

# The Courier

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## The Courier, Volume 20, Issue 13, January 30, 1987

The Courier, College of DuPage

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# Courier

Vol. 20 No. 13

College of DuPage

January 30, 1987

## Bookstore loses money

# Manager calls first year 'a beating'

by Linda Sullivan

The COD bookstore lost money in its first year of operation as a private company, but may break even in its second year, according to **Kenneth Donnelly**, manager of Wallace's Book Store.

"We took a beating last year," said Donnelly, who added that he did not know the exact amount of the loss because the accounting was done at the central office in Lexington, Ky.

The company had not expected a large profit the first year, according to Donnelly, because the inventory from the previous bookstore was purchased.

Wallace's Book Stores was brought in after the college-run bookstore lost a reported \$225,000 in inventory and potential profits during fiscal 1983 and 1984. No purchasing records were left by the previous manager. Some \$40,000 in bad inventory was written off by Wallace's as late as November.

A sales increase averaging 13 percent this year, inflation, and efficiency improvements will also help the profit margin, Donnelly predicted. "Our best hope for this year is to break even or come close to it, but we sure aren't going to make any money."

COD is guaranteed \$400,000 from Wallace's Book Stores each of the first three years of the contract, and \$450,000 each of the last two years, or 10 percent of the gross sales, minus certain items, if that figure is greater. A minimum of \$2.1 million is guaranteed over the life of the contract.

Wallace's reported more than \$3.15 million



COD's bookstore on a slow day following winter quarter rush. Photo by Chris Baumgartner

in gross sales during its first year.

According to Donnelly, certain problems are built into the nature of a college bookstore.

The margin of profit on most books is set at 25 percent by the contract, although trade books, stationery, and general school supplies can be sold at the manufacturer's suggested price, which is generally higher.

Overstock is a constant problem, said Donnelly. Enrollment predictions must be made for every course two weeks into the previous

quarter. The number of students who will buy used books or sell books back must also be estimated, explained Donnelly.

"One of the big problems is that instructors often tell us that books are required, but students decide not to buy them," Donnelly said. "Soon we will have a list of books that do not sell. Then I plan to inform the instructor that I am cutting back on that book."

Although many unsold books can be held over another quarter, about 20 percent have to be returned because the instructor changed

the text or updated the edition, making the over-stock useless, said Donnelly.

Publishers who will not accept returns represent the greatest on-going source of loss, according to Donnelly.

Certain problems are unique to COD, said Donnelly, a manager of 22 years' experience with college bookstores in the St. Louis area.

The Open-Campus is a "planning nightmare" because students can enroll any time during the quarter, said Donnelly. The satellite campuses pose problems when students buy their texts at the main bookstore, creating shortages on campus and overstock at the satellite locations, he said.

"COD also cancels a lot of classes," Donnelly said. The books are redeemed at full price, but if they have any markings, they cannot be sold as new books.

Extra staff is needed to work a three-story bookstore, Donnelly continued. At night he tries to keep a male employee on each floor. Theft is a constant problem, he said.

A current attempt by the DuPage County Assessor to assign Wallace Book Stores \$40,000 in property taxes for leasing space on tax-exempt school property might cause the bookstore to try to renegotiate their lease, Donnelly said.

Their contract with COD contains a 120-day escape hatch for both the bookstore and the college.

Ernie Gibson, director of auxiliary services, said he did not foresee Wallace's "pack-see BOOKSTORE page 5

## Enrollment report

# Head count up 5 percent

by Susan Cornell

Winter quarter enrollment at COD has increased 5.1 percent over the headcount in the same quarter of 1986, according to the 10-day enrollment report.

The report states that 23,400 students are currently enrolled, representing an increase of 591 students in credit and 537 students in non-credit classes.

Required by the state of Illinois to determine state aid, the 10-day report includes a full-time equivalent enrollment—the number of total credits taught divided by 15—of 10,358, an increase of 3.5 percent.

COD has shown a cyclical, but steady, enrollment increase since its founding in 1967, stated **Gary Rice**, director of research and planning.

This is in contrast to results of a study sponsored by the College Board, "summary statistics," which shows that average enrollment declined more than 9 percent since 1980 at two-year public community colleges across the nation.

Rice attributes the difference in these trends to COD's location and organization.

"We have a unique service area," he said. "COD is the only two-year community college available to this high-mobility population that values education."

In addition, the director said, COD's organization is suited to serving an adult population

that is looking to up-grade professional skills or explore new interests.

"COD is essentially a knowledge broker," Rice commented. "We are able to respond quickly with a short course or seminar taught by a qualified instructor when the public voices a need. Our flexibility is a real advantage."

According to the 10-day report, part-time students outnumbered full-time students four to one. This is a 23 percent increase in part-timers from last year and points out the "cafeteria-style" education that Rice predicts is the "wave of the future."

"We are witnessing a shift from students viewing a college education as a separate four-year commitment to seeing it as a piece of a lifestyle that includes a job and other interests," he explained.

The COD male-female ratio of 39 to 61 contrasts with the national undergraduate enrollment ratio of 48 to 52 as cited in a 1986 survey. "Demographics, Standards, and Equity: Challenges in College Admissions," sponsored by a group of educational associations including the College Board and the Educational Testing Service. This gender-gap is in line with a long-term trend Rice predicts will continue at COD.

A one percentage point shift was evident in

see ENROLLMENT page 5



## One step at a time

COD casts shadows as students trudge to class. Photo by Chris Baumgartner

# Briefly

Compiled by Susan Cornell

## Student government meets

Student government board and committees meet weekly at 3 p.m. on Wednesdays in SRC 1015; the sessions are open to all students.

Tutor, book-exchange and ride-sharing programs are being reviewed currently, according to Wendy C. Wyatt, student government director.

## Faculty senate election

Monday, Feb. 16, is the deadline for filing nominating petitions for the positions of chairperson-elect, secretary-treasurer, or senator in the upcoming faculty senate elections.

Voting will take place in IC 2084 from 8 a.m. to 4 p.m. on Tuesday, March 3.

Further information is available from Bob Sobie at ext. 2405.

## Nursing program advising

Information and admission requirements for the nine-month practical nursing program will be presented during advising sessions in IC2F on Tuesday, Feb. 10 at 2 p.m. and Monday, Feb. 23 at 4:30 p.m.

The associate degree nursing program sessions will be held in IC2E at 1 p.m. on Monday, Feb. 9, and at 6:30 p.m. on Wednesday, Feb. 25. Information about admission requirements, time commitment, class scheduling, financial aid and credit transfers will be available.

## Cable TV, library seminar

"Cable Television and Libraries," a seminar for librarians and their support staff, will meet on Saturdays, Feb. 7, 14 and 21, from 9 a.m. to noon, at the Open Campus Center.

The background of cable television and

practical knowledge of planning and producing programs, including "hands-on" experience, will be taught by Ann Soderstrum of the Hinsdale Public Library and Kathy Westburg, a writer and director at COD's radio/TV studio.

An \$85 fee includes materials and textbooks.

The seminar is sponsored by the BPI.

More information is available from BPI at ext. 2908.

## Scholarships available

More than \$19,000 in scholarships is available for full and part-time COD students during the 1987-88 school year, according to the financial aid office.

The scholarships and their application deadlines are: COD Returning Adult Learner, \$1,200, Jan. 30, 1987; James C. Schindler Memorial, two \$500 awards, Jan. 31, 1987; COD Classified Personnel Association, \$100; Jan. 30, 1987; Childcare, Development Health and Public Service, \$500, Feb. 15, 1987; Michael W. Ries Alumni, \$300, Jan. 30, 1987; Elmhurst Panhellenic, four \$650 awards, Feb. 13, 1987; and the COD Single Parent, \$1,200, Feb. 27, 1987.

