



Macalester's International Students: diversity investigated

Mac Weekly

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CC joins MPIRG in lawsuit

by Kurt Herzog

Community Council passed a resolution last night to support a Minnesota Public Interest Research Group lawsuit. MPIRG is fighting to kill a government law requiring recipients of federal financial aid to prove they have registered for the draft.

Enforcement procedures for the law, which was passed last July, have not been finalized, though it is thought that male students will have to sign a statement on their financial aid award reply sheets, confirming that they have registered for the draft.

MPIRG is attempting to have the law declared unconstitutional on the grounds of economic discrimination, and violations of due process and self-incrimination protection laws.

The amendment was formulated by CC president Matt Entenza, Residence Hall Policy Commission Chairperson Linda Meyer and members of MacCARD.

The Meyer/Entenza resolution, briefly stated, says: "Since higher education is an inalienable right, and federal financial aid is often essential

the denial of federal aid on the basis of draft registration is unconstitutional. The Macalester CC fully supports the lawsuit initiated by MPIRG to have this law declared unconstitutional and instructs its legal representative to file an amicus brief in support of the MPIRG lawsuit.

An amicus brief is defined as a "friend of the court brief." CC presently has a lawyer on a five hundred dollar retainer fee who will be instructed to formulate documents that will legally recognize CC's support of MPIRG's lawsuit. The lawyer charges \$75 an hour, but Entenza said he does not think it will take much time for the documents to be drawn up.

Entenza said he will ask the administration to also officially announce its support of the MPIRG lawsuit. He said the issue will be considered at the next president's staff meeting this Wednesday.

Entenza asked CC members and students to call or write a letter to President John E. Davis asking him to support the suit.

Macalester has of yet



Matt Entenza and Patrick Doherty.

photo/R.A. Cotton

received no official notice of the law requiring aid recipients to register.

The Macalester administration has not yet announced any position on the law. However, Ruthena Fink, director of financial aid, said that if the college decides to support the law, "I will not be able to give (non-registrants) financial aid. I can't jeopardize other federal funds."

Entenza said MPIRG is the first organization in the nation to challenge the law, and Macalester is the first college to officially announce its support. He added that the Universities of Minnesota and Wisconsin are also considering announcing their support. The American Civil Liberties Union has also filed an

MPIRG.

Entenza said that the local federal district attorney has refused to defend the law and the federal government is sending out its own attorneys to handle the case. "It will be interesting to see MPIRG deal with the big boys," Entenza said.

The first hearing on the case will be Jan. 10 in St. Paul's Federal District Court.

Budget hearings may be in spring

by Mike Booth

The budget allocation process for Macalester student organizations may be moved up from the fall of the budget year to the preceding spring.

The revision was proposed at last night's Community Council meeting as a change in the by-laws of the Macalester Student Government Constitution.

CC President Matt Entenza expressed support for the change, saying the main reason for the proposal was to force organizations to plan better for the budget year.

"The system as it is now makes for real lousy planning," he said, and it is important that groups such as Mac Cinema and Program Board have their budget set in the

spring to allow for summer planning, he said.

Tom Symonds also in favor of the change, said, "CC is not well educated on what's happening in the fall" because of the lack of experience of its members.

If the decisions were made in the spring when members have more of a feel for the process, the Student Services Commission Chairperson said, more intelligent choices could be made.

The Council was not of one mind on the question, however.

Joyce Dowers said that asking organizations to plan in the spring when they have no idea of what their membership or goals will be in the fall is unfair.

Lois Quam, women's

advocate, agreed, pointing out that political organizations cannot foresee events occurring over the summer that would affect their groups.

She added that smaller organizations such as the Feminist Collective would have problems planning as far ahead as the spring process would require.

Entenza and Vice President for Internal Affairs Patrick Doherty conceded that smaller groups might have problems, but that the advantages of the change would more than balance the disadvantages.

Making students plan ahead would give the fall organization funds a better framework to start with, they said.

Jeff Bender, Education

Commission chairman, disagreed, saying that incoming heads of groups would be "shackled" by budget decisions made by previous leaders. Bender resigned from CC after the meeting.

Noting the Council's failure to present the views of the organizations being discussed, Betsy Rosen of SSC proposed that the motion be tabled until CC obtained the opinions of organization leaders.

A study will be conducted and the results presented at the second meeting of CC in the spring semester.

