

Spartan defeat

SJSU takes New Mexico State for win

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Up to bat

Baseball team swings for first win

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Police training

Program offers experience for cadets

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SPARTAN DAILY

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Friday, February 7, 1986

Former dean faces harassment charges

By Craig Quintana
Daily staff writer

A lawsuit charging a former SJSU dean with sexual harassment was filed in Superior Court Wednesday by an ex-employee.

Andrew R. Hughey, who resigned Jan. 13 as dean of Applied Arts and Sciences, was named in a suit along with President Gail Fullerton, the university and unnamed others in a complaint filed in Santa Clara County Superior Court on behalf of Ana Celeste Morrice, former project coordinator in the Health Career Opportunity Program.

The four complaints in the suit ask an unspecified amount of damages for civil rights violations; assault and battery; intentional infliction (sic) of emotional distress, and

negligence.

When informed of the lawsuit yesterday, Hughey had no immediate response to the allegations. However, he strenuously denied any wrongdoing.

"What I'm charged with is untrue," Hughey said.

"It is fabricated. I have never sexually assaulted anyone."

He resigned his position after a standard five-year review last fall. Hughey, who has retreat rights to the School of Education, was placed on administrative leave by Fullerton.

Hughey was investigated by the university following allegations of sexual harassment, but the findings of that investigation were never made public.

Morrice seeks general, special and punitive damages.

Morrice alleges the defendants violated her civil rights, intentionally inflicted emotional distress and showed negligence in the subsequent treatment of the situation. Hughey is also charged with assault and battery.

Last March, Hughey was under investigation by Academic Vice President John Gruber for a complaint by an unidentified woman alleging Hughey "sexually harassed her and made improper remarks."

Hughey stepped down as dean on Jan. 13 at the same time his standard five-year performance review was completed. Daniel Buerger, executive assistant to the president, said at the time that Hughey's resignation

had nothing to do with the sexual harassment charges.

The results of the review were confidential. All deans are subject to this review. The result of the review committee are used by the president to base her decision on keeping the dean under review. Hughey is on paid administrative leave until he begins teaching in the fall.

All deans have the the option to return to the classroom with the same tenured status they held before moving into the administration.

Dick Staley, SJSU public information director, said the university could not comment on the lawsuit because standard policy precludes university officials from speaking

about pending litigation.

Fullerton could not be reached for comment.

In the complaint, Morrice states that Hughey subjected her to the following acts:

- ✓ Calling plaintiff at her home on a daily basis and asking her to accompany him to dinner and to other social functions.

- ✓ Repeatedly attempting to kiss and otherwise touch plaintiff in a manner offensive to plaintiff.

- ✓ Attempting repeatedly to induce plaintiff to grant defendant Hughey sexual favors.

- ✓ Repeatedly making sexual advances to plaintiff.

The complaint states that there were

continued on page 3

Future unclear for A.S. ski shop

By Maria J. Gunter
Daily staff writer

The future of Earth Toys is in question, said A.S. Vice President Michael Faber at the Wednesday board meeting.

Less than 500 students rent from the A.S.-owned ski and camping equipment shop, making the A.S. subsidy per student approximately \$100, said James Warren, A.S. executive assistant who prepared an audit of A.S. businesses.

"Earth Toys really doesn't carry a very wide variety of skis," said John Stava, SJSU Ski Club publicity officer.

The ski club offered to promote Earth Toys in its newsletter and perhaps provide club members with a \$2.50 discount for ski tune-ups, but shop management said they preferred to do their own advertising, said Chuck Dale, SJSU Ski Club treasurer.

"Is asking students to go an extra mile downtown too much to ask for a \$50,000 loss?" Faber said. "One of the things we campaigned on was to bring efficiency back into the student government."

Earth Toys lost \$18,700 in 1984-85 and is projected to lose \$13,990 in 1985-86, according to Warren's audit. The audit shows operating deficits over an eight-year period, 1982-90, ending with a projected \$53,626 deficit for the budget year 1989-90.

These figures represent the money needed to keep Earth Toys afloat over and above what is brought in by equipment rentals, Warren said.

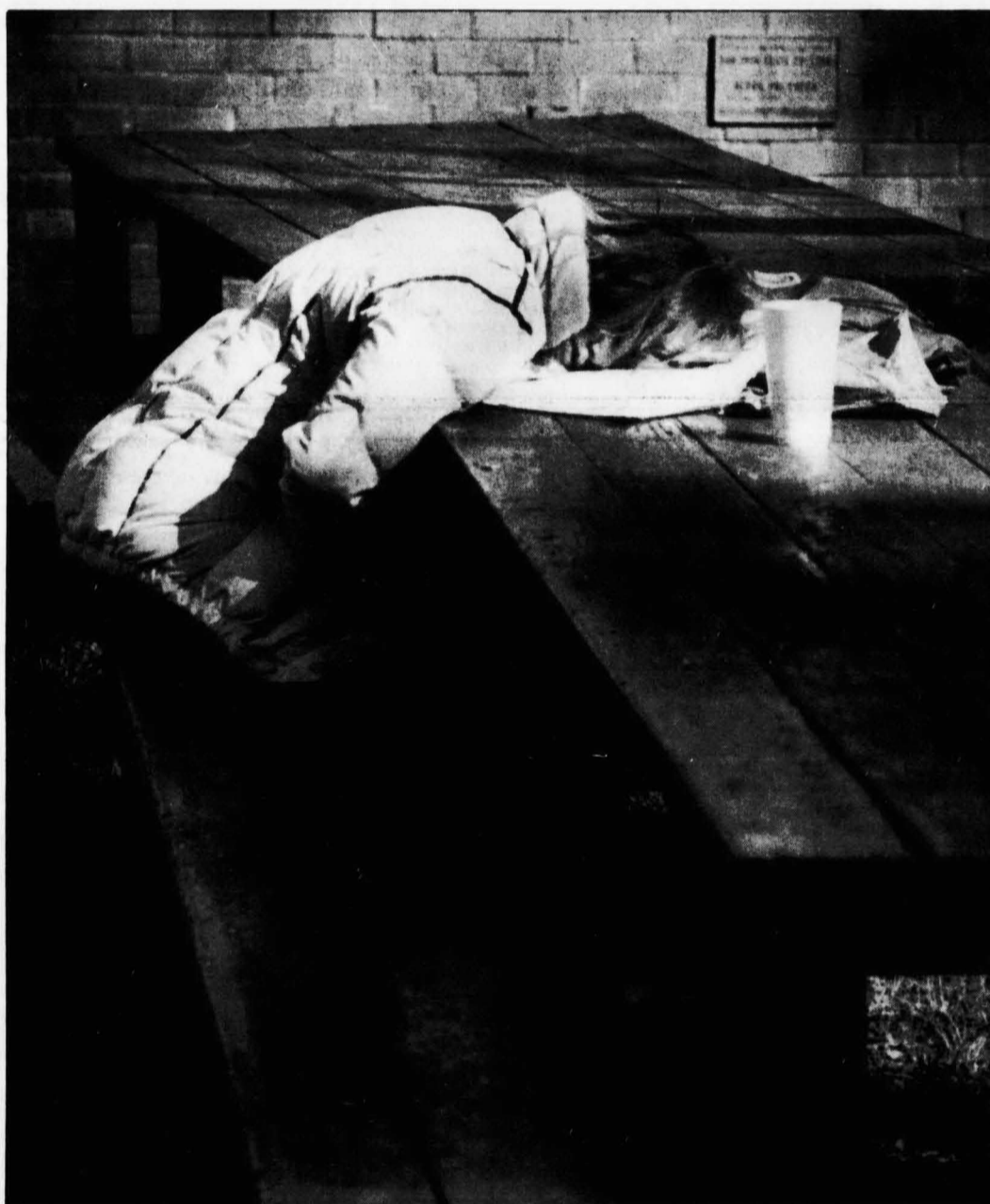
"These deficits are after cost-cutting measures have been put into effect . . . so these are, in a sense, optimistic figures," he said.

