

## (STILL) IN THE COURT’S HANDS



DTH/JAMES CARRAS

Andrew Phillips (left), board of elections chairman, Jessica Womack (center), chief justice and Deanna Santoro, former speaker of Student Congress.

## Phillips finds his way in grueling position

**VICTORIA COOK**  
STAFF WRITER

Sleep and Tylenol might be the saving graces for Andrew Phillips. In his term, Phillips, chairman of the Board of Elections, has had to play the role of prosecutor, judge and now defendant. Adding to what has already been a hectic campaign season, Phillips and the board are now dealing with two complaints against its confirmation rulings and another regarding a fine for student body president candidate Rick Ingram. “Being sued in the Student Supreme Court is always an occupational hazard of being chair,” he said. “But I never expected to be sued three times in the same day.” In addition, the board also held a hearing of its own to consider disqualifying Ingram on Feb. 7. A two and a half-hour spectacle, the hearing featured a litany of alle-

*“I may be the oddest board of elections chair in a long time for any number of reasons.”*

**ANDREW PHILLIPS**, BOE CHAIRMAN

gations thrown between the candidates and their staff members. He said the board was creating its procedures on the spot at the hearing. “I’m not a judge,” he said. “I’ve never worked for the attorney general staff. I have zero courtroom experience.” And Phillips has no future plans of pursuing a career in law or politics. Instead, the philosophy major plans to go into seminary.

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DTH/DUNCAN CULBRETH

Andrew Phillips, the chairman of the Board of Elections, is currently facing three lawsuits and has already held one hearing this election season.

## SBP results face further delays

**BY DANIEL WISER**  
STAFF WRITER

In the latest twist in the aftermath of the student body president election, candidates and the student body will have to wait up to two days longer to find out whether the motion to dismiss the suit delaying the release of election results succeeds. Jessica Womack, chief justice of the Student Supreme Court, is considering whether to dismiss the case brought by former speaker of Student Congress Deanna Santoro against the Board of Elections after a pre-trial hearing Tuesday night. Santoro previously filed a complaint stating the board misinterpreted the Student Code, allowing candidate Ian Lee to run for student body president while simultaneously serving as student body secretary. “If it takes 48 hours to reach a fair and well thought-out decision then I believe that is in the best interest of everyone,” Santoro said.

### The Board of Elections’ argument

Andrew Phillips, chairman of the board and defendant in Santoro’s suit, presented his motion to dismiss the case with Kevin Whitfield, student solicitor general, at the hearing. Phillips’ motion states that Santoro does not have legal standing to file the suit as she was not directly and adversely affected by the board’s approval of Lee’s candidacy, citing her decision to resign as speaker as a voluntary act. Additionally, Whitfield said Santoro violated the statute of limitations by not submitting a complaint concerning the ruling within 96 hours of the BOE’s decision. The board ruled on Lee’s candidacy on Dec. 13, but Santoro did not have a complaint formally issued with the board until Feb. 6. “The arguments in the case have shown that Ms. Santoro did not have standing to bring the suit,” Phillips said. Phillips added that the results of the election will be released immediately if the case is dismissed in the next 48 hours and another week of campaigning would be permitted for candidates if a runoff election is necessary.

### Santoro’s argument

Santoro’s counsel, Erik Davies, said she did have standing as the ruling affected her ability to run Student Congress. Santoro said the ambiguity of the board’s ruling prevented her from informing committee chairmen in Student Congress about their reelection status. All students, including herself, are also directly and adversely affected by the election of an illegitimate candidate, she said. The brief filed by Santoro also states that she did not learn of the board’s December ruling until Jan. 23. Phillips said he sent an e-mail on the board’s listserv after the ruling in December that included Santoro, but Santoro said the e-mail was sent to an account she no longer used. Santoro said that she repeatedly attempted to contact Phillips to express her concerns about the ruling’s failure to address rele-

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## School of Nursing cuts enrollment

