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University continues plans for apartment sale

The higher education board said officials must report on efforts to assist tenants

BY MEGHAN M. CUNIFF
NEWS EDITOR

PORTLAND — The University will continue planning the sale of the Westmoreland Apartments and will report to the State Board of Higher Education at its January meeting about the progress made to mitigate the effects selling the property could have on the 592 people who live there.

Though no formal vote was taken Friday morning when the University asked the board for permission to sell, board members voiced their approval on the condition that University officials continue their efforts to help the potentially displaced tenants and keep the board informed of any progress made.

Those efforts could include helping current tenants finance their moves with money from the sale or money from the UO Foundation, a non-profit organization dedicated to fundraising for the University.

The board must formally approve the final sale of the property.

About 20 University students attended the meeting to demonstrate their opposition to the possible sale.

Board meetings allow for public comment at the end of each meeting, but this meeting's comment period was moved forward to allow students to speak after University President Dave Frohnmayer proposed the plans to sell.

When making the proposal, Frohnmayer urged board members not to postpone approving the University's request to proceed with the sale as students and lawmakers have demanded. "With all due respect, I urge you not to heed that command," Frohnmayer said.

He said the University is working hard to address the student concerns about the possible sale and needs as much time as possible to do so.

Two University task groups were formed recently to find ways of helping families who won't be able to use the Westmoreland Child Care Center if the property is sold and to find ways to help tenants in their searches for affordable housing. The University will form either a third group or a sub-group to specifically address the needs of international students.

Also, Frohnmayer said showing reluctance in approving the sale "would delay marketplace interest" by sending the mes-

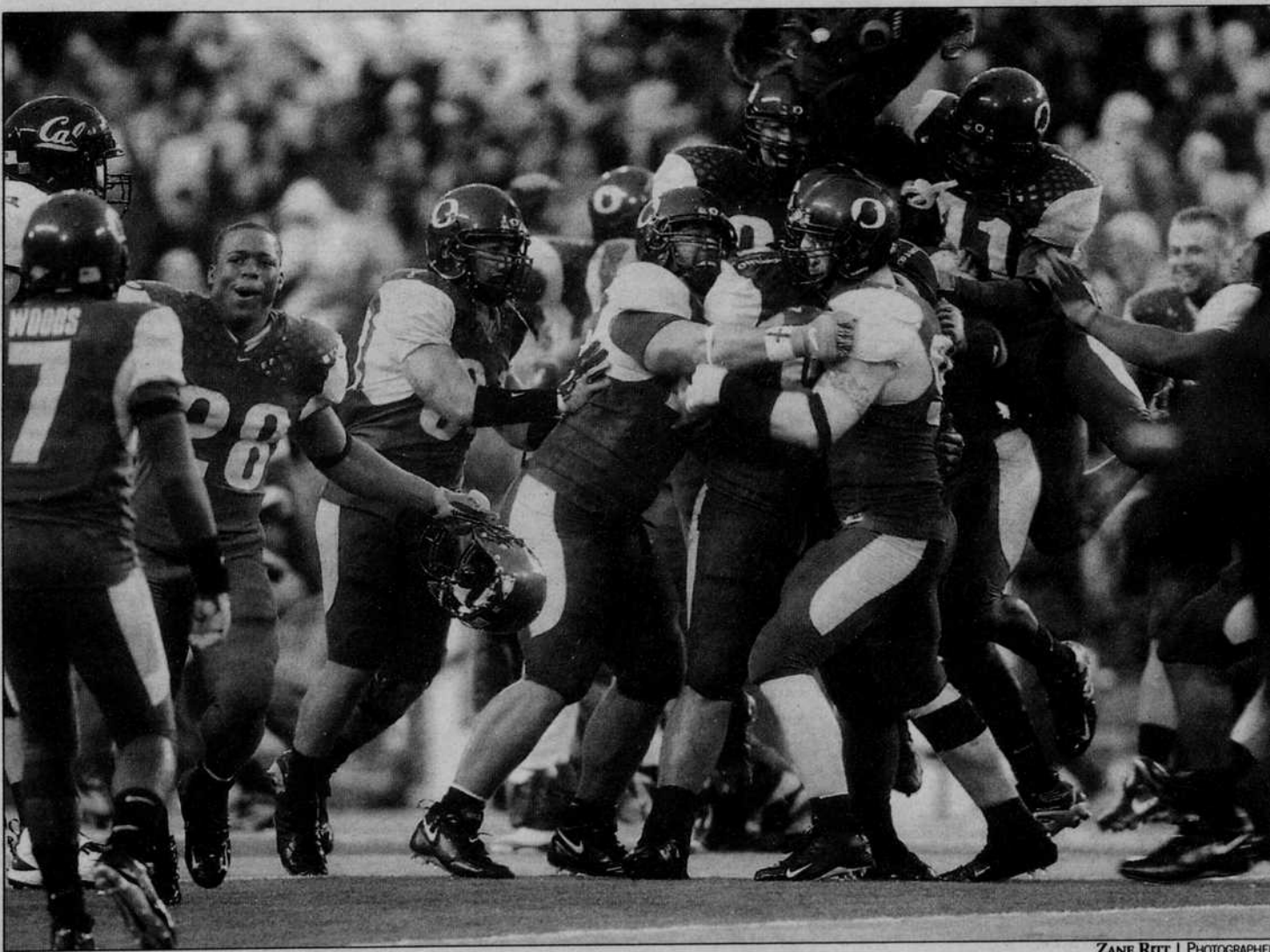
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KATE HORTON | PHOTOGRAPHER