Earth Toys Supervisor Penny Terry said she was shocked at the size of the deficits the audit projects.

"The study should have been done four years ago," Terry said. The situation just kept getting worse and the budget requests were continually increasing, she said.

Warren informed the A.S. board of Earth Toys' financial situation and requested the board's guidance requested on page 3

Battle fatigue



Steve Savage — Daily staff photographer

Marketing major Cindy Moll, a junior, surrenders to sleep near the barbecue pits. Her attempts to tackle a reading assignment in an advertising class proved no match for the need to catch 40 winks.

Budget seat filled; one slot remains

Student services director appointed to committee

By Carl Scarbrough
Daily staff writer

The A.S. Board of Directors unanimously approved the appointment of its director of student services to the budget committee Wednesday. One position remains open.

Adam Novicki will serve as the director-at-large as specified by the A.S. Constitution.

Currently, the budget committee has 11 of the 12 required positions filled. The remaining position is not likely to be filled until the board's Feb. 16 meeting, said A.S. Executive Assistant Paul Sonneman.

The A.S. Constitution requires that three students, who are not members of the board, serve on the committee, and to date, only two have been appointed. The committee has received four applications for the third position.

The application deadline is Tuesday, and the selection will be made Feb. 16, Sonneman said.

All applicants will be strongly encouraged to attend budget committee meetings prior to the appointment, he said.

The applicants will be interviewed by the personnel selection committee, and the committee will make its recommendation to the A.S. board.

The budget committee is composed of eight voting and four non-voting members.

Current voting members are: Novicki; Scott Davies, A.S. director of business affairs; Verda Alexander, A.S. director of sponsored programs; Gabriel Miramontes, A.S. controller; Larry Rose, associate professor of accounting and students Timothy Smalls and Devesh Garg.

The non-voting members are: Jean Lenart, A.S. business director; Jim Cellini, A.S. adviser; Erin O'Doherty, A.S. president, and Robert Martin, dean of student services.

Last Tuesday, the committee heard budget requests for eight A.S.-sponsored programs. The requests, totaling \$68,562, were presented by Lenart because the programs are administered by the A.S. Business Office.

A.S. Clerical requested \$50,717. The program provides secretarial services to the A.S. government and the

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More students could mean more money

By Shelly O'Day
Daily staff writer

With an enrollment increase of more than 600 students this year, SJSU may expect at least \$700,000 more from the state than it received last year.

Enrollment for fall was up 636 students from last year, bringing total enrollment to 25,479. Each student will bring in approximately \$1,200, said Ed Burton, associate dean of Educational Planning and Resources. CSU campuses receive state money based on the number of students enrolled.

SJSU's enrollment for spring semester will probably be higher than spring 1985, said Jack Foote, director of institutional studies.

"Past experience tells us that enrollment will be up in the spring if enrollment was up in the fall," Foote said. "I have seen some numbers and I have a gut feeling."

Exact figures will not be available until the add/drop period is over and it is determined how many students are enrolled this semester.

Today is the last day to drop classes with no penalty and Feb. 14 is the last day to add classes without penalty.

After the fourth week of each semester, admission records are sent to the CSU chancellor's office in Long Beach. Money is allocated to CSU campuses on the basis of these files.

"That's why students can't add after Feb. 24," Foote said. The chancellor's office watches the university carefully to insure that students don't add or drop after records have been submitted, he said.

Money is allocated according to the number of full-

continued on page 3

Higher state regulations requested for VDTs

By Veda Anderson
Daily staff writer

Concern about the safety hazards that result from regular use of video display terminals has prompted the California State Employees Association to lobby for tougher statewide VDT standards that the CSU system would have to follow.

CSEA, a union that represents the non-academic staff in the CSU system and civil service employees, sees VDT health hazards as a serious problem shared by students as well as the staff, said Kristopher Organ, CSEA representative for this campus.

Research shows that regular VDT use has caused muscle strain in the back, shoulders and neck. Other users have experienced eye stress and irritation, Organ said.

The eye strain occurs because of the constant eye movement from paper to screen that does not occur as much when using a typewriter, Organ said. The glare

and reflection from the terminals also cause eye strain.

Organ said that the use of VDTs creates more stress on the job too.

Further research is being done to find out if regular VDT use has adverse effects on pregnant women.

Ron Almquist, senior labor relations representative for CSEA, said that there are certain chairs that should be used with VDTs that can be adjusted by the individual.

The efforts of manufacturers to adapt systems to better accommodate humans is known as "ergonomics." Solving the ergonomics of computer use would mean using chairs that promote good posture and minimal fatigue, and setting standards for the display color used on the screen and the degree to which the screen should be illuminated. The distance that the user sits away from the screen should also be standardized, Almquist said.

"CSU has no standards on the pur-

chase of (VDT) equipment or on the operation of the equipment when it comes to health and safety," Almquist said.

VDTs are used extensively at SJSU by staff, faculty and students. There are roughly 175-200 computers used in the School of Engineering alone, said Michael Edwards, director of engineering computer systems. There are also 43 personal computers used by faculty, Edwards said.

In the School of Business, approximately 160 computers are used, said John Lehane, computer laboratories director.

And in the School of Science, there are about 200, said Richard Smith, associate dean of the school. Each department office in the school has at least one computer, Smith said.

SJSU should be concerned about the hazards particularly because the university has some old equipment that has been around for a long time and has not been replaced, Organ said. Many times, old

chairs can cause some of the problems associated with VDT use, he added.

Ron Montgomery, SJSU health and safety officer, said that the university has received information about the safety hazards involved with VDT use. The university is also aware of the proposed standards that the CSEA is pushing to get approved. But Montgomery said that until the standards are adopted by the state, the university is not in the position to act.

"So far, the state has not adopted them (the standards)," Montgomery said.

The CSEA Legislative Committee is in the process of introducing legislation through state Sen. John Seymour, 35th District, that will set standards for VDT use.

"We are working with the Legislature to establish and set standards that will be (submitted for the) governor's approval," Almquist said.

