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Bernau plans to appeal Boyd access decision

By LOIS LINDSAY
Of the Emerald

University Pres. William Boyd may have to face the State Board of Higher Education to justify his stand on public access to faculty records.

In an interview Thursday night, ASUO Pres. Jim Bernau said the students will appeal Boyd's access decision to the board later this month.

Bernau's statement came in response to a letter from Boyd, delivered to the ASUO offices late Thursday afternoon. The letter stated that the University president was unwilling to allow disclosure of the classroom faculty-course evaluation materials.

It claimed that his decision was both legal and appropriate.

But Bernau disagrees. He says Boyd's response to the request is "inadequate,

dishonest, illegal and absurd."

In his letter, Boyd told Bernau he was reacting to the ASUO president's Wednesday memo asking Boyd to reconsider his decision not to allow access. He said he regretted to report that he disagreed with the conclusions of the memo.

In that memo, Bernau accused Boyd of making an unacceptable and possibly il-

legal finding on the issue of access to faculty records.

He said the University president's initial determination Tuesday of refusing disclosure violated a State Board ruling of Nov. 25 which provided that the institutional executive decide whether the privacy rights in an adequate educational environment would suffer by disclosure of such personal records.

Boyd's Thursday letter to Bernau denied that his initial decision on the issue was either illegal or inappropriate. It claimed that Oregon Revised Statute ORS 351.065 substantiates that the evaluation material is a "personal record."

It also said the evaluation material was "presumptively confidential" and that the "burden of persuasion" to call for disclosure of such materials should rest with those demanding disclosure — in this case the ASUO. It also claimed Boyd had received legal support for his interpretation of the law and his procedure in making the decision.

Bernau says he is "disgusted and dismayed" at Boyd's response, and that his arguments are both incorrect and contradictory.

"He has provided us with no evidence to support any of his claims," Bernau insists. "I think that's a very inadequate response for a man in his position."

Bernau says the ASUO has "more than sufficient evidence" to support their side of the issue. He cites letters from four state legislators and three faculty members which he says refute Boyd's claims that the records should be confidential.

Included among those documents was a Nov. 25 letter from Rep. Mary Burrows, R-Eugene, which stated that she supported passage of SB 413 (dealing with access to faculty files) with the understanding that those records were to be "public documents."

Nov. 21 letters from Sen. Ed Fadely, D-Eugene, and Rep. Grattan Kerans, R-Eugene, addressed to ASUO Vice-President Kirby Garrett stated that both legislators supported student access to the faculty data.

Kerans' letter said that in his opinion as a sponsor of the bill, nothing barred "the release of records tabulated from classroom surveys."

Faculty letters produced by Bernau also indicated support for public disclosure of the evaluation materials. A Sept. 22 letter from R.F. Crawford, professor and head advisor of CSPA, said Crawford supported access to those files because "having the information from course evaluations available for those students in the process of selecting courses...will result in fewer students registering and then dropping courses."

The ASUO president says Boyd's remark that the "burden of persuasion" calling for disclosure should rest with "those who urge disclosure" is "absurd."

"It's ridiculous for him to say it's up to us to persuade him of the logic of disclosure," Bernau insists. "We asked to be included in the decision making on the matter and he totally ignored that request. We had no chance to provide any input at all."

Bernau says he is no longer willing to merely accept presidential decision on whether or not to allow access to the materials. He says he will go before the State Board Committee on Instruction Feb. 24 and ask that they direct the president to open those files.

