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RULE

Continued from Page 1

to handle all cases similarly whether it be racial, sexual or any other form of discrimination.

The public hearing, which is today at 3:30 p.m. in the EMU Gumwood Room, follows the first public meeting — which was early last month — to generate comments and suggestions on the proposed changes.

Since the meeting, Alison Baker, executive assistant to University President Myles Brand, said she has received numerous written suggestions on what changes to make to the proposal. She predicted amendments to the proposal will be made as a result of the feedback.

"I'm convinced that the proposed rule, as we have it, will not be exactly the same," Baker said.

The wording of the definition of discrimination will likely remain the same, Baker said. However, examples of what does not constitute discrimination will be added, such as the discussion of differences that are in class materials or in research.

"We want to make sure faculty feel free to present controversial information in the classroom," Baker said. "Academic freedom is very important."

Some faculty members said they believe the rule is not specific enough and they plan to address this at the hearing.

Law Professor Caroline Forell said she has problems with the lack of clarity regarding what responsibilities University officers have, and she wants a clearer idea of the confidentiality issue surrounding informal complaints.

Currently, if the University receives three anonymous informal complaints, it will likely begin an investigation. In the proposed rule, the University would only need two complaints, but the complainants may have to reveal their identities and be willing to participate in an investigation.

Forell said the proposed rule is vague on which situations would require a breach of confidence.

"(The administration) makes it sound like it's an unusual case (breach of confidence), but I don't think it's as unlikely as they say," Forell said.

Mathematics Professor Marie Vitulli also said she didn't agree with breaching anonymity when necessary. She said she believes students may be intimidated by using their names, thus resulting in fewer informal complaints.

Marlene Drescher, director of student advocacy, said the vagueness of the rule is disturbing. She said she will encourage the administration to use more specific language and word usage, and also include in the rule resources such as her office and

Sexual harassment article faces hearing

By Beth Hege
Oregon Daily Emerald

Students may now be charged with sexual harassment and disciplined according to the Student Conduct Code, following a decision by the Student Conduct Committee April 6.

The code currently contains no explicit ruling on the topic but allows enforcement of other University codes, including the sexual harassment regulations that will face a hearing today.

Student Conduct Committee members have taken two steps to address sexual harassment among students. The April 6 vote was the first, intended to "close the loop" until a permanent regulation can be put into force. This temporary action allows the dean of students office to enforce the proposed sexual harassment regulations on students.

The conduct code currently lists 20 offenses that can be punishable by suspension or expulsion from the University. The committee will add another article that specifically addresses sexual harassment, a process that could take up to a year. In the meantime, students will be responsible to the University regulations.

"We want to make a moral statement that sexual harassment is a problem, that it is wrong," said Caitilin Twain, a student representative on the eight-member Student Conduct Committee. "Sexual harassment goes on at this campus. We're just catching up with the rest of the world."

Elaine Green, student conduct coordinator, said sexual harassment doesn't always involve a traditional power dynamic, such as between professors and students.

"Peer harassment can include creating a hostile or intimidating environment," she said. And sometimes the traditional "power" structure is turned upside down.

**'We've been
messing around for
too long, and now
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something about it.
We should have
something come
out of the process
that we're proud to
have.'**

— Alison Baker,
assistant to Myles Brand

the mediation office.

"It's clear that the drafter of the proposal didn't mention the primary resources that students use for these cases," Drescher said.

The proposed amendments to the rule are in keeping with an agreement the University entered into with federal compliance auditors in February. Auditors found several deficiencies in the rule, which University officials believe will be remedied by the amendments.

Some major proposed changes from the current rule include:

• "Inappropriate conduct" in the work or educational environment no longer has to be

physical, as is stated in the current rule. "Creating an intimidating, hostile or offensive environment" may include offensive words or pictures, according to the proposed rule.

• University employees, upon learning of allegations of any form of illegal discrimination, have the responsibility to report allegations to the Office of Affirmative Action. This isn't stated in the current rule.

• Discrimination cases, in the proposed rule, are channeled to the Office of Affirmative Action. Currently, there is no productive way to steer all complaints into a single channel.


Following the hearing, Baker will review the comments with affirmative action officers and others and draft the final rule. The new rule should be adopted by the beginning of June, she said.

The rule will become official once it is adopted by the University through the state executive department.

"I've been interested in revising the rule for a long time with a number of these positive changes," Baker said. "We've been messing around for too long, and now we're doing something about it. We should have something come out of the process that we're proud to have."

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