Mustang Village ex-director accused of harassment

By Karen E. Spader
Daily Staff Writer

Three former employees of Mustang Village Apartments filed a lawsuit against the complex's former marketing director Friday, charging he tormented them for nearly a year and a half with sexual advances and lewd remarks.

The suit further names Capstone Real Estate Services, Inc., an Austin, Texas-based corporation; Investor, Inc., an Oklahoma-based corporation and Citimae, Inc., a Delaware-based corporation. These agencies all held a stake in Mustang Village during the time of the alleged harassment.

The plaintiffs, Cal Poly graduates Roger Aboud and Todd Shafer and architecture senior Dirk Gaspar worked as peer directors for the complex at the time the defendant, Robert Grant, allegedly harassed and propositioned them.

Thomas J. Coleman Jr. of the Rolfe, Smith-Low and Coleman law office in Camarillo will represent the three.

Cal Poly professor's work is music to fans' ears

"His "Concierto Romantico" which romantic critics in 1992 will be played by Spanish guitarist Jose Maria Gallardo del Rey this Friday

By Justine Frederiksen
Daily Staff Writer

Gallardo del Rey, will return for a repeat performance with the San Luis Obispo County Symphony.

And just last week, another one of Russell's accomplishments was spotlighted in the Los Angeles Times.

In the spring of 1992, Russell organized and directed a conference at Cal Poly highlighting the musical history of California. Called "After Columbus," the event featured local and international musicians and speakers, including Cal Poly professors.

"It was an audible culmination of my music history notes," Russell said, and it was a really first-rate conference.

World-class musicians like Gallardo del Rey and the vocal group Chanticleer performed at the conference, but perhaps most anxiously awaited was the music that had not been heard for more than 100 years.

Russell, along with other musical historians, brought back to life music..."
Presentations, discussions with ethnic studies faculty
The Ethnic Studies Department is actively seeking two tenur track faculty positions in Chicano/a, Mexican-American, Latino/a Studies and Asian-American Studies.

Today, Xiao Shen, a candidate for the Asian-American Studies position, will give a presentation and be available for an open discussion. Students, faculty and staff are invited to attend. The presentation is from 3 p.m. in Bldg. 53-202 and the discussion is at 4:30 in Bldg. 52-EB.

For more information, call the Ethnic Studies office at 756-1707.

ARSENEAU: Scheduler tries to take requests with a 'grain of salt'

From page 1

In the mundane considerations of schedule conflicts and class sequences, as well as the requests for the unusual.

"Some professors don't like to teach fall or winter quarter on Monday nights because of Monday night football," she said. "Some don't like a particular building because it smells, the P.E. building or the Food Processing building, particularly. They complain that it's too light, too dark, too hot, too cold, that the door is situated the wrong way from where the professor comes in," she said, pausing and smiling.

"It's amazing some of the things they request. I take it with a grain of salt. We listen to their requests and accommodate them if we can."

The 60 departments include all groups which offer classes.

There are some programs that students may not recognize as departments, such as women's studies and the library, besides the six colleges," she said. "They all submit schedule material.

Arseneau must also reassign the classrooms, temporarily and permanently.

"If you've ever been in a class that was running late in the week, we did it," she said. "We make class changes in 100 room changes in the first week."

Not to mention the room changes of classes made from day to day.

"Every quarter something different comes up," she said. "We get called from bomb scares to move classes out of a building. We work with Public Safety so that they know where the evening classes are ... if they have an emergency call from a student, they'll know where the students are.

"Everything related to classrooms, we're involved in," she said.

She said her job has changed a lot since the days when she had to manually write up the schedule.

"Once I sent 42 kids to a men's bathroom," she said. "The instructor was really cut off about it. He said, 'I really like the room, but there's not enough seats for everybody.

Arseneau said she had to manually write up the schedule from the same spring, summer, winter or fall term of the previous year.

The department then makes any changes, adding or taking out sections or classes, sometimes scrapping the whole schedule and starting from scratch.

