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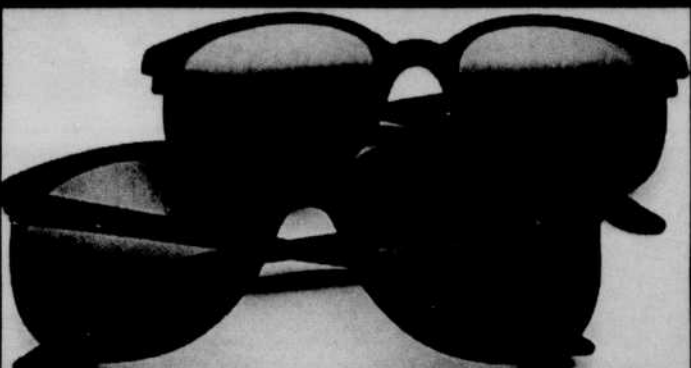
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MONSON

Continued from Page 1

of the University.

In fact, the rule permitting the University to re-assign personnel says the re-assignment must be "in accordance to the staff needs of the institution." It is this language that likely swayed the jury in its verdict, and it is this language that perhaps ought to be extricated from the rule.

Monson's attorney, Harold Gillis, argued his client's re-assignment did not meet any staff need of the University, but rather was a punitive measure taken because of the basketball team's poor record and declining attendance and revenue.

Gillis claimed Monson could serve the University better as basketball coach than golf coach and was not even qualified to be golf coach.

It is hard to disagree that the University could not have better met its need for a golf coach by hiring someone who had significant golfing experience, or at least talent. Neither of which, apparently, Monson had.

Perhaps that was the reason he was then offered the position of NCAA compliance coordinator for rules and regulations, which he also refused.

Former athletic director Bill Byrne testified he believed Monson was qualified to be golf coach because the job did not require Monson to actually instruct players on their technique, but rather to make sure the team was organized, had uniforms and got to events on time.

Byrne also said Monson had more knowledge about NCAA rules and regulations than any other member of the athletic department staff, and thus was very qualified to be NCAA rules officer.

Yet, even with Byrne's testimony, the University evidently could not convince jurors of the need to re-assign Monson.

In testimony that the jury was not allowed to hear, Melinda Grier, the attorney who wrote the rule allowing re-assignment and who assured the University it could re-assign Monson, told Judge Gordon Cottrell that the wording was not meant to be restrictive.

Rather, it was meant to convey the message that

re-assignment under the rule was being made for non-disciplinary reasons. Nonetheless, Cottrell argued, the wording was there and how it had been interpreted by the Oregon State Board of Higher Education or what had been meant by its author did not change the fact of the wording.

The University might be well advised to have the rule rewritten to eliminate the ambiguous nature of the rule. If re-assignment under the rule is to be considered non-punitive, then it should simply say so.

The University also claimed it was not liable for any outside income earned by Monson while he was coach. However, Monson did not actually claim the University had guaranteed him the income, but rather it was income he lost as a result of the University's action.

If the University did not have the right to re-assign Monson, then it could be — and was found — liable for the resulting damage. A loose analogy would be a person injured in a car accident could sue the other driver not only for medical costs, but for wages lost because of the injury or for the emotional anguish caused by the accident.

The University demonstrated enough involvement in Monson's outside earnings to lend some credence to the claim that it implicitly guaranteed outside income. Future contracts may clarify this matter by explicitly stating that, although the University will aid coaches in seeking outside income, it will not guarantee it and will assume no liability for it.

A wiser course of action would be to eliminate all University involvement with outside income and leave the matter entirely in the hands of the coaches. When Nike reduced Monson's consulting income by \$35,000, Byrne lobbied Nike Chairman Phil Knight to make up the difference. Had Monson been the one to lobby Knight, there would have been no question as to the University's non-involvement.

Although relying on state rules and laws to support its contracts may give the impression of uniform treatment for all employees and saves paper, the University needs to revise its contract procedures to bring them up to speed with today's litigious society.

NETWORK

Continued from Page 1

Project Gutenberg is an attempt at placing great books online. Current selections besides Milton's classic include *The Scarlet Letter*, *The Federalist Papers* and *The King James Bible*.

But the network doesn't end with research. Have a class during an instructor's office hours and you absolutely need to get in touch with her? Send her an electronic mail message. Don't know her e-mail address? It's in the online phone book.

Johnson said many instructors are now requiring their students to have e-mail accounts. Some instructors will even review papers sent via e-mail, and Johnson said he believes soon many instructors will begin accepting papers and projects via e-mail, as well as using it for giving take-home exams.

The e-mail system can also be used to send your thoughts to campus administrators, virtually all of whom have e-mail accounts. University President Myles Brand is on there, along with University Vice President

Dan Williams and ASUO President Eric Bowen.

Currently neither football coach Rich Brooks or basketball coach Jerry Green have accounts, so sending them your suggestions for the next game via e-mail is not possible yet — but there's always hope.

A third feature of the network is one that is only beginning to gain popularity. There are currently about 1,000 discussion groups, or electronic bulletin boards on the network. Many deal with specific areas of study, particularly in the sciences.

However, a growing number are dealing with other issues that concern the University community. A new group has been created that deals with multiculturalism, and although it has not been used, it should prove to be a lively forum as school begins and the issue again gains momentum.

Johnson said he believes the bulletin boards will be most useful for student organizations that want to get information posted and provide forums for the discussion of various issues.

The bulletin boards provide

"an excellent forum for student-to-student communication," Johnson said.

One of the issues Johnson is trying to address is improved access to the network, especially for students. Currently, on-campus access is provided in most computer labs via direct connection. Johnson said by late fall he expects to have the EMU computer lab wired for Macintosh Powerbook access and hopes to have it wired for IBM laptops in the future.

Johnson also said he hopes to have dormitories wired for direct access in a couple of years. Eventually, connections to the network may be scattered across campus, giving those with portable computers instant access.

Access can also be gained from home computers via modem.

For more information, the documents room (Room 205) in the computing center, across from the bookstore, is full of guides, books and manuals for using the University network, Gopher and the Internet.

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