

NEWS BRIEFS

Guyer cause of death still unknown

Examiners still do not know the cause of former University student Kyle Guyer's death because the Oregon Health and Science University lab was not equipped to test the level of Dilaudid and Percocet in Guyer's system, Lane County Deputy Medical Examiner Frank Ratti said.

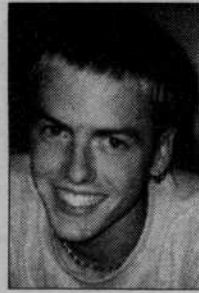
OHSU has sent samples to a lab in Pennsylvania that can better test for those two drugs, he added.

Guyer was found dead the morning of June 1 after spending a night celebrating his upcoming graduation with friends. According to the Eugene Police Department, Guyer burned his hand at Fathom's Bar, located under Pegasus Pizza, when a flaming drink spilled on him.

Sacred Heart Medical Center administered Dilaudid to Guyer through an intravenous drip to treat the burn and gave him Percocet to take home, Ratti said. Guyer was given four milligrams of Dilaudid in one-milligram increments.

Reports said Guyer was conscious and alert after he left the hospital and walked home, where he took two Percocet — the dosage that Sacred Heart recommended — after getting to his apartment.

Until toxicology reports are finished, Guyer's blood alcohol level will



Guyer

be unknown, as well as his cause of death. Ratti predicted the Pennsylvania lab will have results of the Dilaudid and Percocet levels within two weeks, but would not comment on any preliminary findings.

"I don't want to give any kind of preliminary information," he said. "Everything will be given out as a final conclusion."

— Ali Shaughnessy

Pilliod nominated to education board

Former ASUO President Rachel Pilliod will serve next year as one of two student representatives on the Oregon State Board of Higher Education after a nomination from Oregon Gov. Ted Kulongoski.

The Oregon Senate confirmed the nominations of both Pilliod and Bridget Burns, the outgoing presi-

dent of the Associate Students of Oregon State University, earlier in the month. Both representatives will begin their two-year terms July 1.

The Board, which oversees the Oregon University System, comprises 11 members, each appointed by the governor and approved by the Senate. While the student representatives are full voting members of the Board and represent student interest, they are encouraged to consider more than just the student perspective, OUS Vice Chancellor Diane Vines said.

"The only thing they are asked to



Pilliod

do is remember that they represent the whole state and not just students," Vines said. "We hope that they keep in mind that they vote and deliberate as Oregon citizens."

Pilliod spent last year representing University students as the ASUO president, as well as students statewide as chairwoman of the Oregon Student Association. She is also the corporate secretary of the United States Student Association, a nationwide lobbying organization.

Board Chairman Jim Lussier said in a press release that he was "very pleased" with the two nominees.

"Ms. Burns and Ms. Pilliod will each be a strong voice and advocate for students in Oregon, and we look forward to serving with them," he said.

— Jan Tobias Montry

Affirmative

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for affirmative action. They predicted that colleges and universities easily could comply with the court's admonition that an applicant's race be viewed as a "plus factor" rather than a determining criterion.

The decision sharply reverses a trend in the Supreme Court in recent years to block the use of race in government decisions, such as in minority contracting programs. It also bolsters other efforts to enhance minority participation, including scholarship and outreach programs, as well as voluntary affirmative action programs in the workforce.

"This is a tremendous victory for the University of Michigan, for all of higher education, and for the hun-

dreds of groups and individuals who supported us," University of Michigan President Mary Sue Coleman said. "This is a resounding affirmation that will be heard across the land, from our college classrooms to our corporate boardrooms."

Kirk Kolbo, a lawyer who represented the white students challenging the affirmative action program, acknowledged that the law school decision was a "disappointment." But he said he saw a "silver lining," because the court put some limits on what schools can do and suggested that the use of racial preferences will not be permanent.

But most observers, including conservatives and former Bush administration officials, said the decision in the law school case was a sweeping loss for opponents of af-

firmative action and that the ruling in the undergraduate case would have little impact.

"It's a complete defeat. Most schools do what the law school does," said John Yoo, a former Bush administration official now at the American Enterprise Institute who will teach at the University of Chicago Law School this fall. "This is better than the affirmative action side could've hoped for. This will allow the use of race in university admissions, which had been uncertain and, in fact, in many jurisdictions had been outlawed."

It was not immediately clear how the decision would play politically. Both supporters and opponents of affirmative action insisted the ruling would galvanize their side in the 2004 elections, because

it made it clear that just one vote on the Supreme Court separates the two sides.

The court had not addressed affirmative action in this way since 1978, when it said racial quotas were unconstitutional but did not definitively rule on whether schools could factor race into their admissions decisions. In that case, University of California vs. Bakke, the court struck down a strict quota system at a state medical school that set aside 16 of 100 seats for minority students.

But an opinion by Justice Lewis Powell suggested that schools had a compelling interest in achieving a diverse student body and that they could consider race as one of many factors in evaluating applicants. No other justice joined Powell's opinion, and lower courts split over whether they were bound by it. As a result, colleges and universities in some parts of the country were blocked from considering race, while those in other regions, including the Midwest, were permitted to do so.

But Monday's decision firmly put those questions to rest, with five justices emphatically endorsing Powell's view. Justices John Paul Stevens, David Souter, Ruth Bader Ginsburg and Stephen Breyer joined O'Connor's opinion, which held that diversity mattered and justified taking race into account in admissions.

In her opinion, O'Connor said the court was persuaded by university officials that important educational benefits "flow from a diverse student body." She emphasized that those benefits are "not theoretical but real."

"The law school's admissions poli-

cy promotes cross-racial understanding, helps to break down racial stereotypes and enables students to better understand persons of different races," O'Connor wrote.

Moreover, the court emphasized that major American businesses supported Michigan, arguing that a diverse student body would better prepare students for an increasingly global workforce.

Theodore Shaw, associate director-counsel of the NAACP Legal Defense and Educational Fund, said the ruling was a "defining moment" that would have dramatic effects beyond college admissions. A contrary decision, he said, would have opened the door to attacks on minority scholarship programs and other types of outreach.

The court has long been closely divided on questions of race, with O'Connor, a moderate, generally considered the key swing vote who has limited the positions of her more conservative colleagues in previous decisions. Her opinion Monday was far-reaching, going further to support the concept of affirmative action in education than many had expected.

O'Connor did make it clear that she did not foresee the policies continuing indefinitely.

"It's been 25 years since Justice Powell first approved the use of race to further an interest in student body diversity in the context of public higher education," she wrote. "We expect that 25 years from now, the use of racial preferences will no longer be necessary."

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