b) knowingly obtaining without authorization access to a computer account assigned to another person, or (c) knowingly using an account belonging to another University student, faculty, staff member, or academic department for other than its intended purpose without permission from the owner, or using an inactive account, or (d) using University computer equipment to interfere with the lawful rights of others by such activities as falsifying or altering records or documents, creating false or fraudulent documents, damaging programs belonging to another, sending harassing or threatening material, or duplicating copyrighted software unlawfully, or (e) assisting another person to do any act proscribed under this section.

16. Violation of any other rule, regulation, or policy which may be promulgated by the president of the University or an authorized representative, by any college, department, residence hall, office, or other facility within the scope of its authority, or by the State Board of Regents, provided such rules, regulations, or policies were published, posted, or otherwise adequately publicized or the student had actual knowledge thereof. Included among "such rules, regulations, or policies" are the University Policy on Human Rights, the Policy on Sexual Harassment and Consensual Relationships, the Policy Concerning Use of the Pentacrest, and all provisions contained in University residence halls contracts which pertain to personal conduct, including the Residence Hall Guidebook.
17. Any other conduct or action in which the University can demonstrate a clear and distinct interest as an academic institution and which seriously threatens (a) any educational process or other legitimate function of the University or (b) the health or safety of any member of the academic community. Student misconduct as defined in sections 1-16 which occurs on property governed by the State of Iowa Board of Regents is considered within the scope of this regulation. This includes the campuses of Iowa State University and the University of Northern Iowa. Misconduct committed on college campuses not governed by the State Board of Regents may also violate this regulation.

B. JUDICIAL PROCEDURE FOR ALLEGED VIOLATIONS OF THE CODE OF STUDENT LIFE

1. Introduction These procedures are designed to cover complaints against students based on alleged violations of the Code of Student Life and the Policy on Sexual Harassment and Consensual Relationships. Alleged violations of Section 1 (academic misconduct) are handled under the procedures described in Part C, Academic Misconduct. Alleged violations of Sections 2-17 are ordinarily resolved by the dean of students, who may assign responsibility to a designated department head or assistant. Procedures used to resolve residence hall misconduct complaints are described below in Section H, Residence Hall Judicial System. Persons with questions as to which University procedures apply to a particular situation may contact the Office of the Dean of Students or the University Ombudsman for more information.

2. Complaint Procedure Any person may bring a complaint against a student under these procedures based on an alleged violation of the Code of Student Life (see extent of jurisdiction in introduction). All such complaints shall be made to the Office of the Dean of Students. The dean of students shall designate a person to investigate and review the complaint and determine whether formal charges should be in order.

3. Investigation The dean of students or designee will gather relevant evidence to determine whether there is a reasonable basis for believing that the Code of Student Life was violated. In order to make such a determination, the dean of students or designee may interview the complainant and witnesses. During the investigation, the dean of students or designee may meet personally with the student accused. Alternatively, the student accused may be notified of the complaint in writing and given an opportunity to respond. In the event that the dean of students or designee believes that evidence shows that there is a reasonable basis for believing a violation did occur, formal charges will be brought. During the period of investigation, the dean of students or designee may seek informal disposition of the complaint with the student accused. A student accused may consult with the University Ombudsman or other advisers during the investigation as well as prior to a hearing or following a hearing.

4. Charge Procedure If it is determined that formal charges should be brought, the dean of students or designee (hereinafter "charging party") shall send the student involved a Notice of Charge which shall (1) set out the rule or rules which have been allegedly violated, (2) state the alleged actions or behavior, (3) list the names of any witnesses intended to be called by the charging party, and (4) advise the student of his or her rights and of the hearing procedure, by attaching a copy of the hearing procedure to the letter.

When a student is formally charged with violating the Code of Student Life, the charging party may notify the student that an informal disposition of the charge may be pursued through discussions between the student and the charging party. If an informal disposition is made, the student will be sent a letter stating the terms of the disposition and no hearing will be held. A formal hearing may be held if the terms of the informal disposition are breached.

If attempts at informal disposition of the alleged violation do not succeed, a Final Notice of Charge will be sent to the student with a copy to the administrative hearing officer. The administrative hearing officer shall be drawn from the pool of administrative hearing officers, selected by the president after consultation with the appropriate constituent groups. Another administrative hearing officer will serve if a student who is charged can adequately demonstrate why the assigned administrative hearing officer should not hear the case. Such an objection must be made in writing to the dean of student services, with a copy to the assigned administrative hearing officer, at least 2 class days before the hearing is scheduled to begin.

The dean of students may elect to resolve two or more complaints against one student at a single hearing. In addition, the dean of students may elect to resolve a complaint against two or more students at separate hearings or at a single hearing in the event that the complaints arose out of the same transaction or occurrence. Any challenge about complaint consolidation or separation will be determined by the administrative hearing officer. To challenge a decision to separate or consolidate a complaint, the student accused must notify the administrative hearing officer of the ground(s) for the challenge in writing at least 2 class days before the hearing is scheduled to take place.

The administrative hearing officer shall set the time and the place for the hearing and shall send notice of the hearing to the student charged and the charging party. The Notice of Hearing shall be sent by certified mail or served personally. If the student charged or the charging party cannot appear at the time specified, the student or the charging party must contact the administrative hearing officer at least 2 class days before the hearing is scheduled to begin to arrange a different time for the hearing. If the student has not contacted the administrative hearing officer and does not appear at the hearing, the administrative hearing officer may make a decision on the charge and the sanction, if any. If the charging party has not contacted the administrative hearing officer at least 2 class days before the hearing is scheduled to begin and does not appear, the administrative hearing officer may postpone or continue the hearing or may drop the charge.

The student charged will be mailed or served the Final Notice of Charge at least seven class days before the hearing. Final Notice of Charge will be sent by certified mail or served personally. The student charged will receive notification of names of any additional witnesses intended to be called by the charging party at least 2 class days prior to the hearing.

5. Rights at and Before Hearing The student charged has the following rights at a hearing: (1) to present his or her side of the story; (2) to present witnesses and evidence on his or her behalf; (3) to cross-examine witnesses presenting evidence against the student; (4) to be represented by an adviser at the student's expense (if any expense is entailed). Prior to the hearing, the student has a right to examine his or her disciplinary file in the Office of the Dean of Students. The student also has a right to know, upon request, which written documents or other physical evidence in the disciplinary file the University representative plans to present at the hearing. To examine the disciplinary file or learn what documents will be presented at the hearing, the student must make the request at least 2 class days before the hearing is scheduled to take place.

6. Hearing The administrative hearing officer shall preside at the hearing. The hearing officer (1) shall inform the student of the charge, the hearing procedures, and his or her rights and (2) shall answer any questions the student charged may have on these matters. The hearing officer shall hear and receive evidence to determine whether a violation of the Code of Student Life has occurred, and may request character evidence to aid in the determination of an appropriate sanction. The hearing shall be recorded.

The hearing shall be closed unless the student charged specifically requests in writing at least 2 class days before the hearing that the hearing be open. If the student requests an open hearing, the administrative hearing officer may nonetheless elect to close all or part of the hearing. The administrative hearing officer may elect to exclude persons who are to appear as witnesses.

After informing the student of the charges, the hearing procedures, and his or her rights, the administrative hearing officer shall ask the student charged to plead guilty or not guilty. If the student pleads not guilty, the charging party shall present the University's case and shall offer evidence, which may include written testimony and witnesses, in support of the charge. The student charged may cross-examine the evidence presented by the charging party. The student charged may then present his or her case and may offer evidence, which may include written testimony and witnesses, in his or her behalf which shall be subject to cross-examination by the charging party.

The charging party bears the burden of showing by a preponderance of evidence that the Code of Student Life was violated. The administrative hearing officer may exclude irrelevant, immaterial, or unduly repetitive evidence. A finding by the administrative hearing officer shall be based upon the kind of evidence on which reasonably prudent persons are accustomed to rely in the conduct of their serious affairs. Objections to evidentiary offers may be made and shall be noted in the record.

After hearing all evidence on the issue of the Code of Student Life violations, the administrative hearing officer may request both parties to offer evidence on the charged party's character, previous conduct, and similar evidence for the purpose of assisting the administrative hearing officer in determining an appropriate sanction, if any. The hearing officer may request that some or all character evidence be submitted in writing after the conclusion of the hearing and within the time set by the hearing officer.

The administrative hearing officer's decision as to whether the Code of Student Life was violated and the appropriate sanctions, if any, may be rendered orally at the close of the hearing. A written decision shall ordinarily be issued within five working days after the hearing, and, in any event, within ten working days after the hearing.

Notification of Decision shall be sent to the student charged by certified mail, to the charging party, and to other appropriate University officers. If the charged student is found to have violated the Code of Student Life, the Notification of Decision letter shall include a statement of the right to appeal and reference to the appeal procedure.

7. Appeal A student may appeal the decision of the administrative hearing officer to the Office of the Vice President for Academic Affairs (hereinafter "vice president"). The charged student shall file a written petition for appeal with supporting materials (if desired) in the vice president's office within ten class days following the receipt of the written notification of the administrative hearing officer's decision. The vice president shall designate an appropriate individual to review the record of the hearing, and the past disciplinary records of the charged person. Ordinarily, no new evidence will be received.

During the appeal, sanctions imposed by the administrative hearing officer shall remain in effect. A student suspended or expelled may request, from the dean of students, permission to attend classes until the vice president's designee has made a decision on appeal.

The vice president's designee may recommend to the vice president that the decision be affirmed. The vice president's designee may also recommend that the decision be reversed, modified, or other appropriate relief be granted, if substantial rights of the student have been prejudiced because (1) the finding of guilt was unsupported by substantial evidence in the record made before the administrative hearing officer when that record is viewed as a whole; (2) the sanction imposed for the violation was unreasonably harsh or inappropriate when the nature of the violation and the disciplinary record of the charged person are considered; (3) the decision as a whole was unreasonable, arbitrary, or capricious or characterized by an abuse of discretion or clearly unwarranted exercise of discretion; (4) the procedures were not properly followed; or (5) new evidence, not reasonably available at the time of the hearing, is of sufficient importance to warrant reconsideration by the hearing officer. The student's written petition for appeal should specify the grounds for appeal.

Continued on p. 6

**TABLE A
Controlled Substances—Uses & Effects**

| DRUGS CSA SCHEDULES | TRADE OR OTHER NAMES | MEDICAL USES | DEPENDENCE Physical Psychological | TOLERANCE | DURATION (Hours) | USUAL METHODS OF ADMINISTRATION | POSSIBLE EFFECTS | EFFECTS OF OVERDOSE | WITHDRAWAL SYNDROME |
|-------------------------|---|--|--------------------------------------|-----------|------------------|------------------------------------|------------------------------------|--|---|
| NARCOTICS | | | | | | | | | |
| Opium | II III IV Dover's Powder, Paregoric Parapetion | Analgesic, antidiarrheal | High | High | Yes | 3-6 | Oral, smoked | | |
| Morphine | II III Morphine, MS-Contin, Roxanol, Roxanol-SR | Analgesic antitussive | High | High | Yes | 3-6 | Oral, smoked, injected | | |
| Codeine | II III V Tylenol w/Codeine, Empirin w/Codeine Robitussin A-C, Fionnal w/Codeine | Analgesic, antitussive | Moderate | Moderate | Yes | 3-6 | Oral, injected | | |
| Heroin | I Duacetylmorphine, Horse, Smack | None | High | High | Yes | 3-6 | Injected, sniffed, smoked | Euphoria, drowsiness, respiratory depression, constricted pupils, nausea | Watery eyes, runny nose, yawning, loss of appetite, irritability, tremors, panic, cramps, nausea, chills and sweating |
| Hydromorphone | II Dilaudid | Analgesic | High | High | Yes | 3-6 | Oral, injected | | |
| Meperidine (Pethidine) | II Demerol, Maporgan | Analgesic | High | High | Yes | 3-6 | Oral, injected | | |
| Methadone | II Dolophine, Methadone, Methadose | Analgesic | High | High-Low | Yes | 12-24 | Oral, injected | | |
| Other Narcotics | I II III IV V Numorphan, Percodan, Percocet, Tylax, Tussionex, Fentanyl, Darvon, Lomotil, Talwin* | Analgesic, antidiarrheal, antitussive | High-Low | High-Low | Yes | Variable | Oral, injected | | |
| DEPRESSANTS | | | | | | | | | |
| Chloral Hydrate | IV Noctec | Hypnotic | Moderate | Moderate | Yes | 5-8 | Oral | | |
| Barbiturates | II III IV Amytal, Butisol, Florinal, Lotusate, Nembutal, Seconal, Tuinel, Phenobarbital | Anesthetic, anticonvulsant, sedative, hypnotic, veterinary euthanasia agent | High-Mod. | High-Mod. | Yes | 1-16 | Oral | Slurred speech, disorientation, drunken behavior without odor of alcohol | Anxiety, insomnia, tremors delirium, convulsions, possible death |
| Benzodiazepines | IV Ativan, Dalmane, Diazepam, Librium, Xanax, Serax, Valium, Tranxex, Verstron, Versed, Halcion, Paxipam, Restoril | Antianxiety, anticonvulsant, sedative, hypnotic | Low | Low | Yes | 4-8 | Oral | | |
| Methaqualone | I Quaalude | Sedative, hypnotic | High | High | Yes | 4-8 | Oral | | |
| Glutethimide | III Doriden | Sedative, hypnotic | High | Moderate | Yes | 4-8 | Oral | | |
| Other Depressants | III IV Equanil, Miltown, Noludar, Placidyl, Valmid | Antianxiety, sedative, hypnotic | Moderate | Moderate | Yes | 4-8 | Oral | | |
| STIMULANTS | | | | | | | | | |
| Cocaine ¹ | II Coke, Flake, Snow, Crack | Local anesthetic | Possible | High | Yes | 1-2 | Sniffed, smoked, injected | | |
| Amphetamines | II Biphetamine, Deobese, Desoxyn, Dexedrine, Obetrol | Attention deficit disorders, narcolepsy, weight control | Possible | High | Yes | 2-4 | Oral, injected | Increased alertness, excitation, euphoria, increase in body temperature, hallucinations, convulsions, possible death | Apathy, long periods of sleep, irritability, depression, disorientation |
| Phenmetrazine | II Preludin | Weight control | Possible | High | Yes | 2-4 | Oral, injected | | |
| Methylphenidate | II Ritalin | Attention deficit disorders, narcolepsy | Possible | Moderate | Yes | 2-4 | Oral, injected | | |
| Other Stimulants | III IV Adipex, Cylert, Didrex, Ionamin, Mellin, Plagina, Sanorex, Tenuato, Tepanil, Prelu-2 | Weight control | Possible | High | Yes | 2-4 | Oral, injected | | |
| HALLUCINOGENS | | | | | | | | | |
| LSD | I Acid, Microdot | None | None | Unknown | Yes | 8-12 | Oral | | |
| Mescaline and Peyote | I Mexc, Buttons, Cactus | None | None | Unknown | Yes | 8-12 | Oral | | |
| Amphetamine Variants | I 2,5-DMA, PMA, STP, MDA, MDMA, TMA, DCM, DOB | None | Unknown | Unknown | Yes | Variable | Oral, injected | Illusions and hallucinogens, poor perception of time and distance | Longer, more intense "trip" episodes, psychosis, possible death |
| Phencyclidine | II PCP, Angel Dust, Hog | None | Unknown | High | Yes | Days | Smoked, oral, injected | | |
| Phencyclidine Analogues | I PCE, PCPy, TCP | None | Unknown | High | Yes | Days | Smoked, oral, injected | | |
| Other Hallucinogens | I Butotenine, Ibogaine, DMT, DET, Psilocybin, Psilocyn | None | None | Unknown | Possible | Variable | Smoked, oral, injected, sniffed | | |
| CANNABIS | | | | | | | | | |
| Marijuana | I Pot, Acapulco Gold, Grass, Reefer, Sinssemilla, Thai Sticks | None | Unknown | Moderate | Yes | 2-4 | Smoked, oral | Euphoria, relaxed inhibitions, increased appetite, disoriented behavior | Insomnia, hyperactivity, and decreased appetite occasionally reported |
| Tetrahydrocannabinol | I II THC, Marinol | Cancer chemotherapy antitumorant | Unknown | Moderate | Yes | 2-4 | Smoked, oral | | |
| Hashish | I Hash | None | Unknown | Moderate | Yes | 2-4 | Smoked, oral | | |
| Hashish Oil | I Hash Oil | None | Unknown | Moderate | Yes | 2-4 | Smoked, oral | | |

¹Designated a narcotic under the CSA
²Not designated a narcotic under the CSA

Continued from p. 4

The decision on appeal and the reasons therefor will be transmitted to the student charged, the charging party, and other appropriate University officials within 30 days of the receipt of the Notice of Appeal. The decision of the administrative hearing officer and the final decision on appeal, as well as the notices and other related documents, will be kept in the student's disciplinary file in the Office of the Dean of Students.