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Fight ignorance; ask questions

The sweat on Doug's brow heated to a sizzle. He sat nervously in history class as his thick-framed eyeglasses slid down his nose.

He took several deep breaths. The polyester on his left pant leg tickled at the hair on his exposed calf. He yanked at his brown sock and with a wrinkle of his nose, nudged his eyeglasses back into place.

Taking a final breath of courage, he raised his hand timidly.

The professor paused in mid-sentence, "Yes, Doug?" "I j-just wanted to know... who w-was this Mister Hannibal Hamlin?"

The eyes of other students focused upon him in disbelief. One student packed his materials with disgust and left the classroom.

"Hannibal Hamlin," answered the professor eloquently, "served as vice president in 1861, under Abraham Lincoln."

Doug tried to cool his flaming embarrassment by thinking, "the only stupid question is the one which goes unasked," but it took a long time before his tension was eased.

Whoever said that the only stupid question is the one which goes unasked, forgot to add, of course, that once the question is asked, it is not the question which seems stupid, but the individual asking it.

The sensation of stupidity is temporary, however, and it is only a symptom of a larger problem which can be best described by one word: ignorance.

Ignorance is not as bad a word as it seems. The Webster's New World Dictionary defines ignorant: 1) lacking knowledge or experience, 2) caused by or showing lack of knowledge, 3) unaware.

Because of the connotations associated with ignorance, it has become a bad word and an insult to people. Unfortunately, ignorance is a human characteristic. People are born ignorant, and then they're sent to school, if educational opportunities are available for them. Of course, those who don't go to school, learn anyway. They just become proficient in whatever it is they do learn outside of a classroom.

America, however, being the land of opportunity that



Suzanne Espinosa

it is, provides public education for everyone. And because information is accessible to everyone through the public school system, there are very few acceptable excuses for the lack of knowledge in this society.

Thus, people try to hide their ignorance for fear that someone, somewhere, will fly out of the woodwork, point at them and say, "You're stupid."

This is why open discussions in classrooms are rarely lively, and teachers' questions are often answered with silence. It takes courage to respond to a question only to find out that the answer was wrong. It also is difficult for an individual to make a statement before the class and find that the majority of the students disagree. It's a risk-benefit situation and many students would rather not take the risk.

Students refrain from asking questions in the classroom because they must expose their ignorance in order to gain knowledge.

And there are the teachers standing before the class thinking they've done a wonderful job because nobody has questions.

In the meantime, Doug sulks at his desk, weighing the risks and benefits associated with asking another question. A little angel appears behind his right ear and whispers, "Go ahead, it's a good question and it will benefit the other students." And of course, the little demon appears behind his left ear and screeches, "Go ahead, remind everyone about just how stupid and ignorant you really are."

Walkmans tune out life's joys

Drugs, once the only way to really tune out, are now being replaced by that ever-present technology that abounds in Silicon Valley, the Sony Walkman.

Actually, it doesn't have to be a Sony. It could be a Panasonic, Aiwa, or any readily available small tape player.

I'm sure you've all seen them. People walking around, riding around and driving around seemingly permanently attached to a set of headphones coming out of their ears. They walk around in a daze, oblivious to their surroundings. Closed off to the world.

Sometimes the music is so loud that even passersby can hear a faint sound emanating from their fellow human. It's pretty sure that the person can't hear anything but the rock music pulsing between their ears.

Is this a substitute for drugs? Or maybe just an alternative for those who don't like the idea of tuning out by changing their body chemistry. In either case, there is a continuing trend to close off from the rest of the world.

Who said, "When you go through life, stop and smell the roses along the way."? People are still ignoring that simple piece of advice.

I'm sure that someone who has been blinded in an accident could tell you the importance of seeing everything when it's there and not taking it for granted.

Some of our grandparents are losing their sight as they get old. Can they say they've seen enough and don't regret rushing through their lives not really looking at the world around them.

Driving a car while listening to headphones is illegal and in some areas riding a bike while "plugged-in" is illegal but people still choose to ignore what's around them at the possible expense of their lives.

There's even a law that some people are trying to get passed that would make it illegal for people to walk around wearing headphones. Now, this may be a bit extreme but it might save lives and help force people to look around them.

I admit it. I've done it too. I walked from the journa-



Linda Smith

lism building to the 10th Street Garage a couple of times plugged into Laura Branigan, walking to the beat and not seeing or hearing what was going on around me. It wasn't until a car almost ran me down one day, while I was crossing San Salvador, that I got the message loud and clear.

I could have missed a friend passing by, or a child playing in the playground, or even the car that might have killed me.

It's not the music or even the technology that brings it to us. It's the desire that we have to avoid contact with the people around us when we're out among them, on our way to class or on our way to our cars.

There may be a lot of ugliness in the world but there is also a lot of beauty. The diversity of people on this campus, sizes, shapes, colors is a beautiful tribute to the freedom we have. Bright colors of advertisements, the sound of the Tower Bells tolling the time or the sound of a foreign language, are all things to be taken in as existing in our world, not to be ignored.

Technology is great. It's made our lives so much easier in most cases and prolonged our lives. But what's the point if we've tuned out the appreciation of the sights and sounds that already exist around us.



.. AND NOW, OUR SPEAKER FOR THIS EVENING, GEORGE BUSH. '



U.S.S. REAGANBO

Letters to the Editor

County supervisors on right track

Editor, I'm offering a reply to Roger Gilbert's opinion "Valley needs mass transit, not cars."

Roger, I'm glad to know that someone has finally figured out a way to solve our traffic problems, but it's not you! It's the County Board of Supervisors. (You know them, they are elected by the majority of voters in Santa Clara County.)

This Board of Supervisors has been working on Transportation 2000 (as in 15 years from now) for several years. The board has funded numerous commissions and studies to discover the best solutions. (Remember, it's an imperfect world.)

And guess what? The board correctly came to the conclusion that since people in the more affluent communities of Cupertino, Saratoga and yes, your beloved Los Gatos, won't ride a light rail if it were built today, Route 85 must be widened to accommodate today's commuters. And surprise, a light-rail system will be installed when the ridership makes it cost effective. That's right, it's cheaper to build a freeway people will use.

Los Gatos Town Council may be a noble body indeed, but what gives a minor one-horse crossroads the right to plan the valley's transit agenda (read, spend millions of tax dollars)? Route 85's expansion will benefit everyone, especially electronics workers from Los Gatos.

Mass transit is the plan for the future. Construction has begun for the Guadalupe, Highway 101 and Fremont-South Bay light-rail systems. Santa Clara Valley owns one of the most modern and efficient bus fleets in the nation, and the Board of Supervisors is constantly working to improve services and increase ridership.

Roger Gilbert should have acquainted himself with facts before whining the praises of the Los Gatos Town Council. He should have congratulated the Board of Supervisors for the foresight and imagination when they approved the first phase of Transportation 2000.

Arabs may control 50 percent of the oil reserves and may one day seek world power, but they won't bring us to our knees - all praise to Norwegians and Brits!

