

Proposal: Williamson has faith that Frohnmayer will accept suggestions

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knowingly failing to handle the student's case properly.

It was because of this case and other complaints about the University's grievance process that ASUO President Jennifer Williamson proposed to the administration Monday that an affirmative action office independent of the University be established.

In the proposal, Williamson stated that a conflict of interest exists in the University's affirmative action office and listed several improprieties within the office.

Because affirmative action employees are paid by the University, Williamson said she believes they are pressured by the administration to protect the University's reputation above protecting students' rights in discrimination cases.

"[The current office] is a way for the University to protect itself, which is the one case where I really see the University putting the needs of the students dead last," Williamson said. "There is a balancing act between public relations and students' needs, and public relations wins out every time, making sure the University can protect itself."

Williamson charged that the office has failed to adequately perform its duties. The list of alleged improprieties include: losing case files, inadequately informing students of their rights in filing complaints, pressuring students to sign liability release forms and inconsistently sanctioning staff and faculty members based on their perceived value to the University (see accompanying box).

"It's ridiculous," Williamson said. "If these things were happening in any other office at this University, that office would be closed down."

University President Dave Frohnmayer declined to comment on the five concerns, stating it would take time to look into them and he had only received the proposal Monday afternoon. However, he said he is skeptical about the need for an independent office.

"I'm not prejudging this, but my philosophical inclination is that is the last thing you want to do is to remove the capacity to deal with the problem internal to your institution," Frohnmayer said.

The proposal is a reincarnation of one that former ASUO President Bobby Lee gave then-University President Myles Brand in 1992. The proposal apparently never made it off Brand's table. No state supported university or college in Oregon has an independent affirmative action office.

However, Lee said he believes this time around, the administration may look at the proposal differently. "The political climate is different now because the University has a fairly large suit pending, so they may be feeling the pressure more," Lee said, referring to the case mentioned above.

The proposal suggests that a separate office provide grievance investigation, complaint

ALLEGATIONS OF MISHANDLING DISCRIMINATION COMPLAINTS:

Inadequate information

Affirmative action office employees are said to encourage students to file informal complaints — which hold no accountability for the perpetrator — without adequately being told the differences between the informal and formal complaints.

"Presidential Investigations"

Even though there are no rules on Presidential Investigations, the office has reportedly denied students their right to file formal complaints when an investigation is pending. By state law, the office has to accept formal complaints, regardless of an investigation.

Lost case files

Some students have charged that they have filed previous complaints against perpetrators, but the office has been unable to find these reports later. Recently, a former department head confirmed a student had filed a prior complaint that the office said never existed because it could not be verified through its own records.

Pressured to sign forms

In the past, office employees have asked some students to sign forms releasing the University from liability prior to the complaint's resolution. They were reportedly asked to sign these forms without being able to copy or fully examine them.

Inconsistent outcomes

In a recent case, a former administrator was punished in an "unprecedented manner, despite the fact that other perpetrators with more egregious charges had not been sanctioned at all," implying that the degree of sanction may depend on the person's perceived value to the University.

SOURCE: ASUO proposal to establish an independent Office of Affirmative Action.

EMERALD

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— Jennifer Williamson
ASUO President

resolution and enforcement. Further, it states that because there is a conflict of interest, "the office actually becomes an advocate for the institution, not for the grievant."

Affirmative action officer Ken Lehrman disagreed, saying he has never felt pressure from the administration. "No one has ever exerted any influence on me to come up with an [affirmative action] plan," Lehrman said. "I'd quit before I felt that."

Williamson said she is also concerned that most students aren't aware of the resources available to them if they want to file a grievance. But Lehrman said the office provides every student who files a complaint with information about resources available to them, including information about the Office of Student Advocacy.

However, Williamson said that when she worked in the Office for Student Advocacy for three years, she heard many complainants say they didn't know the Office of Student Advocacy existed. They had been told of the office by friends or by counselors in the University's Counseling Center.

The proposal suggests that the independent office be set up and funded under the state executive department.

Williamson also said she has a problem with the Affirmative Action Advisory Council, which is the group that reviews the affir-

mative action investigations and recommends findings, remedies and sanctions in discrimination complaints. Because the council is made up only of administrators, Williamson said the lack of faculty members and students is unrepresentative of the campus population.

Moreover, the University's lawyer, Peter Swan, serves on the council, which Williamson said is a "huge" conflict of interest because he negotiates on behalf of the University if there are legal proceedings after an AAAC decision has been made. Williamson said Swan should not be deciding grievances while at the same time working to protect the University from litigation.

Under the proposal, the AAAC would be comprised of one third students, one third faculty and one third staff "so it would be sensitive to all affected parties." She added that most other campus committees have student representation.

Frohnmayer said while he is not discounting the possibility of changing the council's makeup, he said "very sensitive" issues are discussed.

Williamson said if the administration fails to establish an independent office, "then we'll take it to Salem next year to try and get it passed at the legislative level."

"Hopefully we can get students involved and worked up about it now because I can't do it alone," she said. "Students need to make it an issue."

While she said she isn't expecting the administration to immediately embrace the proposal, Williamson said she has faith in Frohnmayer. "I've had a very good relationship with President Frohnmayer," she said. "He seems to care much more than past presidents, and he's just not the type of person to turn his head and feel right about it. I'm hoping his legal ethics will kick in."

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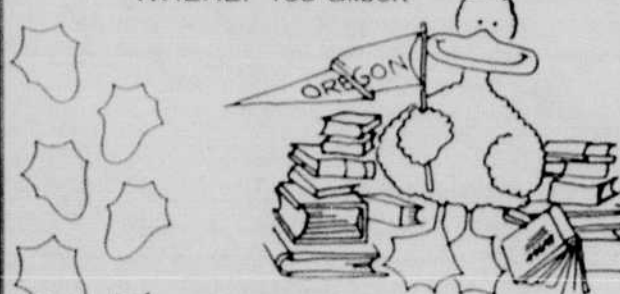
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This event is sponsored by the Freshman Interest Group Program.
For more information contact Jack, JoJo, Kersten or Michele at 345-3211

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