One by-law addition that was passed concerned the definition of the word "meeting." There has been controversy recently as to what constitutes a meeting

and whether or not informal gathering of commission members must be open to the public.

The new approved definition reads: "A meeting shall be defined as any time a quorum of any commission, committee, or sub-committee comes together to discuss or vote on committee or commission affairs."

Bender objected to the definition, calling it unfair to smaller commissions. He thought it impractical that a casual meeting of three members of a five-member committee be called an official gathering.

The Council passed the change, with Bender the only no vote.

CC will not meet again until Interim.

Union sales upset merchants

By Adam Platt

The new Union concession booth opened on February 4, arousing anger and charges of contractual violation from Grand Avenue merchants.

The booth sells many items carried by the Basket Shoppe, the Hungry Mind, and Larry's Grocery.

Basket Shoppe owner Jane Teigen claims that the college has an unwritten agreement with her store dating back to 1975.

Teigen alleges that during 1975, "the President and the Vice-President approached me on three different occasions to sell Macalester t-shirts, sweat shirts, and other Macalester paraphernalia. She also claims that college officials asked her to carry drugs and toiletries because "the drug stores are too far away."

Teigen says the Basket Shoppe built an addition to the store to accommodate the extra items. The agreement

was based on the promise that the school would not attempt to sell any of the items themselves.

Tolson feels betrayed, calling it "a shoddy deal. If they'll do this to me what do you think they'll do to you? You can't trust them [college administrators]."

Neither President John B. Davis or Financial Vice-President Paul A. Landan had any recollection of an agreement, guessing the deal existed, it took place before Davis became president in mid-1975.

Aslanian was a vice of an existing contract between Macalester and the Hungry Mind which gives it the exclusive right to act as the college's bookstore.

Dave Unowsky, owner of the Hungry Mind, believes the definition of "bookstore" includes magazines and school supplies, which are also being sold in the Union Unowsky said he would not press the

issue, believing the Union booth will have little impact on his business.

Aslanian disagreed with Unowsky's definition, adding that the Union booth is "a small operation for the convenience of the students." He did note that "we want and have a good working relationship" with the Grand

Avenue merchants but did not feel it was necessary to consult them about the opening of the Union booth.

Larry Foinnest, Assistant Director of Campus Programs, is managing the booth and noted that the impact on local merchants was considered but "not all the students' needs were being

met with regard to convenience and availability."

Foinnest views the booth as a service which will offer products at market or below market prices, and is not intended to turn a profit.

Larry Stelow, owner of Larry's Grocery, said the booth will have no impact on his business.

The Weekly checked prices of items at the Union, the Basket Shoppe, and Applebaum's (Grand and Fairview). Magazine, candy, and cigarette prices were nearly identical at all the stores visited.

Product	Union	Basket	Applebaum's
Pencil	\$.18	\$.10	\$ —
Ball Point Pen	.19	.35	.39
Nature Organic Shampoo	1.65		2.09
Silence Shampoo	2.75		2.40
Frell Shampoo	2.36		1.92
Head and Shoulders	1.71	1.69	1.91
Mennen Speed Stick	2.31	2.56	2.47
Ban Roll-On	2.61		2.21
Contact	3.73	3.05	2.79
Sink-Off	3.55		3.00
Chap Stick	.98		.78
Midas	3.09		2.47
Alka-Seltzer	1.73(12)		1.95(8)
Pepto-Bismol	1.83		1.39
Soft Contact Solution	4.35		3.85
Na-Doz	1.87	1.87	1.49
Plastic Comb	.59		.99
Bitaca Spray	1.99		1.79

news briefs

Dickinson made phy. plant head

Mark Dickinson, who has been serving as both Director of Physical Plant and Director of Safety since the beginning of the year, was appointed as full-time Director of Physical Plant this week. The position of Director of Safety will be opened to applicants. Dickinson has been acting as a Plant Director since Jim Rogala left that position to fill an opening at the Minnesota Zoo.

WMCN broadcast hours limited

WMCN was denied permission to broadcast 24 hours a day this week by Director of Campus Programs Tom Levitan. Levitan mentioned occasions when the front doors of the Union had been left jammed open, for which WMCN had been held responsible. Levitan also cited the recent Weekly fire as an example of student irresponsibility when the Union is left open to student use all night.