Martha Boyd, Senior Political Science

Reaction to 'Rambo' inappropriate

Editor, John Lucero's reaction to the "Rambo" movies was too severe and inappropriate for the subject matter.

John Wayne starred in numerous westerns throughout his career. He was often portrayed as the definitive "cowboy hero." However, Wayne was not criticized for his shooting of "ruthless Apaches" in the films as being an inaccurate account of the actual systematic extermination of American Indians that took place. This fact was probably not considered by the movie-going public. Nor should it have been.

Like the westerns, the "Rambo" movies were not historical documentaries. Like the westerns, "Rambo" provided unrealistic but action-packed entertainment, a very popular theme for the American movie audience.

If Mr. Lucero would suspend his disbelief, as most of us do when we see a film at the theater, he might realize that his attacks against a fictional film's inaccuracies are just as ridiculous as Rambo's adventures in Vietnam were, for such films were designed to temporarily relieve the viewers' anxieties, not create them.

Scott Valor, Junior Political Science

Exit sensors won't harm floppies

Editor, An article about floppy disks in the Monday issue of the Spartan Daily suggested that students should not take diskettes through the book sensors at the exits of the libraries.

I would like to clarify that the exit detection equipment will not harm diskettes. This has been verified in conversation with representatives from the company that manufactured the system.

An article in a recent issue of College & Research Libraries (September 1985) supports this. However, it is important that students not leave diskettes in books when they are being checked out. The desensitizers located behind the circulation desks will harm diskettes and cassette.

Jeff Paul, Acting Assistant Director-Access Division Library

In Bold Face



David Leland

Housing AIDS

First it was strictly a homosexual disease. Then it was found that both straight and bisexual people could contract AIDS. But now, the most unsuspecting group of all is being maligned and accused of carrying this dreaded plague: houses.

Yes, a state law, which calls for disclosure of "material facts" by real estate agents to their clients, is now used against homosexuals when they put their houses on the market.

California Realtors may actually be sued if they neglect to tell a prospective buyer that the previous owner of a house had AIDS.

It should be noted that traditional "material facts" include faulty plumbing or the murder of an occupant.

The obvious implication is that if a person has AIDS, the house will contract it and pass it along to the next owner. Just how a house could contract AIDS, which can only be transmitted by sexual contact, infected hypodermic needles or blood transfusion, is not clearly explained.

What is known and admitted by gay activists, lawyers and health officials is that disclosure of the owner having AIDS both reinforces misconceptions about the spread of the disease and also lowers the value of the property.

Does this mean that people with AIDS actually make love with their homes? Or worse yet, do they exchange blood with the blank stucco walls?

Now, if this is so, we as a nation are in trouble. I can see the obituary in the Mercury News.

Services will be held today for 1244 Bork Road, which died from AIDS, in a local vacant lot after a long illness. It was 12 years old. Bork Road is survived by some of the wood that was used in the attic, which was lucky enough to be shipped to Montana.

This current hysteria is reminiscent of the Salem witch trials 200 years ago; perhaps we should take houses that are for sale and put them and their owners to some rigorous tests.

The first test would be to have the house and its owner take a long vacation together, perhaps a cruise, and see if there is any real attachment or fondness shown between the two. This would be a sure tip-off for observant AIDS watchers.

Another sure-fire method would be to give the owner a large cache of injectable drugs and see if he actually shared them with the house. This would also fall into the first test in that it would denote fondness between the two.

The final test would be for the house to have some sort of surgery, say a fixture removed, and see if the owner willingly gave blood to the house. When this was completed, laboratory tests would tell the tale.

Sound a bit far-fetched? So is the hysteria about real estate agents having to disclose a previous owner has AIDS.

This is ludicrous, but how else can the current AIDS house panic be construed?

Not one of the 16,548 Americans diagnosed as having AIDS has contracted it through casual contact (this means being in the same house with it).

It is time that people get in touch with the hard facts regarding this dread disease. The facts are scary enough without coming up with fantasies of our own.

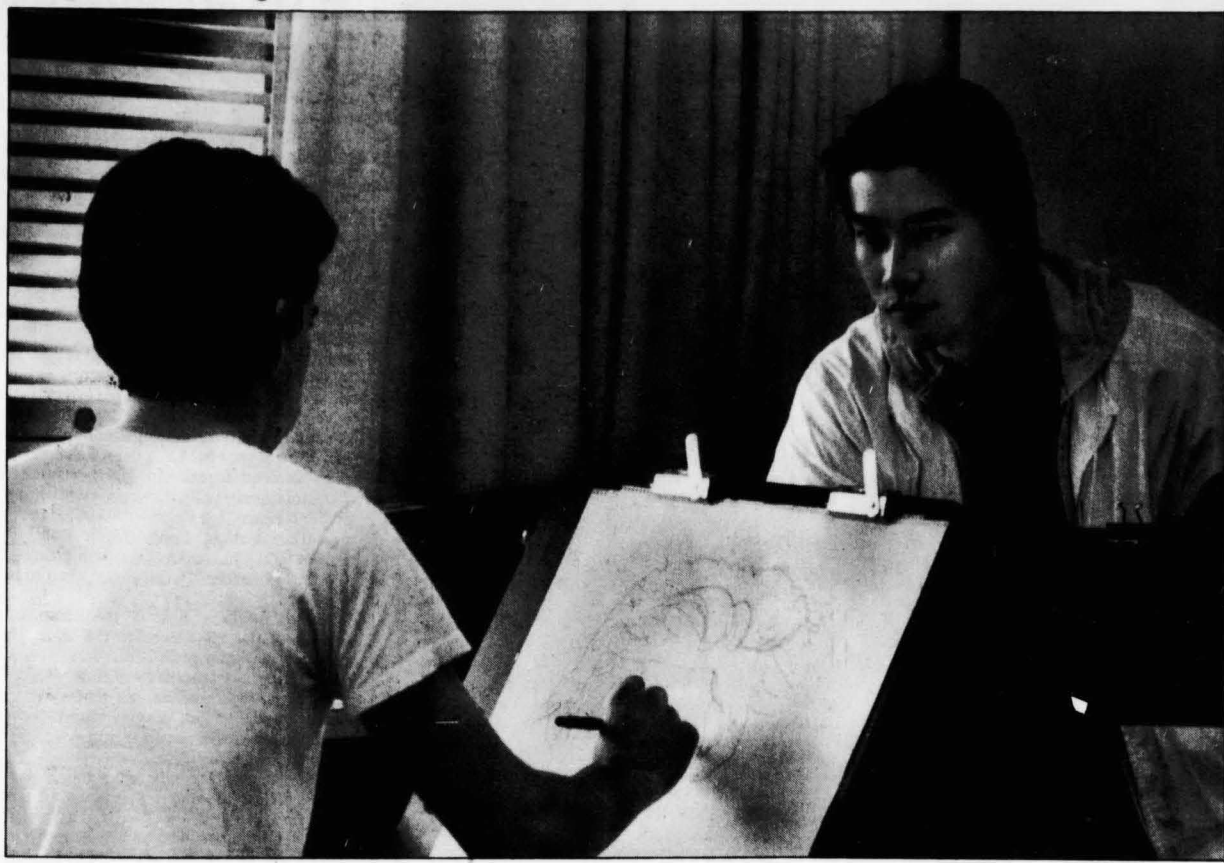
The facts are that the virus dies outside the body. People cannot even catch it from breathing the same air as a person with AIDS.

