

SPARTAN DAILY

VOLUME 126 • NUMBER 12

Serving San Jose State University since 1934

WEDNESDAY • FEBRUARY 15, 2006

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Black History Month News Page 6



This man had no Valentine's date. Read why inside. Opinion Page 2

DAY



57° F

NIGHT



35° F

Former lecturer alleges discrimination

By Ryan Sholin
DAILY STAFF WRITER

Brenda Fellows, a former part-time lecturer at San Jose State University, filed a lawsuit against the university in Santa Clara County Superior Court on Dec. 19 of last year, alleging racial discrimination in the department of marketing.

Fellows, an African-American, claims she was denied the chance to apply for a full-time position or to return as a lecturer because of

her race.

"She really liked teaching, and the students really liked her," said Phyllis Andelin, the attorney representing Fellows in the case.

Fellows taught Business Communication 100W under a one-semester appointment in Spring 2005.

Along with SJSU, the defendants named in the suit include Jacqueline Snell, the department of marketing chair, retired College of Business Dean David Conrath and Adriana Duffy-Horling, the manager of equity and diversity in

the SJSU human resources department.

Snell said her counsel advised her not to comment on the allegations.

Duffy-Horling also declined to comment.

In addition to her charge that Snell refused to offer her a teaching position in the Fall 2005 semester because of her race, Fellows claims that Snell asked another professor to create falsified evaluations of her work.

Fellows also alleges she was not allowed to see actual student eval-

uations of her teaching.

Fellows declined to comment on the ongoing litigation.

"We will prove that there was racism," Andelin said.

Along with the charge of discrimination in employment, Fellows makes claims of a conspiracy to conceal race discrimination, defamation, breach of contract, intentional infliction of emotional distress and negligent infliction of emotional distress.

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Lawsuit filed in dance team altercation

By Matthew Zane
DAILY STAFF WRITER

The Board of Trustees of California State University and San Jose State University Senior Associate Athletics Director John Glass were named in a lawsuit brought by former SJSU dance team member Tarah DiNardo.

In court documents filed at the Superior Court of Santa Clara, DiNardo claims that she suffered physical and emotional damage after a confrontation with Glass during an SJSU home basketball game in March 2005.

Glass was reached by telephone but declined to comment.

SJSU president Don Kassing said that lawsuits against the university are handled by the CSU's general counsel of attorneys and paralegals and would not comment further on the matter.

A telephone message to Donald A. Newman, the general counsel attorney assigned to SJSU, was not returned.

Clara Potes-Fellow, direc-

tor of media relations for CSU said in a telephone interview that CSU does not comment on pending lawsuits.

The incident occurred after SJSU alumnus Ray Silva, 74, vocally objected to a choreographed dance routine that DiNardo and other dance team members were performing.

According to an Associated Press report in April of 2005, Silva said that he shouted "Trash, that's trash" and "Get off the court."

Court documents filed by DiNardo's attorney Edward Ajlouny allege that Silva's comments were also laced with obscenities, and that Silva is a "known financial supporter of SJSU" who "has been recognized for his generous monetary gifts to SJSU."

The dance routine was set to LL Cool J's song "Move Somethin,'" which includes sexually suggestive lyrics such as "Push it out girl, arch your back,"

SEE DANCE • PAGE 5

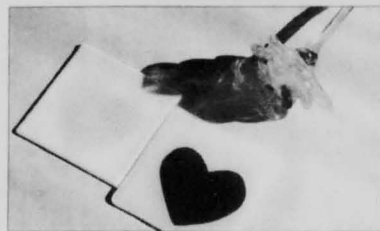


DANIEL ESCH / DAILY STAFF

TOP: Junior biology major Julie Sullivan, left, and her boyfriend Jason Martin, right, a junior mechanical engineering major, work on a crossword puzzle together outside the Student Union Tuesday.



Spending Valentine's Day together on campus



FANG LIANG / DAILY STAFF

Valentine's Day mementos made by the student members of the Glass Guild are offered to students to buy as gift for their sweethearts in front of the Student Union Tuesday.

Students react to De Alba's dismissal

Some believe A.S. executive director deserved to be fired

By Laura Rheinheimer
DAILY STAFF WRITER

At a press conference Tuesday, San Jose State University President Don Kassing said he has no plans to oppose the Associated Students board of director's decision to dismiss Alfonso De Alba, executive director of A.S., for buying alcohol for underage students.

"I think they have acted very responsibly as a board," he said.