SSC program audits begin

Student Service Commission members announced Tuesday night that they will soon be conducting reviews of all groups receiving student activity funds.

SSC chair Tom Symonds said this is the first time program reviews will be performed, although SSC has been chartered to perform reviews for some time. Symonds said program board groups will be reviewed to see whether the groups are spending their money the way they planned and how closely their budgets are being followed.

The Financial Affairs Committee are currently conducting audits of program board groups' budgets. SSC plans to work closely with FAC to insure accuracy.

The Board of Trustees has requested that SSC perform itemized audits and submit reports to them on the specific amount that each group spends on each item. These items would include such things as food, entertainment, and travel.

Symonds said the Trustees expect these itemized reports to come in by the end of the 20 dollar student activity fee increase. He said the Trustees must stay

Judge denies injunction in MPIRG draft case

by Kurt Hetzko

Federal District Court Judge Donald Altop refused to issue a preliminary injunction requested by the Minnesota Public Interest Research Group against a law requiring recipients of federal financial aid to prove they have registered for the draft.

Altop also agreed with a brief submitted by the federal government's counsel, Neil Koslowe of the Justice Department, and refused to grant representational standing to MPIRG. Altop said that MPIRG lacked the standing necessary to challenge the law because a very small percentage of Minnesota men have not registered for the draft (around two percent).

However, MPIRG resubmitted the case using three anonymous male non-registrant students. MPIRG originally resubmitted the case to Federal Judge Miles Cord who then granted standing but returned jurisdiction to Altop. All three of the anonymous students are either former or current Macalester students.

Altop is now deciding the case on its constitutional merits. Although the case was argued by Koslowe and MPIRG lawyers at the original hearing in St. Paul Federal District Court last January 10, another hearing to argue the case on its constitutionality is not expected to be scheduled.

Because of a heavy caseload, Altop is expected to announce his decision

February 14 or 15. Community Council President Matt Entenza, an unofficial coordinator between MPIRG and CC, was recently in contact with MPIRG lawyer Dan Laas and said there is a definite chance that Altop may decide against MPIRG. "MPIRG told me that given that (Altop) is a Nixon appointee that he might decide the case in a very conservative manner. It's hard to be too optimistic," Entenza said.

However, Entenza also said, "MPIRG is ready with their appeal if the decision isn't a good one."

The Macalester CC submitted their own amicus curiae brief supporting the MPIRG suit. They also recently submitted a brief drawn up by their lawyer, Sam Orbovich, which addressed Macalester's representational standing. Orbovich is donating his time to the CC's challenge. However, around \$450 has been spent so far on the brief.

At last night's CC meeting, Entenza asked the CC to allow the use of more student funds to be spent on the suit. Although the Rhoades Affairs Committee voted against the use of the funds, CC overrode that vote and allowed the use of those funds.

Entenza said that the Beloit College Community Council also voted recently to support the Macalester CC brief, and have pledged to provide their own funds.

In supporting case, the Minnesota Civil Liberties

Union is also representing three anonymous students. The three students represented by MPIRG are not the same three students represented by the MCLU.

The law, which was passed as the Solomon amendment last July, is currently being challenged by Minnesota Senator Dave Durenberger, who is trying to have the law repealed. U.S. Representative from Minnesota, Martin Sabo, has also recently introduced a bill into the House of Representatives to have draft registration itself repealed.

The government recently released its guidelines to colleges on enforcing the law. The guidelines, drawn up by the Selective Service System and the Secretary of Education, require male students to sign a statement to the effect that they have registered.

corrections

Last week the Weekly reported that field hockey would be held in the fieldhouse. It will be held at Ramsey Junior High.

The Weekly will print corrections to all misleading or incorrect stories or headlines in this space.

Address comments to Damian Murphy, Editor, Mac Weekly, 1600 Grand Ave., St. Paul, MN 55105 or call (612) 696-6212.

budgeting approved



Roya Mogagheghi

photo/Becki Schwem

by Gretchen Legler

Macalester's Community Council voted 11-9 Thursday night to dole out funds to campus groups this spring instead of next fall.

Discussions on the major turn-around in student budgeting started early this fall.

The change means that student leaders will have to calculate their finances now for the new April 9 budget deadline.