8. Sanctions The administrative hearing officer has the authority to impose any one or a combination of the following disciplinary sanctions. These sanctions are to serve as guidelines rather than as a definitive list.

1. **Disciplinary Warning:** This is a strong, written warning that if there is a repetition of the same action or any other action in violation of the Rules and Regulations of the Code of Student Life, the student can expect additional disciplinary action. A record of the disciplinary action is kept on file.
2. **Disciplinary Probation:** When on disciplinary probation a student is not considered to be in good standing with respect to the non-academic disciplinary system and any further violations may lead to suspension or expulsion from the University.
3. **Restitution:** A student may be assessed the repair/replacement cost for any damage he or she causes to property.
4. **Educational Sanction:** A student may be required to provide a specific service or participate in a specific program, receive specific instruction, or complete a research assignment. The student is responsible for related expenses, including expenses for education, counseling, or treatment, if any expense is entailed.
5. **Exclusion from University Facilities or Activities:** A student may be prohibited from attending a class, undertaking University employment, entering a building,

participating in an extra-curricular activity sponsored by the University, representing the University in an official capacity, or using other services provided by the University. Such exclusion may be for a definite or indefinite period of time.

6. **Disciplinary Suspension:** A student may be involuntarily separated from the University for a stated period of time after which readmission is possible. The administrative hearing officer shall determine when the suspension will become effective. A student with one or more violations may be suspended from the university for an indefinite period of time. A student suspended indefinitely may petition to the dean of students for reinstatement.

7. **Expulsion:** When a student has a record of serious violations, he or she may be dismissed from the University permanently.

9. Interim Suspension A student may be suspended from the University or have privileges revoked pending the outcome of a disciplinary proceeding if, in the judgment of the dean of students, the student's continued presence or use of privileges at the University pending the outcome of the proceeding is likely to cause harm to faculty, staff, other students, other specified persons or groups, or University property. The dean of students will base an interim sanction judgment on evidence gathered in the initial stage of an investigation of the alleged conduct. Ordinarily, the dean or the dean's designee will converse with the student when interim suspension is considered.

A student suspended under this section may seek review of that decision by requesting the dean of students to reconsider the decision within five calendar days after the student has received Notice of Suspension. The student may request that an immediate formal University disciplinary hearing be held.

10. Records If disciplinary action is taken against a student under these procedures and a sanction imposed, a record of the action will be kept by the Office of the Dean of Students. Record of nonacademic disciplinary sanctions will not, however, appear on the charged student's transcript.

Disciplinary actions are part of the education records of the student and, consequently, are not available for public disclosure or discussion. The Office of the Dean of Students will disclose information outside the University relating to a student's nonacademic disciplinary record, if prior written permission from the student has also been received.

11. Concurrent Criminal Charges

Students who face criminal charges may also be subject to University disciplinary sanctions if the conduct which gave rise to the criminal charges also violates the Code of Student Life. The University's investigation will not ordinarily commence until all criminal procedures have concluded. A student may request a hearing to resolve a University complaint while criminal charges are pending.

Because University regulations and procedures are distinct from criminal statutes and procedures, an outcome in a criminal or civil proceeding is not dispositive of the question of whether the Code of Student Life was violated.

C. ACADEMIC MISCONDUCT

Undergraduate Colleges

As stated in Section 1 of the Code of Student Life General Conduct Regulations, violation of the regulations for academic misbehavior is ordinarily handled within the department or college concerned. The following procedure applies specifically to the colleges of Liberal Arts, Education, Engineering, Nursing, Pharmacy, and Business Administration. Students who wish more specific information should inquire at the office of their respective dean.

Reporting of Plagiarism and Cheating

All cases of plagiarism and cheating are reported for action to the designated person in the office of the dean of the college, through departmental channels, with a statement of the necessary facts. The department and the instructor concerned may also submit recommendations in each case for appropriate disciplinary action.

Disciplinary Action

- (1) *By the Instructor.* The individual instructor may reduce the student's grade including the assignment of the grade of "F" in the course. A report of this action should always be sent to the dean's office.
- (2) *By the Dean.* The dean of the college or a student-faculty committee appointed by him or her may impose the following or other penalties as the offense may warrant: disciplinary probation, assessment of additional hours for the bachelor's degree, suspension from the college, or recommendation of expulsion from the University by the president.

Referral to the Office of the Vice President for Academic Affairs

- (1) *By the Dean.* In the cases of flagrant or repeated offenses or for other reasons deemed sufficient by the dean of the college, the case and records may be referred to the Office of the Vice President for Academic Affairs for appropriate action.
- (2) *By the Student.* If the student feels that the penalty imposed by the dean is unjust, the student may request a review by the Office of the Vice President for Academic Affairs.

Continued on p. 8

TABLE B
Penalties under Iowa Law for Distribution, Manufacturing, or Possession with the Intent to Distribute a Controlled Substance or a Counterfeit or Simulated Controlled Substance

| CLASS | SPECIAL CLASS "B" FELONY | CLASS "B" FELONY | CLASS "C" FELONY | CLASS "D" FELONY | AGGRAVATED MISDEMEANOR | SERIOUS MISDEMEANOR |
|---|---|---|---|---|--|---|
| PENALTY | Imprisonment not to exceed 50 years and a fine of not more than \$1,000,000 | Imprisonment not to exceed 25 years and a fine of between \$5,000 and \$100,000 | Imprisonment not to exceed 10 years and a fine between \$1,000 and \$50,000 | Imprisonment not to exceed 5 years and a fine between \$1,000 and \$5,000 | Imprisonment not to exceed 2 years or a fine not to exceed \$5,000 or both | Imprisonment not to exceed 6 months or a fine not to exceed \$1,000 or both |
| SUBSTANCE | | | | | | |
| HEROIN | more than 1 kg | >100-1000 g | 100 g or less | | | |
| COCAINE | more than 5 kg | >500-5,000 g | 500 g or less | | | |
| COCAINE "CRACK" | more than 50 g | >5-50 g | 5 g or less | | | |
| P.C.P. (PURE) | more than 100 g | >10-100 g | 10 g or less | | | |
| P.C.P. (MIXED) | more than 1 kg | >100-1000 g | 100 g or less | | | |
| L.S.D. | more than 10 g | 0-10 g | | | | |
| OTHER SCHEDULE I, II, AND III SUBSTANCES* | | | any amount | | | |
| MARIJUANA | more than 1,000 | 100-1000 kg | 50-100 kg | 28.35 g-50 kg | | 1 oz. or less (28.35 g or less)*** (accommodation) |
| SCHEDULE IV AND V** | | | | | any amount | |

* Examples of other Schedule I, II, and III controlled substances include mescaline, morphine, fentanyl, hashish, hashish oil, methaqualone, methamphetamine, Seconal, Nembutal.
** Examples of Schedule IV and V controlled substances include phenobarbital, Tylenol With Codeine, meprobamate and Valium.
*** 1 ounce = 28.35 g; 1 lb = 453.592 g; 2.2046 lbs = 1 k

POSSESSION Iowa Code § 204.401(3)

A person who is convicted of possessing any controlled substance, except marijuana, is guilty of a serious misdemeanor and may be imprisoned for up to one year and fined up to \$1,000. The maximum penalty for possession of marijuana is imprisonment for six months and a \$1000 fine. All or part of the sentence may be suspended and the person placed on probation.

SECOND OR SUBSEQUENT OFFENSES Iowa Code § 204.411(1)

A person convicted of a second or subsequent offense under Chapter 204 (except 204.401(3)) may be imprisoned for a period not to exceed three times the term otherwise authorized, or fined not more than three times the amount otherwise authorized.

DISTRIBUTION TO MINORS Iowa Code § 204.406

The penalty is enhanced for any defendant who is convicted of selling to a person under 18 years of age and 3 years younger than the defendant. There is also a mandatory minimum for selling a controlled substance in a school zone or public park.

AGGREGATION OF WEIGHTS Iowa Code § 204.401(2)

If the same person commits two or more acts which are in violation of subsection 1 and the acts occur in approximately the same location or time period so that the conspiracy, the acts may be considered a single violation and the weight of the controlled substances involved may be combined for purposes of charging the offender and enhancing the criminal penalties. This is done at the discretion of the prosecutor.

MANDATORY MINIMUM SENTENCE Iowa Code § 204.413

A person sentenced pursuant to § 204.401(1) (a), (b), (c), (e) or (f), shall not be eligible for parole until the person has served a minimum period of confinement of one-third of the maximum indeterminate sentence prescribed by law. This provision does not apply to marijuana or Schedule IV and V controlled substances under 204.401(1) (d). A court sentencing a person for the first time under § 204.413 may, at its discretion, sentence the person to a term less than provided for by statute if mitigating circumstances exist and those circumstances are stated specifically on the record.

FIREARM AND OFFENSIVE WEAPON ENHANCEMENT Iowa Code § 204.401(1) (e) and (f)

A person in the immediate possession of a firearm while participating in a violation of § 204.401 shall be sentenced to two times the term otherwise imposed or granted. A person in the immediate possession or control of an offensive weapon while participating in a violation of § 204.401 shall be sentenced to three times the term imposed by law. A judgment or sentence under the firearm or offensive weapon enhancement cannot be deferred or suspended.

**TABLE C
Federal Trafficking Penalties**

| CSA | PENALTY | | Quantity | DRUG | Quantity | PENALTY | |
|---|--|---|--|--------------------------|---|---|---|
| | 2nd Offense | 1st Offense | | | | 1st Offense | 2nd Offense |
| I and II | Not less than 10 years. Not more than life. | Not less than 5 years. Not more than 40 years. | { 10-99 gm or 100-999 gm mixture | METHAMPHETAMINE | { 100 gm or more or 1 kg ¹ or more mixture | Not less than 10 years. Not more than life. | Not less than 20 years. Not more than life. |
| | | | { 100-999 gm mixture | HEROIN | { 1 kg or more mixture | | |
| | | | { 500-4,999 gm mixture | COCAINE | { 5 kg or more mixture | | |
| | If death or serious injury, not less than life. | If death or serious injury, not less than 20 years. Not more than life. | { 5-49 gm mixture | COCAINE BASE | { 50 gm or more mixture | If death or serious injury, not less than 20 years. Not more than life. | If death or serious injury, not less than life. |
| | | | { 10-99 gm or 100-99 gm mixture | PCP | { 100 gm or more or 1 kg or more mixture | | |
| | | | { 1-10 gm mixture | LSD | { 10 gm or more mixture | | |
| Fine of not more than \$4 million individual, \$10 million other than individual. | Fine of not more than \$2 million individual, \$5 million other than individual. | { 40-399 gm mixture | FENTANYL | { 400 gm or more mixture | Fine of not more than \$4 million individual, \$10 million other than individual. | Fine of not more than \$8 million individual, \$20 million other than individual. | |
| | | { 10-99 gm mixture | FENTANYL ANALOGUE | { 100 gm or more mixture | | | |
| | Drug | Quantity | First Offense | | Second Offense | | |
| | Others ² | Any | Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million not individual. | | Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million not individual. | | |
| III | All | Any | Not more than 5 years. Fine not more than \$250,000 individual, \$1 million not individual. | | Not more than 10 years. Fine not more than \$500,000 individual, \$2 million not individual. | | |
| IV | All | Any | Not more than 3 years. Fine not more than \$250,000 individual, \$1 million not individual. | | Not more than 6 years. Fine not more than \$500,000 individual, \$2 million not individual. | | |
| V | All | Any | Not more than 1 year. Fine not more than \$100,000 individual, \$250,000 not individual. | | Not more than 2 years. Fine not more than \$200,000 individual, \$500,000 not individual. | | |

¹Law as originally enacted states 100 gm. Congress requested to make technical correction to 1 kg. ²Does not include marijuana, hashish, or hash oil (See separate chart).

Federal Trafficking Penalties—Marijuana

As of November 18, 1988

| Quantity | Description | First Offense | Second Offense |
|---|--|--|--|
| 1,000 kg or more; or 1,000 or more plants | Marijuana Mixture containing detectable quantity* | Not less than 10 years, not more than life. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$4 million individual, \$10 million other than individual. | Not less than 20 years, not more than life. If death or serious injury, not less than life. Fine not more than \$8 million individual, \$20 million other than individual. |
| 100 kg to 1,000 kg; or 100-999 plants | Marijuana Mixture containing detectable quantity* | Not less than 5 years, not more than 40 years. If death or serious injury, not less than 20 years, not more than life. Fine not more than \$2 million individual, \$5 million other than individual. | Not less than 10 years, not more than life. If death or serious injury, not less than life. Fine not more than \$4 million individual, \$10 million other than individual. |
| 500 to 100 kg | Marijuana | Not more than 20 years. If death or serious injury, not less than 20 years, not more than life. Fine \$1 million individual, \$5 million other than individual. | Not more than 30 years. If death or serious injury, life. Fine \$2 million individual, \$10 million other than individual. |
| 10 to 100 kg | Hashish | | |
| 1 to 100 kg | Hashish Oil | | |
| 50-99 plants | Marijuana | | |
| Less than 50 kg | Marijuana | Not more than 5 years. Fine not more than \$250,000, \$1 million other than individual. | Not more than 10 years. Fine \$500,000 individual, \$2 million other than individual. |
| Less than 10 kg | Hashish | | |
| Less than 1 kg | Hashish Oil | | |

*Includes Hashish and Hashish Oil

(Marijuana is a Schedule I Controlled Substance)

Continued from p. 6

Record of Disciplinary Action

The dean's office shall maintain a record of disciplinary cases and disposition thereof and shall notify other agencies of the University, as are concerned, with action taken in the case. The student involved shall be informed that a record is being kept of the offense.

Graduate Colleges

Questions of academic dishonesty arising within the colleges of Medicine, Law, and Dentistry, and the Graduate College are treated on an individual basis.

In the Graduate College, the questions are handled at the departmental level. If the departmental decision is appealed, the dean may appoint an appeals committee of faculty and students from a slate of nominees prepared by the Graduate Council and the Graduate Student Senate to recommend an appropriate course of action.

Students in professional graduate colleges should inquire at the office of their respective dean for further information.

D. POLICY REGARDING THE USE OF ILLEGAL DRUGS AND ALCOHOL

The Health Risks Associated with the use of Illegal Drugs and Alcohol

Student use of marijuana, LSD, amphetamines, sedatives, tranquilizers, or other dangerous drugs or controlled substances (as defined by law) is a matter of concern to this educational institution. The University is also concerned about student abuse of alcohol.

Succeeding at the University requires a balanced, healthy lifestyle. Misuse of alcohol and the use of other drugs can interfere with or prolong a student's academic career as well as cause legal, social, financial, and health problems. Alcohol and other drug-related accidents are the number one cause of death of people age 18-24 years old. As an educational institution, the University endeavors to protect and assist students by providing reliable information about the hazards of illegal drugs and alcohol.