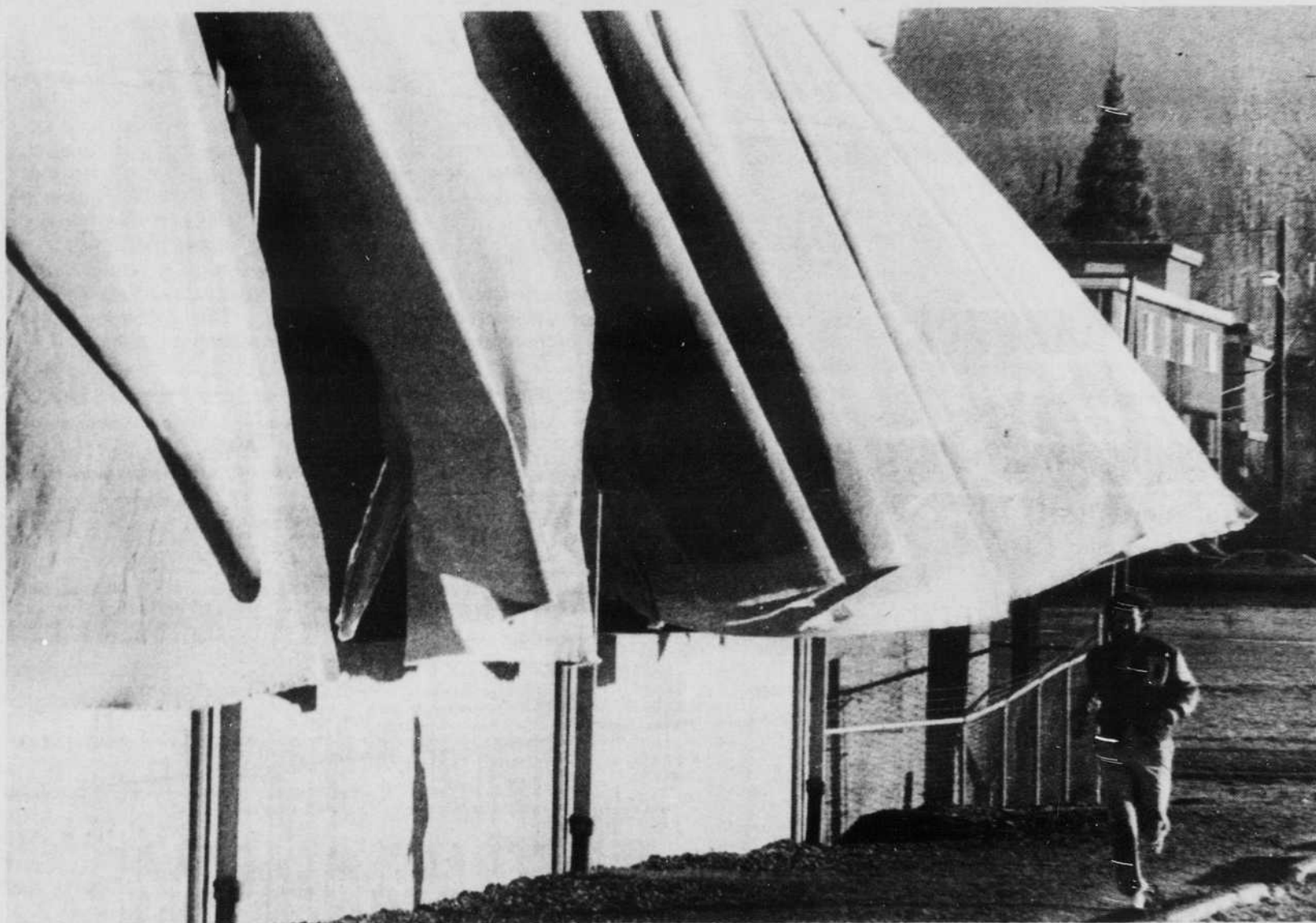


Photo by Greg Clark

Running with the breeze

The sun may have been out Thursday, but it was plenty cold. It was breezy enough, in fact, to keep these giant canvas flapping — but the jogger nearby hardly noticed.

'You can be spiritual and still be rich...'

Sikhs: Lifestyle in yoga and work

By MICHAEL KESTEN
Of the Emerald

It is not unusual to see a tall man with a flowing beard, dressed in white, his head wrapped in a white turban, casually walking through the halls of the PE department.

Sat Kirpal Singh Engstrom teaches Yoga classes for the University. He is also the head of the local Sikhs, or as he humbly puts it, "I just run the ashram."

Engstrom sat down in the Erb cafeteria to talk about the Sikhs, (pronounced sooks), the men and women in white. He had just finished teaching three straight hours of yoga and obviously unwound as he talked.

"We're a group of yogis," Engstrom stated simply. "We practice yoga daily. It stimulates our energy, relaxes us, and makes us healthy. Most important is awareness. The type of yoga we do directly works on the energy of awareness. Kunda-

lini is just another word for awareness. It stimulates your intuitive nature—the more you practice, the more you can tune into where people are at."

Engstrom was hesitant to describe Sikhism as a religion. "People are leaving established religions in droves because they're all structure and no essence. The spirit has gone from them," he said.

"Sikh means seeker of truth," Engstrom continued. "Sikh dharma is a way to live that gives the experience. It's a way to live righteously and earn righteously. We earn by the sweat of the brow and share what we earn with others. We get up early in the morning, before the sun rises, and spend two and a half hours meditating and praying. We praise the one God."

"God can't be defined," Engstrom said. "The more people try to figure out what God is, the farther away they get. God is beyond definition but can be experienced."

Yogi Bajan is the spiritual leader of the

Sikhs, but Engstrom plays down his role. "He's not a guru, but just bugs us to get us on the right path. People who run around and set themselves up as guru—that's a lot of crap. Look at that guy Moon—he's just a human being. He always goes to the toilet in the morning and he doesn't urinate honey. If anyone says he's God, he should shit gold bricks."

The Sikhs keep their heads covered as part of their religious tradition. "Our head covering is in the form of the turban," explained Engstrom. "It keeps our hair neatly together and clean. Besides acting as a sun shield it has subtle physiological functions. It applies pressure to the ears and to several acupuncture points around the head which helps to relax and center us."

"We live as God has made us," said Engstrom, commenting on the Sikh's appearance. "Hair is an antennae for energy. We

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