John Van Hecke, vice chair of the Student Services Commission (SSC) headed the spring budget task force. He said the five member task force surveyed campus groups on the subject and got a favorable response. They also made a list of pros and

cons of spring versus fall budgeting and compared Mac's budget process to that of 16 other schools.

A major reason for the change is that the Community Council budgeting in line with the school's fiscal year, which runs from June to May.

CC will appropriate funds this year on June 1. This way, Van Hecke said, things will be a little more controlled.

In the past, he said, budget allocations have been sporadic. This fall each group applying for funds got ten percent of their previous year's budget to operate on until budget allocation was made in late September.

Van Hecke said that is "a

real headache as far as book-keeping goes."

Another headache that will be cured, Van Hecke said, is that of summer budgeting. Under the current system, groups are funded from October to May. If they want money for the summer they have to find the CC president and ask for money.

With the new system, groups will get all the money they need at the end of the year.

If groups need more money, because of unpredictable jumps in enrollment or changes in programming, they can apply to the Financial Affairs Committee (FAC) in the fall for more money, CC's contingency, or general reserve. Funds will be increased to handle the extra requests.

Martha Kohl, a freshman who sits on FAC, said spring budgeting would leave incoming freshmen out of the budget process.

But, Van Hecke said, freshmen would still have a say in how money was spent, just not in how it is allocated.

Jeff Nichols, Program Board Chairman, said spring budgeting would cause an "estimation nightmare" for student groups.

Van Hecke said he was "satisfied that we got a good deal for the student body" by initiating spring budgeting.

Spring budgeting will be tried out for one year and then re-evaluated.

The time line for spring '83

budget hearings runs like this: CC spring election, March 16; appointment of Program Board and media group heads, March 24; student group budgets due, April 9; and FAC budget recommendations, April 21.

In other business, CC briefly discussed a report by International Students Advocate Roya Mogagheghi.

It was learned last week that President John S. Davis will move the Hispanic and Black cultural houses from their present houses to offices on the second floor of the student union.

And in a CC meeting two weeks ago members discussed the possible shutdown of the Macalester International Center (IC) because of zoning violation.

Mogagheghi recommended that instead of putting the cultural houses in the Union next year, they be moved into the IC. And the offices in the IC that violate zoning regulations be moved into the Union.

That way, she said, the cultural house problem and the zoning problem would be solved. One floor in the IC would be a cultural center for the Hispanic Student Organization. One floor would be for the Black Liberation Affairs Committee (BLAC) and the other would be an international center.

CC President Matt Entenza said the proposal was one of the best he had heard in CC all year. But Dean of Stu-

dents, Mary Lundblad has reservations.

She said \$25,000 is budgeted now to remodel the union office now occupied by Tom Levitan to make room for the cultural groups. If they don't want to move there, Lundblad said, the money would go somewhere else. Then next fall there will be no place to put the cultural programs.

She said Mogagheghi's plan is entirely possible, but decisions on the IC have to wait until a major campus study on available space is completed.

She said the proposed building of a new library turned the whole campus space problem upside down.

The major space study Lundblad referred to will include all the offices that are now in 77 Mac, a close look at Old Main, and the cultural programs.

"I mean, we're talking biggies," she said. "This is nothing that's going to be decided in smoke filled rooms."

But Mogagheghi says she wants to see the problem solved before she graduates this spring.

CC President Entenza said the problem of the International Center is a few years down the road. "But we can't afford to wait three years to defend the IC," he said.

Entenza said CC heads will meet on Monday to decide how to lobby for Mogagheghi's proposal.

news briefs

FAC begins budget battle

The Financial Affairs Committee has begun considering requests for additional budget allocations from student organizations. The organizations will be requesting money from the CC contingency fund. The committee met Tuesday and Thursday, and will be meeting on Saturday, March 5 to hear the requests formally.

Alert issued for flasher

On Thursday, February 17, a man exposed himself to two women in the lobby of the Westchester Library. The man was described as being about 30 years old, approximately 5'10", with red-brown hair and a thin mustache. The man was confronted by the students. A safety

Macalester will withhold aid

by Nicholas Wootton

Macalester College will not subsidize students who lose federal grant money by not complying with the new Solomon Amendment.

"We just don't have the money," said Financial Director Paul Aslanian at yesterday's Town Meeting. Aslanian said he will not jeopardize the one million dollars in aid that the college now receives from the federal government.

