

The Spartans lose a close one, 66-61, to Jerry Tarkanian's Fresno State Bulldogs

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INSIDE

New York choreographer Marlies Yearby puts SJSU dancers through their paces

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**SPARTAN DAILY**

# CSU execs make less than most

*System may change pay policies*

By Terri K. Milner  
Spartan Daily Staff Writer

When San Jose State University President Robert Caret looks at his annual income at the end of each year, it is \$2,729 short of the CSU presidential salary average.

But he is not alone. A December 1996 William M. Mercer report disclosed that the average CSU presidential salary of \$141,305 lags by 30.51 percent behind the \$184,415 average base salary for comparable university presidents.

Caret, who makes \$138,576, is behind both averages in a field with a presidential salary high of \$161,352 at California Polytechnic State University, San Luis Obispo and a low of \$120,288 at Maritime Academy in Vallejo.

"Salaries get adjusted periodically when it comes to the board's attention that the CSU salaries have fallen

below comparable institutions," said Karen Newell Young, a spokeswoman for the CSU Chancellor's Office.

The Jan. 28 Board of Trustees meeting acknowledged the discrepancy between CSU and comparable university compensation packages, deciding that the Committee on University and Faculty Personnel will report to the trustees regarding the issue after careful public discussion.

The Board of Trustees has seen the writing on the wall for months now.

At the September 1996 meeting, a policy was adopted that was to prepare a total executive compensation program for campus presidents and system executives to address the need to maintain a competitive market position.

Competitive viability is lacking not only in executive salaries, but also in that the CSU system does not have an attractive benefits package.

"The bottom line is that it gets harder and harder to recruit and retain top executives," Newell Young said.

Compounding matters is the fact that the CSU presidential salary system as a whole pales when held up against the impressive UC chancellor salary average of \$206,233 — a

See **Executive**, page 6



# One day at a time

*New ordinance threatens means of San Jose's day workers*

By Gloria Magaña  
Spartan Daily Staff Writer

The truck driving license reveals a healthy man. The photograph hardly resembles the gaunt workman who pulled it out of his pocket to identify himself. The transformation is due to a drastic change in lifestyle.

Five days a week from 6 a.m. to about 4 p.m. he stands in the parking lot of a Yolanda's Produce & Restaurant on Story and King roads with 25 other men seeking work from the drive-by public.

**A Day In The Life...**

Every morning, vehicles pull up into the parking lot and the drivers handpick day workers for a specific job, usually involving manual labor. The workers are told what they will be doing and, if fortunate, may be able to negotiate payment.

The workers say there are risks for both workers and employers. At times, the employer may seek one type of work that needs to be done but, upon arriving at the worksite, the worker may be told to do another. Employers risk choosing workers who lie about their skills.

For workers, there have been stories about lack of payment after a job and being left in the middle of nowhere to find their way home.

Sometimes the risks are more bizarre. Rafael Nunez of Willing Able Construction, who uses many of the workers, related an instance "where some men picked up a worker and hired him for a painting job. When the worker arrived at the house, he found no painting materials. The employer told him he was brought here to do a pornographic

See **Dayworkers**, page 6



PHOTOS BY LEA TAURIELLO  
Spartan Daily

Above: Shadows of opportunities present themselves to a day worker approaching a car that pulled into the parking lot of Yolanda's Produce located near the Story and King Center in East San Jose.

Left: Rather than rely on the Day Worker Job Center for possible daily employment, many gather in the Story and King Center in East San Jose with hopes of finding their own work for the day. Many of those waiting are trained with different skills. Some are electricians, a few construction workers and landscapers.

# Seminar helps women start businesses

By Dennis Knight  
Spartan Daily Staff Writer

Some of the most successful women in the Silicon Valley will be on hand this weekend for a business seminar designed to encourage women to succeed in commercial enterprises.

The San Jose State University Center to Develop Women Entrepreneurs is holding a "Mentoring Fair '97" at the Santa Clara Marriott Hotel on Saturday. The fair consists of workshops, talks and demonstrations designed to help women compete in the business world.

Terrie Williams, a public relations specialist with Eddie Murphy as her star client, will be the morning keynote speaker.

"We really work this thing to give women courage and direction to go forward. A lot of the speakers have personal stories that will motivate

those that attend," said Carla Griffin, the fair's producer.

"We found last year that women left the conference with hope and self-confidence and they actually had a strategy to get their plans into place," said Griffin.

Angela Arrien, an anthropologist, educator and corporate consultant, and Chitra Divakaruni, a prize-winning Sunnysvale author and professor of English at Foothill College, will be featured as the luncheon speakers.

Divakaruni wrote a collection of short stories entitled "Arranged Marriage," which dealt in part with the Mid-eastern practice of arranged marriages. The book was also about the lives of Indian immigrants in the United States. It won the fiction prize at the Bay Area Book Reviewers Association's 1996 Awards.

Divakaruni's presence is felt beyond the literary community. She

See **Women mentors**, page 6

# Cunneen wants to kill with kindness

By Doug Berkhardt  
Spartan Daily Staff Writer

Lawmakers, who spend much of their time at each others' throats, have agreed to endorse a random act of kindness — even with each other.

Jim Cunneen, Republican Assemblyman for San Jose, persuaded the State Senate to pass Resolution Seven, the "Random Acts of Kindness

Week," slated for Feb. 10-16.

"People hold the power to make communities better places to live and work. I believe that is the spirit of this resolution," Cunneen said in a press release.

Cunneen, who got involved when he read a number of articles regarding the movement in the Los Altos Crier, felt the Random Act of Kindness Foundation was not recognized for

their efforts.

"Our goal is to activate and mobilize communities, groups and individuals to flood the world with so many kind acts during this special week, that we can drown the voice of violence and anger," said Nancy Briggan, the national director of the Random Acts of Kindness Foundation.

According to Cunneen, the bill See **Kindness**, page 3



**Random acts of kindness week**

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**Monday**  
*San Jose resident Margaret O'Keefe died last month, but leaves a legacy of art*

# 'Altamont Express' could give commuter relief

By Aaron Williams  
Spartan Daily Staff Writer

The commute to San Jose will soon get easier for people in Alameda and San Joaquin counties.

The relief is going to come in the form of a commuter train service called the "Altamont Express." Named because of the Altamont pass, east of Livermore, the train slated to start service in January 1998 will have stops in San Joaquin,

Southern Contra Costa, Western Alameda, and Santa Clara counties. It is expected to have a ridership of between 400,000 and 500,000 people in the first two years.

Stacey Mortenson of the San Joaquin Regional Rail Commission said the project has been in the planning stages since 1989 when Proposition 116 was passed. Proposition 116 was a state transportation funding package which

earmarked \$14 million specifically for a commuter rail service through the Altamont corridor. San Joaquin also implemented a half-cent sales tax for the project. Total start-up costs for the project will come in at about \$43 million.

Funding from Alameda and Santa Clara counties is coming in the form of cost sharing for operating expenses for the first three years of ser-

See **Altamont**, page 6



## Festivals are Downtown San Jose's greatest attraction

If San Jose has a tourist attraction, it isn't anything into which the Redevelopment Agency has poured millions of dollars.

The greatest attractions in San Jose are the festivals and street celebrations held in its downtown.