Also available are the IIT/COD Transfer Scholarship, \$3,000, March 6, 1987; COD Freshman Scholarship, three \$1,200 awards, April 1, 1987; COD Achievers Scholarship, four \$1,200 awards, May 1, 1987; Danny Young Memorial, \$450, May 1, 1987; and the Wendell Wood Memorial, \$300, May 1, 1987.

Information on the eligibility requirements and application forms are available in the student financial aid office, SRC 2050.



## Rediscovering North Pole?

Jerry Boulton tries to keep his head down and body temperature up as he walks to class. Photo by Chris Baumgartner

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On Sunday February 8th, in the SRC Multi-Purpose Room  
(rm 1024 A) at 2 pm. Admission only \$1.

## COMING EVENTS

FEB. 19—"Thursdays Alive" featuring 'Open Mike'. Display your talents—sign up in the Student Activities Office (SRC 1019). Event will be at 2 pm in the SRC Student Lounge—Free.

FEB. 20—Be - Bop down to COD on Friday night with your dancing shoes (more details to be announced).

FEB. 26—"Thursdays Alive" featuring a free film fest of fun films.

FEB. 27—"Sex Talk" with Phyllis Levy - WLS AM Sex Talk hostess.

For more information on these programs call Student Activities at 858-2800 (ext. 2712) or stop by SRC 1019 Mon-Fri 8:30 am to 5 pm.

## Colleges discriminate report says

In what seemingly has become an annual condemnation, a leading national college women's group says campuses nationwide still are fundamentally inhospitable to women.

Discrimination, the Washington-based Project on the Status and Education of Women recently reported, is subtler, hiring practices are less sexist and male professors are friendlier, but college campuses remain a "chilly" place for most women students and faculty members.

"While many men are not even aware they're being discriminatory," explains Bernice Sandler of the Project, which is part of the Association of American Colleges, "many women don't realize when they're being discriminated against.

Women are now getting better jobs in higher education, but have a harder time getting promotions than their male counterparts do, the report—called "The Campus Climate Revisited: Chilly for Women Faculty, Administrators and Graduate Students"—asserts.

And progress may slow in the near future, other observers say, because many people think most of the problems of college sexism are solved.

"Some say the 1970s was the decade for women, and now we're passed that," says Judy Touchton of the American Council on Education's Office of Women in Higher Education.

"But we're not. There's a continuing need to keep women on the agenda. Our intention is to make sure lots of others talk about treatment of women in higher education."

So one reason for "The Campus Climate Revisited," which reprises many of the points made in the Project on the Status of Women's 1984 report called "The Classroom Climate," is in part to "keep up the momentum" of change.

"There's lots being said and lots of studies and articles being written about what needs to be done," Touchton says. "It's hard to say how successful we are, but we want references to women and to discrimination in every report on higher education."

The new report notes few if any colleges still openly discriminate against women or even condone discrimination by ignoring it.

"Lots of overtly discriminatory practices on campuses have been handled," Sandler says. "Now it's more subtle, but people are more aware of the issues."

"There are people who believe that discrimination on campus has been solved once you let women in as teachers and administrators. But that's not enough."

In most schools, Sandler continues, fewer than two women hold senior administrative positions, which promotes the idea that higher education is a career for men, not women.

"Progress has definitely been made," says Mary Gray, an American University math professor and president of the Women's Equity Action League. "It's easier for women to get a first job and to get tenure than it was years ago."

"Still, it's hard to move up in administrative positions or to get tenure at the most prestigious universities. Keeping up the momentum is hard."

The movement now is toward specific issues, often dealing with both sexes, Gray notes.

"Now many campuses are adopting parental leave policies which apply to men as well as women," she explains. "The impetus for it is women, but when men see it as something that applies to them, it broadens the base of support."

Salary and promotion equities remain the key issues for women educators, she says. Faculty, administrators and students all seek the same professional treatment given their male counterparts.



### It's cold out here!

A chilly-looking Gayle Sikorski huddles for warmth outside the SRC. Photo by Chris Baumgartner

## ISO offers cultural exchange

by Brian Dusza

The International Student Organization ISO offers College of DuPage students a chance to meet people from other countries and learn their cultures.

The organization, which usually meets every couple of weeks, takes on a somewhat casual attitude compared to other groups in the school according to David Eldridge, ISO faculty sponsor.

"We are not your typical boring business-like club that meets by having formal dinners where everyone gets all dressed up and only talks about the business matters of the organization," says Eldridge. "We try to implement some fun into our meetings, such as having dances and lunch parties. The main idea of the group is to bring people from different countries together to learn about one another and what goes on in other parts of the world."

The organization had one of its more successful promotions in November when it held

a dance and 150 people, including teachers and students, attended.

Eldridge related he was surprised by the crowd at the dance.

"It was a really good turnout, better than I had expected," he said. "There was a tremendous mix of different types of music played...and people were all over the place teaching each other the dances of their countries."

Eldridge also cleared up a misconception about the group.

"We do welcome Americans to attend our meetings. The group is not strictly for foreign students; it is for anyone who would like to know more about other cultures. In fact, we do have a few American kids who attend our gatherings regularly," said Eldridge.

More information about the club is available from Eldridge at 858-2800, ext. 2006.

## DUI law 'successful'

by Sylvia Phillips

People who drink and drive in DuPage County are seven times more likely to lose driving privileges than before the implementation of a tough state traffic law in 1986, if statistics follow last year's pattern.

Of the DuPage County arrests involving alcohol, from January to November 1986, 3,609 people had their driver's licenses temporarily suspended, compared to the 1985 figure of 510, according to Scott Ealy, press spokesperson for Jim Edgar, secretary of state.

In 1985, before the new law went into effect, 8,201 arrests in DuPage County, representing about 10 percent of the area's population, involved alcohol, according to Nancy Hauptman, deputy executive assistant, DuPage County Board. No figures were available for 1986.

About four times more people throughout the state lost driving privileges in 1986 than in 1985. In 1986, 42,034 people had their driver's licenses to temporarily revoked, compared to 11,216 in 1985.

Tougher traffic laws were implemented on Jan. 1, 1986, in an attempt to reduce fatalities, according to Edgar. He estimates that about half of all highway deaths are the result of drinking drivers.

The Summary Suspension law calls for an automatic driver's license suspension for people who are arrested for DUI or who refuse to take a blood alcohol test. The license suspension is effective on the 46th day after arrest.

First-time DUI offenders face a three-month license suspension, according to Ealy, although those who refuse to take the blood test are subjected to a six-month suspension. First-time offenders can request a judicial driving permit, which grants them restricted driving privileges for employment or medical purposes.

Multiple offenders face an automatic 12-month license suspension, but can request a restricted driving permit from the secretary of state's office.

People with DUI arrests and convictions automatically lose all driving privileges for a 30-day period, which begins 46 days after arrest.

"Prior to the new law, only one out of 10 DUI offenders lost driving privileges," said Ealy. "After the new law, nine out of 10 people arrested for DUI faced temporary license suspension."

"We believe the new law is successful because it provides swift, certain punishment for the drunk driver," said Ealy.

Besides the Summary Suspension law, other traffic laws implemented in 1986 provide for a "Bill of Rights" for DUI victims and their families and color-coded licenses for drivers younger than 21, according to Edgar.

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# More violent campus crimes reported nationwide

Three years ago, Dorothy Siegel, Towson State University's vice president of student services, thought there was something different—perhaps more violent—about the campus crime people were talking about.

After a vain search for statistics about the issue, Siegel eventually organized the first National Conference on Campus Violence, which she hosted at Towson two weeks ago.