If a person still does not believe that and does buy a house previously owned by a person with AIDS, a thorough cleaning will work wonders. The AIDS virus, researchers say, is readily killed by common household bleach.

Come now. A house with AIDS.

David Leland is an associate editor. In Bold Face is an open forum for editors that appears Mondays and Fridays.

Eye to eye



Ryo Koyama (right), a mechanical engineering major, sketches the face of Brian Schauer, biology major, who is sketching Koyama. The sophomores could not look away from each other until the beginning drawing task was done.

Jay Dunlap — Daily staff photographer

Ex-dean charged with harassment

Lawsuit filed in Superior Court

continued from page 1
other incidences of harassment not included in the above list.

After the advances were rejected, the complaint states Hughey retaliated by humiliating Morrice in front of friends and co-workers on a regular basis and belittling her work. The complaint states an intimidating, hostile and offensive working environment resulted.

The lawsuit charges the university and Fullerton of negligence, ignoring the prior complaints brought by other university employees against Hughey and allowing further harassment of employees.

The complaint states that Fullerton and the university "failed to exercise ordinary care in hiring, supervising, controlling and managing employees at SJSU."

Fullerton is also accused of being lax in instituting guidelines and procedures for combating sexual harassment in accordance with directives from the chancellor's office. Morrice alleges that in trying to bring her original charges, her efforts were frustrated by the lack of established procedures.

Kate Wells, Morrice's attorney, said her client feels like she was punished by the university.

"She was victimized by the university," Wells said. "It became clear that the administration was more inclined to listen to Dean Hughey than to my client."

Wells said she advised her client to take the matter to court because of

'She was victimized by the university.'

— Kate Wells, attorney

the frustration experienced at the university level. Wells added the list of defendants may widen to include other administrators at SJSU and the chancellor's office.

Finally, the complaint states that Morrice was penalized when the university transferred her to a lower post and gave her "busy work."

The complaint states that Morrice was hired on Oct. 1, 1984. University payroll records show she continued in her original position until Jan. 11, 1985. The payroll records show she then became part of G.E. advisement beginning Jan. 12, 1985 and stayed at that job until April 17, her last day on the university payroll.

She quit the new post, alleging in the complaint that the university deprived her of continued salary and benefits.

Wells said the position her client was transferred to was only to last another year. Her original position would have been an additional two years.

The complaint states that Morrice has suffered emotional distress and physical injury as a result of the incident and has been forced to seek counseling and medical attention.

Ski shop tumbles

continued from page 1
garding the shop's budget before the Feb. 15 meeting.

Usually, groups submit a budget and then seek A.S. approval, but Earth Toys is inquiring about the board's position before doing this because the shop is an A.S. business and a large amount of money is involved, especially in future years, Warren said.

The purpose of Earth Toys is another matter to be considered, Warren said.

"Is it to be a self-supporting business or an A.S.-subsidized service for students?" he said.

It is losing money this year and it will continue to lose money in the future, he said.

Warren said that the board could either continue Earth Toys as it is with the deficit or take some corrective measures.

In past years, the shop has been able to cover operating expenses and has only needed budget allocations to purchase new equipment, Warren said.

Now Earth Toys is unable to pay operating expenses or buy any equipment, he said.

"Earth Toys will never, ever turn a profit; it will always need to be subsidized by the board," he said. "It is the board's ultimate responsibility for Earth Toys. It's your business."

Tim Orozco, director of community affairs, said he feels it is up to the board to take some corrective action.

"We can't be complacent like past boards have been," he said.

Warren said he will draw up a list of recommended actions for the board to be submitted at the next meeting. He said he will be discussing his recommendations with various board members before the Feb. 15 meeting.

Budget committee position filled

continued from page 1
A.S. Program Board. The funds would pay the salaries of two secretaries.

The A.S. Revenue Sharing Program requested \$2,000. The program, established by the A.S. board in December 1980, allows students to designate a portion of A.S. activity fee money to any university-recognized program.

The A.S. equipment reserve sought \$10,000. The fund is used to replace outdated and obsolete equipment and to purchase computer programs.

A.S. Board yet to fill final slot

A request of \$3,300 was made for the fees charged by BMI and the Association of Composers, Artists and Producers for copyrighted music performed on campus. A.S. funds cover 80 percent of the fee, and 20 percent is paid by the Student Union Board of Directors.

The A.S. Legal Counseling program requested \$1,680. The program

provides free legal counseling to students. The allocation would be used to provide eight 15-minute appointments a week.

The committee was asked to allocate \$865 to a fund that provides educational opportunities to A.S. Business Office personnel. Employees of the office work full-time and are limited in the number of courses they

can take.

Spartan Memorial and A.S. Legal Services made no funding requests but asked that funds not used by the end of the current fiscal year be left in their accounts and not reverted to the A.S. General Fund as is usual procedure.

The Spartan Memorial account is used for maintenance of the memorial building near the Spartan Complex and Dwight Bentel Hall.

The A.S. Legal Services accounts finances legal advice for A.S. business.

Draft resister sentenced; must serve time at home

WHITTIER (AP) — Prison inmates would consider six months at home an easy stretch, but draft resister David Wayte says it's harder than it sounds.

"It's not an easy sentence," said Wayte, 25, who hasn't been allowed beyond the yard around his grandmother's yellow stucco house since Sept. 10. "The psychological aspect is the most difficult; the idea of being a prisoner in my own home."

Wayte's six-month house arrest was imposed by U.S. District Judge Terry Hatter. The former Yale philosophy student faced up to five years in prison and a \$10,000 fine for refusing to register for the draft in 1981.

"I expected to get some kind of prison term," said Wayte, sitting in a patio chair by a swimming pool.

Wayte requested assignment to community service as a sentence, but Hatter prohibited such work.

"He felt community service was what I enjoyed doing and what I asked to do for my sentence, so he punished me," said Wayte, a teacher's aide to developmentally disabled adults when sentenced.

Wayte says he rises at 6 a.m., writes in his journal and does household work before reading for five to six hours daily.

"I miss ... going to the movies and taking walks. I miss the people I worked with," Wayte said.

Wayte lives with wife Jacqui Holt and a grandmother, a stroke victim under the care of two nurses. He and his wife plan to travel when his sentence ends March 9.

Wayte, shocked when President Carter announced resumption of draft registration, decided to resist after receiving a warning letter from the government.

"I felt registration would lead to the draft and another Vietnam-type war," recalled Wayte, then a Yale freshman. "I knew this was my time to take a stand..."

In 1982 Hatter ruled the government violated free-speech rights by prosecuting only visible resisters, but an appeals court reversed the ruling and the Supreme Court concurred.