Whether it is Cinco de Mayo, the 16th of Septiembre or Tapestry and Talent, San Jose knows how to throw a party.

The only trouble is that these parties bring too many people to San Jose, the place

with a small-town heart and a big city soul.

Ironically, San Josians don't like people. People mean traffic and trash and crowds.

We can never have those things in the country's 11th largest city (or that is what the businesses and residents in downtown think).

There is understandably a concern over too many people in a small place.

But San Jose is a large city. There will be crowds, there will be noise and there will be

### Editorial

traffic.

There is nothing we can do about it, except start making downtown San Jose uncomfortable.

Already the police are pulling people over who are suspected of cruising and ticketing jaywalkers.

When a festival is held, the San Jose Police Department forces cars through certain routes, not allowing people to take the most direct route to their destination.

Now downtown businesses and residents want the atmosphere to be even less friendly for visitors.

This is not what the city needs. If we spend hundreds of millions of dollars to attract people downtown, we have to be insane to immediately start driving them off.

Obviously we cannot allow drunks to roam the streets or illegal activities to take place.

Traffic must be kept moving and businesses must be accessible to their customers.

The San Jose City Council must not allow the downtown community to reap the benefits of millions of investment dollars in one hand while fending off the people we want to attract with the other.

## Access to the Internet strengthens nation's educational system

In last year's State of the Union address, President Clinton vowed to have every school in the country wired to the Internet by the year 2000.

"Our country is changing just as profoundly as it did when we moved from farm to factory, from the country to the cities and towns 100 years ago," said Clinton last year.

"We know, purely and simply, that every child must have access to a computer ... must have access to good software and good teachers and, yes, to the Internet, so that every person will have the opportunity to make the most of his or her own life."

In order to achieve this "opportunity," one month after last year's State of the Union, Clinton announced a five-year, \$2 billion federal program to install computers hooked up to the World Wide Web in every classroom in America.

Will this new federal program help strengthen our nation's educational system?

Internet supporters, like myself, think it will. We say that our digital world is filled with limitless information that will prove essential in the crusade for better education. However it's this same "limitless" component that concerns critics like Robert McClintock, director of the Institute for Technologies at Columbia University.

McClintock worries about the power of point-and-shoot learning. Because students now have the ability to easily access information that took them years to learn, McClintock says that education is in danger of being trivialized.

Critic Clifford Stoll, author of "Silicon Snake Oil," agrees with McClintock. He says that Internet-ready computers are similar to that of an earlier invention, the filmstrip, which did little to promote a growing rise in education.

Technophiles, on the other hand, disagree entirely that the Internet is devoid of any real educational value. They are quick to credit the system with helping schools like Fairfax County, VA establish a stronger program in science and mathematics. By using CD-ROMS, laser discs and the Internet, techies say they are creating a fun learning environment that traditional methods of education can't always guarantee. They say young people respond better to computers because they find them interesting.

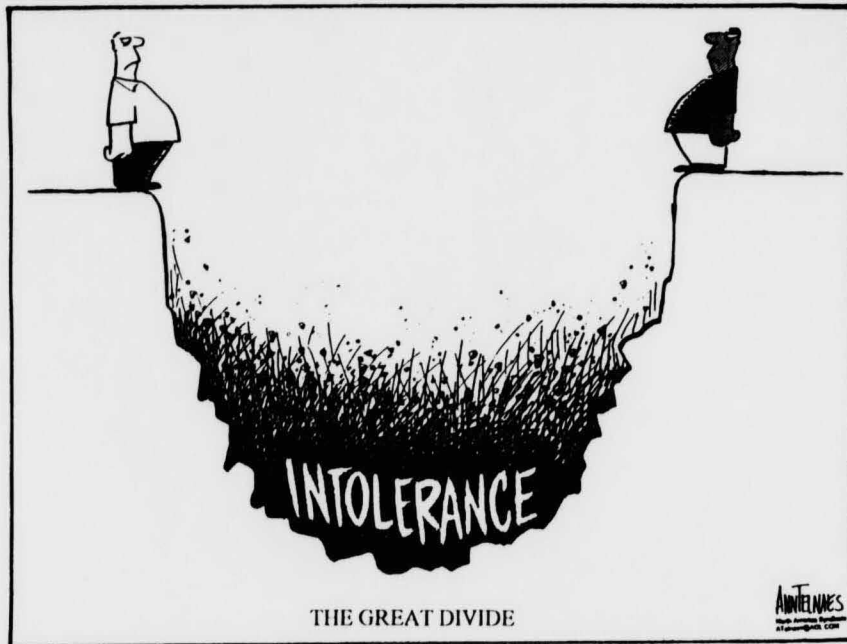
Behind all of the controversy lies the fact that the Internet is more than just a tool for gathering information; it is bringing our future generation into the millennium. As society continues to evolve, becoming more and more technologically savvy with every fleeting moment, so must the youth of America. It's time for advanced technology to unite with education so that today's minds can expand.

Education is about growth. We as a society need to learn to appreciate and understand technology without compromising the knowledge we have gained through more conventional means of education.

Tiffany Sanchez is a Spartan Daily Staff Writer.



WRITER'S FORUM  
By Tiffany Sanchez



## O.J. Simpson is guilty, or is he?

Somewhere O.J. Simpson is fuming. The perfect crime, the best lawyers, the tidal wave of cash from his pockets and his fame as one of America's favorite athletes were not enough to save him.

Everywhere much of the nation is breathing a sigh of relief because it is all over. Heck, I am glad it's over. I'm sick of the Juice; it's been left open too long and it reeks. The two trials are done. The mockery of the justice system that was the criminal trial is now but a memory. The civil trial, which avoided the circus of the criminal trial, has now confused the nation about exactly how the legal system works.

Does not the Constitution protect all citizens from double jeopardy, that is, from being tried for the same crime twice? Yet, through some legal loophole, the criminal and civil trials are not considered to be trying O.J. Simpson for the same crime. According to the criminal trial, O.J. is innocent of killing Nicole Simpson and Ron Goldman.

But, according to the civil trial, O.J. has been found to be responsible for the death of Goldman, with a very strong inference that he had just a little to do with Nicole's death. In fact, so far, and the number is likely to get higher, he has been ordered by the jury to pay the Goldman family \$8.5 million for the death of Ron Goldman. So, if I understand what the law has said, O.J. is innocent of killing Nicole and Ron, but he is responsible for their deaths. As it is now, O.J. did not slice and dice Nicole and Ron with a knife, but he is responsible for the knife slicing and dicing them.

And, that is where the irony lies. O.J. now has something in common with a man I am sure he dislikes.

O.J., meet former LAPD officer Lawrence Powell, whose style of law enforcement became famous during the Rodney King beating trial. Like you, he was found innocent during the initial criminal trial, but was convicted in the federal trial for violating King's civil rights.

### OUT OF SYNC

Shane Lewis



I believe both of you had your Constitutional right to be protected from double jeopardy violated. I also believe that both of you are guilty of what you have been accused of (something else you two share in common), yet I do not think you should have been tried twice for the same crime. It sets a legal precedent that is scary. If the government botches up the first time in a trial, they can have a second stab (pun intended) at it, or the surviving family can. Hey, we screwed up, let's go for Double Jeopardy now, Alex Trebek.