At the conference, about 150 police officers, student services and residence hall personnel, and judicial officers from nearly 50 colleges submitted reports that, while not fully tabulated yet, indicate the campus crime rate nationwide has been falling.

But the number of violent crimes is rising.

"What we found was only about one-third of campuses reported an increase of crime, but the violent nature of those crimes is increasing," Siegel says. "Crimes are becoming more dangerous."

The preliminary figures also indicate alcohol consumption is involved in an increasing number of campus assaults.

More than 50 percent of the total 350 campuses Siegel has polled also say they now

regularly let civil courts try students involved in on-campus crimes. Ten years ago, Siegel notes, most cases were arbitrated by on-campus judicial boards.

Not many people had realized campuses were becoming more violent until they met at the conference to swap impressions, Siegel adds.

"Violence exists," Siegel asserts. "A small but increasing number of people know about it. Campus residence directors actually see more of the violent crimes than police officers."

Consequently, "university administrators are at sea about it," says Dr. Michael Smith, criminal justice professor at the University of Southern Mississippi. "They don't know how to respond."

An improper response, though, can injure a school's reputation and lead to legal complications if a victim of violent crime on campus decides to sue the college, he adds.

At Ohio State last week, for instance, a woman who was raped and assaulted in a campus dorm sued the school for \$250,000 in damages. The suit charges OSU officials with negligence in protecting the woman, breach of a housing contract by implying the dorm

was safe and habitable, and misrepresentation of campus safety and security.

In recent years, in fact, courts have found Washington State, Denver, Northwestern College, Iowa, and the State University of New York at Stony Brook, among many others, liable for accidents and violent crimes on their campuses.

"If a campus has a history of criminal events or a campus is known to be dangerous, it's a situation of 'unforeseeable crime,'" says Smith, a key speaker at the Towson conference.

"Colleges have a duty to warn people about such situations even if the administration doesn't want to admit it. The courts say if you don't make such warnings, you're breaching your duty to students and you're liable."

If, for example, college brochures depict a campus as a quiet, idyllic haven, but the campus really is a dangerous place, a student victim of violence on that campus can claim the school was derelict in its duty to warn students of danger.

"Courts think universities are important and that they should be safe places," Smith

says. "When colleges discipline students or faculty involved in criminal behavior, the courts uphold the colleges almost unanimously."

"The University of Southern California, for example, was named in a suit in which a student claims he was hit and his eardrum damaged during a 1985 Omega Psi Phi initiation. The student argued both USC and the fraternity were responsible, despite the school's strong anti-hazing policy.

But earlier in January, a circuit judge dropped USC from the case, saying the college is not liable for the unofficial acts of students in situations not under its control.

While the courts usually support colleges in incidents where definite school policies have been violated, "they seldom uphold the college in 'foreseeable' suite where a student has been injured," Smith says.

Smith says the Towson conference served as a sounding board for college administrators who felt isolated by their campus violence problems, and the meeting helped identify new strategies for security, night class scheduling and police procedures.

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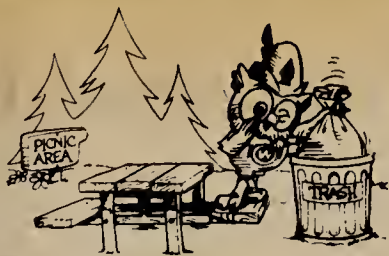
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## Enrollment

Continued from page 1

night as opposed to day students over the previous year, giving a ratio of 35 to 58, with the remainder of students in to-be-announced classes.

A similar shift occurred between on-campus and off-campus students, resulting in a ratio of four on-campus to every one off-campus.

The Business and Professional institute enrollment jumped 29 percent, the largest increase of any group cited in the report. The institute experienced an enrollment loss of 26 percent the previous year.

Also, according to the report, Naperville sent the most students to COD followed by Wheaton, Downers Grove, Glen Ellyn and Lombard, respectively.

## Bookstore

Continued from page 1

ing up," but if it does, he said, "We have four or five other parties who will be glad to take over."

Gibson said he was unaware that Wallace had lost money, but said he was not surprised.

"The first year of any operation is always rough," Gibson commented. "I don't get into their profit and loss, as long as they pay the college on time, which they have. Donnelly reports to me from a standpoint of service. I think they are doing very well in that respect. I am not involved with their inner workings."

Thomas Ryan, director of financial affairs, said he does not receive profit and loss figures from Wallace's, but only gross income figures.

Fred Rudolph, COD's internal auditor, said no audit of Wallace's had been done as yet, although he planned to do an audit "in the future."

### "The Ugly Duckling"

A puppet show version of "The Ugly Duckling" by puppeteer Marilyn Price will be featured at 2 p.m. in SRC 1024A on Feb. 8 as part of "Family Fest '87."

The Family Fest series, sponsored by the SAC program board, is designed especially for older COD students and their children.

Tickets cost \$1 each.

More details about the Family Fest series are available at ext. 2712.

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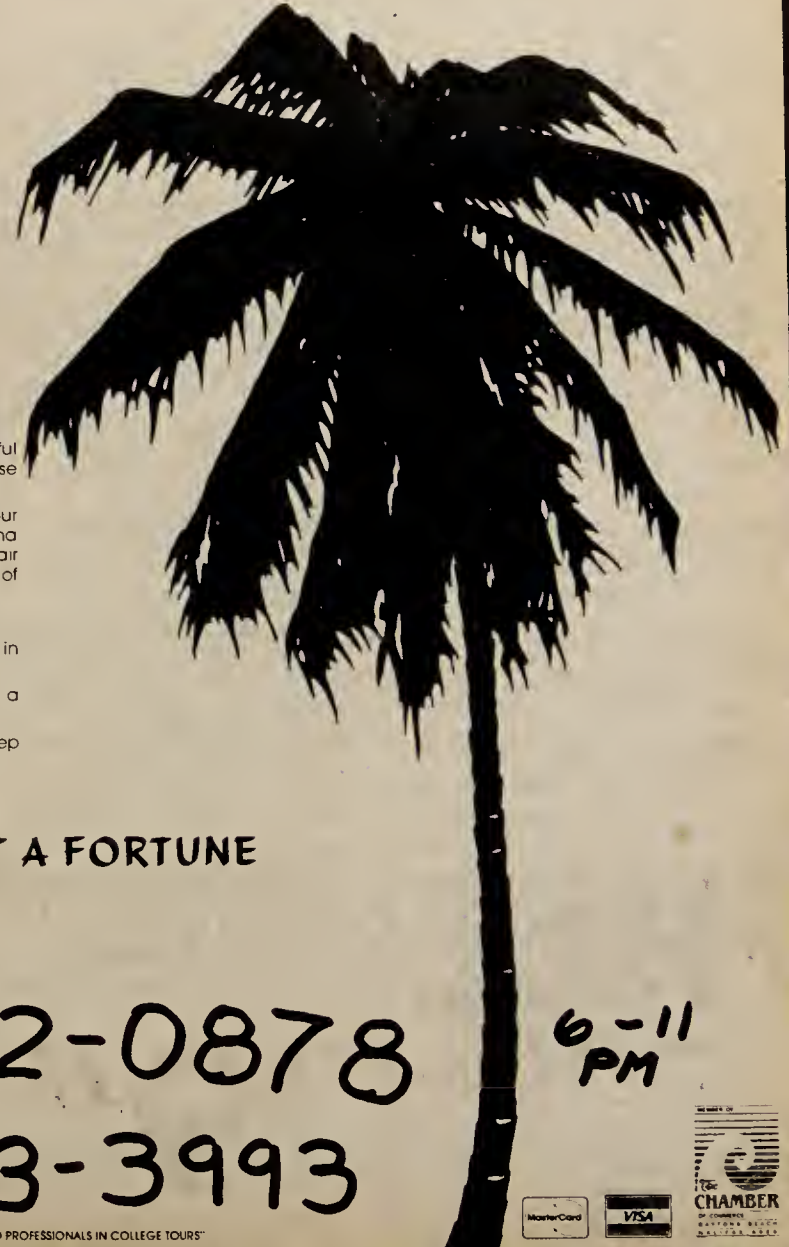
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# Editorials

## Views

### Solution for racism

The fact that February is Black History Month is especially striking if juxtaposed with news events of the past month-and-a-half.

