

# Daily Nebraskan

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## Ex-professor's harassment suit rejected

The court ruled Valerie Schwebach could not prove she was forced to resign by the political science department.

BY BRIAN CARLSON

A former UNL professor's lawsuit accusing the political science department of tolerating sexual harassment was dismissed on Wednesday in federal district court.

In a summary judgment by the U.S. District Court in Omaha, Senior Judge Lyle E. Strom wrote that even if the allegations made by Valerie Schwebach were true, the department did not tolerate a hostile work environment, did not retaliate against her for complaining and did not force her to resign through intimidation.

The court made no ruling on the truth of several sexual harassment allegations made by Schwebach, who resigned as assistant political science professor at the University of Nebraska-Lincoln in the spring

of 1998 and now lives in Houston.

Attorneys for the university have said her allegations, and other sexual harassment charges against the department, are untrue.

John Wiltse, senior associate general counsel for NU and one of the attorneys who defended the university in the lawsuit, said he was "very pleased" by the ruling.

"The university has disputed the truth of her allegations all along," he said. "The only unfortunate aspect of this ruling was that that was not resolved. There are people who would like to have had those allegations shot down."

"The university was prepared to show that most of the allegations were false and that she didn't have a case to justify a recovery."

Schwebach and her attorney, Thom Cope of Lincoln, declined to comment when reached by the Daily Nebraskan on Thursday. Cope said he would not comment until he had spoken with Schwebach.

In filing her lawsuit,

Schwebach asked to be reinstated as a professor and awarded back salary, fringe benefits, compensatory benefits and attorney's fees.

"(The department) made my work environment intolerable," Schwebach told the Daily Nebraskan in January 1999 after filing suit. "I had to leave. It became very clear to me ... that nothing was going to be done to solve the problem."

Schwebach began working as an assistant political science professor at UNL in 1994. Soon after she started, she said, she began experiencing sexual harassment.

After filing complaints with the UNL Academic Rights and Responsibilities Committee, the Nebraska Equal Opportunity Commission and the Equal Employment Opportunity Commission, she resigned at the end of the spring 1998 semester, saying the department was doing nothing to stop sexual harassment.

On Jan. 21, 1999, Schwebach filed suit against the university, claiming the political science department tolerated a hostile

April	April	May	October	January	August
Assistant Professor Valerie Schwebach alleges offensive filers are hung in political science office.	UNL Professional Conduct Special Committee finds political science department "tolerates sexual harassment."	Academic Rights and Responsibilities Committee says there is not enough evidence to sustain Schwebach's charges of negligence against Professor David Forsythe. Schwebach resigns from UNL.	Chancellor-appointed committee finds no hard evidence of gender inequity in political science department. Recommends seven improvements to improve department's climate for women.	Schwebach files formal complaint against NU in U.S. District Court.	U.S. District Court throws out Schwebach's lawsuit.

Melanie Falk/DN

work environment caused by sexual harassment, retaliated against her for complaining to the EEOC and forced her to resign by making her working conditions intolerable.

In the lawsuit, Schwebach alleged that the political science department and its then-chairman, David Forsythe, ignored her complaints about several sexual harassment incidents.

Before Wednesday's district court ruling, six previous investigations also had cleared Forsythe of negligence. These investigations were conducted by Amy Longo, an Omaha attorney; Brian Foster, former dean

of the College of Arts and Sciences; twice by the Equal Employment Opportunity Commission; by a faculty committee headed by Maurice Baker, an agricultural economics professor; and by a three-member ad-hoc faculty committee appointed by former Chancellor James Moeser.

All but one of those investigations concluded that the political science department did not tolerate sexual harassment. Only the committee headed by Baker in 1998 faulted the department and recommended that it be placed under "receivership," or outside over-

sight, for three years.

The ad-hoc committee disagreed with the Baker committee's recommendation and did not place the department under oversight.

Schwebach and her attorneys criticized the composition of the ad-hoc committee, saying it was biased.

Schwebach's lawsuit alleged that the political science department and the College of Arts and Sciences failed to respond to a number of sexual harassment incidents.

Please see SUIT on 6

### Cool down:

Firefighter Nick Thill gets a dose of cold water Thursday morning after coming out of a building fire at 625 W. A St. It took firefighters 30 minutes to control the fire at the Lester Electrical of Nebraska Inc. building, Deputy Chief Dean Staberg said. Seven fire trucks called to the business at 11:08 a.m. were greeted by heavy flames and smoke. Investigators were still working to determine the cause and estimated



Josh Wolfe/DN

### ASUN

## Lobbying decision withheld

BY JILL ZEMAN

The fate of student government's ability to lobby for state ballot issues rested in the hands of seven students Thursday night.