It has been nearly three years since the double murder in 1994 and the slow-speed car chase five days later. I remember standing by the freeway like an idiot near my house in Southern California, watching the infamous white Bronco go by, followed by more than a dozen police cars, dozens of civilian cars and more than half-a-dozen helicopters. It seemed neat at the time, but now it all seems so stupid. Americans' lives were so boring they needed to live them through O.J. to get some excitement. Nobody asked how their family was doing when they came home, they asked how O.J. was doing. Kids never had an easier time hiding their report cards.

Thankfully, that has changed. No one wants to talk about it anymore. People growl and become grouchy at the mention of those two letters. My grandmother has actually gone so far as to threaten my grandfather with a ladel spoon in the kitchen because he would not shut up about the trial. He thinks he's innocent, she doesn't.

I have tried to avoid any coverage (print, radio, television, word of mouth) with only moderate success.

America lived too vicariously through O.J. and now wants to deny it ever happened. But it did, and the legacy remains. No one will trust heroes again and the legal system is left with more questions than answers.

All I have to say about it now is, "O.J. who?"

Shane Lewis is the Spartan Daily Entertainment Editor.

His column appears every Friday.

## Mitigation projects rarely create ecological diversity

While land developers would like you to believe that mitigation is a transcendental exercise taught by yoga instructors, the truth is that mitigation means to cause something to become less harsh, less rigorous, less hostile; to make less severe or painful; alleviate.

In the last decade, "mitigate" has become a catch-all term to describe how man's impact on natural systems can be negated or even turned into a positive one.

One of ex-President George Bush's campaign platforms as the "environment president" in 1988 was a "no net loss" wetlands policy that was rooted firmly in mitigation science.

Basically, Bush said a compromise could be made between man's needs and the environment's fragility. He called it a "win-win" solution.

Is it?

While the concept of replacing wetlands and other endangered habitats on a "like for like" basis may seem fair on paper, mitigation projects rarely, if ever, succeed in creating ecological diversity.

Mitigation or not, wetlands continue to disappear under dams, farms, strip malls and housing tracts at 300,000 acres a year, despite that the Clean Water Act forbids filling in wetlands without a special permit.

To get those permits, developers have seized upon the idea of "compensatory mitigation." Here's how it works: a developer wants to build a shopping mall by filling and grading a designated wetland. Under the Clean Water Act he cannot do so without first getting permission from the government.

However, if the developer promises to create, restore or enhance similar habitat elsewhere, resulting in "no net loss" of wetlands, then he may be allowed to build. Understandably, developers prefer off-site mitigation because it interferes less with building plans. A win-win situation, right?

Wrong. The problem is that it often takes decades to establish a functioning wetland, and developers tend to be under great economic pressure to build their projects quickly. Things often change as administrations are voted out of office, people move on and promises are never kept.

In the end, the environment is a clear loser.

Paul Matarangas is a Spartan Daily Staff Writer.

**The problem is that it often takes decades to establish a functioning wetland, and developers tend to be under great economic pressure to build their projects quickly.**

## SPARTAN DAILY

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## Opinion page policies

Readers are encouraged to express themselves on the Opinion page with a Letter to the Editor or Campus Viewpoint.

A Letter to the Editor is a 200-word response to an issue or point of view that has appeared in the Spartan Daily.

A Campus Viewpoint is a 450-word essay on current campus, political or social issues.

Submissions become the property of the Spartan Daily and may be edited for clarity, grammar, libel and length. Submissions must contain the author's name, address, phone number, signature and major.

Submissions may be put in the Letters to the Editor box at the Spartan Daily office in Dwight Bontel Hall Room 209, sent by fax to (408) 924-3237 or mailed to the Spartan Daily Opinion Editor, School of Journalism and Mass Communications, San Jose State University, One Washington Square, San Jose, CA 95192-0149.

Editorials are written by, and are the consensus of, the Spartan Daily editors, not the staff.

Published opinions and advertisements do not necessarily reflect the views of the Spartan Daily, the School of Journalism and Mass Communications or SJSU.

## Academic Senate wrong to remove ROTC

Concerning the news that ROTC programs may remain on campus, I have to agree that mandating certain policies can be considered as extortion or blackmail. It's nice to see the U.S. Congress strike down SJSU's extortion/blackmail policies.

I applaud the Solomon Amendment, which frees ROTC programs and students from the extortion and blackmail practiced against them by the likes of Wiggys Sivertsen and the SJSU Academic Senate.

It is important to remember that the current DOD policy of "Don't ask, don't tell, don't pursue" was instituted by President Clinton. His recent re-election shows that most Americans approve of his policies.

It is also important to remember that the Solomon Amendment was passed by our legally elected congressional representatives.

Also important is the fact that the current DOD policy is actually a policy of non-discrimination.

### Letter to the Editor

It is clear to anyone familiar with the workings of the armed forces that the "Don't ask, don't tell" policy regarding homosexuals in the military does not discriminate against homosexuals who wish to serve.

Homosexuals have served in the U.S. military for as long as our nation has existed. For the first time in our nation's history, homosexual service members do not have to live in constant fear that they will be suspected, investigated, discovered, "outed" and discharged from the service. The "Don't ask, don't tell" policy protects those that wish their private lives to remain private.

What the policy does is to disallow homosexual service members from using their military status to make social or political statements.

The U.S. military already regulates the First Amendment rights of all service members in

areas that may harm the military's public image.

This is one sacrifice that military service members make in their defense of our freedom — the sacrifice of their own freedom. All of the soldiers, sailors, airmen, marines and coastguardsmen (whether heterosexual or homosexual) that I have ever met have understood this simple irony. It's a shame that the SJSU Academic Senate doesn't.

Your editorial on the subject builds on the false impression made by your original article that the U.S. government and DOD are repressing SJSU students.

The truth of the matter is that the Academic Senate has made a controversial decision and are now being held accountable to the consequences of their decision. Unfortunately, the Academic Senate has called a tune, leaving SJSU students the risk of having to pay the piper.

Joseph Baptist  
Public Relations  
Senior



Sparta Guide

**Interns hold open house**

Care's Presidential Interns are holding an open house today from noon to 3p.m. in Tower Hall Room 201E. Contact LeeAnn Thompson at 924-2981 for more information.

**Have fun as a guest of the L.D.S.**

Everyone is invited to join the Latter Day Saints Students Association for games, fun and free snacks today at 12:30p.m. at the San Jose Institute. The Institute is located at 66 South 7th Street. Call 286-3313 for particulars.

**The M.S.A. meets for Juma'h today**

The Muslim Student Association is holding their weekly Juma'h meeting today in the Almaden Room of the Student Union from 1-2p.m.. They would be happy to answer any questions you may have at 956-1412.

**Counseling Services offers support**

The Gay-Lesbian-Bisexual Student Support Group from SJSU Counseling Services meets today from 3-4p.m. in Adm 269. Contact Jill and Terri at 924-5910 for details.

**See a movie free with STP**

Enjoy Movie Night with Sigma Theta Psi tonight at 7p.m. in the Events Center. Vicky is more than happy to tell you more about it, so call her at 847-2396.

**It's not all business tonight**

Don't miss your last chance to be one of the few, the proud, the Delta Sigma Pi professional co-ed business fraternity members. Tonight is pizza night, so join them at 7 p.m. at Toni and Fred's Pizzeria. Go to BE208 or call Mike Linden at 378-2034 for directions.