Next, the department sends the revised schedule to Arsenneau, who checks it to make sure it follows campus policy.

"If they have a class scheduled, say, Monday (and) Wednesday from 9 to 10:30," she said, "I have to tell them to stay within scheduling norms.

"If they don't, it's a problem. It disrupts the student's ability to schedule other classes."

Arseneau said she also checks to make sure the schedule doesn't interfere with Activity Hour, which is Thursdays from 11 a.m. to 12 p.m. in the Union.

She then sends the revised schedule back to the department to be proofed. When the department sends it back once again, it is entered into the computer and sent out over CAPTURE, where it is updated every hour.

"When you look at the registration audit trail, they're not able to get a lot of classes," she said. "And when they don't get a class, their selection becomes pretty random.

"When you look at the records of students with last priority, they have pages and pages of classes they tried and couldn't get.

According to Arsenneau, had the university gone to the semester system, it would have increased the amount of work she has to do by half. But she said she didn't think the system was the problem. Another assistant, Roger Bazzani, has worked with her for seven years.

Another large part of her job is to come in here every day," she said. "Besides, we've got a great view.

Most students questioned about the idea of a class scheduling system. Many students do not have a idea such a position existed. But those that thought about it said the scheduler who was doing it was doing a good job.

"Agriculture business sophomore Matt Costello said, "She's doing a hell of a job."

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claimed. In his statement, he over Aboud’s head as well, he said. No estimates were available as to the dollar amount sought by the plaintiffs. The claim merely said that the amount would be established at the trial.

The 29-page complaint outlined numerous incidents in which the plaintiffs charged that Grant put them into uncomfortable situations and caused them tremendous stress.

In the documents, Aboud alleged he and Grant “made a bet about how large a computer part font could be on a new software program.”

He went on to say that when Aboud asked Grant what he wanted to bet, Grant grabbed Aboud’s hand and wagged oral sex.

This incident was the first of a series of sexual advances attempted by Grant, according to the complaint. Aboud, along with Gaspar and Shafer, stated in the complaint that they were unable to quit working at Mustang Village due to financial concerns—the job not only provided a paycheck but allowed them to live in the apartments rent-free.

According to court documents, Aboud began working as a Mustang Village peer director in June of 1993. Proficient in computer and clerical work, he assisted Grant with such tasks.

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The threat of being fired hung over Aboud’s head as well, he claimed. In his statement, he said, at a staff meeting in April 1994, “Grant announced that anyone giving a ‘bad representation’ about anything that occurred in the office, or at Mustang Village in general, would be immediately terminated.”

Aboud, reached Sunday, made general comments about the suit.

“It’s a very weird thing to go through—very embarrassing,” he said. “We tried working with them, but they refused to take us seriously.”

Aboud declined to say whether he had complained to Grant or to members of Capstone management.

Aboud said in some ways, he feels relieved to have filed the claim, but in other ways, he just feels embarrassed.

“My relief is that we’re doing something about it, so hopefully he will not be allowed to do this again,” Aboud said.

“I think the claim needed to be filed,” Aboud continued. “It was the only recourse we had to stop what was happening there.”

The alleged incidents affected “all aspects of my life—no doubt about it,” Aboud said. “It will continue for a long time.”

Aboud further alleged in court documents that when his brother and parents visited him at Mustang Village, Grant told Aboud he wanted to engage in a “threesome” with him and his brother.

Aboud, among other things, Aboud alleged in his complaint that:

• Grant tried to entice Aboud to try illegal drugs with him; and

• At two separate social events for Mustang Village staff and students, Grant held hot dogs to his crutch and rubbed them against Aboud’s buttocks.

Aboud then stated that Grant approached Gaspar and Shafer and asked them to “bite (his) weener.” Gaspar and Shafer occurred with Aboud in their statements.

The stress of the incidents allegedly took its toll on Aboud in the spring of 1994, when he was sick for more than nine weeks and withdrew from all but one of his classes at Cal Poly.