More than 170 must change application status

**BY NICOLE COMPARATO**  
STAFF WRITER

The School of Nursing will accept 25 percent fewer undergraduate applicants for the coming year, leaving some nursing students shocked and hopefuls worried. Kristen Swanson, dean of the school, said the enrollment cut is necessary because of the looming state budget cut. She said about 50 fewer students will receive admission for next year, which begins with the May 9 start to the summer session. “(The undergraduate program) is the biggest program we have and it’s the area around which we could make our cuts,” she said. “Some of our programs are only 20 students, such as the masters program,” she added. “If I cut 25 percent of that program, that would only be five students, I wouldn’t be saving any money, and the program would be deeply hurt.” Swanson added the school has yet to make a final decision on further cost-cutting measures. As a result of the cut, the admissions cycle for the two programs that offer training to become a registered nurse — the 24 month Bachelor of Science in Nursing program and the 14 month Accelerated Bachelor of Science in Nursing program — will be modified. Before the enrollment cut, the school accepted students for both programs in January and in May, but now BSN applicants will only be admitted in May and ABSN applicants will

*“We are at a time where every national recommendation is we should increase the enrollment, not decrease enrollment.”*

**KRISTEN SWANSON**, SCHOOL OF NURSING DEAN

only be admitted in January. The 174 hopefuls who have already applied to the ABSN program will have two choices for their current applications, which will no longer be considered for May admissions. One option is to withdraw their applications completely from the school by March 1 and receive a full refund for their application fee — or have their applications considered for the January 2012 cohort. Swanson said the new timetable would provide a more organized and efficient way of enrollment into the programs. But, while the change might help with the school’s budget, Swanson said now is not the best time to cut nursing programs. “The concern that I have is that if we are reducing our students by 25 percent, I cannot speak for my sister schools, but we are at a time where every national recommendation is we should increase the enrollment, not decrease enrollment,” she said.

### BY THE NUMBERS

50

Spots, approximately, to be cut from the next admitted class.

174

Students will change or withdraw their ABSN applications for the coming year.

25

Percent enrollment will be cut for the upcoming year, which begins May 9.

Bruce Carney, executive vice chancellor and provost, could not be reached for comment Tuesday on whether other schools would implement a similar enrollment cut. Liz Stocksdales, a junior in the BSN program, said she does not understand the cuts. “Out of all the things you could cut — nurses?” she said. “It’s really sad. My mom is a nurse, and she said it is hard to get a job as a

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## Student health plan costs might increase

### Premiums may double in system

**DTH ONLINE:** See a PDF with a summary of the proposed federal regulation.

**BY JEN SERDETCHNAIA**

ASSISTANT STATE & NATIONAL EDITOR

A proposed federal regulation might change the administration — and significantly increase costs — of student health plans at universities nationwide, including the UNC-system plan that was introduced last semester. University health insurance plans have come under scrutiny for having a greater profit margin than the typical individual health insurance coverage, while not providing students sufficient coverage. The proposed regulation released last week by the U.S. Department of Health and Human Services would categorize student health plans as individual health insurance coverage. Other components of the regulations include mandating that university plans cannot discriminate against students based on pre-existing conditions. The 60-day comment period, which allows external organizations the opportunity to comment,

began Feb. 11 as the proposed regulation was published. “This bill maybe means we can’t have a hard waiver plan, which would make our premiums double,” said Bruce Mallette, the senior associate vice president for academic and student affairs for the UNC system, at last week’s Board of Governors meeting. A hard waiver requires students to show evidence of credible coverage to be enrolled in system schools. Mallette said the board is going to review the proposed regulation. “Since there is a 60-day comment period, the regulatory phase is still to be shaped,” Mallette said in an e-mail. “Thus, the final regulations are not yet known, and the full impact of the federal rules on future premium pricing of the UNC-systemwide plan is not yet known either,” he said. Mary Covington, executive

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### this day in black history

**FEB. 16, 1968 ...**

After three black people are killed by South Carolina police, the Black Student Movement stages a rally outside the Franklin Street post office.



### arts | page 3

#### A HOME FOR ART

Students flock to the Art Lab on Airport Drive, where aspiring artists can experiment with equipment and artistic mediums.



### sports | page 4

#### TAR HEELS CRUISE

Three dunks by Harrison Barnes contributed to an easy win for the men’s basketball team against cellar-dwelling Wake Forest.

### Today’s weather



Like 200 degrees  
**H 61, L 41**

### Thursday’s weather



Another sweltering winter day  
**H 67, L 48**