The Solomon Amendment requires males applying for financial aid to sign a statement saying that they have registered for the draft. The meeting's moderator Jeff Spencer, of the Macalester Committee Against Registration for the Draft (MACCARD), expressed surprise that the Macalester administration, while officially opposing the new law, refuses to support students who would be affected by it. Spencer cited the fact that schools such as Yale plan to give money to students who do not sign the statement.

Spencer said that Macalester would not have to forfeit the one million dollars the college now receives. Instead, the college could finance the few male students who have not registered. He estimated that no more than ten percent

of Mac students have not registered and funding those students would cost no more than 50,000 dollars.

"We are gearing up to implement the law," said Director of Financial Aid Ruthena Plink. If the college did not comply with the law it would lose all federal funding. College presidents are personally liable under the law, Aslanian said, so that if Macalester did not comply "the man in the bow tie will go to jail."

All students receiving financial aid must sign a statement promising to use all grant for financial aid. Ruthena Plink said that the document will now include a statement verifying that the student has registered for the draft. In addition, students must supply a copy of their Registration Acknowledgment Form. Plink expressed concern over the implementation of that rule, saying that many students may have lost, forgotten about, or never have received this form which was to be given to registrants when they registered for the draft.

Community Council President Matthew Entenza announced that a decision will soon be released as to the constitutionality of the law. The Minnesota Public Interest Re-

search initiated a suit against the law that is being officially supported by the CC.

A decision is expected before March 1. However, appeals will delay final resolution of the law for over a year. Regardless of the outcome, the law will be implemented this year.

Yesterday's Town Meeting was the first held under the new format that plans specific topics as the focus for each meeting.

"Designating topics for the Town Meeting will create much larger turnout than in the past," said Internal Vice President Patrick Dober, who originated the idea. Previously Town Meetings were open for discussion on any topic that students raised at the meeting.

The next Town Meeting will cover the Macalester budget for next year.

corrections

The Mac Weekly will print corrections to all misleading or incorrect articles or headlines in this space.

Address comments to Damian Murphy, Editor, Mac Weekly P.O. Box 2411, or call 536-6212.

Fred Friendly at Macalester
Forbidden films at the U

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Mac Weekly

March 11, 1983
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CC rejects magazine ban

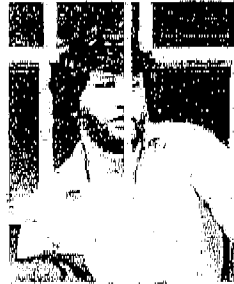
by Mike Booth

Students will not be given a chance to vote on the selling of *Playboy*, *Playgirl*, and *Penthouse* in the Union store.

Community Council voted 12-11 not to send the issue to the student body in the upcoming vote. A resolution urging that the magazines not be sold would have been referred to the students of the ballot containing the names of candidates had the resolution been passed.

The question was first brought up by Jim Street, who brought forward a resolution saying that CC disapproved of the sale of pornographic material on campus. According to Street, "pornography has dangerous implications."

Jon Riskind spoke out against the resolution, saying "there are also people who despise other magazines."



Jim Street

photo/Phil Sockinger

Banning *Playboy* would set a bad precedent, he said. Political magazines might be next, he said, censored by "College Republicans who hate the New Republic."

Lois Quam urged that Street submit his proposal, saying, "I would rather see this as a referendum" on which the student body as a

whole could express their opinion. CC President Matt Entenza expressed support for this, as did Street.

When debate was opened up on the new resolution, the central issue quickly became the First Amendment.

"Where do we get the right to decide what students spend their money on?" said Senior David McKee. He said neither the CC or the student body should vote on the issue. "Let the marketplace decide," he said.

"Phil McDade, also disagreed with the CC passing the question down to the students. "To think that CC cannot vote on this issue is absurd," he said. It is the place of the elected representatives of the people to vote on First Amendment questions.

Entenza disagreed. "It is not a First Amendment question," he said. He looked

at it as a business deciding not to sell something, much as the Hungry Mind might decide not to carry a certain publication that they found inappropriate, he said.

Riskind disputed the Hungry Mind analogy.



Jon Riskind

Macalester is a community, not a business, he argued. "If only one member of our community wishes to buy a magazine where they are sold, then he must have the right to do so." He pointed to the figures given by Larry Fennest, Assistant Director of Campus Programs, showing that 54 students have bought *Playboy* and *Playgirl* so far.