Health risks include, but are not limited to, adverse modification of one or more body systems, such as the nervous, cardiovascular, respiratory, muscular, endocrine, and central nervous systems; toxic, allergic, or other serious reaction; unfavorable mood alteration; and addiction. Physiological and psychological dependency, which manifests itself in a preoccupation with acquiring and using one or more drugs, may cause severe emotional and physical injury.

Alcohol consumption causes a number of marked changes in behavior. Even low doses significantly impair the judgment and coordination required to drive a car safely, increasing the likelihood that the driver will be involved in an accident. Moderate to high doses of alcohol cause marked impairments in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other depressants of the central nervous system, much lower doses of alcohol will produce the effects just described.

Common side-effects of alcohol consumption include digestive complaints and sleep problems and may adversely affect a student's academic performance. Because alcohol increases aggression, excessive consumption may lead to fighting, vandalism, criminal mischief, and verbal abuse. Alcohol abuse often plays a role in unwanted pregnancies and acquaintance rape. University of Iowa students who consume excessive amounts of alcohol have reported suffering from hangovers, missing class and/or work, and engaging in unintended or regretted sexual intercourse as a result of drinking alcohol.

Repeated use of alcohol can lead to dependence. Sudden cessation of alcohol intake is likely to produce withdrawal symptoms, including severe anxiety, tremors, hallucinations, and convulsions. Alcohol withdrawal can be life-threatening. Long-term consumption of large quantities of alcohol, particularly when combined with poor nutrition, can also lead to permanent damage to vital organs such as the brain and the liver.

The health risks associated with specific narcotics, depressants, stimulants, hallucinogens, and cannabis (including marijuana) are explained in Table A.

Alcohol and Other Drug Education Services Available to Students

The University of Iowa offers a range of services for persons who want to learn more about alcohol and other drugs, are concerned about their own or someone else's substance abuse, or are recovering from substance abuse problems. More specific information about drugs and drug abuse is available through Student Health Service and the University Counseling Service. Any discussions between individuals and the professional staffs in these offices are treated as confidential information.

To assist students whose substance-related behavior may be causing legal, psychological, physical, or social problems, or jeopardizing their student status, the University maintains the student Substance Assistance Program, a component of Student Health Service. Services include substance abuse assessment and referral, outreach, education, short-term outpatient treatment, and recovery support groups. These services are provided free of charge. Students with concerns or questions are encouraged to contact Health Iowa at 335-8392 and talk with a Counselor or Health Educator.

Alcoholic Beverages

Under the policy of the State Board of Regents, alcoholic beverages may not be consumed, possessed, distributed, or sold on campus without specific authorization. Alcoholic beverages may not be served or consumed by students on campus except as hereafter provided.

Students who are 21 years old may purchase and consume alcoholic beverages in the Iowa Memorial Union within restricted areas described in the Iowa Memorial Union Alcohol Beverage Service Policy. Restrictions on consumption and possession of alcoholic beverages in University residence halls and responsibilities associated with its possession and consumption are contained in the *Residence Hall Guidebook* and must be observed.

A college or department may serve alcoholic beverages on campus only in accordance with the *Iowa Memorial Union Alcohol Beverage Service Policy* and with the permission of the Office of the Dean of Students.

Alcoholic beverages may not be purchased with mandatory student fees. In addition, alcoholic beverages may not be purchased or served at University events sponsored or sanctioned by a recognized student organization or student government body, except in accordance with the Iowa Memorial Union Alcohol Beverage Service Policy.

Disciplinary Action

The University will not tolerate the use of drugs that are illegal. Students are expected to abide by the laws concerning controlled substances and alcoholic beverages. Students in violation of state or federal laws may face criminal prosecution, and the University will discipline students who possess or use illegal drugs or alcohol on campus or as part of any other activities of the University. Sanctions which may be imposed for possession or use of alcohol and other drugs in violation of the Code of Student Life include a written warning, probation, mandatory substance abuse evaluation, suspension, or expulsion.

The sale, manufacture, distribution, or administration of illegal drugs is viewed as a clear and present danger to the University community. Students who violate the rights of others while under the influence of alcohol or drugs face more serious disciplinary action up to and including suspension or expulsion.

The University's initial approach will be to stop the use and abuse of drugs through education. Disciplinary action will be taken in those cases where education fails to deter violation of the policy, or where conduct committed under the influence of illegal drugs or alcohol warrants separation from the University. Students found to have violated this policy or who harm themselves or others while under the influence of illegal drugs or alcohol will be required to undergo a substance abuse evaluation and attend education or treatment recommended as a result of the evaluation. The University may require a student recommended for inpatient treatment to enter a treatment program immediately and not permit the student to register for classes until the treatment is completed. Any student found to have sold, manufactured, distributed, or administered illegal drugs may be suspended or expelled (See Parts A and B above, Code of Student Life and Judicial Procedure for Alleged Violations of the Code of Student Life).

Reporting Drug Violations

Reports of illegal drug use on campus should be directed to the Department of Public Safety. Drug violations which occur off campus are investigated by the law enforcement agency in the jurisdiction in which the alleged illegal

activity occurred. In the residence halls, residence hall staff members will investigate reports of drug use and may report to the Department of Public Safety. The Department of Public Safety, the Office of the Dean of Students, and Residence Services publish a summary of drug-related complaints in their periodic reports.

Pell Grant recipients convicted of a state or federal controlled substance offense are reminded that federal regulations require that they report the conviction in writing within 10 calendar days of the conviction to the Director, Grants and Contracts Service, U.S. Department of Education.

Applicable Legal Sanctions

Both state and federal laws prohibit distribution of, manufacture of, or possession with intent to distribute a controlled substance or a counterfeit controlled substance. State penalties range from 5 to 50 years confinement and a fine of \$1,000 to \$1,000,000, depending upon the type and quantity of drug involved. Specific drugs, amounts, and penalties are described in Iowa Code §204.401(1) and summarized in Table B.

Maximum federal penalties range from 1 year confinement to life imprisonment and a fine of \$250,000 to \$4,000,000, depending upon the type and quantity of drug involved. Specific drugs, amounts, and penalties are described in 21 USC §841(b) and summarized in Table C. State and federal legal sanctions are subject to change by the General Assembly and Congress, respectively.

Penalty Enhancement. The maximum term and fine increase significantly if state or federal penalty enhancement rules apply. Factors which raise maximum penalties under Federal penalty enhancement rules include death or serious bodily injury; prior drug conviction; placing at risk or distributing a drug to a person under 21 years old; using a person under 18 years of age to assist in the drug violation; and distributing or manufacturing a drug within 1,000 feet of school property, including the University of Iowa campus. Penalty enhancement rules apply to defendants age 18 years or older. Factors which raise maximum penalties under state penalty enhancement rules include using firearms or dangerous weapons in the commission of the offense.

Possession. Both state and federal laws prohibit possession of a controlled substance. The maximum state and federal penalty for possession is confinement for one year and a fine of \$1,000. The maximum term and fine increase significantly in the event that state or federal penalty enhancement rules apply. A person in possession of a small amount of a controlled substance for personal use may be assessed a civil fine up to \$10,000 in addition to any criminal fine.

Party Sponsorship. Under state law, a person found guilty of sponsoring or promoting a gathering with the knowledge or intent that a controlled substance be there distributed may be confined for a period of time up to 5 years and fined \$7,500. If the controlled substance is marijuana only, the person could be confined up to one year and fined up to \$1,000. These are also the maximum criminal sanctions for persons found guilty of aiding or assisting in the sponsorship or promotion of a gathering with the knowledge or intent that a controlled substance be there distributed.

Driving While Intoxicated. Under state law, a person found guilty of operating a motor vehicle while under the influence of drugs or alcohol (blood alcohol concentration of .10 or greater) shall be imprisoned for not less than 48 hours and fined not less than \$500 for the first offense. For the second OWI offense the minimum period of confinement is seven days and a fine of not less than \$750. The minimum period of confinement for the third or subsequent OWI convictions is thirty days and could be up to one year, with a fine of not less than \$750.

Alcohol-Related Offenses. Under state law, the drinking age is 21. State law prohibits:

- Public Intoxication;
- Driving a motor vehicle with an unsealed receptacle containing an alcoholic beverage in the vehicle;
- Giving or selling an alcoholic beverage to anyone intoxicated; and
- Possession of an alcoholic beverage under legal age.

The City of Iowa City prohibits:

- Consumption of an alcoholic beverage in a public place;
- Possession of an unsealed receptacle containing an alcoholic beverage in a public place.

Each of these violations is a simple misdemeanor offense punishable by up to 30 days in jail and up to a \$100 fine. In addition, a person found guilty of giving or selling an alcoholic beverage to a person under the legal age will be fined a minimum of \$100 for the first offense, \$250 for the second offense, and \$500 for a third or subsequent offense, with a maximum fine of \$1000. A person found guilty of giving or selling an alcoholic beverage to a 19- or 20-year-old may be fined up to \$50.

E. UNIFORM RULES OF PERSONAL CONDUCT AT UNIVERSITIES UNDER THE JURISDICTION OF THE STATE BOARD OF REGENTS

In lieu of using the regulations and procedures stated in the Code of Student Life and Judicial Procedure for Alleged Violations of the Code of Student Life, the dean of students has the option to invoke the rules and regulations prescribed by the Board of Regents.

By resolution adopted July 10, 1970, and amended June 25, 1971; October 1973; and November 1973; the Iowa Board of Regents has established the following policies and rules applicable to all universities under the board's jurisdiction.

This board, charged by law with responsibility for the governance of the public universities of Iowa, reaffirms the following beliefs and intentions which will continue to serve as bases for the discharge of the board's responsibilities:

- The citizens of this state have established and supported the state universities in order to make higher education available at reasonable cost. It is the responsibility of this board to ensure that this purpose is not subverted.
- Neither violence nor the threat of violence has any place in a university.
- Freedom of inquiry and freedom of expression are indispensable elements of academic life.
- The freedom to express dissent by lawful means, including peaceable assembly and petitions to authorities, is no less important on a university campus than elsewhere in our society.
- The exercise of this freedom to dissent must not interfere with the rights of others.
- Adaptation and change are necessary processes by which an institution renews and preserves itself.

(The following rules were filed June 16, 1975. See Iowa Administrative Code, Board of Regents, Chapter 9.)

(1) **Definitions.** For purposes of these rules, the following words shall have the meaning set forth unless the context requires otherwise.

- "Board" means the State Board of Regents, State of Iowa.
- "University" means an institution of higher learning under the jurisdiction of the board. When used in the plural, the word means all institutions of higher learning under the jurisdiction of the board.
- "President" means the president (or acting president) of the university, or any person or persons designated to act on his or her behalf for purposes of these rules.
- "Campus" includes all property owned or used by the university.
- "Student" means a person who is currently registered as a student at the university in an undergraduate, graduate, or professional program on the campus.
- "Member of the faculty or staff" includes all employees of the university.
- "Visitor" means any person on the campus who is not a student or a member of the faculty or staff. A suspended member of the faculty or staff, or a suspended student, who is on the campus during the period of such suspension shall be deemed a visitor.
- "Person" means any student, member of the faculty or staff, or visitor.
- "Admission" means admission, readmission, reentry, registration, and reregistration as a student to any educational program of the university.
- "Suspension of a member of the faculty or staff" means that during a specified period of time, the member of the faculty or staff is not eligible to continue as an employee of the university or to resume employment status or to be granted admission as a student.

Subject to other rules and regulations of each institution concerning continued employment by the institution, a member of the faculty or staff who has been suspended for a specified period shall be reinstated by the university at the expiration of the suspension period provided that during the suspension period the member of the faculty or staff has not committed acts of misconduct specified in (2) below. One under such suspension, whose re-employment is denied on the basis of alleged acts of misconduct committed during a suspension period, shall have a right to a hearing on that issue, as provided in section (3).

(k) "Suspension of a student" means that, during a specified period of time, the student shall be denied admission to the university or employment by it. Subject to the rules and regulations of each institution concerning enrollment at the institution, a suspended student shall be reinstated to the university at the expiration of the suspension period, provided that during the suspension period the student has not committed acts of misconduct specified in (2) below. A suspended student whose reinstatement is denied on the basis of alleged acts of misconduct committed during this suspension period shall have a right to a hearing on that issue, as provided in section (3).

(l) "Expulsion of a student" means termination of status as a student without right of readmission.

(m) "Dismissal of a member of the faculty or staff" means termination of status as an employee without right of reemployment.

(2) **Rules of Personal Conduct.** Any person—student, member of the faculty or staff, or visitor—who intentionally commits, attempts to commit, or incites or aids others in committing any of the following acts of misconduct shall be subject to disciplinary procedures by the university, as hereinafter provided:

(a) Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other university or university-authorized function or event.

(b) Unauthorized occupation or use of or unauthorized entry into any university facility. However, any entry into, use of, or occupation of any university facility by a student or member of the faculty or staff, which does not violate any of the other Rules of Personal Conduct set forth herein, shall be deemed unauthorized only if specifically prohibited, if that facility is closed at that time to general use or if the person fails to comply with proper notice to leave.

(c) Physical abuse or the threat of physical abuse against any person on the campus or at any university-authorized function or event, or other conduct which threatens or endangers the health or safety of any such person.

(d) Theft of or damage to property of the university or of a person on the campus.

(e) Interference with the right of access to university facilities or with any other lawful right of any person on the campus.

(f) Setting a fire on the campus without proper authority.

(g) Use or possession on the campus of firearms, ammunition, or other dangerous weapons, substances, or materials (except as expressly authorized by the university), or of bombs, explosives, or explosive or incendiary devices prohibited by law.

(h) Conduct off campus which leads directly to a violation of any of subsections (a) through (g) of this section.

(3) Sanctions.

(a) Any student or member of the faculty or staff who is found after appropriate hearing to have violated any of the rules of personal conduct set forth in (2) above may be sanctioned up to and including suspension, expulsion, or dismissal. If a suspension is ordered after the start of a semester or quarter, however, the time period of the suspension shall be deemed to run from the beginning of the period of suspension, provided, however, that payment shall be made for work done prior to the date of the suspension order.

(b) A person who applies for admission to or employment by the university (either for the first time, or after a term of suspension or dismissal) may be denied such admission or employment if it is found that such person has committed any acts of misconduct specified in (2) above while such a person was a visitor on the campus. A person denied admission or employment under this section shall have a right to an appropriate hearing.

(c) Any sanction imposed under (a) and (b) above shall have operative effect at all universities, and a person not eligible for admission to or employment by one university shall be barred similarly at the other universities.

(4) Emergency Power.

(a) The president is authorized to declare a state of emergency to exist at the institution upon a determination that violent actions or disruptive activities at the university are of such a nature as:

I. To present a clear and present danger to the orderly processes of the university or to persons or property on the campus, and

II. To require extraordinary measures to

(A) Safeguard persons or property at such institution, or

(B) Maintain educational or other legitimate institutional functions.

(b) The state of emergency shall cease to exist automatically 48 hours after it is declared, unless the president, after reviewing the situation, determines that it should be extended, such determination to be made under the standards established in I and II above. Each extension shall be for a maximum period of 48 hours, with a new determination being made for each extension. The president may declare the state of emergency to be over before the 48-hour period has run.

(c) As soon as feasible after declaring a state of emergency, the president shall notify the board of actions taken.

(d) Upon a finding by the president as set forth in (4) (a) above, the president is authorized to take such action as may be necessary to eliminate or alleviate a clear and present danger to the orderly processes of the university AND to safeguard persons or property at the university or to maintain educational or other legitimate university functions, including barring a particular person or persons from the campus.

(5) Sanctions under Emergency Power.

(a) Any person who, after appropriate hearing, is found to have violated knowingly a presidential order issued as contemplated in section (4) above may be expelled or dismissed from the university.

