



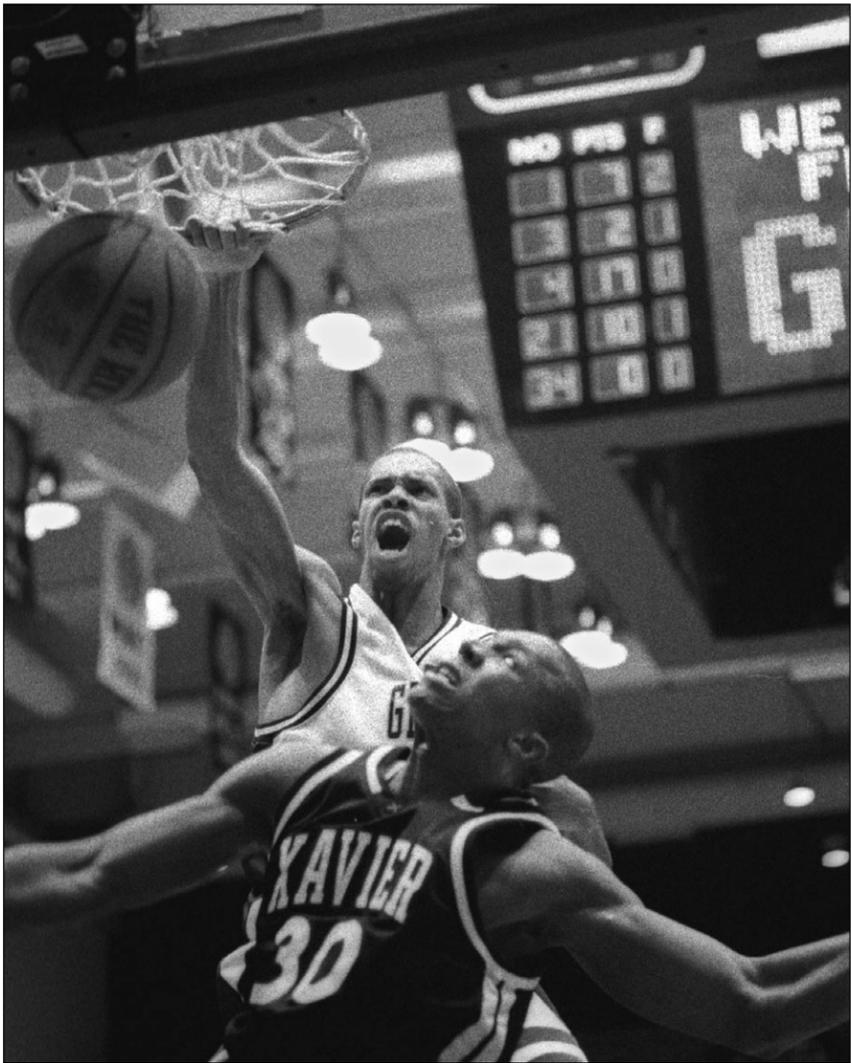
# The GW Hatchet

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Matt Ricciardi/Hatchet staff photographer

## DA-DA-DA, DA-DA-DA

Freshman Omar Williams delivers a powerful slam over No. 19 Xavier's David West that made ESPN SportsCenter's "Top Plays" Tuesday night. GW could not pull off the upset, however, losing 80-68. See story, p. 14.

## Court denies GW

■ U.S. Court of Appeals rules in favor of D.C. zoning regulations

by Kate Stepan  
Editor in Chief

A federal appeals court issued a decision Tuesday to reestablish zoning restrictions that may leave GW housing and plans for a new business school building in limbo.

A three-judge panel for the U.S. Court of Appeals for the D.C. Circuit affirmed a zoning order that requires GW to house 70 percent of fulltime undergraduate students, including all freshmen and sophomores, on campus or outside Foggy Bottom. The order, issued by the Board of Zoning Adjustment in March 2001, also prohibits the University from building facilities that are less than 50 percent residential until this requirement is met.

The order does not allow the University to count the Hall on Virginia Avenue, City Hall, Pennsylvania House and the Aston as on-campus housing, as these properties are just outside campus boundaries. This clause could send the University searching for 1,400 beds to make up for these residence halls.