Joyce Bowers supported the referendum. "The tyranny of the majority is called 'democracy,'" she said.

Members wondered who would decide what magazines are pornographic if the resolution was passed by the students. Entenza said that would be up to Fennest and Director of Campus Programs Tom Levitan. "Tom knows it when he sees it," he said.

Court blocks aid requirement

by Kurt Herzog

Federal District Judge Donald D. Alsop issued a preliminary injunction yesterday that prohibits the federal government from enforcing a law requiring college-age males to register in order to receive financial aid.

The case began Jan. 10 when the Minnesota Public Interest Research Group and

the Minnesota Civil Liberties Union filed briefs asking that the law be declared unconstitutional. The suit names the Director of the Selective Service System, and Major General Thomas K. Turnage, and the Secretary of Education, Terrel Bell as defendants. They are defended by U.S. Justice Department Counsel Neil Koslowe.

Alsop's injunction specifically prohibits Turnage, Bell, "and all persons acting in concert with them" from enforcing the law, though it does not prevent them from continuing to adopt regulations to enforce the law. According to MPIRG, attorney Gail Suchman, colleges shall not be permitted to issue forms or conditions requiring students to prove they have registered. "The colleges have to stop handing out these forms," said Suchman.

However, the government is expected to appeal the decision to the Eighth District Court of Appeals. Although most appeals last for around a year, during which time the injunction would stand, the government is expected to ask for an expedited appeal.

When asked if nonregistrants were still legally capable to receive financial aid for next year, Suchman responded, "I would hope so but we'll have to wait until we hear the government's arguments."

Both MPIRG and the MCLU represent three anonymous students who claim they need to graduate from their respective colleges. MPIRG is supported by the Macalester Community Council who file an amicus curiae, or friend of the court brief, and who hired their own lawyer to argue the case. The approximately \$400 legal aid filing fees were paid for

with student activity fee money.

Executive Director of MPIRG Jim Miller thought that the amicus brief have an important supporting effect on the outcome of the case. "We're delighted that the students got the protection they deserve," Suchman said.

However, it is unlikely that this protection will stand. The law, originally called the Solomon Amendment, passed by a large majority last July. Judge Alsop specifically mentions in his 30 page decision that this case does not challenge the constitutionality of any law denying aid to nonregistrants but only the methods by which the Selective Service and the Dept. of Education intend to use to deny aid.

Alsop's decision reads: "This decision should not be interpreted as passing on the

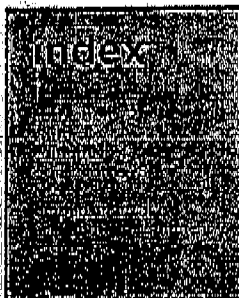
constitutionality of any law that would deny federal financial assistance to students after conviction of nonregistration." Alsop also specifically states his support of draft registration. "This court is firmly of the opinion that those persons subject to the draft registration law owe their country a legal duty to comply with that law in all respects."

Alsop ruled against the law for several reasons. He said it violates the Fifth Amendment protection from self-incrimination; it is a bill of attainder in that it focuses on specific groups without the protection of trials; and it is not in the best public interest.

Alsop wrote, "(the law) is

continued

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MPIRG victory, cont.

clearly incriminating, to nonregistrants and could also furnish a link in the chain of evidence used to prosecute the nonregistrant...denial of the opportunity to pursue one's education and chosen vocation is a severe penalty in this society.

It is this court's opinion that denial of educational assistance is a sanction that makes assertion of the (Fifth Amendment) privilege costly, thereby compelling self-incrimination.

In regard to bill of attainder prohibitions: "(the Solomon Amendment) clearly singles out an ascertainable group based on past conduct." He

goes on to say "considering the importance of the opportunity to seek a college education in these times, deprivation of that opportunity based on past conduct of a group deemed to be disloyal seems to this court to be punishment...the statute's result is...to punish students who cannot prove their innocence."

In summarizing Alsop wrote, "Enforcement of a law likely to be found unconstitutional is not in the public interest. The court finds that the public interest weighs in favor of the issuance of the preliminary injunction sought by plaintiffs."

The Department of Justice has not yet issued a statement.

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Malaysian Dinner

Date: March 12, '83

Time: 7:00 p.m.

Place: Cochran Lounge.

Tickets on sale at the Student Union.

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