(b) Any person who, after appropriate hearing, is found to have violated during a state of emergency—knowing that a state of emergency has been declared—any of the Regents' Rules of Personal Conduct, set forth in section (2) of this policy, may be expelled or dismissed from the university.

(c) Any person who, after appropriate hearing, is found to have violated knowingly a presidential order as contemplated in section (4) above and—knowing that a state of emergency had been declared—is found to have violated during the state of

emergency any of the Regents' Rules of Personal Conduct set forth in section (2) of this policy, may be expelled or dismissed from the university.

(d) Any sanction imposed under this section shall have operative effect at all universities, and a person not eligible for admission to or employment by one university shall be barred similarly at the other universities.

(6) **Constitutional Rights.** The foregoing rules shall be construed so as not to abridge any person's constitutional right of free expression of thought or opinion, including the traditional American right to assemble peaceably and to petition authorities.

Regents Policies on Campus Integrity

Political Action. No state university shall be or become an instrument of political action. The expression of political opinions and viewpoints will be those of individuals and not of institutions, since the official adoption of any political position, whether favored by majority or minority, tends to substitute one-sided commitment for the continuing search for truth.

Calendar Changes. Major proposed changes of the university calendar and the consequences of such changes will be brought with recommendations to the Board of Regents for final decision.

F. JUDICIAL PROCEDURE FOR ALLEGED VIOLATIONS OF THE REGENTS' RULES OF PERSONAL CONDUCT

Violations of the Uniform Rules of Personal Conduct at universities under the jurisdiction of the State Board of Regents will be adjudicated in accordance with the Hearing Regulations for Alleged Violations of Regents' rules adopted by the Board of Regents on May 11, 1973, see section 20.270, *University Operations Manual*.

G. HOUSING REGULATIONS

1. Visitation Policy in the Residence Halls In order to enter any area of a University residence hall other than the dining service or main lounge area, a person must be a guest of a resident. All guests must observe residence hall policies restricting visitation, including rules governing entrance at night and overnight visitation. Violation of residence halls regulations constitutes a breach of Section 16 of the Code of Student Life.

2. Security The doors to the residence halls are locked from midnight to 6:00 a.m. every night for security purposes. Entry thereafter may be restricted or controlled in accordance with residence hall policy. Non-resident students who fail to observe security restrictions are in violation of the Sections 7 and 16 of the Code of Student Life.

3. Parietal Rule The University's parietal rule, which required unmarried freshmen and sophomores to reside in University residence halls, has been suspended by the State Board of Regents through the academic year 1991-92. The parietal rule shall be automatically reinstated unless the Board of Regents takes action to extend the period of suspension.

4. No Contract Release Students living in residence halls during the first semester of an academic year are not released from their academic year contract for the second semester.

H. RESIDENCE HALL JUDICIAL SYSTEM

Violation of residence services policies and procedures are heard through a system that has different levels of adjudication depending on the nature and seriousness of the infraction.

Most offenses are handled in an educational fashion whereby staff members attempt to change an individual's misconduct by demonstrating how his or her conduct is counterproductive in a residential setting. More serious violations or repetitive infractions are adjudicated through a formal disciplinary structure that originates with the hall coordinator.

Case Referral

Cases may be referred to the dean of students for consideration under the Code of Student Life and the Judicial Procedure for Alleged Violations of the Code of Student Life.

Review

A resident found to have violated residence hall regulations at a hearing conducted under the procedures outlined in the *Residence Halls Guidebook* may appeal the decision of the hearing officer to the Office of the Vice President for Academic Affairs.

Procedures

Hearing procedures are established by the director of residence services in conjunction with Associated Residence Halls. Such procedures, described in the *Residence Halls Guidebook*, are consistent with the basic requirements of due process: The burden of proof rests upon those bringing the charges, the student has the right to call witnesses to testify on his or her behalf, the student is permitted to question adverse evidence, adequate notice is given of the charges, and the student may be assisted by an adviser.

I. LEGAL ASSISTANCE FOR STUDENTS

Student Legal Services, a student commission affiliated with the College of Law, advises students on a variety of legal matters, including landlord-tenant disputes, misdemeanor criminal charges, small claims court, and family law proceedings. Information about Student Legal Services, including service fees and availability based on current caseload, may be obtained in the Student Legal Services office, 155 Iowa Memorial Union, phone 335-3276.

J. THE PENTACREST

1. General Policy The Pentacrest is that area of the campus bounded by Clinton Street on the east, Washington Street on the south, Madison Street on the west, and Jefferson Street on the north. The Old Capitol, at the center of the Pentacrest, and adjacent buildings are dedicated to educational and administrative pursuits. In addition, the Old Capitol is a museum and national historic landmark. The University of Iowa permits eligible groups to sponsor events on the Pentacrest as long as those events are conducted under reasonable time, place, and manner restrictions promulgated by University departments.

2. Use by Eligible Groups Recognized student organizations and other University groups which are eligible to use University facilities may reserve the Pentacrest for public meetings, rallies, teach-ins, convocations, and other authorized events and activities. Eligible groups must, however, receive permission from Event Services, Campus Programs, and the Office of Facilities Planning prior to using the Pentacrest. Event Registration Forms and specific information about University regulations governing events on campus can be obtained from Union Administration in Room 135 of the Iowa Memorial Union.

3. Casual Use Individual students and other persons may use the Pentacrest for any casual and reasonable use at all reasonable times. Casual use means any spontaneous and unorganized use for which there is not prior promotion, solicitation, or purposeful attempt to attract or solicit the public in the course of such use. Casual users shall not duly interfere with the use of the Pentacrest by authorized groups or unreasonably disturb or disrupt persons in adjacent buildings, and such users are expected not to damage or destroy any property, including the grass or shrubbery, or to cause any litter or other nuisance. Access to any entrance of the Old Capitol may not be obstructed at any time.

4. Equipment Tents, huts, tables, platforms, vehicles, booths, kiosks, or similar objects are prohibited from the Pentacrest. Signs and banners may not be affixed to another object but must be held by hand. Upon request of the organization that has reserved the Pentacrest, the University will provide, at a nominal fee, a flatbed stage and sound amplification system. Any unauthorized use of electronic sound amplification equipment on the Pentacrest is prohibited.

5. Hours of Use Casual use of the Pentacrest is normally permitted at any time, except as specifically prohibited or restricted. Scheduled use is normally restricted to the hours of 8 a.m. to 11 p.m. daily (midnight on Friday and Saturday nights). Sound amplification, music, and other uses which might disturb persons in adjacent buildings is prohibited during normal working and class hours except between 12:20 p.m. and 1:30 p.m. and after 4:20 p.m. daily.

Sports

THE DAILY IOWAN • THURSDAY, SEPTEMBER 12, 1991

WHO WHAT WHEN...

SPORTS ON T.V.

• College Football: Houston at Miami; 7 p.m., ESPN.
• Canada Cup Hockey: semifinal; 7 p.m., SportsChannel.
Baseball
• Mets at Cubs; 1:20 p.m., WGN.

• White Sox at Angels; 9:30 p.m., WGN.

Iowa Sports this week

• Football at Iowa State; Saturday 11:30 a.m., local coverage on ABC TV, channel 9.
• Field Hockey; Friday through Sunday at Boston vs. Northeastern

and Boston University.

• Volleyball; at Eddie Bauer First Service Invitational in Seattle, Wash., vs. Washington, Pepperdine and Colorado.

• Men's Cross Country; Bradley Open, Friday in Peoria, Ill., 5:30 p.m.

SPORTS QUIZ

Q Before Cecil Fielder, who was the last major leaguer to hit 40 or more home runs in back-to-back seasons?

Answer: found on page 2B.

SportsBriefs

HOCKEY

U.S. 7, Finland 3

HAMILTON, Ontario — The United States, making its best international showing since winning the gold medal in the 1980 Winter Olympics, earned its first-ever berth in the Canada Cup finals with a 7-3 rout of Finland on Wednesday night.

The United States, which missed the Canada Cup semifinals in 1976 and 1987 and was eliminated in the semis in 1981 and 1984, will play the winner of Thursday's Canada-Sweden game in the best-of-3 final, beginning Saturday night in Montreal. Team USA has won five of its six games in the tournament, losing only to Canada.

Dave Christian, the only member of that 1980 Olympic team on this year's Canada Cup squad, started the Americans' assault by scoring the game's first goal at 12:17 of the opening period. Joe Mullen got the first of his two goals at 17:36, converting Ed Olczyk's feed, and the Americans were never headed.

Penguin has brain tumor

PITTSBURGH — Pittsburgh Penguins coach Bob Johnson underwent radiation treatment Wednesday for a second brain tumor.

Johnson, 60, was resting following the procedure, according to a spokesman at Presbyterian-University Hospital.

Johnson, who had a brain tumor surgically removed Aug. 30, received gamma knife treatment Wednesday on the second tumor. Doctors said the 20-ton gamma knife machine shoots 201 laser beams of radiation through a metal cap into the patient's skull.

Johnson led the Penguins to the club's first Stanley Cup championship last season.

COLLEGE FOOTBALL

Rodgers may have golden arm

Iowa quarterback Matt Rodgers is one of twelve quarterbacks nominated for the Johnny Unitas Golden Arm Award, presented annually to the senior collegiate quarterback. Iowa State quarterback Chris Pedersen is also a nominee.

A list of five finalists will be announced Oct. 22.

Rodgers, from Walpole, Mass., threw for two touchdowns on 168 yards and rushed for 67 yards in his first start of the season last weekend in a 53-10 win over Hawaii.

UNI cornerback arrested

CEDAR FALLS, Iowa — Junior cornerback Willie Beamon was suspended indefinitely from the University of Northern Iowa football team Wednesday, a day after being arrested on a first-degree theft complaint.

UNI interim athletic director Eldon Miller said in a two-sentence statement that Beamon was suspended "for violations of team conduct codes." UNI officials would have no further comment on the suspension, the statement said.

Cedar Falls police said Beamon, a 21-year-old from Riviera Beach, Fla., was arrested Tuesday on a complaint of first-degree theft in connection with a vehicle stolen from Holdiman Motors in Cedar Falls last January. Beamon had not been formally charged Wednesday morning.

BOXING

IBF will sanction match

EAST ORANGE, N.J. — Commissioner Bobby Lee said Wednesday that the IBF would continue to sanction the Nov. 8 heavyweight championship fight between Evander Holyfield and Mike Tyson following Tyson's indictment for rape.

"He's only been accused and indicted," Lee said. "We function under a constitution that says a man is innocent until proven guilty. I don't want to act as an executioner on it. I don't think we will withdraw our approval of it now."

Lee said he thought the fight would be held on schedule.

"The only way it would be called off is if Mike says he doesn't want to fight," he said.

Lester, Iowa State reach eligibility agreement

Associated Press

AMES — Steve Lester and Iowa State University reached agreement Wednesday on a plan that could have him back playing football for the Cyclones later this season.

Officials said Lester's academic progress will be reviewed Oct. 17 and if he has no D or F grades, he will be allowed to rejoin the football team.

On Oct. 17, ISU will have played five games and will have six games left to play. The first game Lester

would be eligible to play in would be a Big Eight game at Kansas on Oct. 19.

Lester, a speedy wide receiver who took classes in the Chicago area this summer to improve his grades, will remain enrolled for 12 credit hours at ISU this fall.

Last Friday, the school notified Lester that he was being reduced to a part-time student and would be ineligible to compete. That came a day after the Iowa Supreme Court threw out a lower court's order that had forced Lester's admission as a full-time student.

As a part-time student, Lester would have been ineligible to receive an athletic scholarship.

"After meeting with Steve and consulting with the interim provost, interim vice president, associate provost, and deans, I decided it was in the best interest of Steve and the university to take a second look at this case," ISU president Martin Jischke said in a statement.

Lester became academically ineligible last year.

Lester attended National-Lewis College in his hometown of Chicago

last year in an effort to regain his eligibility. He passed 24 hours and had a grade-point average of 2.17, making him eligible under Big Eight Conference and NCAA rules.

Seeking readmission this summer, Lester found he could only be admitted as a part-time student, status that wouldn't leave him eligible for football or his scholarship. He said he had completed all requirements given to him by an academic adviser at ISU.

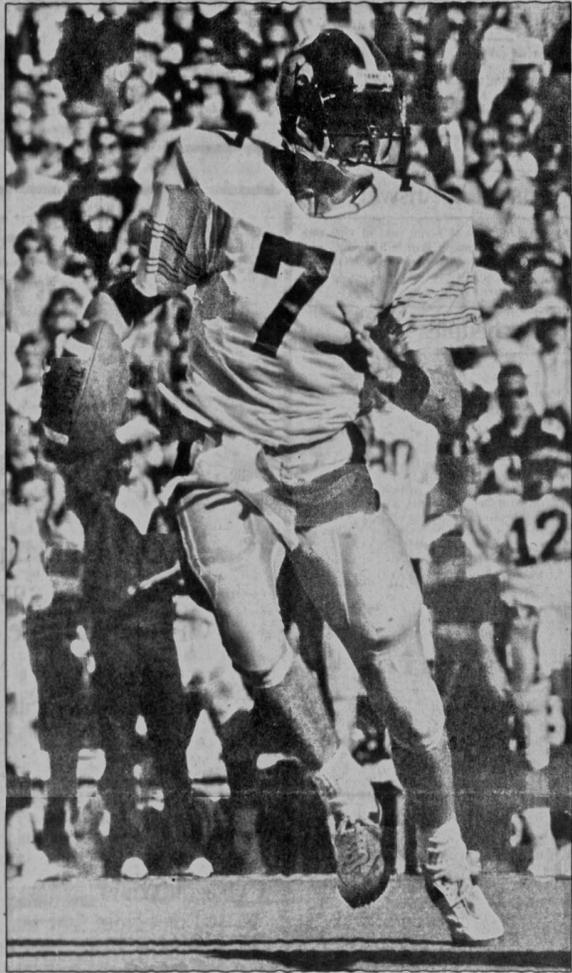
"I am pleased to put this matter behind me, to be allowed to continue my education as a fulltime

student and to join my teammates on the football practice field," Lester said.

Cyclone coach Jim Walden complimented Jischke and the administration on the agreement.

"This is truly the best decision for Steve, the football team and Iowa State University," Walden said.

"This has been a difficult situation for all of us, and I certainly made some comments that I regret. I hope we can put this behind us and get on with the business of educating young people."



DI file photo

Iowa quarterback Matt Rodgers, who now plays without the visor, sees some similarities between himself and Iowa State QB Chris Pedersen. So does Hayden Fry, who tried to get Pedersen to walk on at Iowa.

FOOTBALL

So far, QBs look similar

Rodgers, Pedersen post comparable stats

John Shipley
Daily Iowan

Before we call Saturday's Iowa-Iowa State game another Hawkeye victory — or another Cyclone defeat, or a blowout, or whatever — let's call it the Coincidence Bowl.

Check it out: Senior Cyclone quarterback Chris Pedersen throws for 168 yards and rushes for 64 more in Iowa State's rout of Eastern Illinois last weekend. Senior Hawkeye quarterback Matt Rodgers throws for 168 yards and rushes for 67 more in Iowa's 53-10 rout of Hawaii last weekend.

Or how about this: Junior Cyclone fullback Sundiata Patterson rushes for a measly 36 yards last weekend against Eastern Illinois, but scores four touchdowns. Hawkeye junior fullback Lew Montgomery rushes for a measly 22 yards last weekend against Hawaii, but scores three touchdowns.

Impressive coincidences, but what do they all mean? Probably nothing, but they're fun to look at, particularly with regard to Rodgers and Pedersen, who will finally meet as rival starters at 11:30 a.m. Saturday at Cyclone Stadium.

Pedersen, a native Iowan from Ankeny, was looking forward to starting against the Hawkeyes last season in Iowa City. But he sprained his knee against Minnesota the week before and Bob Utter was given the starting nod. Maybe

the Cyclones needed Pedersen — Iowa hung on to win the bizarre affair, 45-35.