**Get a rush from Pi Alpha Phi**

Pi Alpha Phi wants to pump you up tonight at 9:30p.m. Join the rush to their adrenaline rush party at the Cactus Club, 417 South First Street. Reach party man David Lam at 923-3554 for info.

**Go deep with the Scuba Club**

The Spartan Dive Club will be exploring the waters off Carmel on Sunday at 8:30 am. Sonya has all the information, and she's at 924-7810.

**See the City with STP**

Join Sigma Theta Psi, the multicultural sorority, on their trip to San Francisco, the multicultural city. Meet at the Events Center Sunday at 9am to come along. Vicky's the one to call for info, and she's at 847-2396.

**Meet for info on APO**

Alpha Phi Omega will be holding their general meeting on Sunday at 5 p.m. in Washington Square Hall Room 109. For specific details on this general meeting call Marc at 924-6626.

**Attend Mass with the Ministry**

The Catholic Campus Ministry invites you to Sunday Mass on, you guessed it, Sunday at 8 p.m. Mass will be held in St. Joseph's Cathedral at the corner of Market and San Fernando Streets. Fr. Dave is at 938-1610 to answer any questions you might have.

Compiled by Andrew W. Davis  
Spartan Daily Staff Writer



**Learning modern with Yearby**

**Above:** Modern dance choreographer and performer Marlies Yearby watches students as they work through a dance routine she has designed. The New York-based artist was on campus Wednesday to teach a class in modern dance.

**Right:** SJSU dance students fly through the air as they work on a modern dance routine.

**Below:** Award-winning choreographer Marlies Yearby and SJSU dance students applaud the efforts of musicians who accompanied the modern dance class she taught Wednesday.

PHOTOS BY ARIC CRABB • Spartan Daily



**Kindness**

continued from page 1

passed the State Assembly with no objections and received a similar show of support in the Senate. He expects the public will greet this resolution with open arms.

Although it passed easily, there are still kinks to work out. The Foundation was unable to list specific organizations that promoted Kindness Week last year.

Assembly fellow Stacey Boor, who works under Cunneen said, "Our role is to get the resolution through legislature. The problem is we don't have a coordinator in the Santa Clara County so it is seemingly unorganized." Boor said that the resolution has done well in Fresno, Campbell and Los Altos. They are looking for the same results in the rest of the Silicon Valley.

"We hope there will be a lot of contributors. We are speaking to everyone (groups and individuals)," said Hines. "We would like people to get out there and cook a meal for a senior citizen, drop off some groceries, or cut someone's yard. The government is not responsible for all of our problems, nor is it responsible for all our solutions. We are just asking that the community takes part in its own direction."

The Foundation said there are many ways San Jose State University faculty and students can take part in this movement. Suggested activities include, hanging banners with "kindness" slogans, collecting pledges for the foundation, holding campus rallies, and giving your parking spot to another driver.

According to SJSU students, giving up that parking spot may be more similar to an act of God than one of kindness.

"I'm really busy," said SJSU English graduate Mark Dowdy, who said he was reluctant to give up a hard earned parking spot. "I would probably spend the week helping friends or giving money to the homeless."

"It's nice for people who are our future leaders and decision makers collecting kindness stories to create a customized campus kindness book

for distribution makers to take a breath, step back and do something nice for someone else, just for the sake of doing it," Hines said.

In 1982, Ann Herbert, a Sausalito woman, coined the phrase "Practice random acts of kindness and senseless acts of beauty." Herbert's message spread across the United States for several years, until 1991, when it went into full bloom during the Gulf War. According to Briggan, people were feeling pessimistic and disconnected over the growing violence in the world.

The Conari Press decided to make a difference. "We are the first publisher to publicize those acts of kindness. It has become an incredible phenomena," said sales director at Conari Press, Brenda Knight. "It was the best selling book of the decade with over 600,000 copies sold."

The publishing house printed inspiring articles of acts from average, ordinary citizens. A throng of readers, who were taken by the event, spawned the Foundation. In 1995 the first Random Act of Kindness Week took place with 5,000 schools. That number grew to 7,500 in 1996.

Cunneen not only took notice to the phrase, he included it in the text of the bill and added to it: "Random Acts of Kindness Week is way to counteract random acts of violence," he said.

He also stressed the importance of public's responsibility to "observe this week with appropriate individual or group activities."

Currently, the "Random Act of Kindness Week" is "celebrated by millions in the USA, England, Australia, Scotland, and parts of Canada. There are over 100 national service organizations, 7,500 schools, 400 churches, 100 libraries and multitudes of other organizations participating in the event, which is recognized and applauded by President Bill Clinton," said Briggan in a press release.

**"We hope there will be a lot of contributors. We are speaking to everyone (groups and individuals)."**

— Bob Hines, Jim Cunneen spokesman

**America Online Outrage**

NEW YORK (AP) - A week after agreeing to give frustrated customers refunds for bad service, America Online suffered another technical glitch while trying to upgrade its system.

Customers nationwide were unable to log on to AOL beginning shortly after 5 p.m. EST Wednesday due to an outage at the company's Vienna, Va., equipment center.

Some users were able to log on by 6:30 p.m. and the problem was cleared up by 7:30 p.m., AOL said.

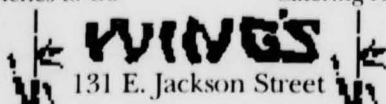
The trouble began as technicians upgraded computer software Wednesday as part of the company's drive to accommodate the recent

overwhelming surge of members. During the software overhaul, the AOL system stopped accepting log-ins, spokeswoman Tricia Primrose said.

People unable to sign on saw a message urging them to call the company's toll-free help line. A recorded voice said that customers should try logging on again in an hour.

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## Barely dogged

*Spartans let one slip away to Fresno State*

By Mike Traphagen  
Spartan Daily Senior Staff Writer

The SJSU men's basketball team nearly pulled the towel over Fresno State coach Jerry Tarkanian's eyes and escaped with a victory in its 66-61 loss to the Bulldogs Thursday in the Event Center.

With the Spartans down 62-59 with 59 seconds remaining in the game, Bulldog guard Chris Herren threw an errant pass to SJSU guard Tito Addison, who scored on a layup to cut the deficit to one and bring a sell-out crowd of 4,837 to its feet.

"I asked Chris, 'what the heck did you do that for?,' Tarkanian said with a smile. 'He told me (Addison) was the only guy that was open.'"

Spartans Coach Stan Morrison said: "That's why you play a full-court defense. It was very timely for us, but I'm sure Tark thought it was very untimely."

SJSU forward Olivier Saint-Jean, who scored a game-high 28 points, then went to the free-throw line with an opportunity to tie the game with 16 seconds left, but missed the front end of a one-and-one and the Bulldogs grabbed the rebound.

Fresno State center Rahsan Smith then found himself at the foul line to increase his team's lead, but he too missed the first shot. The only difference was that Bulldogs forward Daymond Forney pulled down the offensive rebound to give his team another chance.

"The ball just bounced far and high," Morrison said of the rebound opportunity that his eluded his players. "I think our guys boxed out well. All (Forney) had to do was jump straight up. He didn't have to angle out at all."

Forney tossed the ball over to teammate Dominick Young, who was fouled and promptly hit two free throws to give the Bulldogs a 64-61 lead.