Aboud’s statements said he sought medical help and received testing for various diseases, “but the only diagnosis was for acute viral syndrome, which is based on by stress, fatigue and depression, all work-related in this case.”

In the court documents Aboud alleged Grant offered to visit him dressed as a nurse and give him an alcohol rub when Aboud called in sick.

Aboud said he consulted an attorney last August regarding his rights as an allegedly sexually harassed employee.

According to the complaint, he was terminated soon after he began to take action against the alleged harassment.

Aboud left Mustang Village last December, and now lives in Santa Clara.

Gaspar’s account, while not as lengthy, described similar incidents.

In December 1993, Gaspar began working as a peer director at Mustang Village, relying on his paycheck to fund his education at Cal Poly.

After a series of incidents in which Grant allegedly sexually propositioned Gaspar, Grant “transferred” Gaspar to the maintenance staff, and thereafter Gaspar’s rent was no longer compensated,” the complaint stated.

Gaspar alleged in his complaint that:

• Grant also told Gaspar that everyone has the potential to engage in homosexual behavior;

• Grant “begged” Gaspar to go with him to a gay bar in San Luis Obispo;

• Grant once ran his hand up Gaspar’s leg and into his shorts;

• Grant threatened not to schedule Gaspar for work time if he gave a “bad representation” to other staff members.

But Gaspar said he feels relieved to some extent after filing the suit.

“We’ve finally able to do something about it—there’s definite relief in that sense,” he said.

“It has also made life more difficult,” he added. “It’s been a very draining experience.”

Shafer, who began work at Mustang Village in July 1993, related similar alleged encounters with Grant.

His complaint said Grant requested himself and Aboud accompany Grant for drinks in a local eatery. They said that they refused the invitation, but finally gave in when Grant allegedly told them they must do whatever it took to please the boss.

Shafer further alleged in the documents that Grant grabbed Shafer’s crotch through his shorts and grabbed and twisted Shafer’s buttocks and that he forced kisses Shafer at the staff party in April 1994.

Shafer said these types of incidents were not limited to just the three plaintiffs. “Basically we saw the same thing that happened to a bunch of other people,” he said. “We just . . . got fed up. It reached a point.”

See SUIT, page 5
Luck for the Irish, fate for the Greek

On Friday we celebrate a day of good luck; St. Patrick's Day. Do you believe in lucky charms, like the four-leaf clover? Do you believe in fate? If you believe in both, do you believe that you have a part in creating your destiny or is it all predestined? Some people believe in both, some believe in neither, and others consider it a coincidence, or is our life predetermined?

For the Irish, the day is a celebration of their heritage. For the Greeks, it may be a day of reflection on the gods that controlled their fate. The Irish have goddesses Clotho, Lachesis, and Atropos controlled the unknown or unpredictable element in happenings. The Greeks believed in predestination, the doctrine that God has foreordained all things, especially that He has elected certain souls to eternal salvation or damnation. Many have faith in God and don't believe in luck.

Still, to everything, there is an element of chance — the unknown or unpredictable element in happenings that seem to have no assignable cause or effect. It is the element of chance that makes life interesting. It is the element of chance that makes life worth living. It is the element of chance that makes life worth fighting for.

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MUSIC: Another conference possibility in 1997

From page 1

written for and played at California missions during the 18th and 19th centuries. The pieces are seen as an important link to California's underestimated music history — and all but ignored — musical history.

Russell said that he and his colleagues, who worked to bring the music to the public's ears, are a dedicated few. "We're a pretty small group of people that are passionately interested in this stuff," he said.

Though the conference was held at Cal Poly three years ago, it is still fresh in the minds of those who participated.

Foreign Languages Department Chair William Little was one of the speakers at the conference, and spoke about the importance of the event, and Russell's work.

"Craig did a masterful job putting the entire event together and deserves major credit for one of the best things I've been involved in at Cal Poly," Little said in an e-mail interview.