In New York, right before Christmas, three black men were chased and attacked by whites. In his desperation to escape, one of the black men was struck and accidentally killed by a white motorist.

On Jan. 19, the day designated to celebrate Martin Luther King's birthday nationwide, New Mexico's governor cancelled the holiday.

Finally, on Jan. 24, up to 25,000 marchers gathered in a predominantly white county in Georgia to peacefully protest racism. They were met by over 1,000 counterdemonstrators waving Confederate flags, shouting insults, and throwing rocks and bottles.

Maybe it is fitting, then, that February is Black History Month, since black—and white—history seems to be repeating itself.

That three such geographically diverse states as New York, New Mexico and Georgia should have similar racist incidents in the span of six weeks drives home the point that racism can be anywhere, anytime, subtle and not-so-subtle.

To be fair, racism can rear its ugly head in any minority group, but the three above incidents illustrate what seems to be a recent blatant trend against blacks.

The solution? That question has been debated longer than most college students have been alive, but beyond all the nebulous talk of integration and minority quotas, maybe simple understanding is the most basic answer.

That idea may sound naive, foolish or worse to many people, but misunderstanding breeds fear, and fear causes people to react in strange ways.

Perhaps Black History Month is as good a time as any for both blacks and whites to think about what exactly it is that they are afraid of. If both groups really analyze it, they may find that their fears have about as much substance as the childhood monster-in-the-bedroom that turns out to be clothes hanging on the doorknob.

Maybe, maybe not. But it's worth a shot.

As a 22-year-old marcher in Georgia said about the gesturing and screaming counterdemonstrators, "I hate it when they act that way, and grown people are teaching their kids to act that way too. We should have been over this years ago."

Maybe.

### Fina's turn to speak

Several past issues of the Courier have focused on the storage and disposal of hazardous waste at COD.

While the topic is a controversial one and has angered many people, it is also an important issue.

A committee has been formed to assure that EPA regulations will be followed in the future—a quick and good move by the administration.

However, complaints have mounted against the Courier's recent coverage, and many of them—whether valid or not—should be known by the public.

First of all, Paul Fina, plastics lab instructor, claims that all the chemicals used in the plastics lab are available in hardware and art supply stores, and in the chemistry department.

Articles appeared about plastics lab chemicals on Nov. 7, Dec. 12 and Jan. 16.

Fina also said that an operating engineer who was hospitalized for "toxic inhalation" on Dec. 30 was in error for placing a cleaning compound on a chemical spill. According to the producers of polyurethane, the cleaning agent and chemical caused a reaction which produced gaseous fumes. Polyurethane is a common household material.

No investigation into the incident has been completed, so the blame cannot be attributed as of yet. However, the Courier welcomes any additional comments or information on the issue.

### Forum Policy

Students and community members who are interested in writing an in-depth essay on a school or community event may contact the Courier on writing a Forum. Forums must be typed, double-spaced and have a one-inch margin. Forums are subject to editing for grammar, style, libel and length.

The Courier office is located in SRC 1022. Hours are 9 to 5 Monday through Friday. Telephone 858-2800, ext. 2379.



## Courier

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The Courier is the student newspaper of the College of DuPage.

It is published every Friday while classes are in session during fall, winter and spring quarters.

Views expressed in editorials represent the opinion of a majority of the editorial board. The board consists of all Courier editors.

The Courier is a member of the Community College Journalism Association.

tion, the Associated Collegiate Press and the Illinois Community College Journalism Association.

The Courier has been named for four consecutive years by the ICJAA as the best weekly community college newspaper in the state.

Courier offices are located on the main campus in SRC 1022, 22nd Street and Lambert Road, Glen Ellyn, Ill. 60137-5699. Telephone 858-2800, ext. 2379.

### Letters Policy

The Courier welcomes letters on all topics. Letters are to be typed, double-spaced and should not exceed 200 words. Letters are subject to editing for grammar, style, libel and length. All letters must be signed, although the author's name may be withheld upon request.

Letters are to be delivered to SRC 1022 during normal business hours or mailed to the Courier.

# Letter Complainers plan poorly

To the editor:

The Jan. 16 issue of the Courier contained a column written by Jeff Sculley in which he described the COD registration process as "one-stop aggravation". The "Student Views" segment of the same issue included a host of complaints centered around the same topic.

As a "veteran" of ten quarters of COD registration, I have never experienced a problem with the process. My secret? I register early!

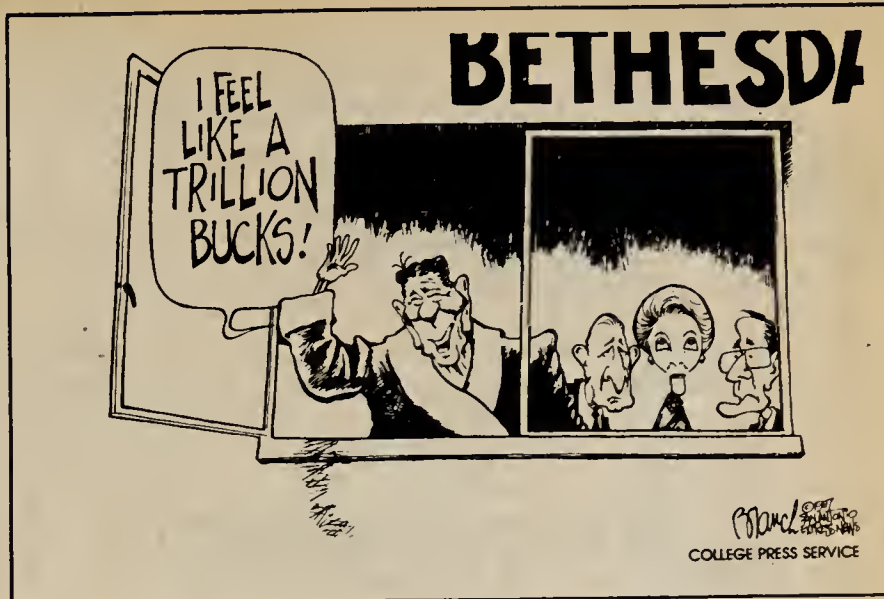
With an enrollment of nearly 30,000 students at COD, common sense tells me that if all 30,000 were to register during the week before classes began, there just might be a bit of a delay at the registration office.

COD's registration process is designed to be virtually trouble-free, and could be just that if students were to practice a small amount of responsibility and plan ahead.

Returning students at COD were given approximately two months to register for winter quarter classes—new students, nearly a month. How convenient must the system be for people to be satisfied?

So, to Mr. Sculley and his fellow complainers, a bit of advice. A little common sense and planning ahead will go a long way in life. Save the protest for something that really matters.

Margaret E. Anderson



## Student Views

"What are you doing to cope with the winter blues?"



Gwen Heinemann, Elmhurst:

"I'm in aerobics. I just keep myself busy, spend time with friends. I work, go to school, and try to stay out of the winter blues."



Tracy McGovern, Elmhurst:

"I don't have any winter blues. I'm looking forward to going ice skating and skiing—I think it's a beautiful time of year."



John Steinbeck, Wheaton:

"Go out and party!"



Nancy Quix, Elmhurst:

"Go ice skating, go skiing, go to school, work. I really don't mind the winter."