Wayte probably slowed down the return to the draft, but didn't wipe it out."

Enrollment up, funds too

continued from page 1
time equivalency students enrolled. The units of all SJSU students are totaled and then divided by 15 to determine the equivalent number of full-time students.

Of SJSU's 25,479 students, 10,444 are part-time students.

More students drop classes during the spring semester than the fall semester, Foote said, but enrollment should remain above last year's.

"New students who enroll in the fall often find they've taken on too big of a load," he said. "Some just need a break."

A 150-page campus profile is compiled annually and sent to SJSU deans, department heads, and administrators. It gives a break down of SJSU students.

SJSU has 4,906 graduate stu-

'(They) often find they've taken on too big of a load.'

— Jack Foote, institutional studies

dents and 20,573 undergraduate students. Graduate students generally take less units than undergraduates so it takes more of them to meet full-time equivalency student standards, Foote said.

Female students outnumber males by 483. The largest ethnic group is Caucasian at 58.8 percent. Asians comprise the second largest ethnic group at 15.8 percent. Hispanics comprise 4.8 percent of SJSU's student population, and blacks 4.2 percent.

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SJSU edges Aggies club

By Dale Moul
Daily staff writer

The New Mexico State men's basketball team entered its matchup against the Spartans looking for its first win in the San Jose Civic Auditorium since the Aggies joined the PCAA.

The Aggies will have to wait until next year to accomplish that feat.

The Spartans won by a 78-74 score in a game that saw SJSU take the initial lead and never look back, but saw a bench-clearing altercation in the waning minutes of the second half.

Forward Ricky Berry scored 31 points — his second-highest point total of the year — before fouling out with 28 seconds left.

SJSU had a 16-point lead in the second half, and guard Herb Simon iced the game with two free throws with 16 seconds left.

Berry finished 10 of 14 from the field and he was four of six from the three-point range.

Entering last night's contest, the 6-foot-8 guard was averaging 18.4 points-per-game, sixth in the PCAA.

SJSU took a quick 4-0 lead to open the contest, but the Aggies just as quickly tied it back up.

The Spartans looked as if they were playing with more than the legal limit of five players when they rattled off nine unanswered points to lead 13-4.

The advantage was built to 16 when SJSU's Herb Simon and Lance Wyatt combined for seven points, during a Spartan spurt that saw them lead 22-8 with 9:16 left in the first half.

However, the Aggies produced a 13-2 run to cut the lead to 24-21 with 3:34 left. New Mexico State took advantage of Spartan foul trouble, adding foul points from the line.

Aggie guard Kenny Travis chipped in seven points in the half, including a three-point shot during the comeback.

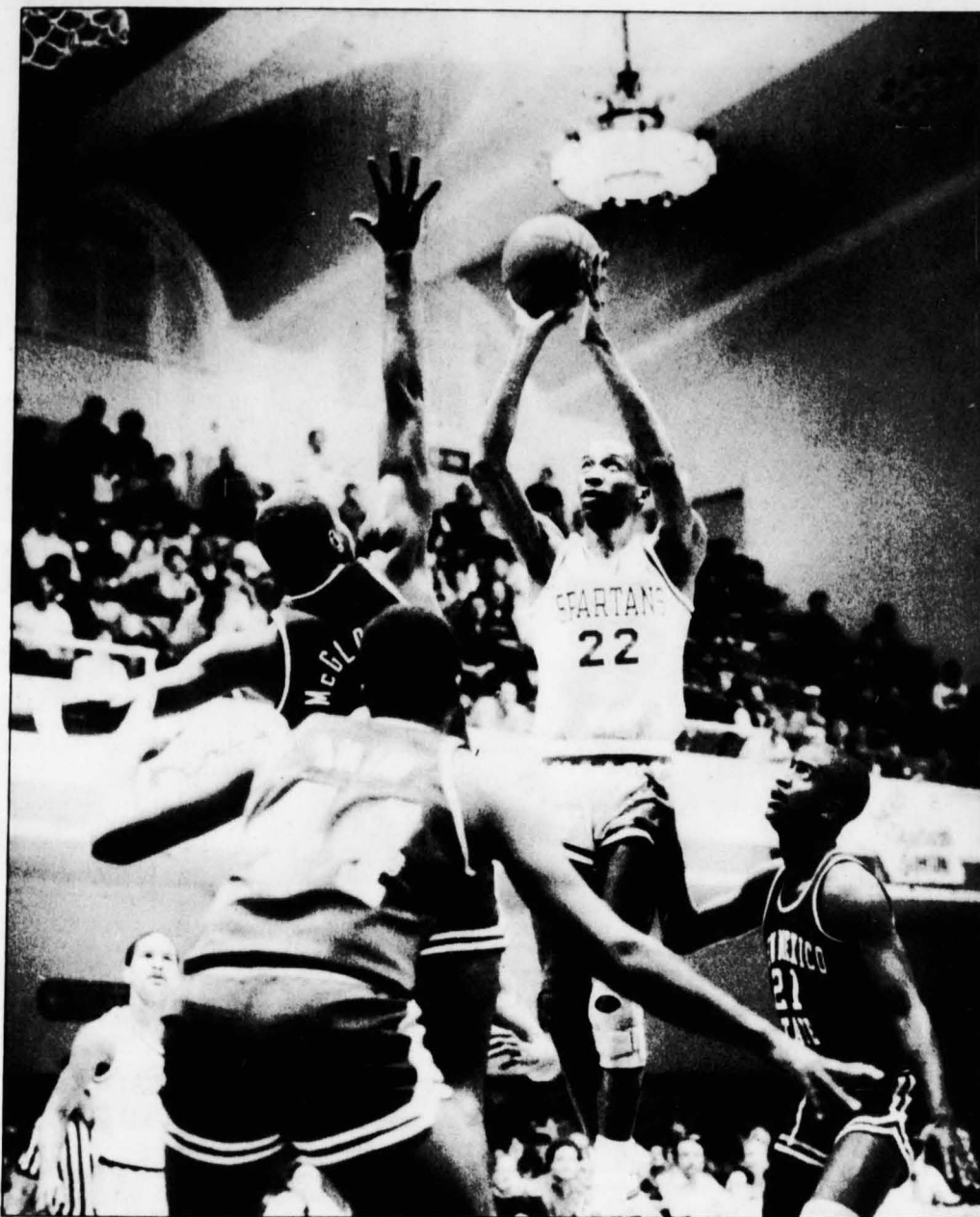
Berry poured in 11 points in the last 3:10 of the half to pull the Spartans back into a comfortable 35-23 lead. Berry finished with 14 first-half points, including two of three from the three-point range.

Simon was second in first-half Spartan scoring with six.

Three Spartan starters — forward Reggie Owens, center Gerald Thomas and guard Ward Farris — each had three personal fouls in the half.

Wyatt, who spelled relief for Thomas, grabbed five rebounds in the half, to lead all players.

Owens, who led the PCAA in rebounds with a 9.1 average going into the game, had four boards at the half.