The ASUN Student Court heard a petition from President Joel Schafer asking for a clarification of a bylaw that prohibits ASUN from campaigning or formally supporting a candidate in a national, state or local election.

But the final outcome of the night's deliberation remained a secret to all but the members of the court.

Please see COURT on 6

## Study ranks UNL among top research schools

BY JOSH FUNK

UNL ranks among the top research universities in America, according to a report from the University of Florida released in July.

The inaugural report is designed to give universities a reliable indication of their standings, based on nine standard criteria.

Unlike in other college rankings, none of these data was manipulated or weighted, and the schools were not ranked overall, only by category. The report groups schools together on the basis of how many of the nine criteria rank in the top 25 of all the schools studied.

"I think the way Lombardi and his associates (the study's authors) have looked at the data is a refreshing way to look at the benchmarks of universities," said David Brinkerhoff, UNL's acting vice chancellor for academic affairs.

Only four universities had all nine criteria rank within the top 25: the University of North Carolina in Chapel Hill, the

University of Michigan in Ann Arbor and the University of California campuses in Berkeley and Los Angeles.

The University of Nebraska-Lincoln broke into the top 25 in two categories - endowment assets and the amount of annual giving.

The study's authors, led by former University of Florida President John Lombardi, plan to issue the report annually in the spring to help schools evaluate themselves, said co-author Diane Craig, an analyst with Florida's Center for Studies in Humanities and Social Sciences.

"Our goal was to use data that everybody submits anyway, and we used data that most people agree defines a research university," Craig said.

The nine criteria used were: total research money, federal research money received in a year, total endowment assets, amount of annual giving, faculty members included national academies of certain disciplines, faculty awards, doctorates granted, post-

doctorate degrees granted and median SAT scores.

Brinkerhoff said the study points out some of the positives at universities.

"The way they do this highlights some of the good things that are going on," Brinkerhoff said.

UNL was ranked 25<sup>th</sup> in endowment assets with more than \$416 million in 1999.

The other category UNL excelled in was also money-related: annual private giving. The university ranked seventh with \$155 million in 1999.

In recent years the University of Nebraska has garnered record donations, which may be difficult to sustain.

"I didn't remember Nebraska being that high (in donations), so I double-checked those numbers," Craig said.

In almost every other category, UNL ranked near 50<sup>th</sup>.

Brinkerhoff said this report shows that UNL has been improving its research standing.

"We're moving in the right direction with this," Brinkerhoff

said. "As our research agenda gains momentum these things will grow."

News of the Florida study comes on the eve of the release of the most well known college rankings.

U.S. News and World Report's annual list hits newsstands today.

University of Nebraska-Lincoln officials hope the school remains in the second tier, but the authors of the University of Florida study criticized the validity of the magazine's study. U.S. News alters its criteria and weights every year, which creates artificial shifts in the ranking, according to the Lombardi study.

Regardless of the methodology employed, these studies will never tell the whole picture, the group reported.

"In almost every case, the universities decry the commercialism of the rankings, attack the methodology of the ranking process and proudly distribute to alumni those rankings in which they appear high," the Lombardi group wrote.

## UNL falls back to third tier

BY BRADLEY DAVIS

The University of Nebraska-Lincoln, dogged by a flagging academic reputation and a lack of senior leadership, dropped to the third tier in the U.S. News and World Report national university rankings released early Friday morning.

The rankings, which are released annually, have come under increasing fire from university administrators, who say the criteria used are sometimes arbitrary.

Interim Chancellor Harvey Perlman signed a letter in 1998, when he was dean of the NU College of Law, encouraging students not to place too much importance on the magazine's surveys.

Perlman was one of 160 law school deans who signed a letter that said the magazine, which also ranks law schools, uses arbitrary criteria in its rankings.

UNL has flip-flopped in the magazine's list since its 1997 second-tier ranking. Last year, UNL was also ranked in the second tier, ranking between 51-120 out of 220 universities nationwide. In 1998, UNL was in the third tier.

This year's third-tier ranking places UNL among schools ranked 116-172 out of 228 national universities.

The magazine assigns a weight to each of its criteria, with academic reputation, which is worth 25 percent of the ranking, being the most important factor.

For academic reputation, UNL scored a 3.1 on a 5 point scale. Last year, the university scored a 3.2.

Colorado State University is the only institution designated as UNL's "peer" by the Board of Regents that ranked in the third tier.

All other peer institutions, including the University of Missouri-Columbia, Iowa State University in Ames and the University of Kansas in Lawrence, ranked in the second tier, except the University of Illinois at Urbana-Champaign, whose rank of 41 placed it among the top 50.

Former Chancellor James Moeser fared well in the magazine this year.

The University of North Carolina-Chapel Hill, of which Moeser is now chancellor, ranked 25<sup>th</sup> in the magazine's national list.