### Bicentennial corner

## Lochner v. New York remembered

*Editor's Note: This is the second in a series of columns, containing excerpts from memorable opinions by justices of the United States Supreme Court, which The Courier will feature during the coming weeks in conjunction with the national celebration of the Bicentennial of the United States Constitution, (1787-1987).*

by Marvin Segal

(On April 17, 1905, by a narrow vote of five-to-four, the United States Supreme Court in the case of *Lochner v. New York*, 198 U. S. 45, declared the New York State law establishing a maximum working day of ten hours per day and sixty hours per week for bakers to be unconstitutional. The court held the law to be a violation of the "liberty of contract" guaranteed by the Due Process Clause of the Fourteenth Amendment to the United States Constitution.

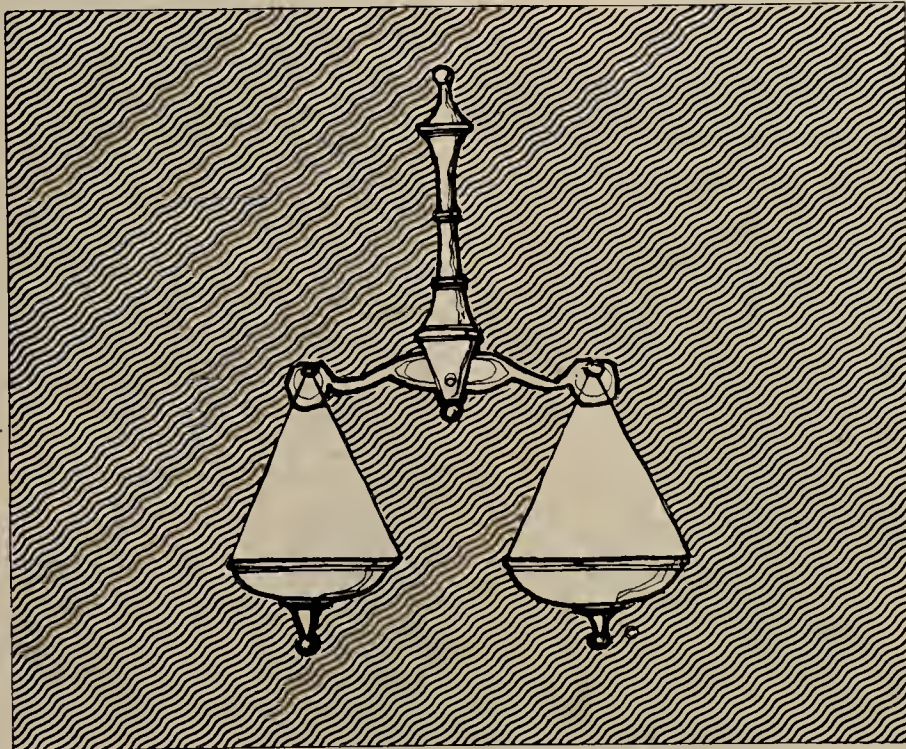
The solicitude of the Supreme Court for preserving the nebulous right of bakers to work more than ten hours a day against legislative restriction was roundly condemned by liberal commentators of the time. Fifty years ago the late Professor Walton H. Hamilton, felicitously wrote that the *Lochner* opinion "was intended to be an apostolic letter to the many legislators in the land, appointing limits to their police power and laying a ban upon social legislation."

Justice Oliver Wendell Holmes, in the most famous dissent of his long and illustrious career on the bench, criticized the majority of the Supreme Court for attempting to substitute its legislative judgment of the wisdom of the legislation for that of the members of the legislature.

Justice Holmes, dissenting:

I regret sincerely that I am unable to agree with the judgment in this case, and that I think it is my duty to express my dissent.

This case is decided upon an economic theory which a large part of the country does



not entertain. If it were a question whether I agreed with that theory, I should desire to study it further and long before making up my mind. But I do not conceive that to be my duty, because I strongly believe that my agreement or disagreement has nothing to do with the right of a majority to embody their opinions in law.

It is settled by various decisions of this court that state constitutions and state laws may regulate life in many ways which we as legislators might think as injudicious, or if you like as tyrannical, as this, and which, equally with this, interfere with the liberty to contract. Sunday laws and usury laws are ancient examples. A more modern one is the prohibition of lotteries.

The liberty of the citizen to do as he likes so

long as he does not interfere with the liberty of others to do the same, which has been a shibboleth for some well-known writers, is interfered with by school laws, by the post office, by every state or municipal institution which takes his money for purposes thought desirable, whether he likes it or not. The 14th Amendment does not enact Mr. Herbert Spencer's Social Statics.

The other day we sustained the Massachusetts vaccination law. *Jacobson v. Massachusetts*, 197 U. S. 11, ante, 643, 25 Sup. Ct. Rep. 358. United States and state statutes and decisions cutting down the liberty to contract by way of combination are familiar to this court. *Northern Securities Co. v. United States*, 193 U. S. 197, 48 L. ed 670, 24 Sup. Ct. Rep. 436.

Two years ago we upheld the prohibition of

sales of stock on margins, or for future delivery, in the Constitution of California. *Otis v. Palmer*, 187 U. S. 606, 47 L. ed 323, 23 Sup. Ct. Rep. 168. The decision sustaining an eight-hour law for miners is still recent. *Holden v. Hardy*, 169 U. S. 366, 42 L. ed 780, 18 Sup. Ct. Rep. 383.

Some of these laws embody convictions or prejudices which judges are likely to share. Some may not. But a Constitution is not intended to embody a particular economic theory, whether of paternalism and the organic relation of the citizen to the state or of *laissez faire*.

It is made for people of fundamentally differing views, and the accident of our finding certain opinions natural and familiar, or novel, and even shocking, ought not to conclude our judgment upon the question whether statutes embodying them conflict with the Constitution of the United States.

General propositions do not decide concrete cases. The decision will depend on a judgment or intuition more subtle than any articulate major premise. But I think that the proposition just stated, if it is accepted, will carry us far toward the end. Every opinion tends to become a law.

I think that the word "liberty," in the 14th Amendment, is perverted when it is held to prevent the natural outcome of a dominant opinion, unless it can be said that a rational and fair man necessarily would admit that the statute proposed would infringe fundamental principles as they have been understood by the traditions of our people and our law. It does not need research to show that no such sweeping condemnation can be passed upon the statute before us. A reasonable man might think it a proper measure on the score of health. Men whom I certainly could not pronounce unreasonable would uphold it as a first installment of a general regulation of the hours of work. Whether in the latter aspect it would be open to the charge of inequality I think it unnecessary to discuss.