SJSU guard Rick Hite attempted a three-point attempt with five seconds, but came up short and the Bulldogs added a layup at the buzzer to win by 66-61.

Fresno State improved to 7-2 in the Western Athletic Conference and 15-8 overall, while the Spartans dropped to 2-7 in the WAC and 10-9.

The Spartans tied the game in the second half at 53-53 with a jumper from Saint-Jean at the 7:52 mark. The game tied again at 55 when SJSU guard Brad Quinet, who finished with 14 points, and Forney exchanged jumpers.

SJSU recaptured the lead after Saint-Jean swatted a Bulldog's shot attempt and passed to Quinet, who drove in for a layup. Saint-Jean then nailed a jumper to increase the Spartans' lead to 59-55 with 4:17 remaining.

Forney, who ended with five blocks, followed his own shot for a score and Young hit a three-point shot with 3:06 left to take a 60-59.

Saint-Jean, who went 9-for-12 at the free-throw line, then missed a foul-shot opportunity to tie the game with 2:40 left. Herren nailed his two shots from the charity stripe with 2:32 remaining to give his team a 62-59 lead that it would not relinquish.

**Notes**

SJSU center Graeme Anstey, who started the last two games for the Spartans did not suit up for the game.

The NCAA is reviewing the athletic history of collegiate athletes who played in Australia. Anstey played for the Melbourne Tigers and Broadmeadows Broncos of the Australian league.

**SPARTANS 61**  
**BULLDOGS 66**

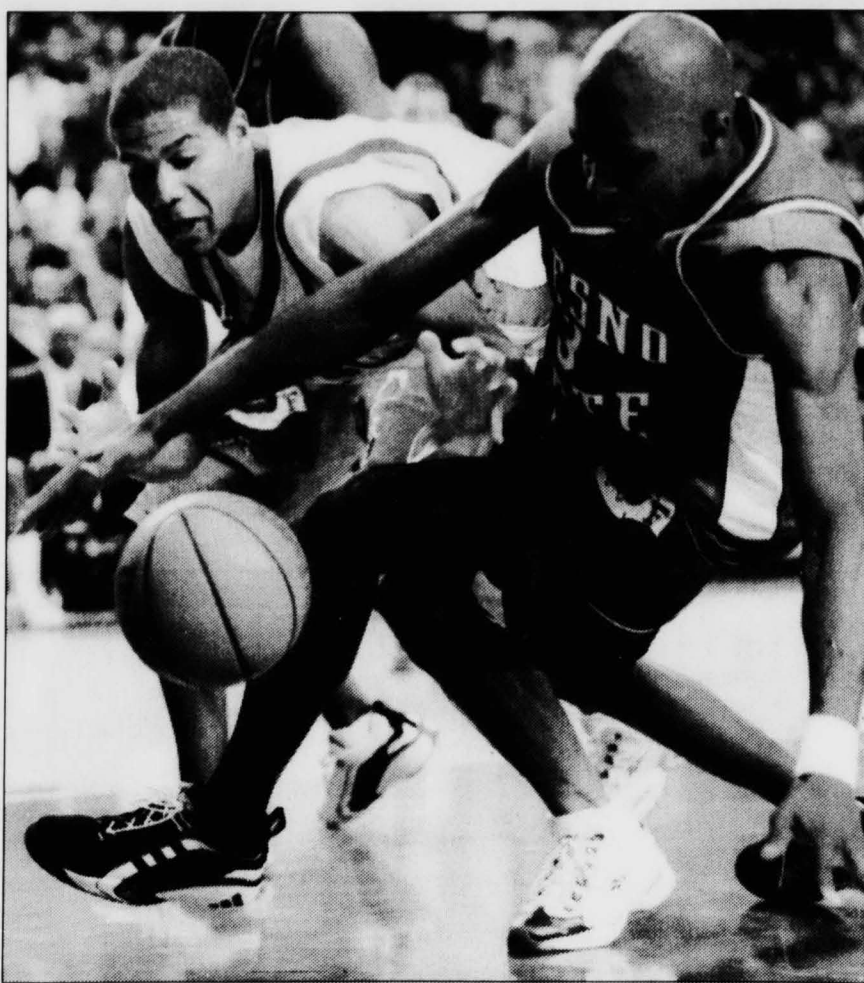


PHOTO BY JAY L. CLENDENIN • Spartan Daily  
Olivier Saint-Jean fights for a loose ball with Fresno State's Daymond Forney during the first half of Thursday's 66-61 loss to the Bulldogs.

## Softball team has newness on its mind

By Melanie Balague  
Spartan Daily Staff Writer

The San Jose State University softball team heads into the 1997 season with many new faces on the field, a new coach on the bench and the challenge of competing in a new conference.

After posting a disappointing record of 24-31 last season in the Big West Conference, the team gets another chance to prove themselves — this time in the Western Athletic Conference.

Head coach Connie Miner is replacing Debbie Nelson, who left SJSU after four years at the helm of the Spartans. Miner has 15 years of coaching experience behind her. Originally from Nebraska, Miner played two years for Kearney State, where she began her coaching career after she graduated.

Miner then moved on to Eastern Michigan University, where she coached in some capacity for the past

13 years.

Although Miner is optimistic about this year's team, she still thinks there is room for improvement.

"I expect us to play well this season," Miner said. "We've improved since last year — it's a demanding conference."

"If people underestimate us, they're in trouble. I think we've come a long way."

Despite her high expectations for the team, Miner realizes what the Spartans must do to be competitive in their first year in the WAC.

"Since the fall, we've improved defensively — we weren't that strong. But we still need to work a little bit more offensively," Miner said.

The team's confidence has been boosted by the arrival of the new season, as well as the arrival of Miner, who has tried to enhance the adaptability of the players by using many of them in a utility role. She notices that there has been a drastic change in the team's mentality.

**"If people underestimate us, they're in trouble. I think we've come a long way."**

— Connie Miner, SJSU head softball coach

"Their playing has really come together — I'm very confident," Miner said. "We're very excited about starting the season."

The team agreed that before the start of the new season, it needed some changes. One of those changes came in the form of Miner.

Junior catcher Sarah Coughlin is excited about what Miner has brought to the team.

"She's improved us all around. She's making us into more versatile players," Coughlin said. "She has a lot of knowledge to offer us."

Sophomore first baseman Kara

Kanney shares her teammates' enthusiasm about the new coach.

"I think it's great having [Miner] as a coach. It's good timing and we need a new start," Kanney said. "The practices are going really well."

The Spartans are an inexperienced team, consisting of three seniors, five juniors, seven sophomores and four freshmen. Miner believes the team needs both the youth of the new players and the experience of the veterans to make a winning team.

"We're very excited about it. We get to meet new teams, and it's more competitive. The WAC is a great soft-

ball conference," said Lindsay Jarrell, a junior and one of the pitchers for the Spartans. "But we're a little nervous."

SJSU opened the season last weekend with a double header split against No. 8 Cal in Berkeley. After winning the first game, the Spartans let a seventh-inning lead slip away in the nightcap.

Miner said she and the team were really excited about beating a top-ten team to begin the season.

The Spartans originally planned to play this season in a new softball complex near Spartan Stadium. Due to lack of funding, the team has been forced to move its home games to Twin Creeks in Sunnyvale until the completion of the complex on SJSU's South Campus.

