



The Rebel Yell

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Court rules season over

Judge sides with NCAA

by Richard Munson

Clark County District Court 14 Judge Donald Mosley denied motions in favor of the UNLV basketball players' bid for post-season play Wednesday night. Mosley ruled that, while his decision might be an unpopular one, the players' argument did not have enough merit.

Arguing attorney for the NCAA, Peggy Leen, said the players knew what was going on in the case in December 1990, and they filed this closely to the NCAA tournament as an attempt to pressure the injunction to be passed so they could play in the tournament.

Leen said the university could have asked for an alternate penalty rather than the suspension of Head Coach Jerry

Tarkanian in 1977 but they didn't. Leen said playing basketball for Tarkanian was a privilege, not a right. She said it is unfortunate that current players are the ones being penalized but that is the way the system works.

After the ruling, Leen was congratulated by the NCAA entourage. Some said they had finally beaten UNLV and were glad that it was over.

Steve Morgan, assistant executive director of NCAA Enforcement, said he hoped the problems between UNLV and the NCAA were over. Morgan also said the constant arguing between the two puts a burden on the NCAA.

UNLV legal counsel Brad Booke said the facts that were being debated cover a 20-year span and three days were not enough time to hurry through all of the facts. Booke said the players had no merit for their reasoning.

If the injunction was passed, he said, it would be just like the other times the university has put the penalty off.

"Starting this cycle over again just keeps pushing the penalty back and back and back," Booke said. "There is sufficient reason to deny the temporary restraining order and the injunction."

Mosley said that several criteria had to be met to rule in favor of the injunction.

The first was there would be irreparable harm against the players while not playing in the tournament. The second was how many players would go "hardship"—leave UNLV because of the problems. The final criteria was that there would be merit in the case. This is what the NCAA argued against.

While Mosley read his ruling, he said there have been abuses by the NCAA and though they do have a monopoly on college basketball, the organization is voluntary.

Mosley went on to say the Supreme Court's 5-4 ruling in favor of the NCAA was unfortunate and looked as if "they have been embroiled in controversy" all

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Students react

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the time, leading a person to wonder why.

In his wondering, Mosley gave three suggestions to the NCAA officials in attendance on how to improve the organization.

First, he said the NCAA should give everyone due process. Second, he said players should be given a written notice on what they can and can't do. He said that if players or coaches violate the rules they should be held accountable—not the whole team. Finally, he said

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Faculty Senate says no to basketball suspension

by Thomas Moore

The faculty senate voted down Professor James Deacon's resolution to suspend the men's basketball program for two years.

The senate debated, then voted 21 to 11 against the resolution, after hearing comments from Deacon, Student Government Senate President Mike Kennedy, Athletic Director Jim Weaver and various other speakers.

"We are in the process of identifying the character of this community," Deacon said.

Senator Don Diener, also in support of the resolution, said extreme measures should be used if it becomes necessary. Diener said the resolution should be in force until "institutional control is demonstrated."

Kennedy voiced a different opinion about the situation. "Essentially we're tired of this thing," he said. "I don't think Maxson should spend his time on athletics. He's got more important things to do."

Weaver spoke at length,

before the resolution went to vote about the standards now in place at the athletic department. He told of some of his history in institutional control and his search for a new basketball coach.

Weaver said he took the challenge of his position at this time of controversy because he was "the best prepared person in the country for this job."

"Student athletes aren't just normal individuals," Weaver said. "They're held accountable at a higher level."

He said he was sympathetic to the motivations behind the resolution.

"I am very aware of your position," said Weaver addressing the Senate. "I'm aware of the embarrassment you feel when you talk to your colleagues (in other schools)," he added.

Weaver mentioned an upcoming rule which would ask that student athletes be required to pass 75 percent of their course work, but went on to voice his disagreement with the resolution being debated at the university.

"I'm against the suspension of the men's basketball pro-

gram. I absolutely have a problem with cancelling (a program) that is affecting 13 other programs. There will be further financial ramifications," he said.

He ended his statement with talk about the search for a new coach. "When we hire a new basketball coach you will absolutely be proud and that person will fall into line with the agenda of the '90s."

The senate's decision was delayed by two amendments to the resolutions introduced by Senator Phillip Lowry. Both failed to pass.

Various senators read responses they got after talking to their colleges. The comments were mixed although most said that sentiment in their respective colleges were against the resolution.

When asked for a comment on the vote, UNLV President Robert Maxson said that although he had not received the senate's decision, "I absolutely trust the collective wisdom of our faculty senate."

Hey, it's Jim Morrison



photo by Rob Weidenfeld

Eclectic artist Denny Dent captured the spotlight at Wednesday's Unityfest. Look for full coverage of Unityfest Tuesday.

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OPINION

Does UNLV's controversy have to be Athletics vs. Academics?

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ENTERTAINMENT

'The Resistible Rise of Arturo Ui' opens tonight at Judy Bayley Theatre

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