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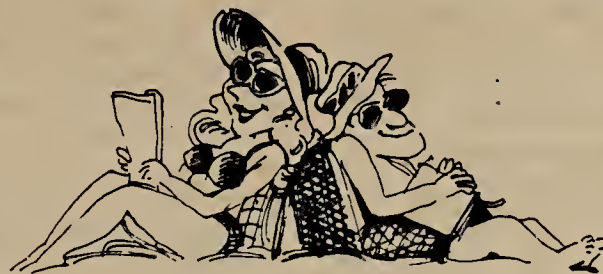
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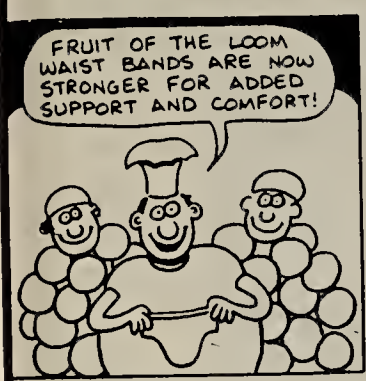
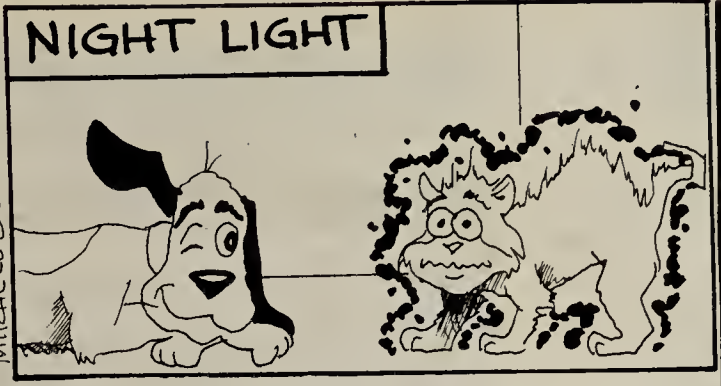
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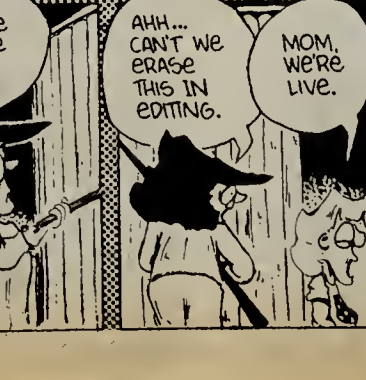
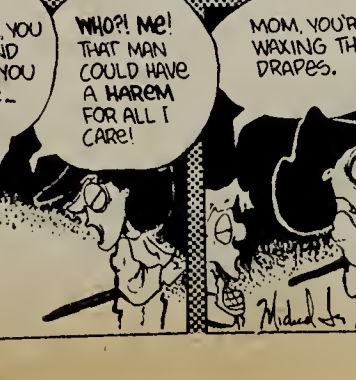
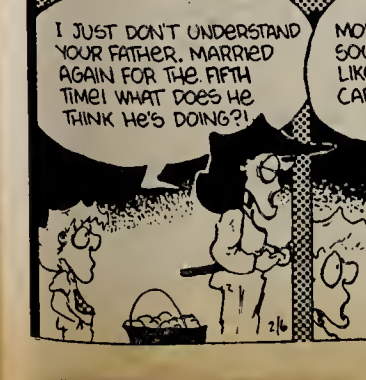
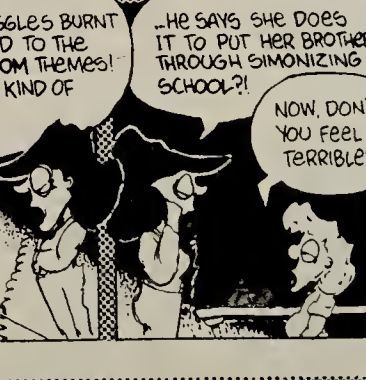
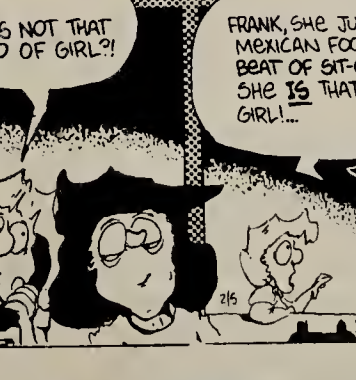
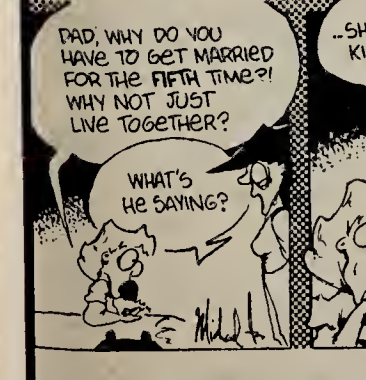
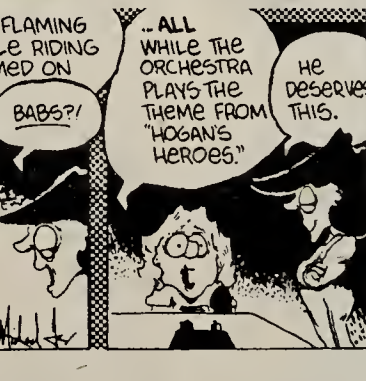
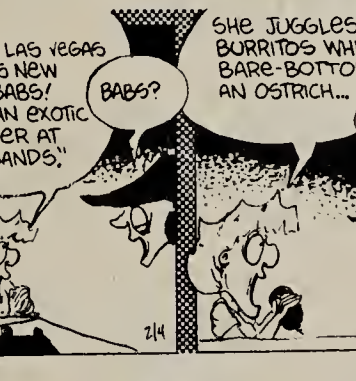
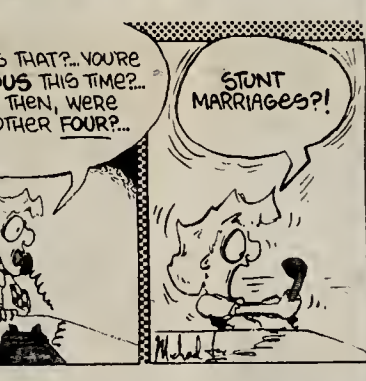
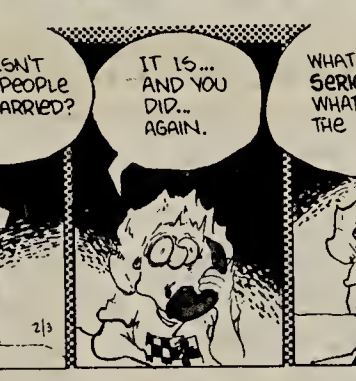
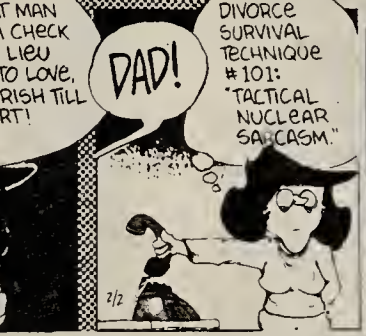
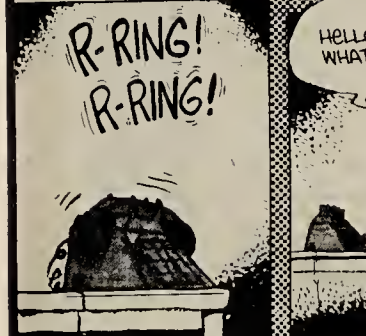
# Comics

**WALDO'S  
STUPID  
CAT  
TRICKS**



CHEEVERWOOD

by Michael Fry



## STUDENT GOVERNMENT



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1987

CARTOON

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The competition will be conducted by College Media Advisers, Inc.

# Sports

## Chaps win thriller

by Rob Call

The best defensive junior college basketball team in the nation—yielding an average of 61 points a game—COD played true to form Tuesday night in a 45-43 thriller, which the Chaps won over Moraine Valley on a 10 ft. Everett Robinson jump shot with two seconds left in the game.

The COD cagers jumped to a 26-23 halftime lead, led by Charles Hale's 15 first-half points.

But, in the second half the Mauraunders took an early six point lead in the second period, before the Chaparrals started their comeback.

Aggressive defense by Chaparral guards Karl Maves and Randy McFarland aided the turnaround. Maves also contributed to the win with a couple 18-foot jumpshots in the closing period. His first 18-footer came with 14:10 remaining in the game, tying the score at 30.