V. Richard Haro — Daily staff photographer

Spartan center Gerald Thomas skies for two during last night's win over New Mexico State

Faded 49ers will prospect for victory

By Dale Moul
Daily staff writer

SJSU wraps up its current four-game homestand against the once-proud Long Beach State men's basketball team that stumbles into the Civic Auditorium Saturday night at 7:30.

The 49ers have fallen on hard times in the past few years, finding themselves at or near the bottom of the PCAA three years in a row.

Actually, Long Beach State (5-16 overall and 1-9 in the PCAA before last night's game against Utah State) has more victories at this point of the season than it did all of last year when the 49ers finished 4-23.

Coach Ron Palmer, in his second year with the 49ers who has a 9-39 collegiate record, lives with the school's memories of the eight straight PCAA championships and high-powered teams put together by Jerry Tarkanian, currently the coach of the University of Nevada-Las Vegas.

After leading Long Beach Poly High School to 31 wins and a state championship in the 1983-84 season, Palmer was hired to pilot the 49ers.

Like Palmer, most of the Long Beach State's players had been in the high school ranks a year before.

Palmer admits that the lack of experience is a weakness on his team now, but hopes, with added playing time for the younger players, a payoff on his patience will come in the near future.

The 49ers start only one senior, forward Stafford Hamlin, who is averaging 6.7 points per game.

Freshman forward Andre Purry is second on the team in scoring with a 9.9 average and tops the club in rebounding at 5.6 per game.

The rest of the starting squad consists of two sophomore guards, Billy Walker and Reggie Wallace, and second-year center DeAnthony Langston, who leads the team in scoring with an 11.3 average.

Long Beach State had lost five straight games before the Utah State game, including losses to UC-Santa Barbara, 56-54, and Fullerton State, 75-58.

The Spartans won the first meeting of the year between the two clubs, 72-62, in Long Beach on Jan. 20.

NOTES: Last year, despite its 2-16 PCAA record, Long Beach State managed to gain a split in the two games it played against the Spartans — each saw the other win on the opposition's home court. SJSU defeated the 49ers, 73-67, at Long Beach while the 49ers overcame the Spartans, 72-68, in San Jose.

Baseball team loses fourth straight

By Tom Morlan
Daily staff writer

The Spartans dropped their fourth game in as many tries to Stanford, 8-4, Wednesday at Sunken Diamond.

SJSU, 0-4, has been forced to play the Cardinal, a perennial national power, two more games than was originally scheduled due to the recent inclement weather.

Stanford erupted for three runs in the third inning. Spartan pitcher Larry McEvoy (0-2) began the inning by nailing Stanford's John Ramos. Consecutive singles by Lance Shebulet and Toi Cook drove in Ramos, and Shebulet and Cook scored on a fielder's choice and a sacrifice fly.

The Cardinal, 5-0, put the game away in the bottom of the sixth. Leading 4-2, Stanford scored four runs by taking advantage of the wildness of the Spartan hurlers.

Jeff Chesier and Matt McPeak gave up six walks in five innings, opening the door for a Cardinal scor-

ing spree.

The Spartans' Steve Ochoa said he was concerned about the team's start.

"We're just not playing baseball. We're making far too many mistakes," he said. "It's like we're going out there expecting to lose."

Fortunes may improve today

Wolf Pack visits winless SJSU

By Michael McCarthy
Daily staff writer

SJSU's baseball team looks to rebound from early-season blues today as it opens up a four-game series against the University of Nevada-Reno.

The Spartans began the season with four losses to a tough Stanford squad, and were unsure whether pitcher Anthony Telford would play. But Telford is back, and SJSU is primed to get untracked against a mediocre team with only five returners.

It will be the Wolf Pack's opening game, coming off a 26-26 campaign in the West Coast Athletic Conference.

"We start the season with 18

Ochoa cited a lack of experience as one of the reasons for the Spartans' slow start. He also said that when SJSU makes a mistake or gets down by a couple runs, "it seems like we give up."

For the first time this season, all of Stanford's runs were earned. In

the three previous contests, the Spartan defense was largely responsible for their downfall.

Designated hitter Jeff Nollette continued his torrid hitting pace for the Spartans. So far this season, Nollette is hitting .412 with a double, a triple and a homer in 17 at bats.

baseball.

"A typical score for our team would be 16-14," said Paul Stuart, the sports information director at UNR. "We are traditionally a good-batting team, but our pitching is totally untested."

"San Jose has a good nucleus of young ballplayers as good as some of the best teams around," Powers said. "We hope to stay in the game with them."

Baseball Schedule

Today vs. Nevada-Reno, 2:30 p.m.
Tomorrow vs. Nevada-Reno (DH), noon.
Sunday vs. Nevada-Reno, 1 p.m.
Wednesday vs. UC-Berkeley, 2 p.m.
Friday at Cal Poly SLO, 2:30 p.m.
Feb. 15 at Cal Poly SLO (DH), noon.
Feb. 18 at UC-Davis, 2:30 p.m.
Feb. 21 vs. St. Mary's, 2:30 p.m.
Feb. 22 at St. Mary's (DH), noon.

SJSU 000 200 011 - 4
Stanford 030 104 00X - 8
McEvoy, Chesier (4), McPeak (7) and Verneist, Kunkel, Wassenaar (5), Keyser (9) and Ramos. W - Wassenaar, 1-0. L - McEvoy, 1-2. HR - Stanford, Debenon.

Softball team sweeps Stanford

The SJSU women's softball team opened the season with a 2-1, 1-0 doubleheader victory at Stanford yesterday afternoon.

In the first game, senior Regina Aning put the Spartans ahead when she scored in the top of the first on an error by the Stanford shortstop.

Stanford tied the game in the bot-

tom of the second when third baseman Christy Fiscalini scored on an error.

Aning scored on a base hit by catcher Kelli Moulden to put the Spartans ahead for good.

SJSU's only run in the second game came in the third inning when Aning scored her third run of the day.

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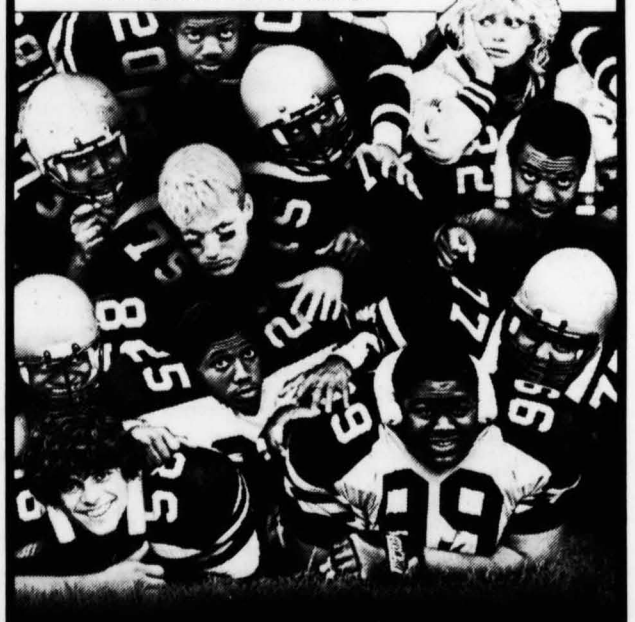
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Cadet membership expected to increase

By Lynn Louie
Daily staff writer

The cadet program has almost half of its expected number of cadets for this time next year with less than two weeks left before the Feb. 16 deadline for applications, said Officer Tom Pomeroy, program coordinator.

