

# PFC: Committee allows Vice Chair Quiroz to rescind verbal resignation

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Commentator's mission and goals because they didn't fall in line with its context, which he said PFC members have the right to do under the Clark Document.

"To me, that was my job," he said. "According to the Clark Document, I was doing my job."

Cortez said it is up to the court to decide whether he fulfilled his duties.

"I haven't really done any violations," he said.

He added that the PFC lacks clear information from the administration about how to deal with "some issues that come up along the way" in the PFC process.

"No one told us how to go about it," he said.

Kieffer said the grievances have been filed to interrupt the purpose of the PFC and not to create a forum for discussion of the issue.

"(The grievances) have been more of an attack than constructive use of the ASUO process," he said.

Kieffer said he had no comment on whether actions during the meeting merited grievances, saying students should inform themselves about the issue as much as possible. He said several students signed a petition in support of the Commentator without knowing all the facts about the issue and later apologized to him for signing.

"There have been lots of statements that aren't the whole story," he said. "I feel students need to know the whole story."

## An ongoing conflict

The injunctions are one of several actions resulting from the hearing, at which the PFC rejected the Commentator's mission statement before a crowd of about 110 people and Quiroz verbally resigned. The Commentator is a journal of conservative opinion that provides an "alternative to the left-wing orthodoxy promoted by other student publications."

The controversy began when Quiroz asked the committee in December not to approve the journal's mission statement after Senator Toby Hill-Meyer complained that statements published in the Commentator about the senator's transgender identity made Hill-Meyer feel unsafe.

Hill-Meyer resigned from the Senate, effective today, citing safety concerns.

"I had offered a resignation effective at the end of this term. However,

it has been a real struggle to try to continue my duties as a senator and on the EMU board for the past five weeks," Hill-Meyer said in a written statement. "As hostility towards transpeople and myself specifically has escalated over this time, I've been increasingly feeling unsafe on campus."

Hill-Meyer said the senator will continue to "work with those trying to resolve the issue of safety on campus."

Although PFC members said before the meeting they would recall the decision, the PFC became deadlocked over issues of viewpoint neutrality and the legal implications of their decision.

## Quiroz remains on PFC

Near the end of last week's meeting, Quiroz stood and announced his resignation. Because Quiroz did not submit a written resignation, he retained his position on the PFC. Verbal resignations by student government officials also can be rescinded, Creighton-Neiwert said.

"At times when someone resigns in the heat of the moment, it can be worked out that they can rescind their resignation or a supervisor can rescind it," she said.

She said it is not clear whether the executive, senate or PFC chair would have the power to rescind a resignation on a person's behalf.

Strauss said Quiroz rescinded his resignation.

He added that the Green Tape Notebook doesn't include "hard and fast" guidelines in regard to resignations, saying the executive and PFC looked at past precedents. He said University classified staff who resign "under emotional distress" can rescind verbal resignations within a reasonable time.

"We feel that (Quiroz) deserves the same protection," he said.

Creighton-Neiwert said she knew of multiple situations when a member of the student government resigned during a meeting, some of which have become final.

She added that the court can rule based on precedents set by its past decisions when making its ruling.

"The Green Tape is not their only alternative for making a decision," she said.

Graf said it is a pity Quiroz was allowed back on the PFC due to a technicality. He said Quiroz "has a personal bone to pick with us" and is creating

an unsafe environment through his conduct, something Quiroz had accused the Commentator staff of creating through speech in its magazine.

"There's a big difference between conduct and speech," he said.

He said Quiroz should either resign or be removed by student government leaders.

"I'm pretty optimistic because I think through Mason's actions he's proven he's incapable of holding office," Graf said.

## The final decision

ASUO President Adam Petkun and Senate President James George already said Tuesday in an Emerald guest editorial that "should PFC manage the unanimous vote needed to defund the Commentator, we will work to prevent the proposal from moving through Student Senate, after which it would meet certain veto by the Executive."

Graf said the final budget decision lies with the administration because President Dave Frohnmayer has to sign off on all budget recommendations made by the student government.

Graf said while the staff had heard many rumors about ASUO members meeting with members of the administration, the administration had made no effort to contact the Commentator about ongoing issues.

"I think the administration put too much faith in student government," he said.

On Tuesday evening, at least four members of the PFC and at least two University administrators held a closed-door meeting in the EMU without notifying the Emerald. Creighton-Neiwert initially denied access to the Emerald, saying the assembled members were not making a decision and the meeting wasn't a public meeting, before allowing an Emerald representative to sit in on the meeting.