Then Hale, with a turnaround hookshot, gave the Chaps a 43-42 lead with 2:28 showing on the clock. DuPage held the slim lead, until

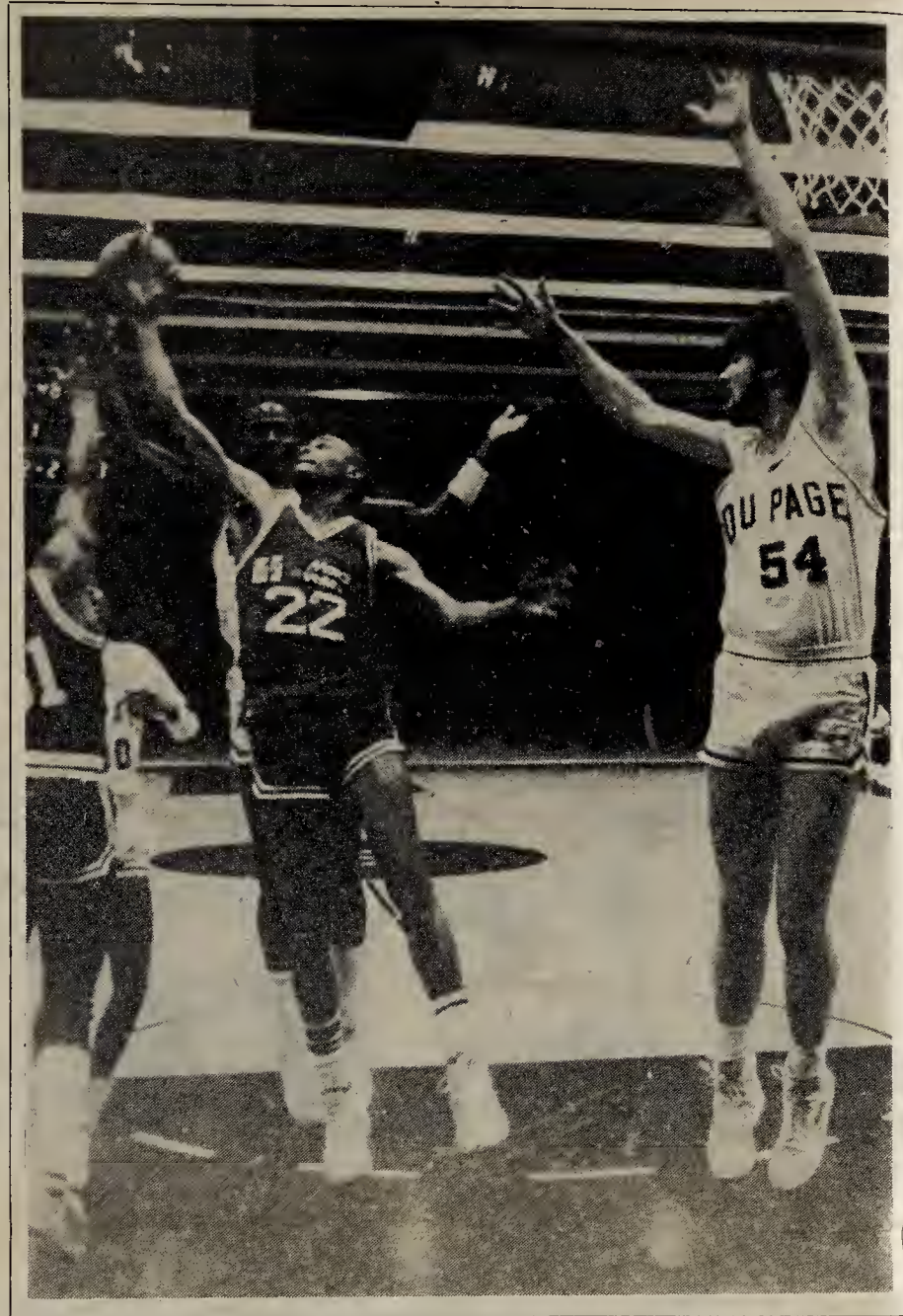
Robinson fouled Maurauder guard David Gude with 12 seconds remaining. Gude sank the first shot from the charity line, but missed his second effort. The six foot, five inch Hale snatched the rebound and passed the ball to the five foot, seven inch Robinson, who drove almost the entire length of the court before making the game-winning shot.

The Chaparrals improved their record to 16-5 (5-2 in the N4C), while Moraine Valley dropped to 13-8 (3-4 in conference play).

The Chaps entertain N4C leader Thornton College Saturday, Jan. 31, at 7 p.m.

Tuesday Feb. 3, the cagers travel to the Chicago Stadium for a 4:30 clash with Triton College in the first game of a doubleheader that features the Chicago Bulls and the Washington Bullets at 7:30.

Special discounted tickets, good for both games, are available at the COD Athletic Office, room 205 in the P.E. Center, and at the student activities office, room 1020B in the SRC. Regular \$16 tickets are only \$10, while \$9 tickets will be sold for \$6. Also, regular \$7 tickets will be \$4.



Scott Wilhelmi (above) prepares to receive a pass from Charles Hale in the Jan. 27 game against Moraine Valley. The Chaps won 45-43 as Hale (left) lays in two of his game high 24 points. Photo by Carl Kerstann

## Facts hard to swallow -- Giants rout Denver

by Rob Call

*"Facts are stubborn things; whatever may be our wishes, they cannot alter the state of facts and evidence."* - John Adams

The Giant truth is, Phil Simms led the New York Giants to a 39-20 victory over the Denver Broncos. For 60 minutes Sunday Simms was the best quarterback in the National Football League, completing 22 of 25 pass attempts.

"But, John Elway didn't have as much time as Simms did to find an open receiver."

I've heard that statement so much the past few days I'm almost starting to believe it. Elway didn't have as much time to throw, because New York dominated the line of scrimmage.

Elway was constantly pressured by rushing Giants, while his receivers couldn't break free of the defensive backs. Denver's defensive rush was held in check by the mammoth Giants' line.

Couldn't Denver have stayed close, and possibly won, had Bronco placekicker Rich Karlis made the two second quarter field goals he missed?

Maybe, but we'll never know because he did miss, and they don't give second chances in professional football. Karlis missed a 23-yard field goal only after the Bronco offense failed to score a touchdown after making a first down at the New York one-yard line.

But didn't the referee and instant replay officials err in calling a pass from Elway to tight-end Clarence Kay incomplete during the second quarter?

After viewing the play in question several times—with the angle the official was given—I still couldn't tell if the pass was complete or not. The rule states that conclusive evidence must be shown for the call to be reversed. The replay was inconclusive, and only later was it shown that the infamous pass was completed. Given the information they had available at

the time, the officials handed down the correct judgement.

There are countless other excuses for the Denver loss. Reality is that the Broncos were outplayed by New York in every domain of the game, including the following.

The Giants—as I mentioned—controlled the line of scrimmage, and that is where the game is usually won. The Giants' offense squeezed the "Orange Crush" defense of Denver to a pulp. New York running back Joe Morris gained 30 yards on four carries during the Giants first drive of the game, in part because of the gaping holes provided by the offensive line.

The Broncos started the game well, establishing their short passing game with passes within the 10-yard range. Then with 2:46 remaining in the first half, Elway was sacked by left defensive end George Martin for a safety and two points, which cut Denver's lead to one point, giving New York the momentum.

Giants' head coach Bill Parcells must have said the right things to his team during intermission, because Simms & Co. came out and scored 17 unanswered points in the third period to take a 26-10 advantage. They dominated Denver to the extent that Elway and the rest of the Denver offense netted only two yards in the period.

That same Denver offense managed to add 10 points during the final 15 minutes of the game. Unfortunately for Bronco fans, Simms threw another touchdown pass and Ottis Anderson rambled in from two yards.

When the gun sounded ending the 21st Super Bowl, the 19-point margin of victory was as bad as it sounded.