A.S. President Alberto Gutierrez said Kassing must approve the decision in order to dismiss De Alba. Kassing said the board had kept him informed about the situation before they voted in closed session Feb. 8.

Since the investigation began, some students and faculty members have read or heard about it and the recent decision to terminate De Alba, while others remain unaware of the incident. They said that they have neither the time nor the interest to hear about the goings-on of A.S.

University Police Department Chief Andre Barnes said he may have dealt with the incident differently, had it happened on campus. He said there would have been a criminal investigation in addition to the A.S. investigation and there would have been consequences for both the underage students and for De Alba.

"I have no doubt (the investiga-

tors) did a thorough job," he said. Barnes said the A.S. board of directors had the right to make the decision it did. He added he would have taken De Alba's past history into account.

The majority of students questioned about the incident think the investigation's findings and the A.S. board's decision were consistent. Based on interviews with students and faculty members, most agree with the decision to terminate De Alba, but their reasoning varied.

"I think he should be fired for being stupid," said Ben Jonas, a senior majoring in English. "He should've known better. If you buy alcohol for minors, it's a serious

thing."

Sarah Gomes, a junior majoring in English, added, "You don't buy booze for kids. I'm 21 and I don't buy drinks for my underage friends."

She said the underage recipients of the alcohol should have known better, too.

"It's a rite of passage," she said. "You wait your turn."

Amal Huweih, a freshman majoring in business, said breaking the law was enough reason to fire De Alba.

Mike Filing, a senior in sociology, said someone in De Alba's position needs to be more account-

SEE DE ALBA • PAGE 6

Blackout caused by multiple outages

By Andrew Torrez
DAILY STAFF WRITER

The blackout that affected the San Jose State University campus Monday night was due to three separate power outages said Chris Nordby, chief engineer for the Energy and Facilities department.

"We had an initial failure that caused the campus to go black," Nordby said. "That initial failure occurred at 9:36 p.m. and could have possibly been caused by PG&E maintenance work."

David Eisenhauer, a spokesman for PG&E, said that the company had been doing routine maintenance work and had a planned outage in San Jose that affected 100 customers. He thinks that SJSU could have been one of those customers affected.

"We were finishing up work on a power line," Eisenhauer

said. "And we were energizing a new underground circuit during that time. The campus may have been affected by this."

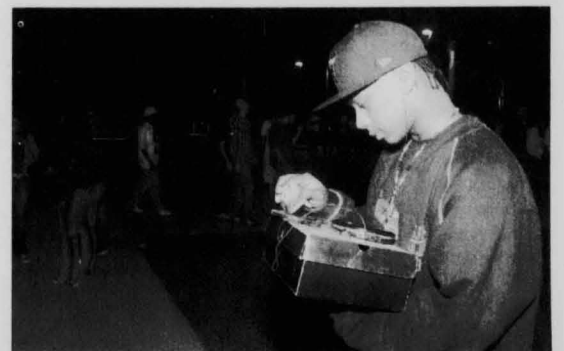
Nordby said that location of the failure was at the computer center near the Morris Dailey Auditorium.

"There was a break in an underground electrical sub line," he said. "That would result in a disturbance that would cause protective devices to turn off electrical equipment."

When the break in the line occurred, the facilities department closed the circuit, which then caused the blackout. There are about 20 sub lines that bring electrical power to the campus, according to Nordby.

A second outage occurred at 10:14 p.m. and the facilities department was restored to the

SEE OUTAGE • PAGE 5



SHIH FA KAO / DAILY PHOTO EDITOR

Luis Forbes, a junior kinesiology major, reads the back of a CD that he bought Sunday with light from a cell phone as he listens to it outside of Campus Village Monday evening during the blackout.

THE SHAPE OF WHAT'S TO COME

The press should balance free speech with responsibility

The recent cartoon chaos in the Middle East proves that free speech — a caveat of Western liberalism, no doubt — is best practiced with a certain level of responsibility. The editors at Jyllands-Posten, the Danish newspaper that ran a dozen Muhammad cartoons, are learning this lesson the hard way.

This is not a call for government censorship. On the contrary: no one except an editorial board should decide what to print. Thankfully, Western leaders have merely labeled the cartoons "unnecessary" and "insensitive," instead of hinting at what newspapers should and shouldn't print. That is entirely our decision.

