

PROCESS

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one of defense," Parks said. "(The victim) must defend themselves from the attacker and defend themselves from the administration from which they should be attaining justice and support."

Shigeoka has heard similar testimonies from women who have been victims of sexual harassment and assault.

"Generally, students, faculty and administrators are uninformed concerning the definitions and processes involved," Shigeoka said.

In her experience as a women's advocate, Parks said a number of female victims have not been informed of the time limit for filing a formal complaint by officials on campus. One important piece of information students, faculty and staff should be aware of is the time limit revision to the sexual harassment policy.

In compliance with the Oregon State Board of Higher Education, the University has extended its time limit for filing a formal complaint from 180 days to 365 days. The time extension is primarily a result of a complainant who was not informed of her time limit to file a complaint.

Devon Gray, a former undergraduate student in fine arts, was not informed of the time limit by individuals and organizations she pursued concerning her alleged sexual assault.

"I spoke with several University organizations and staff members about my assault and none of them told me about the time extension," Gray said. "I worked my way down the Sexual Harassment Network phone list and finally spoke with Marlene Drescher, who did inform me of my 180-day time limit in which to file a complaint," said Gray.

Gray filed her complaint 12 days after the deadline and therefore was denied access to a formal complaint. Drescher and others lobbied state legislators to revise the policy and extend the time limit to 365 days.

The Process

By Kim Stephenson
For the Oregon Daily Emerald

Sexual Harassment Grievance Procedures

The Office of Affirmative Action handles cases involving power differentials, often between instructors and students. The process with Affirmative Action is as follows.

1. The complainant comes to the AA Office and has an informal talk with a human rights investigator. The complainant is informed of her/his options and given information on how to proceed.

2. If the complainant wishes to file a formal complaint, a letter is drafted by AA, sent to the respondent and a comprehensive investigation begins.

3. The AA investigator gathers information from witnesses and speaks to the respondent at least two times. The evidence the investigator gathers is sent to the Affirmative Action Administrative Council for interpretation and determination.

4. Both complainant and alleged offender are informed of the decision.

5. If a student complainant is unhappy with the decision, she can appeal to the chancellor, file a complaint with the Office of Civil Rights in the U.S. Department of Education (both at no cost) or obtain an attorney at personal expense.

6. If the complainant is an employee and unhappy with the decision, she/he can file a complaint with Bureau of Labor and Industries, the Equal Employment Opportu-

nity Commission (both at no cost) or obtain an attorney at personal expense.

The Student Conduct Program handles cases involving peers, often a student complainant filing against another student. The Conduct Code Coordinator is Elaine Green. Unlike the AA process, the Student Conduct Code process allows the accused to make all decisions concerning how to proceed.

1. Green has an informal conversation with the complainant and informs her/him of the procedure options.

2. The alleged offender meets with Green to discuss his/her options and jointly decides with Green whether to proceed through a formal or informal process.

3. If the accused chooses an informal process, Green acts as an omniscient investigator, judge and jury. She gathers information and makes a determination.

4. If the accused decides to go with the formal process, Green acts as a district attorney and prepares a case to be presented.

5. The case is presented at a hearing before University selected attorneys and a determination is given.

6. If the victim is unhappy with the decision from the hearing, she/he can go no further within the process.

7. If the alleged offender is unhappy with the decision he/she can appeal to the University Appeals Board and then to the State of Oregon Court of Appeals.

Peter Swan, assistant to the president for legal affairs, assures that the central administration was looking at the extension before the pressure from legislators. He and other committee

members were thinking of the time extension primarily because of situations involving student complainants who might still be under the power and repercussions of an offending professor.

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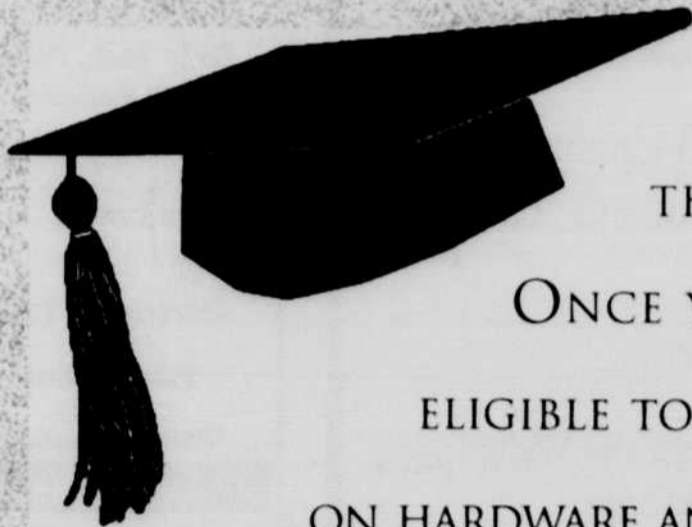
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