Saturday, the Spartans host UC Santa Barbara and Oregon State University in a double header starting at 1 p.m. at Twin Creeks. Sunday, Cal Poly SLO visits the Spartans at 1 p.m.

**SOFTBALL STARTERS**

- Kara Kanney So 1B
  - Valerie Quintero Sr 2B
  - Victoria Ruelas Jr SS
  - Lindsay Lewis So 3B
  - Maya Garcia So LF
  - Michelle Morga So CF
  - Jill Tawney Sr RF
  - Sarah Coughlin Jr C
- STARTING PITCHERS**
- Corina Lilly Sr P
  - Sabria Quintero Fr P

**WEEKEND'S GAMES**

SJSU v UCSB and Oregon State, 1 p.m. Saturday, and Cal Poly 1 p.m. Sunday Games at Twin Creeks

**SPARTAN STATS**

**MEN'S BASKETBALL**

SJSU	FG-A	FT-A	Reb	A	To	PF	Min	TP
Saint-Jean	9-19	9-12	9	2	3	3	37	28
Addison	4-2	0-2	6	1	3	4	24	9
Taylor	2-4	0-0	10	2	0	3	32	4
Hite	0-3	0-2	2	2	1	0	25	0
Quinet	5-15	4-4	1	1	3	3	34	14
Campbell-Hall	1-4	1-2	0	2	0	1	7	4
Williams	1-4	0-0	2	0	1	0	23	2
Lowery	0-0	0-0	0	0	0	0	2	0
Clark	0-0	0-0	1	1	0	1	6	0
<b>Totals</b>	<b>22-58</b>	<b>14-20</b>	<b>32</b>	<b>14</b>	<b>10</b>	<b>16</b>	<b>200</b>	<b>61</b>

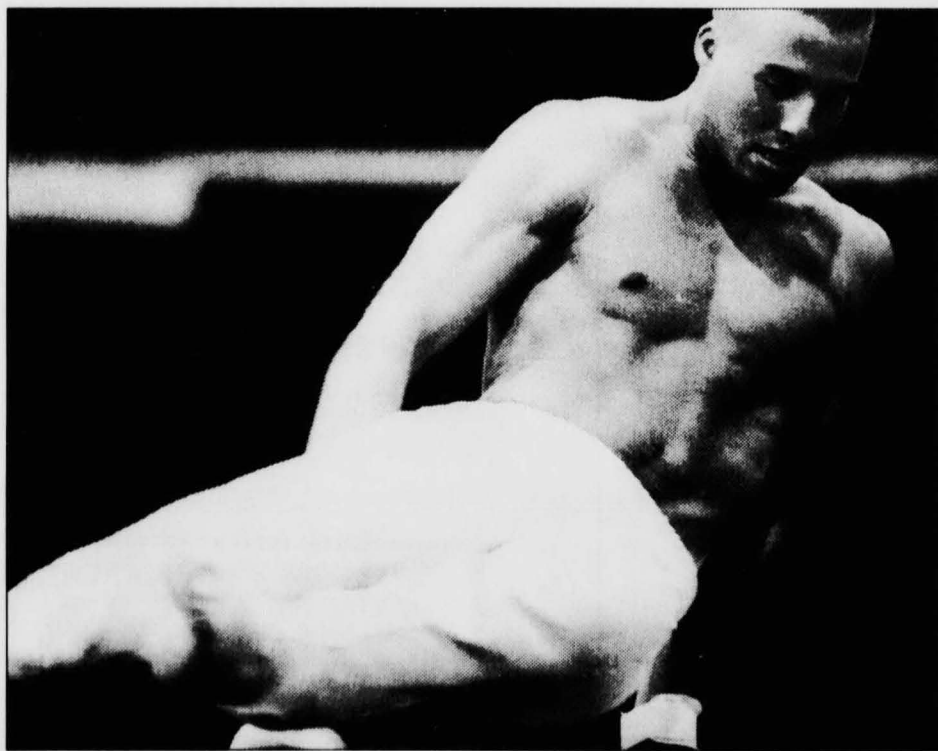
**FSU**

FSU	FG-A	FT-A	Reb	A	To	PF	Min	TP
Forney	9-18	0-0	11	1	4	1	38	18
McCulloch	1-2	0-2	6	1	3	4	24	2
Smith	2-8	1-3	10	0	0	2	35	5
Young	6-11	2-2	4	4	6	1	33	13
Brooks	1-1	0-0	2	2	2	4	27	3
Herren	8-16	6-7	4	3	2	3	31	23
Macklin	1-3	0-1	4	0	1	2	12	2
<b>Total</b>	<b>28-59</b>	<b>9-15</b>	<b>42</b>	<b>11</b>	<b>18</b>	<b>17</b>	<b>200</b>	<b>66</b>

FSU — SJSU 379 FSU 441 FT% — SJSU 700 FSU 600  
3-pt goals — SJSU 3-18 167 (Saint-Jean 1-4 Addison 1-4 Hite 0-1 Quinet 0-6 Campbell-Hall 1-3) FSU 5-16 313 (Young 3-10 Brooks 1-1 Herren 1-5)

**BASKETBALL SCHEDULE**

Day	Opponent	Time
Monday	at Tulsa	10 p.m.
Thursday	at Air Force	7 p.m.
Feb. 15	at UNLV	7:35 p.m.
Feb. 20	Colorado State	7:30 p.m.
Feb. 22	Wyoming	7:35 p.m.
Feb. 20	at SDSU	7:00 p.m.



SJSU Sophomore Troy Harsh perfects his routine on the pommel horse during last week's practice. The Spartans will face No. 1 Cal and Stanford 7:30 p.m. tonight in Spartan Gym.

## Powerhouses vault into S.J.

*Last home meet tonight for seniors*

Spartan Daily Staff Report

The schedule makers were not kind to the San Jose State University men's gymnastics team.

Tonight's meet against national powerhouses Stanford and Cal at 7:30 p.m. in Spartan Gym, is the second of only two home meets this season for the Spartans.

This meet will showcase some of the nation's top male gymnasts, as well as three Spartan seniors in the last home meet of their careers. Ryan Frasco, Geoff Rudy and Nick Rashid will hang up their blue and gold uniforms after this season.

Frasco, a pre-season all-american on the parallel bars, and his teammates will be facing a tough challenge in Cal, who is widely favored to win the NCAA championship this year, and Stanford,

**TONIGHT'S MEET**

SJSU v. Stanford and Cal 7:30 p.m. Spartan Gym

who dominates collegiate gymnastics year after year.

Cal will send out two Ukrainian gymnasts against SJSU and Stanford, one of whom was on the bronze-metal winning Ukrainian team in the Atlanta Olympics.

The three teams met earlier this season in the Spartan Open with Cal finishing first ahead of Stanford and SJSU respectively. Stanford's Keith Wiley won the event, and is looking to repeat his success against the Bears and Spartans tonight.

The Spartans go on the road to close out the season over the next five weeks, before ending the season at Stanford March 15.