But when we decide to run an editorial cartoon, whether humorous or serious, we should understand the message behind it. Never mind the Islamic tradition of not depicting the prophet in any shape or form — that's an example of when the press's right to free speech trumps tradition.

A cartoon of Muhammad as a suicide-bomber, however, with dynamite as a headdress, is an entirely different story for one major reason: 99.9 percent of Muslims do not engage in suicide terrorism, or any terrorism for that matter. Unfortunately, Muslim outrage has been extreme to say the least.

Nevertheless, by linking Islam with the deplorable act of killing civilians for political gain, the Danish paper, and any other paper that reprinted this particular cartoon, not only insulted more than a billion Muslims, they displayed an astounding level of ignorance as to why certain groups employ suicide terrorism.

Religion and culture are not the driving force behind suicide terrorism. Not to mention, Islamic groups did not invent suicide terrorism, they are just the most visible practitioners of it today (though the expectation of a soft and cushy afterlife might make it easier to commit suicide and murder).

The conflict in Sri-Lanka proves this. The Marxist-Leninist Tamil Tigers, a separatist group with Hindu roots that is vehemently anti-religious, committed 76 of the 315 acts of suicide terrorism worldwide, according to Robert Pape in "Dying to Win: The Strategic Logic of Suicide Terrorism." This made them the leading practitioners of suicide terrorism in 2003.

The Tigers, from the northern part of the island, launched an independence campaign against the Sinhalese Buddhist majority after a half-century of

what it claims was discriminatory treatment. The conflict has raged for more than 20 years, resulting in more than 65,000 deaths, including the assassination of an Indian and a Sri Lankan head of state.



BANKS ALBACH

Even among Muslims, according to Pape, secular groups, such as the Marxist-Leninist Kurdish PKK and the Popular Front of Palestine, account for more than one-third of suicide attacks during the same time frame. And in World War II, fascist Japan used suicide Kamikazes as potent weapons against U.S. naval vessels.

And these examples are only modern cases. Pape claims the first suicide terrorists might have been two Jewish revolutionary groups fighting to liberate Judea against the Roman occupation between 4 B.C. and 70 A.D. The Zealots and the Sicarii would supposedly attack Roman victims in broad daylight, almost assuring that they would be captured and killed.

More than 1,000 years later, the Shi'ite Ismaili Assassins used what must have been suicide terror-

ism in attacks against Europeans and Sunni leaders during the Crusades. Their acts actually inspired the word "assassin."

Regardless of the era, the premise is the same: People are actually willing to kill themselves, and others, in order to make a statement or achieve a goal.

Deducing this frightening phenomenon to a clash between the West and Islam, with bloodthirsty murderers blowing themselves up "because they hate our freedom," misses the point entirely and is better left to talk radio haranguers.

Fortunately for the feeble-minded, this is a convenient argument to make because it contains an easy set of answers — hence the poor editorial judgment by the Danes.

Undoubtedly, free speech is a pillar of human liberty, but with it comes a heightened level of responsibility. As journalists, we should always take into consideration what an editorial portrays and what consequences it might have.

Banks Albach is a Spartan Daily co-opinion editor. "The Shape of What's to Come" appears every Wednesday.

LETTER TO THE EDITOR FROM A.S. PRESIDENT

A.S. still dedicated to students, despite tough times for board

Dear editor,

There has been a lot said about recent events in the Associated Students. As your student body president, I feel compelled to give you an update on our accomplishments:

- We succeeded in extending the add/drop date and helped publicize the changes.
- We pushed for the reinstatement of printed schedules and made them available in the A.S. Print Shop.
- We protested fee increases through lobbying and officially opposing Propositions 74 and 76.
- We addressed student organization needs by including T-shirts, graduation awards and apparel, travel, conference registration fees, insurance, room set-up fees, and A/V equipment as fundable requests through Associated Students.
- We have distributed more than \$70,000 to support the events and activities of student organizations during Fall 2005 and look forward to doing the same this semester.
- We have encouraged a more diverse and accepting campus through endorsing the creation of a LGBT Center.
- We recognized and addressed the need for student participation in athletics and the need for greater school pride by providing marketing, funding, and personnel to support the growth of Spartan Squad,

which was established in Fall 2005.

I can tell you that this has been an extremely difficult and complicated time for me personally and for my fellow students on the A.S. Board of Directors.

When I accepted the responsibility to run for presidency, I made a solemn promise to myself to represent you, the students of San Jose State University, in the best way I know.

I committed myself to work hard, to listen to you, and to act on your behalf. I will continue to maintain this commitment.