(That was the game when Cyclone linebacker Gary Pedersen — no relation to Chris but another coincidence — took some sort of hand-off from Iowa quarterback Jim Hartlieb and ran 80 yards for a touchdown.)

But Pedersen survived the Eastern Illinois game intact and will, indeed, start Saturday. And so will Rodgers.

"That's a good matchup, Rodgers and Pedersen in this ballgame," Iowa coach Hayden Fry said. "Both of them are outstanding at whatever they do; they're not just average. They're both deceptive. I can't tell how fast Pedersen's running, I can't tell how fast Rodgers is running; but they both get the job done."

The resemblance between the two quarterbacks isn't lost on Rodgers, either. He looks at statistics.

"I looked at our stats last week and almost the exact same thing," Rodgers said. "He ran a little bit, he passed a little bit; but we both didn't really do great things. We just kind of did your average, regular stuff that a QB does."

Pedersen was named honorable mention Big Eight quarterback last season, while Rodgers was named to the Big Ten's first team. Both are nominated this year for the Johnny Unitas Golden Arm Award, which is given to the

outstanding senior quarterback in the nation.

Pedersen might have ended up at Iowa, like his father Jim did in the late '60s, but an injury his senior season kept Fry from offering him a scholarship to play quarterback.

"He was injured and we only had one scholarship that year," Fry said. "We did our best to try and get him to walk on here. There's not any question in my mind that had he done that, he would have earned a scholarship to play quarterback."

"He's certainly one of the better quarterbacks, if not the best quarterback, in the Big Eight."

Pedersen stands 6-foot-3 and weighs 222 pounds, while Rodgers weighs in at 210 and stands 6-4. "From what I've seen he's a little bigger than I am," Rodgers said.

Both also run well. On 4th-and-1 against Hawaii, Rodgers ran 36 yards to the Rainbows' 4-yard line on a play designed for him. In the Cyclones' 33-31 win at Oklahoma last year, Pedersen rushed for 148 yards on 29 carries, a school-record.

"Pedersen's both a good option quarterback and a good scrambler," Fry said. "When they defeated Oklahoma last year, probably three-fourths of his total yardage came from a pre-designed quarterback draw or scrambling."

Iowa did well containing Rainbow quarterback Michael Carter last

See QUARTERBACKS, Page 2B

NATIONAL

3 Braves no-hit Padres

Associated Press

ATLANTA — Kent Mercker, Atlanta's stopgap starter, combined with two relievers on a no-hitter — preserved by a controversial scorer's decision — and the surprising Braves maintained their NL West lead with a 1-0 victory Wednesday night over the San Diego Padres.

Mercker, thrust into the rotation last week after Armando Reynoso did not work out as a fifth starter, overpowered the Padres for six innings in his third major league start.

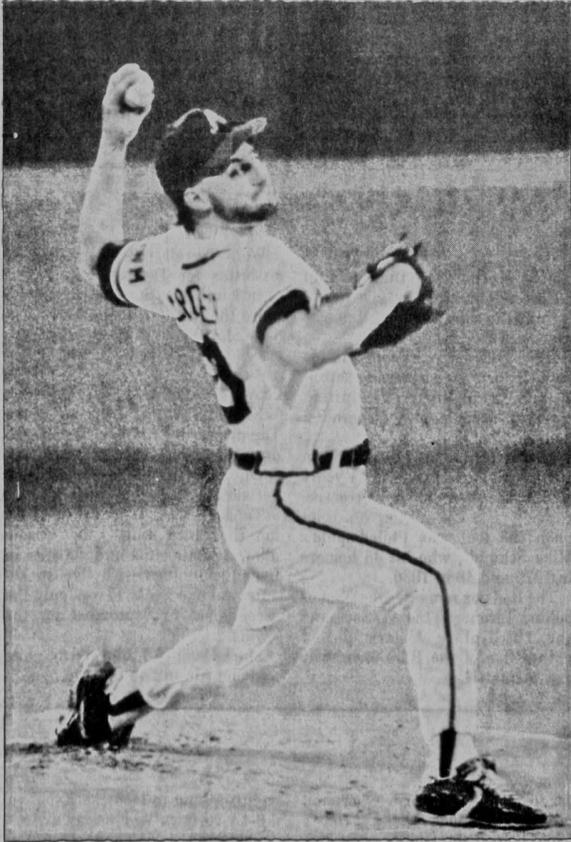
Rookie Mark Wohlers shut down San Diego for two innings and Alejandro Pena pitched the ninth to finish off the sixth combined no-hitter in history, and the first ever in the NL.

With two outs in the ninth inning, Darrin Jackson hit a chopper to the left side of the infield. Third baseman Terry Pendleton cut in front of shortstop Rafael Belliard, but backed away at the last second. The ball glanced off Belliard, and Jackson was safe.

Official scorer Mark Frederickson immediately ruled it an error on Pendleton, even though he never touched the ball.

"Pendleton could have had the ball," Frederickson said. "He let it go by. Pendleton committed on the ball and if he would have gone ahead and made the play, he would have thrown him out."

Mercker (5-3) had made 80 straight relief appearances until manager Bobby Cox brought him in from the bullpen last week to start against the New York Mets.



Associated Press

Braves pitcher Kent Mercker bears down during his part of a combined no-hitter against the Padres. Mark Wohlers and Alejandro Pena finished the game which kept Atlanta in first place in the NL West.

He pitched into the fifth inning, his longest stint of the year.

Greg Harris (5-5) lost despite making only one mistake, Pendleton's home run with two outs in the fifth and his second in two games. Harris beat Atlanta the last time he faced them 1-0 on a three-hitter Aug. 15.

Mets 4, Cubs 1

CHICAGO — Tony Castillo allowed just three singles in six

innings and pitched the New York Mets to a 4-1 victory Wednesday over the Chicago Cubs.

Castillo (2-1) walked one and did not have a strike out in his first start for the Mets and the fourth in his major league career.

He faced Cubs starter Frank Castillo (6-4), who worked 6½ innings, giving up eight hits and four runs.

Keith Miller led off the game with

AMERICAN

A's top White Sox on sacrifice in 10th

Associated Press

OAKLAND, Calif. — Jose Canseco's sacrifice fly in the 10th inning, his third RBI of the game, gave the Oakland Athletics a 6-5 victory over the Chicago White Sox Wednesday.

Canseco also hit his 38th homer and singled in a run to increase his RBI total to 101. He is the first Oakland player to have five 100-RBI seasons.

Jaime Quirk doubled to start the 10th off losing pitcher Steve Wapnick (0-1). With Scott Radinsky pitching, pinch-hitter Vance Law's sacrifice sent pinch-runner Willie Wilson to third.

After Rickey Henderson was intentionally walked, Bobby Thigpen was brought in to face Canseco, who lofted a high fly to medium center field. Wilson scored well ahead of Lance Johnson's throw to the plate.

Dennis Eckersley (4-3), who got two outs to stop a Chicago rally in the top of the 10th, was the winning pitcher.

Todd Van Poppel, Oakland's top draft choice in 1990, was spectacular in his major-league debut — for three innings. The 19-year-old right-hander struck out five straight batters and carried a no-hitter and 1-0 lead into the fourth.

But Tim Lincecum singled to start the inning and Robin Ventura bunted for a hit before Dan Pasqua tripled in two runs.

Carlton Fisk, already in the major leagues when Van Poppel was born, hit his 369th career homer. Fisk's 15th homer of the season tied him with Ralph Kiner for 38th on the career list.

Craig Grebeck added an RBI

single later in the inning to make it 5-1.

Van Poppel lasted 4½ innings, allowing five runs and seven hits, with a walk and six strikeouts.

Orioles 4, Yankees 2

BALTIMORE — The Baltimore Orioles completed their first home sweep of the New York Yankees in nine years, winning 4-2 Wednesday night behind two-run homers from Joe Orsulak and Sam Horn.

Rookie Mike Mussina (3-4) allowed six hits and two runs in seven innings, Mike Flanagan pitched the eighth and Gregg Olson finished for his 27th save as Baltimore handed the Yankees their sixth straight loss.

The Orioles opened the scoring against Wade Taylor (7-9) in the second inning when Glenn Davis singled and Orsulak followed with his fifth home run. In the third, Horn hit his 20th homer — the fourth in 12 at-bats — after Mike Devereaux walked.

Mariners 7, Blue Jays 3

TORONTO — Erik Hanson allowed six hits in eight innings and Pete O'Brien hit a two-run homer to lead the Seattle Mariners a 7-3 victory over the Toronto Blue Jays.

Hanson (8-7) gave up three runs, two earned, struck out six and walked three before Mike Schooler pitched the ninth as the Mariners swept the two-game series with the AL East leaders.

Toronto remained four games ahead of second-place Boston, which lost 8-2 to Detroit. The Tigers are third, five games behind the Blue Jays, who had won five in a row before losing twice to the Mariners.

The Mariners routed Jimmy Key

See AMERICAN, Page 2B

SCOREBOARD

National League Standings

Table with columns: Division, Team, W, L, Pct., GB. Lists standings for East and West Divisions.

Table with columns: Team, W, L, Pct., GB. Lists Wednesday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Thursday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Friday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Saturday's Games.

American League Standings

Table with columns: Division, Team, W, L, Pct., GB. Lists standings for East and West Divisions.

Table with columns: Team, W, L, Pct., GB. Lists Tuesday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Wednesday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Thursday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Friday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Saturday's Games.

Table with columns: Team, W, L, Pct., GB. Lists Sunday's Games.

American League Leaders

Table with columns: Player, Team, G, AB, R, H, Pct. Lists league leaders in various categories.

QUARTERBACKS: Similar stats

Continued from Page 1B. Weekend, holding him to 45 yards rushing after he had gained 213 against Wyoming a week earlier.

NATIONAL

Continued from Page 1B. a double into the left field corner. He moved to third when Jeff Gardner dropped a single into short left field and scored as Howard Johnson grounded into a double play.

Table with columns: Team, W, L, Pct., GB. Lists National League Standings.

Table with columns: Team, W, L, Pct., GB. Lists American League Standings.

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No-Hitters against the Padres A list of no-hitters thrown against the San Diego Padres:

Sports Quiz Answer Mike Schmidt hit 48 home runs in 1980 and less than Dave Kingman's 48 in 1979 but above 40 to be the last player (before Cecil Fielder) to hit 40 or more homers two seasons in a row. Got it?

NFL Schedules Week 4 Sunday, Sept. 22 Cleveland at New York Giants, 12 p.m.

Smith, Pirates extend lead over Cardinals

Associated Press ST. LOUIS — Zane Smith pitched a six-hitter and hit a run-scoring single Wednesday night as the Pittsburgh Pirates beat the St. Louis Cardinals 3-1 and raised their NL East lead to 10 1/2 games, their largest of the season.

AMERICAN

Continued from Page 1B (15-10), scoring three times each in the second and third innings to win for only the third time in 11 games. Tigers 8, Red Sox 2 DETROIT — Cecil Fielder hit his 40th homer, helping the Detroit Tigers snap Boston's winning streak at seven games with an 8-2 decision Wednesday night.

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Sports

TYSON INDICTMENT

Tyson pleads innocent, trial set for January 27

Doug Richardson
Associated Press

INDIANAPOLIS (AP) — Mike Tyson was booked, fingerprinted and told the date of his trial on a charge he raped a teen-age beauty contestant. Then the former heavyweight champ said, "I didn't hurt no one."

Tyson, admitting he was confused and dismayed by the allegations, predicted a jury will vindicate him when he goes on trial Jan. 27, more than two months after his Nov. 8 scheduled fight against champion Evander Holyfield.

The 25-year-old Tyson is accused of forcing an 18-year-old contestant in the Miss Black America Pageant to have sex in his Indianapolis hotel room July 19.

The woman "knows what happened in that room. I know what happened, and I know I'm innocent," said Tyson, calling his accuser by name during a news conference after his court appearance.

He called the charges, which carry maximum penalties of 63 years, "totally ridiculous."

"I didn't hurt no one," a subdued and soft-spoken Tyson said. "I'm extremely worried about the situation, but I know I'm innocent."

David Hennessy, an attorney for the woman, responded: "If Tyson said that he and the victim both were in that room and (both) know

that he's totally innocent, my response is that the victim and Mr. Tyson both testified before the grand jury and Mr. Tyson was indicted."

During a five-minute court proceeding, Marion Superior Court Judge Patricia J. Gifford read Tyson the charges of rape, two counts of criminal deviate conduct and one count of confinement.

Tyson, dressed in a gray, pin-striped double-breasted suit with a red and black necktie and handkerchief, sat impassively at the defense table with his hands folded in front of him. He rose to his feet only once to answer when Gifford asked for his birthday.

The judge entered a preliminary plea of innocent and scheduled trial for Jan. 27.

Tyson was fingerprinted and booked at the county lockup before posting \$30,000 bail. The process took less than an hour.

Outside the courthouse, a group of Guardian Angels picketed, urging Tyson to "do the right thing" and not fight while the charges are pending.

Tyson is guaranteed \$15 million for the Las Vegas fight.

Later, Tyson and his promoter, Don King, held a rambling news conference dominated by King's allegations of financial mismanagement by Tyson's former managers.

Tyson said he wants to focus on his title bout against Holyfield and



Associated Press

Mike Tyson and attorney James Voyles enter the Indianapolis City-County building Wednesday to appear before Judge Patricia Gifford, who set Tyson's rape trial for January 27, 1992.

then worry about the trial. He admitted, however, he's been distracted by the rush of events.

"I can't focus my attention," he said. "It's bad enough to have that hanging over me."

"The fight comes first. After the fight, then we can take care of the trial, and I'll be proven innocent," he said.

King said Tyson's celebrity status has made him a target for sensational allegations.

Tyson said he may create problems for himself by mingling so often with the public.

He denied that he is aggressive toward women. In the last two years, he has been sued for alleged sexual harassment by a former aide to his ex-wife, actress Robin Givens, and faces another lawsuit

by Rosie Jones, a former Miss Black America, who claimed Tyson fondled her buttocks.

"I love women. My mother's a woman," said Tyson. "Unfortunately, every time I get involved with one in a certain way like this, something happens."

King maintained that Tyson has managed to keep his composure remarkably well as he has gained fame and riches. Despite marital and management disputes, Tyson — whom King described as "a street urchin" from the ghetto — has handled success better than other celebrities, the promoter said.

"He deals with adversity much better than ... those who come from a Harvard, Yale, Princeton or Cambridge or Oxford," said King.

Holyfield says Tyson will be 'bad guy' Nov. 8

Associated Press

NEW YORK — Heavyweight champion Evander Holyfield said Wednesday that Mike Tyson's indictment for rape has emphasized the good guy-bad guy aspects of their Nov. 8 title fight.

"I understand people will be pulling for me more because of the indictment," Holyfield said during a conference call with boxing writers. "When more people want me to win, it gives me more inspiration."

Still, Holyfield said, Tyson's problems should not affect the fight. "It's not personal," he said. "We're not talking personal lives. It's who's better in the ring, not outside the ring. I just know Tyson from boxing. I'm not a judge. I've learned to keep my personal opinions to myself."

Holyfield said he did not know if the charges would hurt Tyson on fight night. "I thank God I don't have negative (attention)," he said.

"If I don't have positive attention, I'd rather have none at all."

Although women's groups and some people in boxing have urged a postponement, Holyfield, who will make \$30 million from the \$100 million promotion, said he thought the fight should go on as scheduled.

"They've got their opinions," he said. "I don't worry about what anybody else is saying. You've got to look at anybody with a regular job. Is it right for a man not to be allowed to make a living?"

And Holyfield said he does not anticipate a postponement. "I have my job," he said. "That is to go ahead and train hard and prepare for what I might have to face when I get in the ring."