"The actual work he has done on Spanish-colonial music at California missions is very exciting," he said. "His work was the glue at the center of the conference ... which was relevant here and now in California."

Director of Cal Poly Arts Ron Regier agreed that Russell was the driving force behind the conference.

"I sort of see Cal Poly Arts as the glue for his dream to be realized," Regier said.

And, according to Regier, the dream is not finished.

"According to Craig, there's a lot more work out there," he said. "There's a lot more there to be explored."

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MUDSLIDES: Hillside remains unstable

From page 1

The National Weather Service, meanwhile, posted a flash flood watch for the area as moderate to heavy rainfall loomed on the horizon Sunday.

Buttell said as many as 25 more homes were threatened by further collapse of the hill.

More than 100 evacuated residents were barred from returning to their homes Sunday, although some were escorted into their properties and given about 15 minutes to gather belongings, Buttell said.

SUITE: Trial date hasn't been set yet

From page 3

when we had to do something.

"It's good that the thing has been filed finally," he continued. "That's kind of a relief. Other than that, I kind of wish it was done and over with.

Shafer echoed Aboud's and Gaspar's statements that they had experienced financial difficulties, and were thus cornered into keeping their jobs at Mustang Village.

"I would have never worked there in the first place if I didn't have financial concerns," he said. "It was stuck for money."

The events Shafer alleged affected his work and schooling as well, he said. "It was a stress. It affected everything — it built up."

The suit seeks financial "relief" for: damages based on lost income and benefits; severe emotional distress and mental anguish; punitive damages; compensation for attorney's fees and any interest on the settlement; and any other financial settlement the court might be willing to require.

The first cause of action summarized the damages which will be sought, and stated that the defendants were in violation of, among other things, portions of the California Fair Employment and Housing Act.

According to Coleman, the plaintiffs' attorney, he contacted Capstone last September when the plaintiffs first consulted with him.

"Those discussions did not go very far," he said.

Coleman claimed that Capstone and Investec were aware that sexual harassment was taking place at the apartments, but did not do anything about it.

"Certainly nobody ... should have to have gone through what they went through," Coleman said. "They were captives in the workplace, and in their home."

Coleman also commented on the plaintiffs' financial situations. He said employment opportunities were limited, and they did not have other options.

The claim will take about two weeks to go through, Coleman said, and it will take "a couple months for significant activity" to take place. The suit should go to trial within one year, he added.
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Women’s Tennis

the Mustangs (9-4) did not drop a set as sophomore Christine Walter, juniors Allison Lassie, Kristin Simpson and Michelle Berkowitz all won in straight sets. Since their four wins clinched the victory, the Mustangs’ No. 1 player, junior Tracy Arnold, and No. 6 player, senior Alissa Bailey did not have to complete their matches.

San Jose State was also unable to take a single match against Cal Poly in the Mustangs’ ensuing match. Once again, Cal Poly did not have to play out their match as wins by Berkowitz, Simpson and sophomore Chasity and Julie Arces sealed the victory for the Mustangs.

It was a match dominated by Cal Poly, which did not give up more than two games in any of the sets. The closest match was at No. 4 singles in which they defeated Spartans’ Kim Sniolik 6-2, 6-1.

Cal Poly, which moved to 9-4 with their wins, was scheduled to play Cal State Fullerton on Monday but rain wiped out the match.

Women lose regular season finale

Cal Poly women’s basketball team lost to Colorado State 83-62 Saturday at Fort Collins, Colo., to close out their regular season on a six-game losing streak. The Mustangs are now bidding for the American West Conference tournament, scheduled to begin Thursday.

It was the 16th road loss for the Mustangs, who also fell at University of Wyoming on Friday, 92-71.

Colorado State held Cal Poly to just 33 percent shooting in the first half as they opened a 46-30 lead at halftime. The Rams were led by center Teresa James who had 32 points.