University President Dave Frohnmayer, far left, and Vice President for Finance and Administration Frances Dyke, right, review an aerial map of the Westmoreland Apartments with Oregon State Board of Higher Education member Howard Sohn.

DUCKS CLIMB TO NO. 2 IN THE PAC-10



ZANE RITT | PHOTOGRAPHER

Members of the defensive line and fellow Ducks celebrate Oregon's 27-20 overtime victory over then-No. 23 California on Saturday. The Ducks allowed only two yards on four plays in overtime, shutting the Bears out of the end zone after Oregon quarterback Brady Leaf found James Finley for a four-yard touchdown during their possession. Oregon has a five-game winning streak and is two wins away from the program's all-time regular season wins record of 10 set in 2001. See page 7 for full story.

Residence hall meetings address racism

University officials met in Barnhart and Carson Halls to discuss student harassment and swastikas

BY EVA SYLWESTER
SENIOR NEWS REPORTER

In response to the alleged racial harassment of a freshman Hawaiian student and drawings of swastikas in several residence halls, the University is holding a series of meetings in residence hall complexes.

Barnhart/Riley Complex Director Bue McNeely said the meetings are designed to let students discuss with administrators their concerns about the recent events.

"We're finding as we talk to students that, as shocking as it might

be to some of us, (racial harassment) happens," Interim Vice President for Student Affairs and Director of University Housing Mike Eyster said.

The first meeting was held on Oct. 20 in Carson Hall, where freshman Zane Lobetos lived prior to leaving the University in late September after receiving alleged racial harassment and death threats.

About 35 staff members and students attended a similar meeting in H.P. Barnhart Hall Thursday night.

At the meeting, Hawaii Club members distributed a petition condemning the alleged harassment of Lobetos. The petition is also being distributed in various University classes, and the Hawaii Club plans to send the list of signatures expressing support to Lobetos and

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Legality of Measure 36 upheld in Circuit Court

Basic Rights Oregon's lawsuit challenging the constitutionality of the same-sex marriage ban failed

BY CHRIS HAGAN
NEWS REPORTER

A Marion County Circuit judge on Friday upheld Measure 36, Oregon's voter-enacted gay marriage ban, against a challenge to the measure's constitutionality.

Judge Joseph Guimond found the measure did not make multiple changes to the constitution and that it was an amendment, not a revision, which were the two main challenges presented by the plaintiffs.

The one-sentence measure states: "It is the policy of Oregon, and its political subdivisions, that only a marriage between one man and one woman shall be valid or legally recognized as a marriage." It passed last November with 57 percent of the vote.

Basic Rights Oregon, the group that filed the lawsuit, claimed the measure made multiple changes to the constitution. Oregon law requires separate votes for each change.

The group also claimed the measure changed the fundamental idea of justice in the Oregon constitution, making it a revision and not an amendment. A revision to the constitution would require a two-thirds majority in each house of the Oregon Legislature and approval by the voters.

Guimond agreed with Basic Rights that the measure affected more than one area of the constitution, stating in his opinion "Measure 36 makes three substantive changes to the Oregon Constitution," but he said this wasn't enough to overturn the law.

"In this court's opinion these changes made by Measure 36 are closely related and do not run afoul of the separate-vote requirement," Guimond said in the opinion.

Basic Rights will appeal the ruling and sees hope in Judge Guimond's opinion. Rebekah Kassell, communications director for Basic Rights, said the limited case history on what constitutes an amendment versus a revision

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