Earlier that afternoon, Cortez said PFC members and the administration planned to meet at 6 p.m. to discuss how to resolve the Commentator issue.

"(The meeting), that's just to show the PFC is willing to look at this issue further ... and solve it without affecting both parties," he said. "The meeting with the administration is to come up with a conclusion."

## A call to action

Most recently, 44 student leaders, including Petkun and George, and eight faculty members released a call to action on Tuesday

condemning the PFC's action on the Commentator budget. The statement, which was issued in conjunction with the Center for Campus Free Speech, in Chicago, calls for the PFC to reconsider its decision and to fund the Commentator "based on their programmatic goals and their contribution to the public debate."

"We, the students, faculty and administrators of the University of Oregon, believe that the Programs Finance Committee's recent decision to reject The Commentator's (sic) mission statement, and thus deny their eligibility for student fee funding is wrong," according to the statement. "It implicates the free speech rights of all students, especially those associated with that publication."

The statement said the decision violated the principle of viewpoint neutrality the U.S. Supreme Court created in its ruling in Board of Regents of the University of Wisconsin System v. Southworth.

"We believe that the fee system that we have in place at the University of Oregon is sound, and we are confident that it provides sufficient checks and balances to prevent this ill-advised decision from being the final decision," the statement said. "Still, it should never have come to this."

Petkun, who raised objections to the decision during the meeting, said in a Center for Campus Free Speech press release that he will work to maintain an environment of learning at the University.

"The whole idea of going to college is to learn," he said in the release. "You just can't learn if you're restricting certain ideas just because they're offensive or controversial. I don't agree with what The Commentator (sic) has to say, but I'll fight to make sure they can say it."

## Students file complaints

Other students filed five grievances with the student government in the wake of last week's fiery budget hearing, Senate Ombudsmen Stephanie Erickson said.

Oregon Commentator Associate Editor Olly Ruff filed three grievances Friday on behalf of the journal of conservative opinion, alleging misconduct by PFC members Quiroz, Cortez and Kieffer, Graf said.

Graf said the primary grievance was against Quiroz because he has created "an unsafe environment for

staff members." He said Quiroz flipped off an associate of the Commentator as he left the Feb. 1 PFC meeting.

Graf said the grievances also stem from concerns that the three PFC members have violated Section 2.3 of the ASUO Constitution "by actually stating it is not necessary to be viewpoint-neutral" during the hearing. The section specifies that "no agency or program of the ASUO shall make any rule or take any action abridging the privileges and immunities of any person or program under the Constitution and laws of the United States or the State of Oregon, or the rules of the University of Oregon, or the ASUO Constitution." The Southworth decision states that student groups must be funded in a viewpoint-neutral manner.

"(Cortez and Kieffer) both plainly stated that it is not necessary to adhere to the concept of viewpoint neutrality," Graf said.

Senator Nick Hudson also filed a grievance alleging that Quiroz has not fulfilled his duties as PFC vice chair because he has not recorded minutes of PFC meetings and has missed three meetings.

Erickson said she may wait to handle those grievances until the court makes its decision.

Third-year law student and former PFC Chairman Adrian Gilmore filed a grievance against someone from an ASUO program over a personal conflict that occurred at the meeting, Erickson said. She said the grievance will likely be referred to the executive because it involves a program.


Gilmore said he filed the grievance the day following last week's meeting because: "I was mad somebody would physically threaten and want to fight me in a public meeting." However, he said Tuesday evening that he would retract the grievance today because the man was not acting on behalf of the ASUO and because the executive couldn't do anything about it anyway.

"He got a free pass and that's life," Gilmore said.

Creighton-Neiwert said recent actions show the University has a "solid fee process" that ensures student money is correctly allocated.

"You can see there's a reason for the three branches of student government," she said.

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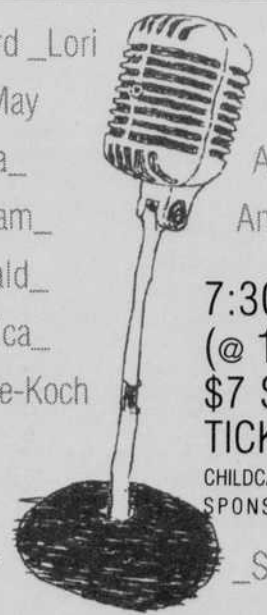
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