Holyfield said he would not be disappointed if Tyson's troubles caused the fight to be postponed.

"Why should I be disappointed?" he said. "I'm the heavyweight champion of the world."

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Sports

Dobson felt unwanted by Royals

KANSAS CITY, Mo. (AP) — Former Kansas City Royals pitching coach Pat Dobson says he and manager Hal McRae didn't get along and it appeared Dobson wouldn't be asked to stay on as a coach next year.

Those were the reasons Dobson gave Tuesday for resigning this week, less than a year after joining the Royals.

"This was just a case of two people

not being able to communicate," Dobson told The Kansas City Star in a telephone interview from his home in Cape Coral, Fla. "There were problems in communication and protocol."

Dobson said he and McRae may have gotten off to a bad start when McRae was named manager in May because Dobson also was a candidate for the job.

"I wasn't upset I didn't get the job

..." Dobson said. "I didn't even know I was a candidate until I read it in the paper. And then the day after Hal got the job, I had a talk with Herk (Robinson, Royals general manager), and I found out I was the next guy if they didn't hire Hal."

Dobson said he saw signs recently that convinced him he wouldn't be asked to return as a coach next season.

CARDINALS
Cards may unload vets after season

R.B. Fallstrom
Associated Press

ST. LOUIS — For Ozzie Smith and Pedro Guerrero, the silence from the St. Louis Cardinals' front office has been deafening.

Both can be free agents after the season, but there's been no absolutely no action on their soon-to-expire contracts.

"I enjoy it here, but I cannot point a gun to their heads to sign me," Guerrero said. "Who knows what these peoples' plans are?"

If general manager Dal Maxvill knows, he's not saying.

"I've said all along that we're going to wait until the end of the season and make an evaluation on both situations," Maxvill said. "When the season's over, then we'll sit down and make those decisions."

The prevailing wisdom around Busch Stadium indicates that the Cardinals will exercise the option on Smith's contract for another year at about \$2 million — a bargain by present standards — and let Guerrero go.

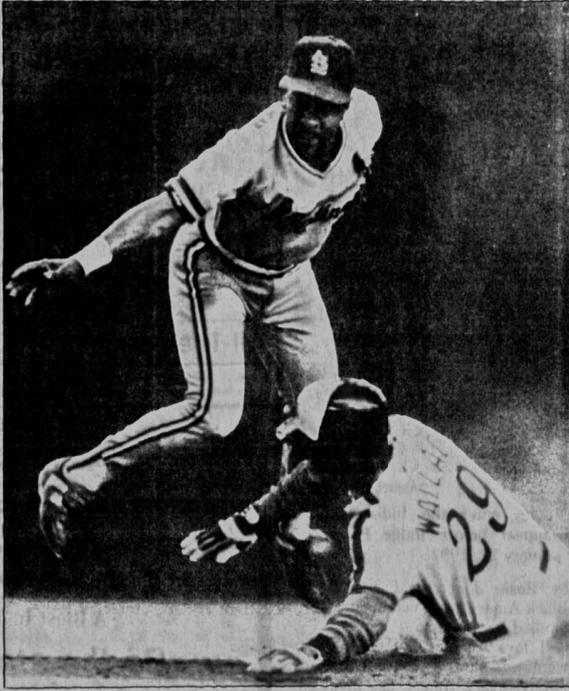
Smith, the National League's starting All-Star shortstop for the last nine seasons, is making it tough for the Cardinals to let him go. At 36, he's hitting .296 and ranks among the league leaders in runs, walks, on-base percentage and stolen bases.

He also has committed only seven errors, giving him a shot at the league record for fewest errors in a season. Philadelphia's Larry Bowa set the record with nine in 1972.

"He sure has made a case for himself," manager Joe Torre said. "But where we're going as a team is what we have to look at."

The longer the Cardinals wait, the less Smith cares about staying in St. Louis.

"One of the things they don't talk about that interests me is a buy-out," Smith said. "But the way they've handled things, I have no idea what's going to happen."



Associated Press

Ozzie Smith may be hitting (.296) and fielding (7 errors) well enough to keep the Cardinals interested in keeping the free-agent veteran.

There's not a lot of logic involved." Smith has played in 127 games with 25 games remaining. If he plays in 150 games the Cardinals would either have to pay him \$2 million or buy out the option year for \$400,000. At the 140-game plateau, they'd owe him \$1.75 million or a \$400,000 buyout.

Guerrero, 35, has less of a case. He's in a 6-for-58 slump and has only five RBIs since coming off the disabled list on Aug. 20 following a hairline fracture of his lower left leg suffered in a freak collision with catcher Tom Pagnozzi. His left shoulder has bothered him all season, affecting his bat speed, and his power numbers are on the critical list.

Guerrero has only eight doubles and 16 extra-base hits all season, atrocious numbers for a cleanup hitter. He's also hitting .262, 43 points below his career average of .305, and is third on the team with 58 RBIs.

"I had a good first half, but check my numbers right now and I can't

be pleased," Guerrero said. "It's not too good a time to get hurt."

"If it wasn't for the injury I had, I would have been on top."

Guerrero has seven home runs after getting 13 last season, 17 in 1989 and 27 in 1987. He bristled at talk of his diminishing power, however.

"It doesn't matter how you get them in," Guerrero said. "I see lots of guys with 20 home runs and 40 RBIs, so what good is that? I don't care if I get 150 singles, as long as I'm bringing some runners in."

Torre tends to give Guerrero the benefit of the doubt. But ultimately, it's not his decision.

If both end up leaving, it'll complete a player purge that began last year. The Cardinals traded center fielder Willie McGee in late August, then left fielder Vince Coleman, third baseman Terry Pendleton and left-handed reliever Ken Dayley depart as free agents.

"It's the same situation, I think," Guerrero said. "I don't think I'll be back."

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ACROSS

- 1 Take _____ (start an action)
- 6 Remarks by Sandy
- 10 It's White and Blue
- 14 An anagram for merit
- 15 Jeanne _____
- 16 Lulu
- 17 Kind of acid
- 18 Pet bat in "The Munsters"
- 19 Former Russian ruler
- 20 Area not under government control
- 23 Pos. opposite
- 24 Silly little laugh
- 25 A Henson forerunner
- 28 Onager
- 31 Salt's sack
- 35 Former U.N. agcy.
- 36 Gear for a roundup
- 38 School for René
- 39 Exec's severance pay of a sort
- 42 Gander and cob
- 43 Hide the loot
- 44 Select
- 45 Bouquets
- 47 Suffix with insist
- 48 Hoffman play: 1985
- 49 Les Etats-_____
- 51 D. C. figure
- 53 Buying-and-selling system
- 59 Stern and gloomy
- 60 Not so hot
- 61 Malarial fevers
- 63 "_____ boy!"
- 64 Nobelist for Peace: 1984
- 65 Casals played it
- 66 Natatorium
- 67 Suffix with origin
- 68 Legendary family of Uri

DOWN

- 1 Mrs., in Madrid
- 2 Per diem steno, e.g.
- 3 Arabian chieftain
- 4 Like a lonesome swain
- 5 Franklin invented one
- 6 Approach for a miner
- 7 Spread unchecked
- 8 Next year's sophs
- 9 Heaps of stones
- 10 "The eggs do _____ the hen"; Russ. proverb
- 11 _____ many words
- 12 Goneril's father
- 13 Fumble
- 21 Furthermore
- 22 Chong's partner
- 25 ... sweetheart of _____ Chi
- 41 Dome lead-in
- 46 Nap for Juan
- 48 Farthest point in an orbit
- 50 Resolute or Rex
- 52 Play a play
- 53 Marquand's Mr.
- 54 Hatchback, e.g.
- 58 Last word Mo.'s motto
- 56 _____ Carrière, at the Louvre
- 57 Ruminant
- 58 Georgian's rebel
- 59 Drop bait gently
- 62 Call for help

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Sports

COLLEGE FOOTBALL

All's quiet before this football war

Steve Wine
Associated Press

MIAMI — For a team of self-proclaimed vigilantes, the Miami Hurricanes have been unusually well-behaved this week as they await tonight's shootout with Houston.

The Hurricanes have made no predictions or promises, no taunts or threats. They've failed to live down to their bad-boy reputation.

The reason: coach Dennis Erickson ordered his players to stop talking to the media.

"I just felt it was time to focus in on the game," Erickson said. "We were really getting hammered (in the press), and that needed to stop."

Houston coach John Jenkins complained about "derogatory remarks" by the Hurricanes, which culminated last week when defensive tackle Eric Miller said Miami was out to get Cougars quarterback David Klingler.

"We see ourselves being the vigilantes for all those teams that get the score run up on them" by Houston, Miller said. "We just want Klingler. We want him so bad. He's kind of a showboat."

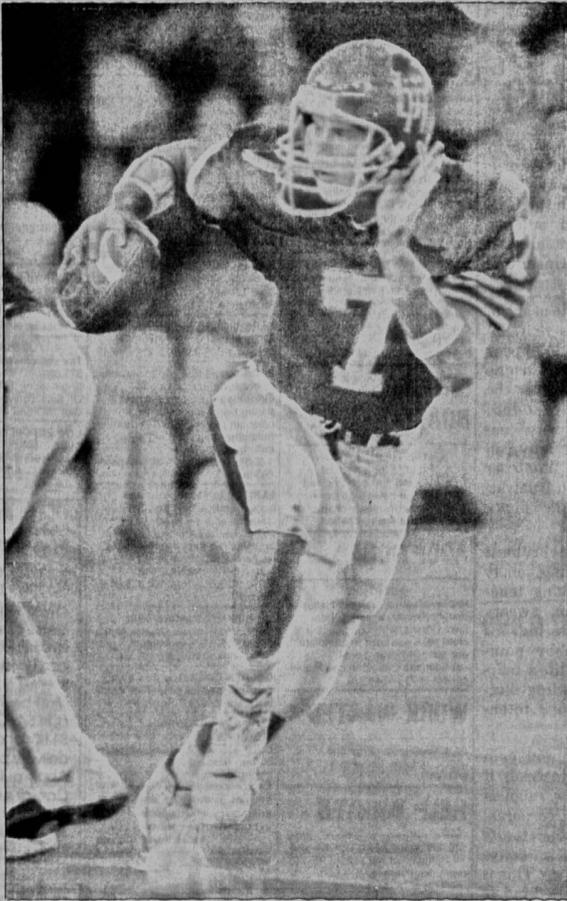
"They don't have a running game. Once you beat up Klingler, they'll be rattled and they'll be out of control. They're one-dimensional. Throw off Klingler, and the offense collapses."

Since Miller's comments, the Hurricanes have maintained public silence. The Cougars also have had little to say, since Jenkins ordered them not to become involved in a trash-talking exchange.

"We'll talk after the game is over," Houston nickel back Tyrone Davis said.

No taunting on the field? "We're going to try to win the battle after each snap," Klingler said. "Miami can win the battle when the ball's not in play."

Barbs aside, the nationally televised game pits the Team of the '80s against the Offense of the '90s. It's a chance to measure Miami's staying power and Houston's emergence as a national force.



Miami defensive tackle Eric Miller says the Hurricanes want Houston quarterback David Klingler (above), "So bad. He's kind of a showboat."

"The TV ratings ought to be completely off the charts," Jenkins said. The second-ranked Hurricanes and 10th-ranked Cougars are both 1-0. Heisman Trophy contender Klingler doubts that a Houston victory would impress his team's detractors.

"They can always find an excuse. They might say Miami isn't as good as they used to be," he said. "And if we lose, they'll say, 'We knew it.'"

Klingler, who threw nine touchdown passes in the Cougars' season-opening 73-3 win over Louisiana Tech, figures to make Miami's offense look conservative by comparison. In an effort to control the ball and keep it away from Klingler, the Hurricanes may

throw less than normal. "I don't think you win very many shootouts with Houston," Erickson said. "If their score gets up in the 70s, we're in trouble."

The laid-back Erickson, who has struggled to improve his program's image, for once is going against a team whose reputation may be worse. Houston is trying to shake the stigma of NCAA probation, and the flamboyant Jenkins has been accused of showing no mercy against weak teams with his point-a-minute offense.

To some, Miami's vigilantes — the team in the white helmets — will be the good guys Thursday night.

"I don't know very much about that," Erickson said wryly. "We've never been treated like that much."

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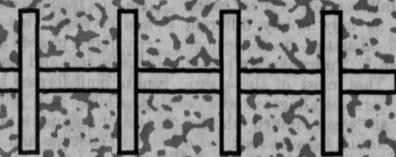
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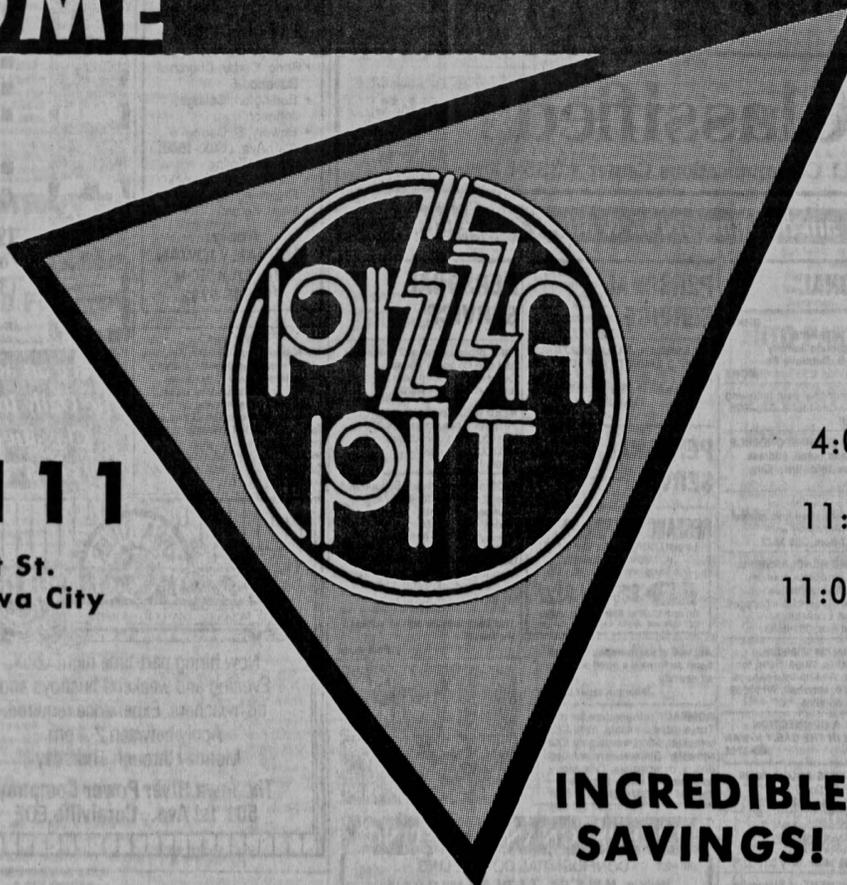
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RECORD REVIEW

New York's Unsane loads new single with metaphysics, great metal sounds

Cult gem Unsane releases second single and panic ensues.

Brian Berger Daily Iowan

Unsane "Jungle Music" plus 2 (PCP 7") write PCP: 611 Broadway, No. 712, New York, NY 10012

Unsane has been, within certain circles, touted as one of New York City's "up and coming" combos for around three years now. Within a traditional power trio configuration of bass/drums/guitar, Unsane has pursued and mastered a highly uncommon approach to power trio rock dynamics.

So why is it that Unsane's time seems to have come and gone with nary a ripple on the surface of the reflecting pool of consensus rock reality? The reasons are manifold and the details as tawdry as the band members themselves are flamboyant.