**THURSDAY'S RESULTS**

- Men's basketball lost to Fresno State 66-61
- Women's basketball beat Fresno State 65-58
- Women's Tennis lost to SCU 7-2

**UPCOMING EVENTS**

**TODAY**

- Baseball v. Portland State 2 p.m., Municipal Stadium
- Men's gymnastics 7:30 p.m., Spartan Gym
- Hockey v. Northern Illinois 7:45 p.m., Ice Centre

**SATURDAY**

- Women's Basketball v. Tulsa 7:30 p.m., Event Center
- Softball double header v. UCSB and Oregon State 1 & 3 p.m., Twin Creeks
- Baseball v. Portland State 1 p.m., Municipal Stadium

**SUNDAY**

- Baseball v. Portland State 1 p.m., Municipal Stadium
- Baseball v. Portland State 1 p.m., Municipal Stadium

**MONDAY**

- Men's basketball at Tulsa 2 p.m., Event Center
- Women's golf v. OSU, SMU & UCLA at Palos Verdes, Calif.







## Executive

continued from page 1

\$64,928 difference.

Adding insult to injury, the 23 CSU presidents do not receive the same benefit package that the nine UC chancellors do.

Caret, in addition to his salary, gets \$18,000 in compensation for housing, which is in keeping with the CSU average.

However, the UC benefits package includes not only housing compensation, but several other compensations: an option of an executive automobile, a monthly allowance or reimbursement of expenses for official travel, access to an administrative fund to be used for official travel, entertainment and related expenses of official business, and a corporate credit card for charging legitimate university expenses.

"The executive salaries depend largely on the state budget," said Christopher Simon, a human resource spokesman in the UC office of the president. "Raises and realignment tend to be done on a yearly basis, but some years that's just not possible."

**"The executive salaries depend largely on the state budget."**

—Christopher Simon, UC spokesman

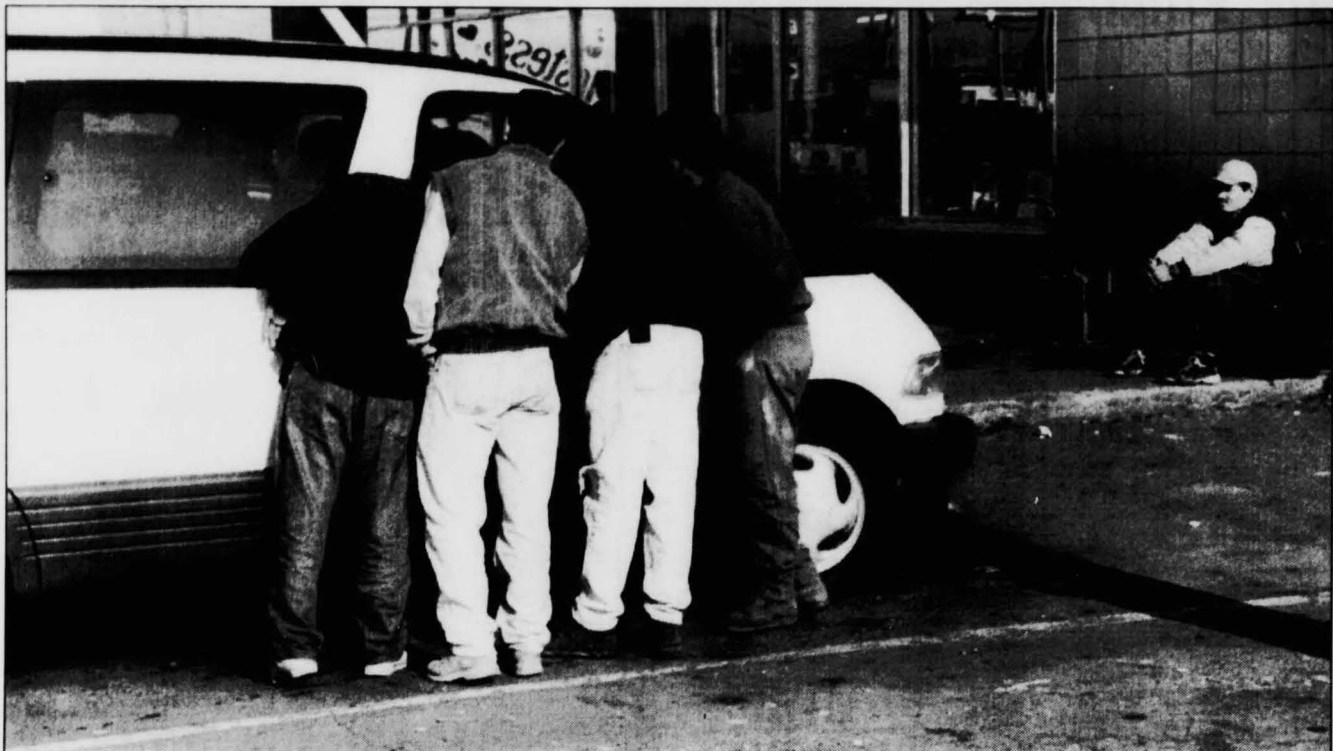
The state budget is only one in a long and complex list of factors that must be considered before compensations are proposed and accepted. UC salaries are based on careful market research of comparable institutions.

Simon said. "There are many different factors that affect the overall process. The operating budget, number of students and employees throughout the system, college location and the scope of the job are just a few."

Held up to similar criteria, CSU executive salaries are set by other institutions, evaluating regional cost-of-living expenses and the mission, scope, size, complexity and programs undertaken by each campus.

As for now, trustees will be asked for advice regarding future steps for staff to take regarding executive compensations, though it looks to be a fairly arduous process.

"The CSU system goes through about a two to three year evaluation cycle at which time adjustments are usually made," Newell Young said. "But the state recession and high housing costs in California are a major hindrance."



A van pulls up in front of 7-Eleven looking for a few workers for a day job. While the group is anxious, only two are taken for a job.

PHOTO BY  
LEA TAURIELLO  
Spartan Daily

## Dayworkers

continued from page 1

movie. The worker refused so they brought him back."

One day worker said, "I feel I am behind all the workers because I do not speak any English. When a job is offered I just get in the car, usually not knowing where I am going or what I will be doing. Through hand gestures the boss communicates what needs to be done. As payment, I take whatever is offered to me." The worker asked not to be identified fearing retribution from Immigration and Normalization Services.

The anonymous family man, who no longer looks as healthy as his identification photograph, came to the United States alone from Guanajuato, Mexico, not intending to earn a bundle of money but with the hope of improving the living conditions for his family. His former occupation was a truck driver. When work slowed, he needed to find other means of supporting his wife and two children.

"You come here with the illusion of making your life better; not making yourself rich," he said. "You want a better life for your kids. I have a license to drive semi trucks but it is not honored here in the United States."

While living here, he shares a two-bedroom apartment with six other workers. His portion of the rent is \$125 out of the monthly \$150 he brings home, leaving him \$25 for other expenses including food. His bed is on a carpeted floor, which he shares with three other men.

A 23-minute walk to work saves on transportation fees.

His clothes have been donated by people who randomly pass by Yolanda's Produce dropping off clothing.

"After all my expenses, there is no money to send home," he said. "I feel desperate and

worried about my family. I wonder how they are existing; if they are eating; if my wife is working. I need to make enough money to go back but there is nothing left over. I feel trapped."

### The Ordinance

There are similar stories like his from the workers who continue to wait in front of Yolanda's Produce and at a Walgreen Drug Store on Camden and Leigh avenues.

