

Student rights

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persons of an agency's intended action and the time place and manner in which interested persons may present their views on that action.

Under the APA, the agency is also required to give interested persons a "reasonable opportunity" to submit data or views. In addition, it must fully consider any oral or written submission and submit its rules to the Legislative Council Committee for review.

The bill would exempt these procedures from the APA: standards for admission, academic achievement, academic credits, graduation and the granting of degrees, scholarships and financial aids.

It would also exempt prices of admission to athletic entertainment or cultural events, prices of merchandise for resale, advertising rates in student or institutional publications and charges for symposiums, conferences and short courses, fiscal processes, promotion, the award of indefinite tenure and post-tenure review of classified personnel.

Margaret Lumpkin, an OSU professor, testified against the bill. "I don't believe the legislation will fairly protect the faculty," she said.

Lumpkin urged the board "to defer action and gain input from other professional and student groups to insure that the due process rights of all groups are protected."

ASUO consultant Don Chalmers recommended that only those items directly related to the market be exempt from APA. He included the prices of admission to athletic entertainment and cultural events, prices of merchandise for resale, advertising rates and charges for symposiums and conferences, and short courses be excluded from

APA rulemaking provisions.

Chalmers told the committee there is a need for flexibility in these areas to meet competition that universities face with private enterprise.

"The student body could understand removing these things that are business concerns, but the vast majority should remain under rulemaking procedures as they are public concerns," he said.

The chancellor's staff recommended committee approval of the bill to exempt certain processes from APA because they are "complicated, time-consuming and expensive" under the act.

"I haven't seen any specific instances where that state board has been encumbered by the APA in its 19 years of existence," Chalmers said.

Another committee moved ahead to present a bill authorizing the board to appoint peace officers at its institutions. The bill makes four significant changes in the board's policing authority.

First, it would give the board power to enforce its parking fines and penalties in the district or justice court in which the violation occurred. This would allow the state board to enforce parking regulations against former or non-students and non-faculty/staff persons. But the bill does not limit the board to using current administrative enforcement of cases which involve students, faculty or staff.

A second change in the present policy would allow the state board to use money collected from parking fees and tickets for vehicles rather than only motor vehicles. This could free the board to use the money for bicycle racks or paths.

This legislation would also authorize the state board to

establish a security patrol at all or any of its state institutions. The board recently deputized Oregon State University campus police. The University of Oregon currently contracts with the City of Eugene for its force.

University Pres. William Boyd says he has no interest in creating a separate police force. "I want to continue contracting for police officers with the City of Eugene," he says. "This assures us of a police force trained and administered by professional standards."

Action taken by another committee maintains present OSPIRG funding procedures. The finance committee heard testimony from professionals, students and two student association presidents before coming to a decision on whether to make OSPIRG's funding optional rather than mandatory.

Officials of FORE (Foundation for Oregon Research and Evaluation) presented testimony against OSPIRG. J.T. Morrow, FORE member in charge of the organization's research project on OSPIRG, told the committee he found "OSPIRG's research not of very high quality," and said it included "biased information."

"The state system should not be supporting OSPIRG with fees when it lobbies for issues not necessarily in student's interest," he said.

But student leaders told the committee that the funding process decision should be made at each institution. ASUO Pres. Jan Oliver told the committee she would resent any state level intrusion on the ASUO's funding process.

ASOSU Pres. Dave Gornberg echoed Oliver's sentiments. "The decision should be made at this level and passed up," he said, "It should not be made at the state level and passed down."

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