

PERSPECTIVES

Thumbs



THUMBS UP

To greater access

Senate Bill 1316 will eliminate parking fees at most coastal parks. Sen. Gary George sponsored the bill to create greater access to Oregon beaches.

To winning

It seems for daytime actress Susan Lucci the 19th time is the charm. After being nominated for a daytime Emmy 18 times and losing each time, Lucci said she thought this day would never come. Lucci plays the villainous Erica Kane on "All My Children."



THUMBS DOWN

To blatant self-promotion

The Register-Guard decided to put its company on the front page of the business section on Tuesday. The article outlined plans the publishing company has for a business park.

To stolen secrets

For more than two decades, China has spied on the United States to steal weapons design information.



REASONABLE SOLUTIONS

The Supreme Court decision requires universities to be responsible for claims of sexual harassment and liability

Let's say a student verbally threatens another student, alluding to rape and sexual abuse, and the University does nothing to stop it. If a court of law deems the content of those messages sexually harassing, the University might lose a lawsuit filed by the victim, under the recent Supreme Court decision that strengthens peer-to-peer harassment laws at public schools.

It is doubtful, however, that e-mails or other speech-related offenses would be included in the court's definition of severe harassment.

In the Supreme Court's opinion, Justice Sandra Day O'Connor explained that situations falling under this precedent would be rare.

"Only where they [schools] are deliberately indifferent to sexual harassment, of which they have actual knowledge, that is so severe, pervasive and objectively offensive that it can be said to deprive the victims of access to educational opportunities," she wrote.

The harassment in this Supreme Court case included a 5th-grade boy touching a female classmate's genitals and breasts repeatedly over a five-month period. The school did nothing to stop it, even after several pleas from the girl and her mother. The teacher even refused to separate the two in the classroom.

The girl only received relief from harassment after the boy was found guilty of sexual assault in court.

It was unclear prior to the Supreme Court ruling whether peer-to-peer harassment would be included in Title IX, which prohibits gender discrimination at all public schools.

Although this decision establishes grounds to sue the University for student-to-student harassment, the degree of severity that must be reached to win that type of case is high, exactly where it should be.

Students should not be able to win damages in cases that do not involve severe indifference —

not negligence — on the University's part.

This decision differentiates the definition of sexual harassment in schools from sexual harassment in the work place. In the work place, degrading comments are enough for liability. To establish University liability following the ruling, it must ignore actual physical assault after it becomes aware of it.

This makes sense when you consider it's impossible for universities to monitor student-to-student behavior as closely as an employer can. This is not to say that universities shouldn't try. But it's ridiculous for universities to be liable for speech and other types of harassment.

Before this case, there were fears that simply being negligent was enough to be liable. With today's climate of "sue because my coffee is too hot," it is appropriate that the Supreme Court developed a fair standard of responsibility. It creates a balance between the University's responsibility and a student's rights.

This editorial represents the opinion of the Emerald editorial board. Responses may be sent to ode@oregon.uoregon.edu.

Letters to the Editor

Movement celebrated

I would like to express my gratitude to those responsible for the "Neon Kills" campaign. Their commitment to this cause has definitely raised awareness of an important environmental issue that we can all work to improve.

The inherent evils of dioxin, the chemicals that leech out of all heavily dyed, goldenrod and neon papers, have been exposed. And with this knowledge, we can use and recycle more consciously.

I enjoyed the group's EMU Amphitheater demonstration a few months ago. They provided vital information as to how neon does kill, stating that it contaminates the recycling process, killing paper, killing fish by leeching toxins into ground water and rivers, and killing us by making it difficult and costly to recycle.

I hope the group doesn't stop this campaign. It has been quite successful

in spreading useful information on campus, but neon paper is still being used. So I urge you to please avoid using neon, goldenrod and heavily dyed paper. When you do find neon paper, place it in the low-grade recycling bin because it is a low-grade paper. Thanks to all the campaigners for their hard work.

Elizabeth Friedrich
Sociology

Strong arm of the law

The May 19 front page photo of The Register-Guard speaks volumes on how the police inflict pain on peaceful, nonresisting protesters with utter impunity. Two officers were inflicting a pain compliance hold on student Laura Close while three other officers looked on.

Both her arms were being twisted behind her. The photo depicts an image of her screaming in pain. Once again, our community is witness to police stepping far beyond their role of simply apprehending and arresting

by stepping into the role of punishers as well.

This is not their function. It's the justice system's function. But even a judge wouldn't sentence protesters to painful arm wrenching.

Anyone who has had their arms wrenched behind their back by a schoolyard bully should take a moment to reflect on what Laura Close endured at the hands of Eugene's finest on May 18.

The police could have simply lifted her and ejected her, much like police do with abortion clinic protesters.

Hopefully, students will remember this incident the next time a vote for an external police review board comes up.

An external police review process is essential to send a strong message to the police that our community will not tolerate incidents of police using excessive force and physical abuse.

Carl Berg
Eugene

CORRECTIONS

In the May 26 article "Students protest NATO bombing," Moshe Immerman's name was misspelled. He was also misquoted in the story. He should have been quoted as saying, "It is my wish and prayer that this and all cultures put at least as much attention and effort into peacemaking skills as they do in the sad art of war."

In the May 26 article "Activists support Mexican workers," Oregon state Sen. Susan Castillo should have been identified as a Democrat. In the same article, Rep. Peter DeFazio should have been identified as state representative, D-Eugene.

The Emerald regrets the errors.