To the extent that Unsane is who its members hang out with, this is not

such a bad thing. Smart, funny, aggressive, sensitive and creative people tend to associate with and beget the same. Thus it should come as no surprise that members of Unsane have so many diverse achievements on their indie rock resumes: male modeling and performance in a short-lived free jazz/suzy grunge fusion band called Three Mile Eye (along with once and future members of Urge Overkill, Cop Shoot Cop, Action Swingers and Roi). The band members are also well-known as the aesthetic co-leaders (with Boss Hog and Royal Trux) of the now burgeoning hard pop/surf rock bouillabaisse revival (few natives can forget their instigation of the Big Apple's great "Salt Peanuts and Salt Water Taffy Summer" of 1989).

Sadly, the reading of the popularity meter is based predominantly on economic fact, not critical opinion. Artistic lineage and innovation are important only insofar as they are easy copy options for brain seized hacks and shills. On the one hand, if something sold before, it can sell again. Or so some people hope. On the other, uniqueness is fine insofar as it's either funny (all the better to listen to with a lampshade, my dear!) or prudish (exoticism, yes! But only in small doses). And what happens when that rare music falls outside of these easily identifiable as only mildly different parameters? Usually, it is deemed "amateurish," "inaccessible" and "excessive."

If Feedtime and the Frogs were the Plato and Aristotle of rock, then Unsane is the Metaphysician of Chaos — a deafening ginseng savvy ju-ju for the post-White Zombie generation. "This is not philosophy but life." Indeed.

All of which may go some distance in explaining Unsane's lassitude. After a failed stint with Treehouse, an import-only relationship with the German Glitterhouse label, a sub-par one-off for Sub Pop and an aborted album release on Circuit, Unsane is "back."

The new self-released single is one of the best little records of the year. Its three tracks were supposed to appear on the aforementioned first Unsane album. That album will never be released as originally intended, because although Circuit was contracted to issue it, the company collapsed before it could do so. Whatever forever, hopefully, with such frustrating business hassles — the music itself still shreds.

Unsane is a bloody and brilliant clamor. Its is the sound of long, lonely walks along the steam-leaking tenement streets of Manhattan, sweaty late nights PATH-train-waiting for Hoboken salvation, a grubby pain-distorted soul bursting its life's tear-stained psychoses with howling electrical peaks of multiorgasmic intensity.

This livid cry of disgust and pain signifies nothing specific. Instead, it inaugurates an entirely new reign of metaphysics — an absolute corporeal one, one fashioned from divine cruelty and revenge. This music is an active crucifixion of gods and demons. This is rock 'n' roll and its double, a kind of pure limit formed by its simultaneous possibility and impossibility, production and annihilation.

Indeed. The son of a dentist in East St. Louis, Ill., Davis picked up a trumpet at age 13 and wound up in New York in 1945. He became prominent in the 1940s as a sideman with Charlie Parker and Coleman Hawkins, and played in the Benny Carter and Billy Eckstine bands.

He eventually led his own band, becoming well known for inaugurating the new era of "cool" jazz. He was responsible for bringing into prominence such musicians as Herbie Hancock, Ron Carter and Anthony Williams.

earlier this month, the Los Angeles Times has reported. The hospital referred calls to Weber, who refused to say where Davis was hospitalized.

Warner Bros. Records spokesman Bob Merlis was unable to elaborate on Davis' condition.

The Grammy Award-winning artist, once married to actress Cicely Tyson, has been treated for diabetes and a hip-joint replacement. He also overcame a heroin addiction.

Davis, who lives in Malibu, won a Grammy in 1986 for his album "Tutu."

Jazz trumpeter Miles Davis hospitalized

Associated Press

SANTA MONICA, Calif. — Miles Davis, the legendary jazz trumpeter, band leader and composer, has been hospitalized for an undisclosed illness.

Davis' family asked that no information be released about his ailment, his attorney, Dorothy Weber, said Wednesday.

The 65-year-old musician, who has a long history of poor health, entered St. John's Hospital and Health Center

Janis Joplin's family suing theatrical group for copyright violations

Tim Klass Associated Press

SEATTLE — Little did the late Janis Joplin know that her recordings of such tunes as "Me and Bobby McGee" and "Piece of My Heart" would become anthems of the 1960s or that her boozey, bluesy, hot-mama howl would become a touchstone to the acid-rock era.

Now, 21 years after she crooned and growled through her last set, a legal battle has arisen over a musical portraying a make-believe day in Joplin's life.

Lawyers for the playwright and producer warn that the outcome could chill freedom of speech and theatrical expression as much as the give-it-all singer warmed generations of rock fans.

The play, "Janis," closed in Seattle last month because of a lawsuit in which Joplin's heirs claim exclusive rights to her "performing style... her voice, delivery, mannerisms, appearance and dress, and the actions accompanying her performances."

Playwright-director Susan Ross filed a \$3 million counterclaim Sept. 5. A separate response was being prepared by play producers Gaye Anderson and James Allen.

"Janis Joplin is a part of our national heritage," Ross said. "Her influence on us today, on the music business and on the way women in music perform is tremendous. She is not a part of someone's personal property."

The suit for unspecified damages was filed in U.S. District Court by Joplin Enterprises; Strong Arm Music, a division of Joplin Enterprises that holds many of the singer's copyrights; and Texas Lion Productions, a joint venture with Sea Lion Films of New York.

Joplin Enterprises includes the singer's sister, Laura Joplin of Denver; brother, Michael Joplin; and mother, Dorothy Joplin of Port Arthur, Texas.

Texas Lion was formed to prepare a Broadway musical, tentatively set to open next fall, to be followed by a movie, special radio show and release of a boxed set of compact discs and cassette tapes of Joplin's recordings.

"This (play) is very detrimental. People will see an advertisement for a Janis play and they will say, 'I've seen that before.' It will definitely hurt us," said Robert Gordon of Corte Madera, Calif., executor of Joplin's estate and principal lawyer for her heirs.

The lawsuit accused Ross, Anderson and Allen of unfair competition, unjust enrichment, and infringement of copyright and publicity rights. "There's a lot of talk about violation of freedom of speech, and I think that's terribly out of place," Gordon said.

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The thing is to be able to outlast the trends. -Paul Anka

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CONVENIENCE store clerks needed. Part-time. Mid-nights and weekends. Apply at Voss Petroleum Company, 933 S. Clinton, Iowa City.

DAY CARE AIDE/ TEACHER. Part-time. Call 644-3850.

DJ'S, crew personnel needed. No experience necessary. Call 354-6440 weekdays.

EARN \$400 weekly stuffing envelopes while working at home. For info, send SASE to: WFP Box 19585 Atlanta GA 30325

EARN MONEY Reading books! \$30,000 year income potential. Details. 1-805-962-8000 Ext. Y-9612.

EARN \$6, a FREE trip to Mazatlan, or both. We are looking for outgoing reps to sell the best spring break trip available. We offer air, lodging, free beer parties, meal discounts, and nightly entertainment. Call 1-800-868-4786, or in Minneapolis 893-9679.

EARN up to \$10 an hour plus bonus. Enthusiastic persons will start immediately to take orders in our office. Day and night shifts available. No experience necessary, will train. Apply at: Magnum Communications, 897 22nd Ave., Coralville or call 354-3721.

FAST FUNDRAISER \$1000 in one week. Greets, clubs, or ANYONE. No investment. (800)748-6817 ext. 50.

GOLDEN CORRAL is now hiring part-time and full-time help. Apply in person at 621 S. Riverside.

GOVERNMENT JOBS. \$16,040-\$59,230/ year. Now hiring. Call 1-805-962-8000 Ext.R-9612 for current repo list.

Each honest calling, each walk of life, has its own elite, its own aristocracy based upon excellence of performance. -James Bryant Conant

HELP WANTED

HELP STOP CRIME! Students, organizations, anyone! Unlimited income selling new product. Receive free information. Call 515-830-1125.

HELP WANTED: Our progressive dental team wants a support person. Tasks are varied, primarily general cleaning and instrument sterilization. Late afternoon Monday through Thursday. Call Greg at 626-3003 Monday, Wednesday or Thursday 7:00-9:00pm.

HOME TYPISTS, PC users needed. \$35,000 potential. Details. Call 1-805-962-8000 Ext.B-9612.

HOUSEKEEPER wanted. Experience preferred, but not necessary. 337-8665.

HOUSEWIFE wanted to address envelopes at home. You must have a typewriter or good handwriting. Call 317-290-5317 Dept. K-1. Free 24 hour recorded message.

JOBS IN Kuwait. Tax free construction workers \$75,000. Engineering \$200,000. Oil field workers \$100,000. Call 1(800)43-3440 ext 866.

LAW ENFORCEMENT JOBS. \$17,542-\$86,682 year. Police, Sheriff, State Patrol, Correctional Officers. Call 1-805-962-8000 Ext.K-9612.

Immediate openings for delivery drives. Afternoon & evening shifts available. Must have car, valid driver's license & insurance. Must be 18 yrs. of age \$4.50/hr. plus \$1.00 for each delivery plus tips. Apply at Little Caesar's in Lantern Park Plaza, by Target in Coralville.

NEED CASH? Make money selling your clothes. THE SECOND ACT RESALE SHOP offers top dollars for your fall and winter clothes. Open at noon. Call first. 2203 F Street (across from Senior Pablos) 338-6454

HELP WANTED

LICENSED Physical Therapists work part to full-time with a team of caring home health care professionals. Flexible hours, competitive salary and fringe benefits. Submit resume to: Visiting Nurse Association, 485 Hwy 1 West, Iowa City, IA 52246, EOE.

LICENSED Physical Therapists to work part-time with a team of caring home health professionals. Flexible hours. Submit resume to the Visiting Nurse Association, 485 Hwy 1 West, Iowa City, IA, 52246, EOE.

MAKE \$150-\$300 in 3-10 HOURS by selling 50 funny college t-shirts. No financial investment. Smaller, and larger quantities available. Call toll free 1-800-726-8888.

MARKETING INTERN Part-time marketing internship available for individual majoring in business. Prefer marketing major. Must have computer and word processing experience with minimum speed of 50 wpm. Will work 20-25 hours/week. Send resume to Personnel Department, Hills Bank and Trust Company, Box 160, Hills, IA 52235, EOE.

IMMEDIATE OPENINGS FOR ALL SHIFTS PART-TIME & FULL-TIME WE ARE LOOKING FOR FRIENDLY FACE!

Starting wages: \$4.75 full-time and \$4.50 part-time. We offer: • Free uniforms • Guaranteed meals policy • Paid holidays • Clean modern environment

APPLY TODAY 618 First Ave., Coralville 804 S. Riverside Dr., Iowa City, 1861 Lower Muscatine FOOD FOLKS & FUN

NEED CASH? Make money selling your clothes. THE SECOND ACT RESALE SHOP offers top dollars for your fall and winter clothes. Open at noon. Call first. 2203 F Street (across from Senior Pablos) 338-6454

MCI SERVICES Make a change for the better. We have. When PTI became MCI Services, the best just got better. We're now the largest telemarketing firm in the nation, and demand for our services is growing. With the strength of a Fortune 500 company behind us, MCI Services can offer even more than before — more resources, more opportunities, and more ways for you to succeed. As a member of our team, you'll participate in the marketing programs of some of the nation's leading companies, like MCI, major computer and automotive companies, and many more. See for yourself what we have to offer: ■ Good hourly wage plus generous incentives. ■ Life, health, dental, vision, disability, SAUP and 401(K) plans — even for part-timers. ■ Paid, professional training. ■ Paid vacations and holidays. ■ A positive, employee-centered business environment. ■ Career development and progression. ■ Part-time and full-time positions with a variety of shifts, to fit your schedule. ■ Free long distance calling during breaks. Call or apply in person: 1925 Boyrum Street Iowa City, Iowa (319) 338-9700 MCI Marketing Inc. An Equal Opportunity Employer

PERSONAL SERVICE

CHAINS, RINGS, EARRINGS, MORE. STEPH'S Wholesale Jewelry 107 S. Dubuque St. FEELING emotional pain following an abortion? Call I.R.I.S. 338-2625. We can help!

FREE BIBLE CORRESPONDENCE COURSE. Send name, address: BCC P.O. Box 1851, Iowa City, Iowa, 52244.

GAYLINE. For confidential listening, information and referral. Tuesdays, Wednesday and Thursdays, 7-9pm. 335-3877.

GRANTS AND SCHOLARSHIPS. Private and corporate sources. P.O. Box 680, Marshall, WI 53559 or call 608-655-4248.

JIM'S Journal merchandise. T-shirts, boxes, mugs. Send for free catalog: Ameriprint Features, P.O. Box 680, Marshall, WI 53559 or call 608-655-4248.

MAKE A CONNECTION ADVERTISE IN THE DAILY IOWAN 335-5784

SEX ADDICTS ANONYMOUS P.O. Box 703 Iowa City IA 52244-0703

SOCIAL bridge group seeks professionals or graduate students. Meets monthly. Call Nancy 354-7904 or Jerry 351-0271.

THE DEPARTMENT of Preventive and Community Dentistry is recruiting patients who experience recurring lip sores (cold sores). Must be available weekly for routine blood test and interview (approximately 30 minutes) from now until November 1, 1991. Healthy adults ages 18-40. Compensation for time and inconvenience. \$6 visit (\$100 total for 12 visits). Call 335-7372 between 8:00-5:00. Mention "cold sore study".

Leadership in action, not position. -Donald H. McGannon

BIRTHRIGHT offers Free Pregnancy Testing Confidential Counseling and Support

No appointment necessary Mon.-Tues. 11-2; Wed. 7-9 pm Thurs. & Fri. 1-4 CALL 338-8665 118 S. Clinton, Suite 250

PERSONAL SERVICE

IF LESBIAN, GAY & BISEXUAL STAFF & FACULTY ASSOCIATION Information/Referral Services 335-1125.

PERSONAL SERVICE

RESEARCH INFORMATION Largest Library of Information in U.S. 12,278 TOPICS - ALL SUBJECTS Order Catalog Today with Visa/MC or COD ORDERING HOTLINE 800-351-0222 Or, rush \$2.00 to: Research Information 11322 62nd Ave. #206-A, Los Angeles, CA 90023

Act well at the moment, and you have performed a good action to all eternity. -Johann Kaspar Lavater

COMPACT refrigerators for rent. Three sizes available, from \$29/semester. Microwaves only \$39/semester. Dishwashers, washer/dryers, camcorders, TV's, big screens, and more. Big Ten Rentals Inc. 337-RENT.

FREE PREGNANCY TESTING

CONFIDENTIAL COUNSELING Walk-in: M-W-F 9-11, T & TH 2-5 and 7-9, or call 351-6556 Concern for Women Suite 210, MID AMERICAN SECURITIES BLDG., Iowa City

Planned Parenthood of Mid-Iowa

2 South Linn Street, Iowa City, Iowa 354-9000 "You have a friend in us."

Free Pregnancy Testing

•Factual information •Fast, accurate results •No appointment needed •Completely confidential •Call 337-2111 NOW OPEN SATURDAYS Emma Goldman Clinic 227 N. Dubuque St. Iowa City, Ia. 52240

PERSONAL SERVICE

I'M A professional nail technician and can do yours cheap. Questions/ appointment, 353-0583, ask for Natlie.

NEED HELP in applying for Personal Loans from \$16,000 to \$50,000. Debt consolidation to \$80,000. Call today! 1-800-922-5775.

STOP money worries. Scholarship money available for college. College Scholarship Service, 7501-A NW 81st St. Kansas City, MO 64152.

TAROT and other metaphysical lessons and readings by Jan Gault, experienced instructor. Call 351-8511.

The thing is to be able to outlast the trends. -Paul Anka

HELP WANTED

NEED responsible employee with farm experience in field work and hrs. 653-2694.

NEED TO PLACE AN AD? COME TO ROOM 111 COMMUNICATIONS CENTER FOR DETAILS

NOW HIRING - Registered U of I students for part-time clerical positions in the Medical Records Department at the University of Iowa Hospitals and Clinics.