Furthermore, I am proud to work with the members of the A.S. Board of Directors and am convinced that they too will continue to diligently work on your behalf.

As always, we can only be as effective as you will help us be, by letting us know how we can best serve your needs and represent you. Please take time to let us hear from you.

*Alberto Gutierrez,
President
Associated Students
San Jose State University*

Write letters to the editor and submit Sparta Guide information online. Visit our Web site at www.thespartandaily.com. You may also submit information in writing to DBH 209.

SPARTA GUIDE

Sparta Guide is provided free of charge to students, faculty and staff members. The deadline for entries is noon three working days before the desired publication date. Space restrictions may require editing of submissions. Entries are printed in the order in which they are received.

TODAY

Counseling Services

Eating concerns group every Wednesday in the Administration building in room 201 from 11 a.m.-12:20 p.m. For more information, contact Carina Esteban at 924-5910.

SJSU Career Center

Learn how to present yourself in the best way possible at a "Resume 101." At the career center in modular F from 9 a.m.-4 p.m. For more information, contact Evelyn Castillo at 924-6031.

SJSpirit Labyrinth

Walk through a spiritual meditation tool in the Student Union from 8 a.m.-4 p.m. For more info, contact Chaplain Roger at 605-1687.

Counseling Services

Counseling Services holds an "Interracial Relationships

Group" every Wednesday from 1:30-2:50 p.m. in the administration building, room 201. For more information, contact Lynda Yoshikawa at 924-5910.

Zeta Phi Beta Sorority Inc.

Learn about health issues in the black community in the Student Union Costanoan Room at 7:30 p.m. For more information, contact Jess Viera 509-0642.

Department of Biological Sciences

Learn about "Patterns and Processes of Ecological Speciation in the Columbines," with Justen Whittall, professor of evolution and ecology at UC Davis, at 1:30 p.m. in DH 250. For more information, contact Leslee Parr at 924-4897.

Financial Management Association

Orientation meeting in the Student Union Umunhum Room from 4:30-5:45 p.m. For more information, e-mail li_cui68@yahoo.com.

THE SEVENTH INNING STRETCH

Do what you want next Feb. 14, it's a lot more fun

Congratulations to all of you who were able to survive Valentine's Day with some shred of dignity and a couple of pennies in your wallet.

It can be a difficult thing to do. I've experienced both sides of the boat.

Everyone is entitled to one year where they go all out for their special someone, thinking that is what's required. After all, that is what all the commercials, magazines and talk shows tend to make people believe.

I did it once. I treated the girl like a princess and bought her a nice, three-piece, heart-shaped ruby jewelry set and splurged on a dinner cruise around the Bay and came to the door with flowers.

It was a nice enough evening. She had a good time and I managed to pull it all off.

But the question to be asked is: Was it really worth it?

I'm going to have to throw out a big NO vote on that one.

I spent more than \$200 on the night. I'm no longer with that girl (thankfully) and spent the days leading up to this Valentine's Day like many other men — out at the bars chasing some skirt.

And you know what? I like it that way.

It's so much nicer to be able to spend this meaningless day in mid-February doing whatever I want to do.

If being with someone you love on Valentine's Day is the thing you would like to be doing more than anything in the world, than by all means go for it.

But why do we need a day where we are forced to do it. And what's the point of making those who don't have someone to spend the day with feel depressed?

Some people are like me and are perfectly happy to be unchained on Valentine's Day. But a lot of other people spend too many hours worrying about not having someone to spend the day with. And when they don't find someone, they spend the night sulking by themselves.

Holidays are supposed to be happy times. Why is there a holiday where half the people out there don't get to enjoy it?

How many people really come out of this "holiday" on a positive note?

Sure, the flower and candy shops and the greeting card companies make a pretty penny on it. But does anybody else get anything out of it?

We're just a month and a half past breaking our



JIMMY DURKIN

bank accounts on Christmas gifts and already we're hit with buying a Valentine's gift.

What's the point behind all the extravagant gift-giving and flower-buying? What does it mean if a guy puts out his best effort one day of the year and is a complete jerk the other 364 days?

It doesn't mean anything. So let's all unite and put an end to it.

In my book, from this point forward, Feb. 14 will be "National Chasing Skirt Day." Guys will be free to go out on that night and find some undercover cuties to hit on. Girls can do the same, if they so desire.

It will be up to the individual couple to decide how far each of them will be allowed to go with whoever they engage with during that night — we've got to set some boundaries after all.