There are currently 27 cadets with hopes of 50 next year, Pomeroy said.

The 6-year-old program is designed to instruct students working toward a career in law enforcement or those who are interested in learning more about the field.

"The program provides an excellent opportunity to gain practical experience in the law enforcement field and serve the campus community while enhancing education," he said.

It is primarily a volunteer program that is arranged around cadets' schedules.

These sentinels walk around campus in uniforms of light and dark blue and act as the "eyes and ears" of the police department, Pomeroy said.

Pomeroy said that the student puts in a lot of work and does not make much money.

Cadets give directions, respond to calls, assist the campus police and direct emergency vehicles when necessary.

A student need not be an administration of justice major to be a cadet. The program invites all majors, Pomeroy said. The only requirement is that the person be a registered college student.

"The program takes other majors' experience and puts it to work," he said.

Cadet Lt. Margie Beiderman is one example. She is a graphic design major whose artistic skills have been used to design an informational piece and fliers about the program.

After being accepted in the program, an applicant must complete a physical agility exam, oral interview, and a background investigation before beginning training.

Five weeks of classroom instruction then begins. Foot patrol concepts, basic criminal law, officer safety, arrest control techniques, crisis intervention, traffic control, radio procedures and report writing are taught.

The new cadet will then apply

what was just learned in the classroom to field instruction which must be accomplished with a UPD cadet training officer.

"The training is tough if you don't want to learn, otherwise it's interesting and fun if you do," said Steve McKean, cadet field training officer.

Training officers are also students who have been through the program. As students, cadet trainees may find them easier to relate to than UPD officers.

"As students, we're models," said cadet Lt. Magdalena Cardona. "The cadets say, 'If they can do it, so can we.'"

Upon completion of field training, the cadet will start with new duties. Cadets will have to put in 20 hours of mandatory time per month on foot patrol and in meetings, which is set up to fit each cadet's schedule.

Cadets can also volunteer for additional foot patrol, plainclothes details and uniformed ride-alongs with UPD officers.

Occasionally, paid jobs, such as dorm security or security for special events, come up which the cadet can take if desired.

Education is of the utmost importance and staff members and the program coordinator realize it. If class and cadet work get to be too much, the cadet can either drop out of the program or request a leave of absence. If leave is granted, the cadet will have six months to get organized or quit.

Many cadets use their experience to pursue careers in law enforcement. Some have gone on to work for local or federal law enforcement agencies such as: the San Jose Police Department; the Mountain View Police Department; the Bureau of Alcohol, Tobacco and Firearms; the FBI and the Internal Revenue Service, Pomeroy said.

"You can just go in and apply, but this is an extra benefit," said cadet field training officer Sandra Marshall, an administration of justice major. "The experience is like getting bonus points. You have more confidence in yourself and what you can do," she said.

It also isn't uncommon for a cadet to become a UPD officer. Recently hired officer Michael Oreschak had been in the cadet program. Four others, Greg Acton, Barry Bar-



Jay Dunlap — Daily staff photographer

Police cadet Lts. Magdalena Cardona and Margie Beiderman discuss SJSU's Police Cadet program during an interview.

ner, Margaret Skerry, and Alex Dourov, participated in the program and were hired by the department at different times, said UPD Information Officer Russ Lunsford.

Acton, Barner and Skerry (formerly known here as Margaret Edillo), are now with local police departments. Dourov is still with the campus police.

Whether or not a student decides to go into law enforcement after going through the program, the experience gained is valuable, he said.

"It's a great reference for anything, especially the volunteer part," said McKean, an accounting major. "It shows responsibility and hard work used to reach a goal."

Cardona, Marshall and McKean plan to go into law enforcement careers but Beiderman is not sure. She said that even if she decides not to go into law enforcement, her experience will have been worthwhile.

"It's given me a lot of experience, dealing with the public and learning how to communicate," Bei-

derman said. "It's shown me what law enforcement is all about, but I'm not sure about pursuing a career in the field."

Cadets can be distinguished from the police officers by the color of their uniforms. Officers wear khaki-colored uniforms while the cadets wear blue.

The program brings a lot of pride to those involved. Good comments are heard from other police departments, schools, and law enforcement agencies, McKean said.

The cadets save the university thousands of dollars a year through the great amount of manpower, Lunsford said.

"The success or failure of the program is with the people that go through the program," Pomeroy said. "It must meet the department's, cadets' and university's needs."

"The program is for them (the students)," Cardona said. "They have to want it as much as we want them."

Obituary

Owen Payne service tomorrow

A funeral service will be held tomorrow for Owen Payne, who served 15 years in the service of the university, 12 years on security and three years in parking enforcement.

Payne died Monday evening of heart failure. He was 63.

Payne started as a watchman on the campus in 1970. One year later his position was renamed to campus guard. He became a parking officer in June of 1982. In August of the same year he was named supervising parking officer.

Payne was a Navy pilot from 1942-1958. He flew more than 60 missions and received the Navy Cross for valor.

He worked as a personnel manager for Ferry Morse Seed Company, director of industrial relations at S&W Fine Foods, in the service of Burn's Detective Agency and was self-employed prior to his employment at SJSU.

He also served four years in the Navy reserves.

He is survived by his sons

Thomas, John Owen and Christopher, his daughter Mary Lynn and his sister Bev Johnson.

Saturday's services will be held at 11:30 a.m. at Darling-Fisher Garden Chapel, 471 E. Santa Clara St. A visitation is today between 3 and 9 p.m. at the same location.

The burial will be held Tuesday at 11 a.m. at the Oakwood Cemetery on Paul Sweet Road in Santa Cruz.

There will be military honors at the grave site.

School denied access to loan program

SACRAMENTO (AP) — For the first time, the California Student Aid Commission is barring a school from participation in the guaranteed student loan program.

The move, announced yesterday was part of a "get-tough" stance intended to shore up a federal loan program that now is more than \$310 million in default.

Executive Director Samuel M. Kipp III said that the move was against the Academy of Stenographic Arts in San Francisco.

The complaints include having a rising default rate and failing to refund more than \$170,000 to 167 students who did not complete classes.

The private, for-profit academy offers training in court reporting and business, and in the last year has seen its default rate swell from 6.5 percent to 19 percent.

School officials were unavailable for comment.

"For too long, a number of loan program participants, including schools, lenders and students, have disregarded their responsibilities, resulting in a spiraling default rate which threatens the integrity of the entire program," Kipp said.

"Guaranteed student loans have become the single largest source of student financial aid for California students, over \$720 million in 1985 alone."

He said the availability of loan funds for the majority of students is being "jeopardized by the actions of a few."

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