Their daily gatherings have attracted the attention of not only daily commuters, but city officials as well. Due to complaints from residents and business owners, the San Jose City Council passed an ordinance Jan. 21 that restricts day workers.

The no-vehicle-solicitation zone ordinance would prohibit money transactions between a person on the sidewalk and a person in a vehicle. If caught, the maximum penalty could be a \$1,000 fine and or possibly six months in jail for all parties involved. The penalty would be left to the judge.

According to city officials, the ordinance would allow the city to post signs in designated areas where there may be safety hazards. Factors that would be considered before posting would be the number of people engaging in solicitation in one given area, volume of traffic flow where solicitation is happening and the possibility of traffic disturbances in busy intersections.

San Jose Deputy City Manager Mark Linder said that one of the main reasons behind the ordinance was the large gatherings of day workers. This would be considered a

safety hazard due to the congestion of vehicles who stopped to take notice.

There have also been complaints from local businesses where day workers congregate. Complaints include public drunkenness, sexual harassment and the public not having access to businesses.

One of the workers commented that there are "bad seeds" in every crowd and they are blamed for the actions of others who may not be serious about working and just come out to drink or loiter.

Councilman Manny Diaz, who district includes Story and King roads, said he recognizes that there are serious workers but it is hard to differentiate them from the people who loiter.

"Job employment activities should not occur in parking lots," Diaz said. "Workers looking for work are putting themselves up to be victimized by people out there. They are putting themselves in a situation that is not safe."

The ordinance has not yet been enforced. Signs are supposed to be posted at the end of February or beginning of March, said San Jose police Lt. Dave Kendler.

Flyers also will be distributed to the day workers, employers, and members of community informing them of the new ordinance and alternative places where the day workers can go such as the Day Workers Job Center where they can seek employment referrals.

Diaz is proposing \$80,000 of city money this year for the day worker center to help the nonprofit group increase staffing and resources.

Workers at the corner of Story and King roads say they are reluctant to go to the center because it is already filled with job-seekers like themselves. Many say they fear that if they were to relocate to the center on Alum Rock, their former employers would not know where to find them.

Mary Mendez, office manager at the day workers' office on Alum Rock Avenue, said, "The center would benefit them because they would have someone to support them and give them a sense of belonging."

Carlos Cazador, president of the Story Road Business Association and manager at Shakey's Pizza, said the day workers and loiterers intimidate potential customers who go elsewhere.

An employee at the Walgreen Drug Store on Story Road said, "Some day workers came in here and said they were not all derelicts and they just needed some work. So we gave them some clean-up work."

He said some of the men that loiter in front of the store have been involved in shoplifting but admits that it is hard to differentiate between the day workers and those who are not serious about working.

At this time, no signs have been posted and enforcement of ordinance has not yet begun.

### Life from here on ...

"It would be a good thing to have a place to be able to go to because the businesses are bothered by us and the police come by and tell us to move out onto the sidewalk," said one day worker. "If the center was to expand and training where to be offered, I would go because it would be good to learn a trade since a lot of us are unskilled."

## Altamont

continued from page 1

vice. With the I-580 and I-680 corridors through Altamont and Sunol becoming increasingly clogged with commuter traffic, Mortenson said something needed to be done to ease the congestion.

"Anybody who drives those freeways know just how bad they are," she said. She added that a 1990 census forecast has San Joaquin's population growing by 67 percent.

A study by DKS Associates, pulled from the SJRRC's website, found that commuter traffic across the Altamont Pass has increased by 466 percent since 1980. A study by the government also showed that the traffic along the I-680 corridor has doubled since 1982.

The train ride will be an 85-mile two hour journey that starts at the Stockton station and ends up at San Jose's Diridon Station. Stops will include Manteca, Tracy, two in Livermore, Pleasanton, Fremont, and Santa Clara. Initial plans call for two daily round trips on weekdays.

Mortenson said the success or failure of the project depends not so much on the train ride as on the connection from the stations to the individual businesses. On the delivery end, SJRRC has been working with both the Santa Clara Manufacturing Group and the Santa Clara Valley Transit Authority.

The manufacturing group has been working closely with Silicon Valley businesses trying to coordinate shuttle service from the trains to the various businesses.

"We've done surveys about it (the

train) to make sure people will actually use it," said Leslee Coleman, spokeswoman for the S.C. Manufacturing Group.

She said the major businesses in the area such as Lockheed-Martin, Amdahl, and Hewlett Packard have shown a real interest. Lockheed-Martin already has shuttle service for its employees using other rail services.

Coleman added that they haven't targeted SJV but it might be something they would look into in the future.

While the majority of the work has been done by SJRRC, Jim Pierson of the Santa Clara Valley Transit Authority said it is an important project for the Santa Clara Valley.

"We fully support this... since two thirds of the stops are in Santa Clara county," said Pierson. "Our role is to make sure it makes sense for commuters who work in Santa Clara (county)."

A joint powers board made up of six equal members, two each from Alameda, Santa Clara and San Joaquin counties, will oversee the project. The SJRRC will be the managing agency but Pierson said that the joint powers board will make sure everyone is in agreement with the way the project proceeds forward. He said they want it to be similar to the way CalTrain is run.

The SJRRC has already bought bi-level train cars with the aim that the ride will be an enjoyable, relaxing one.

"They (the trains) will have a working environment with work tables for things like laptops," Mortenson said. "There will be a reliability factor and no highway congestion."

## Women Mentors

continued from page 1

has won numerous awards for her community service and was instrumental in founding a help-line for South Asian women that offers counseling to those who may be having trouble adjusting to American life. The hot line takes calls from 9 a.m. to 1 p.m. Monday through Friday. The hot line number is (408) 730-4049.

The Career Action Center recently awarded her the 1997 Woman of Vision Award. She said she considers this award a great honor. Divakaruni gave a preview of her lunchtime speech set for Saturday.

"I'll be speaking on the theme of transitions in one's life. The core of my speech will be keeping dreams alive and I've written a poem about it which I will read at the end."

Divakaruni said.

A new novel by Divakaruni called "Mistress of Spices" will be available on Feb. 20.

"It's set in Oakland and San Francisco. It's a novel about a woman working in an Indian grocery store and how she tries to help her customers," she said.

Also scheduled to speak at the event is Pauline Lo Alker, the CEO of Network Peripherals, Inc., in Milpitas. Alker combined her interest in computers with a steadfast determination to make her dream come true. Born in China, Alker came to the United States in 1960 to attend Arizona State University.

She came to the Bay Area in 1968 and started working at a now-defunct company called Mascor. She went on to become an employee of a number of technology companies including Amdahl and Intel.

Alker has been with Network Peripherals since 1991 and she also serves as the president of the Asian American Manufacturing Association.

Other speakers scheduled to appear include Lucy Reid, an executive vice president at Wells Fargo Bank; Radja Basu, general manager of Hewlett Packard's Enterprise Solutions Organization; and Liz Figueroa, assemblywoman from the 20th Assembly district.

The Mentoring Fair begins at 7:30 a.m. and runs to 4 p.m. on Saturday at the Santa Clara Marriott, 2700 Mission College Blvd., Santa Clara. The cost to attend is \$100. Those interested are urged to register by calling (408) 257-5501, but walk-up registration will be accepted on Saturday.

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