The facts tell the story. Denver fans will have three months before draft day, when the Bronco staff will try and replace all the if's and but's with someone who can produce facts not skeptics.

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## Albums

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BY DAVE GRZENIA

Eric Clapton has proven with the release of his new album his ability to survive and grow in the '80s without compromising his distinctive guitar playing that has long been his trademark.

"August" along with his "Behind the Sun" album stand well on their own merits, unlike offerings from other '60s superstars today, of which Paul McCartney immediately comes to mind. Both of these albums prove that Clapton is still a musical force.

The album was produced by Phil Collins, and while some may find it lacking the punch of vintage Clapton material, the record shows him to be much more confident and mature. Collins uses a heavy drum sound along with synthesizer washes, typi-

cal '80s production. He however leaves Clapton's pristine guitar playing alone and undistorted. The contrast between old and new is striking.

The most commercial song on the album is "It's In The Way That You Use It," from the movie "The Color of Money," and it has already scored in the singles charts.

While most Clapton albums have at least one commercial song, the balance of the material is aimed at the mature Clapton fan. Not many 16-year-old girls are going to buy this album, much less listen to it.

For the most part Clapton seems relaxed on this record and he should be—the '80s have been kind to him.

The songs on this album range from fair to excellent. "Hold On," featuring Tina Turner on background vocals, is the only piece that really fails. It tries too hard to be "new" and Clapton seems totally out of place on it.

The best songs are still those that provide just the right amount of back-up funk, allowing him to jam his little heart out. He does not try to play a million notes a minute like some other guitarists today.

Clapton plays with conviction, passion and soul. Several songs on the album let him fully demonstrate just what he does best. The best song on the record is "Miss You," with "Old Slow Hand's" sweet melodic playing burning through the song as each note hits its mark, building to a scorching white-heat.

Much of the confidence that Clapton displays on the record is a result of his winning battle against drugs and other demons that have haunted him throughout his life.

Clapton reveals in the song "Run" that he did not have an easy time facing his problems. "Something inside of me keeps telling me to run...An'te got me no answers An'te got me no cure."

It would be nice to see Clapton finally reach the inner peace he has so long strived for. If he does find it I hope it will still leave him with inspiration for another album. But I can't help but wonder that with a title like "August," Clapton feels his long quest has just about reached an end.

For the seasons, August always spells the beginning of the end. Is it too much to hope for an Indian Summer, Eric?

## Movies

### 'Wanted Dead or Alive'

BY ERNEST BLAKEY

"Wanted Dead or Alive," starring Rutger Hauer, has arrived at your local theater DOA (dead on arrival). This is the worst movie I have reviewed all year.

The protagonist is Nick Randall, played very tongue-in-cheek by Hauer. He was great as the ruthless terrorist in the film "Night Hawks," opposite Sylvester Stallone. This time, however, he's on the side of law and order, playing a super-macho ex-CIA hit man turned bounty hunter.

He lives on a boat and has his office in a loft, complete with a hidden gun room and pistol range. (I guess his neighbors don't complain about the noise.) Of course his arsenal has every firearm known to man.

Randall drives souped-up junk cars and motorcycles. He also has a Cadillac with a secret compartment that holds a store of high-powered automatic rifles and grenades.

The bad guy is an Arab terrorist named something like El Jib Molik. Director Gary Sherman expects the audience to believe Arabs always want to blow up something.

Anyway, the terrorists intend to do their nasty best to the city of Los Angeles and our hero is bent on stopping them. The plot thickens when we find out that by pure coincidence, the leader of the terrorists is an old enemy of Randall.

Action? Not much. A hot love scene? I blinked and missed it. Good old American vengeance? Violence? I'm still waiting. Even the sound track was lousy. The script was so poorly written and so full of standard Hollywood cliches that I almost expected someone to say "Another fine mess, eh Ollie?"

In summary, this is a poorly made, poorly executed film with boring action, boring characters, sorry direction and a cheap imitation of the late Steve McQueen. If you want action, Chuck Norris does it better, and Rambo does it much better.

## Column

### Students treat college like recess

BY JEFF SCULLEY

Last week I talked about spit. Oh boy, what a lot of fun! But I realized after I wrote that column that spit was only a symptom, a symptom of a disease that stalks the alimentary canal of old COD. In the same way that a runny nose probably indicates that a person has a cold or flu, the spittle-drenched floors of COD are indicators of a serious ailment here with students.

Now I'm not sure, so don't quote me on this, but I think we have a lot of people at this college who think that COD is a huge high school extension course. Many members of the student body, sometimes I think it would be more accurate to describe it as a corpse, aren't ready for the rigors of higher education.

Here's a case in point. This actually happened. At least I overheard this conversation. Trust me (please note that at this point in time I raised my hand and pinky-swore to the validity of the following exchange).

The place is a COD hallway. The students, God help us, are registered.

"Hey dude, guess what?"

"What man."

"You know Russel's party this weekend dude?"

"Yeah, I'm going to get totally wrecked man!"

"Well guess what dude?"

"What man?"

"Russel lost the money for the brews in a poker game dude!"

"You're lying man!"

"Totally straight man."

"Totally?"

"Totally what man?"

"Totally, dude."

"Well don't worry about it man, I'll just drop my geography class and use the refund to buy a keg...MAN!"

"Totally awesome man, er I mean dude."

Now what's wrong with Dude and Man that a real first name wouldn't fix? I think that something is miss-

ing from their intellectual makeup. A brain. But beyond a brain they are sorely lacking in a very important commodity—maturity. This gets me back to spit, I'm sure you're all thrilled. It is not a sign of maturity to spit on a floor or to trade a part of your education for an evening of drinking and vomiting.

Dude and Man are extreme cases, that is true. But their low regard for their education is indicative of many students here. People often cut classes for no other reason than that they didn't feel like going to them. Imagine if the President of the United States did that.

"Ron, honey! Soviet Premier Gorbachev is on the line."

"What's he want Nugget?"

"Something about the world facing immediate and total destruction unless we trust one another and stop nuclear madness. It's either that or he was wondering if you found a pair of his cuff links at the last Summit. I couldn't make it out, he was pretty upset."

"Yeah those were a nice pair of links he had there."

"What about it, Ron?"

"Oh, just tell him my car didn't start and I never came in this morning. By the way Nance, did you get that keg of beer for the party?"

"No I didn't, I didn't have enough money."

"Well just have Casper sell some weapons to Iran. A couple of missiles and a tank ought to cover it. Better make that two tanks. I know how much you like Lowenbrau."

"Oh Ron, you're so good to me."

It's time COD students started taking school seriously. Spitting in the halls, blowing off classes and using the equity they've put into their tuition as a source of revenue for party refreshments are not signs of serious college-level scholarship. They are signs of people operating on the level of your average high school inmate. In fact, sometimes I think COD is nothing but a high school that put ashtrays in the hallways so that the "students" wouldn't have to smoke in the bathrooms.

## Calendar

# 30

Joel Hall Dancers, 8 p.m., COD Arts Center, \$11-\$13, 858-2800.

Nicholas Tremulis, 8:30 p.m., Park West, 322 W. Armitage, Chicago, \$6, 559-1212.

# 31

Joel Hall Dancers, 8 p.m., COD Arts Center, see Friday's listing.

E\*I\*E\*I\*O, 10 p.m., FitzGerald's, 6615 Roosevelt Rd., Berwyn, \$5, 788-2118.

# 1

Pack of Lies, 2:30 and 7:30 p.m., Theatre of Western Springs, Hampton and Hillgrove Aves., \$6.50 - \$8; 246-3380.

Robert Goulet, 2:30 p.m., Drury Lane Oakbrook, 100 Drury Lane, Oakbrook, \$14 - \$22, 530-8300.