GW originally filed suit against D.C. in U.S. District Court in April 2001, claiming the BZA's order is unconstitutional and pitting the city's right to regulate campus zoning against GW's right to academic freedom in an

### GW vs. D.C.

- 2001** **March 29** - Board of Zoning Adjustment approves campus plan with restrictions until GW houses 70 percent of fulltime undergraduates on campus.
- 2001** **April 25** - GW files suit against the city in U.S. District Court, claiming campus plan restrictions are unconstitutional because they violate the University's right to academic freedom, property and due process.
- 2002** **Jan. 23** - BZA issues new order, eliminates enrollment cap but requires GW to provide housing on campus or outside Foggy Bottom for 70 percent of undergraduates, plus one non-Foggy Bottom bed for every fulltime undergraduate student over 8,000.
- 2002** **April 12** - U.S. District Court calls 70 percent requirement "arbitrary and capricious."
- 2002** **Oct. 24** - GW and BZA appeal. GW claims 70 percent requirement violates academic freedom.
- 2003** **Feb. 4** - U.S. Court of Appeals overturns District Court decision, reinstating all limits of the original BZA order.



See COURT, p. 11

## Bill may empower UPD

by Alex Kingsbury  
Metro Editor

D.C. City Council is considering a bill that would potentially grant University Police unprecedented authority in making arrests on public spaces within the campus boundaries. The new measure could affect students by allowing more crimes to be kept within the University justice system.

The "Campus Police Force Cooperative Act 2002," currently in the City Council Judicial Committee, would permit campus police departments to enter cooperative agreements with the Metropolitan Police, allowing UPD to assume more law enforcement responsibilities.

"We are looking to clarify our jurisdiction," said Dolores Stafford, director of UPD. "It is not the intention to limit MPD presence. We are looking to make our officers' time as valuable as possible."

Stafford said that although UPD has the authority to make arrests and deal with violations of the law on University property, they are required to contact MPD for assistance when dealing with other crimes such as noise violations and traffic accidents.

Stafford argues the current

procedure is a waste of MPD time since UPD can deal with most situations that arise on campus.

"It would extend our jurisdiction," Stafford said. "Our officers are trained and have the legal authority to arrest people on our University property. We are only asking for more authority in our

*The bill would extend UPD's discretion in handling more cases, allowing more student violations to be kept in house.*

existing patrol area."

Local residents, though, are concerned the measure will limit MPD presence on campus and compromise their safety. Ronald Cocome, president of the Foggy Bottom Association, said the new rules amount to a double standard for students and residents.

"We have grave concerns about this bill. It has very serious ramifications," Cocome said. "Our (Metropolitan) police protection

has already been limited. Given past history, we don't believe that it will get any better."

The most important issue at stake for students is the expanded protection afforded to them by the University's police and judicial system. The bill would extend UPD's discretion in handling more cases, allowing more student violations to be kept in house.

Cocome said the University is using joint jurisdiction to conceal the scope of offenses committed by students, a move that undermines the University's image with residents.

"They are trying to cover up what happens," he said. "They try to make the University appear as if it is an important part of the community."

Currently, when UPD deals with a student violation of District law, the officer and the circumstances of the crime determine what happens to the offender. Most misdemeanors, including minor drug and alcohol violations, are referred to Student Judicial Services, which keeps a record of the crime within the University.

These crimes, though reported to the federal government, are not

See UPD, p. 12

## Panel recommends Title IX changes

by Lauren Silva  
Sports Editor

A national commission recommended the government make Title IX legislation less rigid last week, an act that could loosen restrictions on some GW men's sports teams. The restrictions are currently in place in compliance with the 30-year-old law's aim to ban sex discrimination in education programs, including athletics.

The 15-member committee, formed by Education Secretary Rod Paige and co-chaired by former WNBA star Cynthia Cooper and Stanford Athletic Director Ted Leland, met last Wednesday and Thursday to consider changes to the law. Paige will receive the committee's report by the end of the month and decide whether the landmark law should be changed.

The Commission on Opportunity in Athletics, which has been taking recommendations from around the country for the past six months, comes in the wake of a lawsuit by the National Wrestling Coaches Association. The suit filed against Title IX argues 355 men's college athletic teams have been cut

because of the legislation.

GW Athletic Director Jack Kvancz said he would be shocked if Paige took any of the recommendations.

"It's a tough issue and no one can say in six months what we should do," he said. "I don't see the recommendations changing the problems. They need to be discussed over and over."

Title IX uses a three-pronged approach in defining equality in athletics. First, the ratio of athletes at an institution must be "substantially proportionate" to a school's enrollment. Secondly, the institution must show a history and continuing practice of expanding women's programs. Lastly, the institution must prove the interest and abilities of women are accommodated.

Most colleges and universities strive to match the quotas set by the first requirement because two other requirements are considered to be in a gray area - a situation, critics suggest, that harms men's sports like football, baseball and wrestling.

Maryland Athletic Director

See TITLE IX, p. 12

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