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Do what you can, with what you have, where you are. - Theodore Roosevelt

It may be those who do most, deem most. - Stephen Leacock

PART-TIME (junior) help needed. M and P.M. Apply 330pm-5:30pm, Monday-Friday.

PART-TIME person to work with infants to five year olds. Experience education background preferred.

PART-TIME job for female live-in residential counselor to work with developmentally disabled adults.

PART-TIME resident counselor at residential treatment center for adolescent women.

PART-TIME retail cashier for children's consignment shop. Must have cash register skills.

PAUL REVERE'S PIZZA - Now hiring drivers. Both locations. Wages, tips and commission.

PAWN broker. Must have sales experience and work well with people.

PHYSICAL Therapy aide, mornings. Rehabilitation therapy. Will train 20 hours, competitive wages.

POSTAL JOBS. \$16,392-\$67,125/year. Now hiring call 1-800-962-8000 Ext. P-9612.

PART-TIME CLERK

QuickTrip Corporation is now hiring qualified persons for part time help to work up to 35 hours per week. Day & evening hours are available.

BUSINESS OPPORTUNITY

NU SKIN products below wholesale. Going out of business because I found something better!

PROFESSIONAL SERVICES

ACT NOW! Scholarships, Grants and Financial Aid. Guaranteed! Grole Scholarships Consultant.

HAIR CARE

HALF-PRICE hair-cuts for new clients. Haircare, 511 Iowa Ave. 351-7525.

CALENDAR BLANK

Mail or bring to The Daily Iowan, Communications Center Room 201. Deadline for submitting items to the Calendar column is 1pm two days prior to publication.

Event

Sponsor Day, date, time

Location Contact person/phone

HELP WANTED

SEEKING mature individual for stock control. A friendly woman's apparel store offers flexible day hours.

BELL AVON EARN EXTRA \$\$\$-YOUR HELP UP TO \$075. Call Mary, 338-7623

NEED TO PLACE AN AD? COME TO ROOM 111 COMMUNICATIONS CENTER

THE IOWA CITY Recreation Division currently has positions open for flag football coaches, score keepers (adult basketball and volleyball), gymnastics instructors, art instructors, Saturday morning swimming instructors, early morning lifeguards at the Mercer Park Aquatic Center, and special populations involvement aquatic instructors and leaders (sports).

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MISC. FOR SALE

AIR CONDITIONER. (99 % new) and women's 10-speed Schwinn Traveler bicycle. Moving sale. Hurry! Both in excellent condition. Must see! Best offer ever. 351-8666.

CAR-PORT CARRIER (Sears Roebuck) \$50. 338-2261 after 5pm.

COMPACT refrigerators for rent. Three sizes available. From \$29/semester. Microwaves only \$39/semester. Dishwashers, washer/dryers, camcorders, TV's, big screens, and more. Big Ten Rentals Inc. 337-RENT.

ELECTRONIC typewriter, excellent condition. \$50. 25" Zenith Council color TV, good condition. \$40. 351-3932.

FOUR new tires balanced and on wheels for a VW Rabbit or Jetta. Men's speed rollerskates, size 10, hardly used. Coor's neon bar light. Best offer. 338-6923.

HONDA Express moped \$150, double bed with frame \$75, girl's 10-speed bike \$75, skis, boots, poles. 354-9873.

LIGHT green carpet, excellent condition. Nearly 50 square yards. \$65 OBO. Beige insulated curtains 80x70 and beige insulated pattern curtain, \$25 each OBO. 338-6221.

MOVING, must sell! STEREO: Denon DRX-350, Onkyo CP-1500F turntable, Nakamichi cassette deck 2, Sony CDP-705, Polk 4.5's with stands. FURNITURE: Solid walnut TV stereo stand, Lehigh Leopold computer desk (walnut finish), box spring and mattress.

MISCELLANEOUS: 8" x 10" CB and antenna, oval mirror, pictures, posters. Call Jess at 338-7260.

SCHWINN men's 10-speed bike, like new. \$75. Oak wine racks, holds 96 bottles, \$50 each. Wrought iron wine racks, holds 75 bottles, \$40 each. Call after 6pm. 354-9402.

UPRIGHT piano, \$300, you move. Message: nearly 50 square yards. \$65 OBO. Beige insulated curtains 80x70 and beige insulated pattern curtain, \$25 each OBO. 338-6221.

FOR SALE: Fender Stratocaster (1972). Excellent condition. \$450. Stephen, 339-0186.

FOR SALE: Roland 50 watt cube amp. \$250. Stephen, 339-0186.

GUITAR lessons in all styles. Plus bass, banjo and mandolin. Repairs and setups. Guitars, amps, PA and more. The Guitar Foundation 323E Market 351-0932

NEW AND USED PIANOS J. HALL KEYBOARDS 1851 Lower Muscatine Rd. 338-4500

PICCOLO. Solid silver h/b Gemeinhardt. Less than one year old. \$450. 354-6534.

ROLAND Juno 106 synthesizer with case. \$500. Fender bass amp, \$120. Keyboard stand, \$120, or all three \$600. 354-0198.

SPEAKERS. Two 15" JBL cabinet speakers. Great midrange sound. \$300. Call Eric 354-8499.

STRINGS 25% off. Even cheaper for member! Guitar, violin, etc. Books, speakers, accessories. Storm Cellar Music and Books, 521 Washington. Monday through Saturday, 12-7pm. 354-4118.

SYNTHESIZER. 780 Roland Rhodes with case and stand. \$1000. 515-4748.

COMPUTER 1989 APPLE II E computer, printer, software. Practically new. \$595. 338-1804.

286 AT, 3 1/2, 5 1/4, 4 meg, VGA plus software \$750. Call 351-3032.

APPLE Image Writer II. \$300 or offer. 337-9598, Eric.

FOR SALE: IBM PC convertible with printer. 512k, two 3 1/2" disk drives. Enhanced screen. CRT adapter. Printer adapter and cable. Mint condition with manuals. Portable. 12 lbs. with case. \$900. Call 339-0466.

IBM clone 20 MB HD. 5 1/4" F.D. Mono display, software, \$595. 354-2504.

LAPTOP word processor Smith Corona 7000LT with daisy wheel printer, battery, case, manual, etc. \$600. Brian 339-1177.

LEADING EDGE with 3066 HD, \$480. 353-4851, 5-6-30pm.

NEED TO PLACE AN AD? COME TO ROOM 111 COMMUNICATIONS CENTER FOR DETAILS

NINTENDO, Gameboy, and cartridges for sale. Best offer. Call 338-6923.

PRINTER for Macintosh. Brand new with warranty. \$200 OBO. 354-8613.

VOYAGER SOFTWARE Specializing in entertainment software. IBM, Amiga, and Mac. Weekly specials, Monday through Friday 11-5, Saturday 12-5. 527 S Gilbert Street.

STEREO

HARMON Karbon digital tuner, Toshiba CD player, Blaupunkt (Huston) car stereo cassette with remote, Blaupunkt 40 watt amp. All mint condition. Best offer. 338-6923.

SPORTING GOODS

DP AIRGOMME stepper, brand new. Already assembled. \$195. Call 351-8053 leave message.

GOLF CLUBS. Starter and full sets with bags for men, women, kids. \$30-\$85 (one left set). 351-1894.

ANTIQUES

THE ANTIQUE MALL is open 10-5, 7 days a week. Apartment size furniture and entertaining items. 507 S. Gilbert

BOOKS

BOOKS 1/2 price or less. Even cheaper for members! Non-members welcome. Storm Cellar Music and Books, 354-4118. 521 Washington. Open Monday through Saturday, 12-7pm.

The Bookery Scholarly & leisure reading 10:30 Mon-Sat. 523 Iowa Ave. 4 1/2 blocks east of Pentacrest

THE HAUNTED BOOKSHOP Over 25,000 quality titles. Buy-Sell-Search Mon-Fri 11-7, Sat 9-7, Sun 12-5. FREE PARKING 520 E Washington. Next to New Pioneer Co-Op

MUSICAL INSTRUMENT

FLUTE. Solid silver head and body. One flat B hole ft. Gemeinhardt. Less than one year old. \$650. 354-6534.

FOR SALE: Brand new Yamaha electric piano. \$230 OBO. 351-1036.

FOR SALE: Fender Stratocaster (1972). Excellent condition. \$450. Stephen, 339-0186.

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HARMON Karbon digital tuner, Toshiba CD player, Blaupunkt (Huston) car stereo cassette with remote, Blaupunkt 40 watt amp. All mint condition. Best offer. 338-6923.

THERAPEUTIC MASSAGE

THERAPEUTIC (non-sexual) massage. Techniques include: Swedish shiatsu and reflexology. Eight years experience. 354-6380.

TOUCH FOR HELP Steven L. Hutchison, certified massage and prayer therapist, and stress management consultant. Sensitivity Training- Shiatsu- Acupuncture- Swedish- Polarity Therapy. For greater peace, joy, and relaxation. Help also provided in prayer and instruction in relaxation technique and stress management. 40% DISCOUNT ON 1st SESSION 922 Maiden Lane, Iowa City 330-0231

CHIPPERS Tailor Shop, men's and women's alterations. 128 1/2 East Washington Street. Dial 351-1229.

MAHA'S COUTURE Alterations, dress designer, tailor, fashion consultant. 354-1555

REASONABLY priced custom framing. Posters, original art. Brokers welcome. The Frame House 404 Gallery, 211 N. Linn (across from Hamburg Inn)

STUDENT HEALTH PRESCRIPTIONS? Have your doctor call in. Low prices- we deliver FREE UPS SHIPPING FEDERAL EXPRESS Six blocks from Clinton St. dorms CENTRAL PHARMACY Dodge at Davenport 338-3078

CHILD CARE

4-C's CHILD CARE REFERRAL AND INFORMATION SERVICES. Day care homes, centers, preschool listings, occasional sitters. United Way Agency M-F, 338-7684.

CHILD CARE needed in my home for one two year old boy. Mondays 3pm-6pm. Please call 351-0911 after 6pm.

INSTRUCTION

FICTION workshop by published author and writer's workshop graduate. Eleven weeks, \$225. Time TBA. Leslie Bienem, 338-4658.

SCUBA lessons. Eleven specialties offered. Equipment sales, service trips. PADI open water certification in two weekends. 886-2946 or 732-2845.

TUTORING

ALGEBRA THRU CALCULUS ALL PHYSICS COURSES 338-6568

MATH tutor, senior math major, native english speaker, CHEAP! 339-8699.

TUTOR for Religion and Philosophy GER classes. Second year senior with double major in philosophy and religion. If interested, call 354-8388 and ask for Matthew.

ENTERTAINMENT

MOBILE light and sound. Your party, our music. 351-9246. Eric. MURPHY Sound and Lighting DJ service for your party. 351-3719. P.A. PROS. Party music and lights. Ed. 351-5639.

MOVING

HAULING of all kinds. Prompt, efficient service. WOLLARB SERVICES 679-2882

I WILL MOVE YOU COMPANY! Heavy moving and the truck, \$30/ load. Offering loading and unloading of your rental trucks. Monday through Friday 8am-5pm. John. 663-2703.

JACK'S MOVING & HAULING Reasonable rates. Free estimates. Call anytime. 645-2187

ONE-LOAD MOVE Providing spacious moving van plus manpower. Convenient, economical, 7am-9pm daily. 351-2030

NEED TO PLACE AN AD? COME TO ROOM 111 COMMUNICATIONS CENTER FOR DETAILS

MINI-PRICE MINI-STORAGE Starts at \$15 Sizes up to 10x20 also available 338-6155, 337-5544

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Arts & Entertainment

MUSIC REVIEW

Take 6 performs, preaches with vigor

Brett Ratner
Daily Iowan

Tuesday night's performance of Take 6 confirmed my strong belief in the separation of church and state . . . the church and my state of bliss, that is.

The message inherent in Take 6's music is already so powerful that the five-minute sermons in between tunes not only insulted the audience's intelligence, but seemed about as necessary as the dry ice smoke which drifted occasionally across the Hancher stage. My philosophy has always been that a musician is no more of an authority on anything than anyone else except when the topic is music. The preaching simply diminished the impact of an otherwise spectacular performance.

Others agreed. "I saw some people leave at the beginning of the show and never come back," said audience member Laura-Ann Bulsebus. "I really didn't mind the sermon though because the show just rocked."



Grammy Award-winning vocal group Take 6 performed at Hancher Tuesday. Left to right, Cedric

Den, Alvin Chea, David Thomas, Claude V. McKnight III, Mark Kibble and Mervyn Warren.

Tim Campbell

And rock it did. The whole experience was so reminiscent of the church scene at the beginning of "The Blues Brothers" that I was unconsciously expecting Joliet Jake to cartwheel through the auditorium and do a backflip upon arrival on the stage.

The packed crowd at Hancher was jumping around, singing and clap-

ping — basically being outrageous. "Even my choir director was standing up and singing, and he's usually so conservative," said UI junior Amy Peck.

Throughout the show, Take 6 expertly created a slew of vocal effects. With a little help from the guy in the sound booth, the group simulated horns, guitars, drums

and even some instruments that don't exist.

Needless to say, the guys can sing. The six members encompassed the entire vocal range from Alvin Chea's airy, rumbling bass that shook the rafters to Mark Kibble who produced pitches that might make Mariah Carey jealous.

THE SWING OF THINGS

Do crocodiles cry? No, but sharks blink when they bite

N. Aziz Gökdemir
Daily Iowan

Nearly a year ago, during a meeting I was covering for *The Daily Iowan*, I gained a fresh bit of insight: In a brief and informal speech, geology Professor Lon Drake told an enthusiastic crowd that this university was a gold mine of information, and in it there was surely somebody who would have an answer for any question — whatever that happened to be. I made a mental note of this. The question would come months later on a Saturday night.

So, around midnight, Central Standard Time, I got this call from Dad (who's of course fresh and ready for his Sunday morning in Istanbul).

"You know everything; are crocodile tears real?" he asked.

"Dad," I said, "I'm sort of busy right now." But there's no deterring him. It turns out he was writing a fable and that point had to be cleared for the sake of the plot. Were crocodile tears real? Or did the idiom rest on a mythical frame? I didn't know. Nobody I knew would know, but, if Lon was right, somebody on campus had to know. The search began.

Out of common sense I started with the biology department, but

once there things slowed down. I had no idea that biologists specialized so strenuously. My question would invariably be followed by a burst of laughter, then the confession of ignorance would follow.

"Gee, that's a good one. Beats me, I'm afraid."

"Who could possibly know about this? The secretary in the office mentioned a Dr. Zrmczyk . . ."

"No-no-no, Zrmczyk is an insect person. He wouldn't have a clue."

"Oh, is that so? What are you — a mammal person?"

It took me some time to reach Dr. V.J. Fitzgerald, apparently the only "reptile person" in the department. She didn't know, either, but she did some excavating for me — UI faculty are so helpful — and found the answer. Thanks to her everybody in Iowa City will learn that . . . crocodile tears are baloney! We've all been gyped — there's no such thing.

I will quote from the material Dr. Fitzgerald sent me:

From Classical sources comes the story that a crocodile will lure a man by piteous sobbing, or else will weep copious tears over his victim. In actuality, crocodiles do not weep, and hypocrisy is characteristic of man only. From "The Last of the Ruling Reptiles" by W.T. Neill, Columbia University Press, 1971.

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WEEK TWO
(check off your picks)

| | | | |
|-------------------------------------|----|-------------|--------------------------|
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TIE BREAKER:
 Western Carolina at Wake Forest

Please indicate score _____

Name _____

Address _____ Phone # _____

On The Line Rules

Entries must be submitted by noon, Thursday to The Daily Iowan, Room 111 or Room 201 Communications Center. No more than five entries per person. The decision of the judges is final. Winners will be announced in Monday's D.I. GOOD LUCK!

The Daily Iowan
IOWA CITY'S MORNING NEWSPAPER