Cal Poly senior forward Christine Rodness had 14 points. Mustangs’ senior forward Susanne Carey’s 13 points put her over the 1,000-point scoring mark. She has 1,012 points in her four years at Cal Poly.

Against Wyoming, Cal Poly also fell behind early as the Cowgirls had burried the Mustangs by halftime, 58-32.

Wyoming forward Jessica Cross and Amy Burnett combined to score more than half of the Cowgirls’ total points. Cross had 25 and Burnett had 23 as Wyoming shot 48 percent from the field including 13 3-pointers.

Women’s softball Top 25

Coach’s Poll

The USA Today / National Softball Coaches Association coaches Top 25 is voted on by 20 Division I coaches, representing all areas of the USA. Records are through January 26.

1. Arizona (14-0) . . . 495
2. UCLA (14-0) . . . 437
3. Fresno St. (14-2) . . . 453
4. Cal Fullerton (10-4) . . . 419
5. UNLV (16-2) . . . 397
6. CS Northridge (14-6) . . . 395
7. Loyola Marymount (12-4) . . . 376
8. Nebraska (80) . . . 318
9. Hawaii (12-4) . . . 308
10. Michigan (7-2) . . . 297
11. Oklahoma (9-7) . . . 278
12. Florida St. (11-3) . . . 275
13. Texas A&M (11-5) . . . 261
14. SW Louisiana (6-4) . . . 234
15. S. Carolina (9-1) . . . 191
16. Missouri (40) . . . 174
17. CS Sacramento (7-9) . . . 168
18. Oklahoma (6-4) . . . 137
19. Notre Dame (3-1) . . . 129
20. Kansas (5-1) . . . 122
21. Long Beach St. (7-7) . . . 100
22. Pacific (7-7) . . . 73
23. Washington (7-6) . . . 69
24. Cal Poly (10-2) . . . 60
25. Minnesota (7-7) . . . 56

WOMEN’S SOFTBALL COACHES’ POLLS

WOMEN’S SOFTBALL TOURNAMENT

MUSTANG DAILY

Track teams struggle at Fresno St.

The men’s and women’s track teams had a tough go at it this weekend, finishing last in their respective divisions of a three-team meet in Fresno which included Fresno State and Stanford.

Cal Poly women, along with losing each of their dual meets to Stanford and Fresno State, were only able to manage 98 points in the tri-meet scoring with all three teams.

Fresno State finished first with 157 points while Stanford finished second with 142 points.

The Mustangs had two first-place finishes in the running events and one in the field events.

Freshman Tammie Jackson finished first in the 100 meters (12.15) and the 200 meters (24.84) and senior Erica Ahmann took the discus (127 feet).

There were three second-place finishes. Junior Kerri Gabrielson finished second in the 400-meter hurdles (1:04.45), senior Diane Kerbel finished second in the high jump (5 feet, 3 inches), and the Mustangs’ relay team took second in the sprint medley relay (4:14.33).

The men’s team also lost each of its dual meets to Fresno State and Stanford and finished last in the tri-meet standings with only 84 points.

Fresno State finished first with 189 points and Stanford finished with 144 points.

The Mustangs, who did not have any first- or second-place finishes, managed only five third-place finishes.

Cal Poly freshman Steve Amundson had two of them, finishing third in the 100 meters (10.80) and in the 200 meters (22.88). Other third-place finishes included: Junior Almoh Jinks in the 800 meters (1:56.50), senior Dan Berland in the 3,000-meter steeplechase (9:21.70), and the Mustangs’ 4x400-meter relay team (3:21.17).

Mustangs and Rainbows get delayed

Sunday’s Western Athletic Conference baseball game between Cal Poly and the University of Hawaii was postponed due to rain and rescheduled for today.

The game will be played at 2:05 p.m. as part of a double-header.

The second game of the series will take place at 7:00 p.m.

The Mustangs (6-8) will meet the 18th-ranked Rainbows (15-0) for the first time in its history.

The final game of the series will be played as scheduled on Tuesday, March 6-7:00 p.m.