But the whole point of the night will be to do the exact opposite of what we are convinced we are supposed to do on Valentine's Day.

This doesn't mean that we don't need to show whoever may be special in our life that we appreciate them. There's just no reason that we need to bottle it all up and show all of our affection on one day.

I'll take bets most girls would feel more special if a guy sent her some flowers on some random day throughout the year just to say "I love you," instead of sending them on Valentine's Day when a guy knows that is what's expected and a girl knows the guy is only doing it because he thinks he's supposed to.

I'll need some help if I'm going to get "Chasing Skirt Day" to become an official holiday. And I don't want to be sexist here, so ladies you can feel free to contact me with suggestions for a name and maybe a different date for your day to do as you please. (Although, I think we already have one of those about seven times a week).

So when Feb. 14 rolls around next year, I invite all of you to join me to celebrate. I'll probably hanging out at a bar somewhere. (Note: you may remember my column two weeks ago about giving up drinking for a month — that month is over).

I hope to see you there, just remember that with my new holiday — you can do whatever the heck you want so be prepared to let loose and have some fun.

Jimmy Durkin is a Spartan Daily copy editor. "The Seventh Inning Stretch" appears every Wednesday.

LETTER TO THE EDITOR

Should A.S. board resign? Not so fast

Dear editor,

I was absolutely sickened when I read your editorial requesting that the Associated Students Board of Directors resign.

After reading the investigative report, mistakes were made at both ends on the Board of Directors and Alfonso De Alba's. So, what's our solution?

Everyone resign and start off new.

Absolutely not, for example, you have a mayor a couple blocks away that admitted to back door deals and all he got was a censure from the city council.

As a student, I request that Associated Students and De Alba settle this matter in the interest of all 30,000 students at San Jose State University. Please build a bridge and get over it quickly before the Associated Students Fee is renamed into a Legal Fee.

*Kenneth Pierce
Senior
Aviation Operations*

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The Spartan Daily is a Public Forum

OPINION PAGE POLICY

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A letter to the editor is a response to an issue or a point of view that has appeared in the Spartan Daily.

Only letters between 200 to 400 words will be considered for publication.

Submissions become 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 placed in the Letters to the Editor box at the Spartan Daily office in Dwight Bentel Hall, Room 209, sent by fax to (408) 924-3237, e-mail at spartandaily@cas.sjsu.edu 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.

The San Jose State University Sailing club hosted the first race of the spring season for the Inter-Collegiate Sailing Association's Northern California Division at Lake Cunningham Regional Park in San Jose on Saturday and Sunday.

The Spartans finished near the bottom in scoring after an afternoon of short sprints on calm water on Saturday. Team captain, Eric Colton, attributed the teams' showing to, "Poor starts off the line and trouble finding the wind," he said. "Most of the team is kind of new at this."

The Northern Division consists of 15 sailing teams of all sizes and varied financial strengths. Some schools came to the race hauling their boats behind new Ford Excursions, while others borrowed boats from local teams to save on expenses, according to Eric Stackpole, a Spartan team member and a mechanical engineering major.

"It's fun," said Stackpole, "we get to play with the big dogs, unlike many of the other club sports at (San Jose) State."

Kevin Booker, who handles most of the administrative functions for the team, "reformed" the Spartan Sailing Club with Stackpole two years ago after it had, "for all reasonable purposes stopped functioning," said Booker.

"We were interested after a sailing class Eric (Stackpole) and I took," said Booker. "So one day we Googled it, found the facility adviser and got it going again."

Shirley Reekie, a professor of kinesiology, and facility adviser for the Spartan Sailing club said, "Many of the members started with a sailing class, and most have very little experience racing, so the team doesn't put too much emphasis on winning at this point."

The teams met Saturday at Lake Cunningham at the boat harbor, visible from nearby Raging Waters and on a relatively straight section of the lake.

Three orange buoys marked a simple course of 500 yards. Each race started from the center buoy and the first leg was always towards the wind. After circling each of the far buoys, the race ended back at the center buoy, according to Reekie.

Scoring was based on what place the individual boats finished as they raced together. The team score consisted of the adding up the individual scores after a series of four races, according to Stackpole.

"The actual sailing is only part of the race, the hard part is understanding all the violations and penalties," said Stackpole. "Violations like minor collisions, or cutting off an opponents wind, can lead to either instant penalties, or can be referred to a jury after the race."

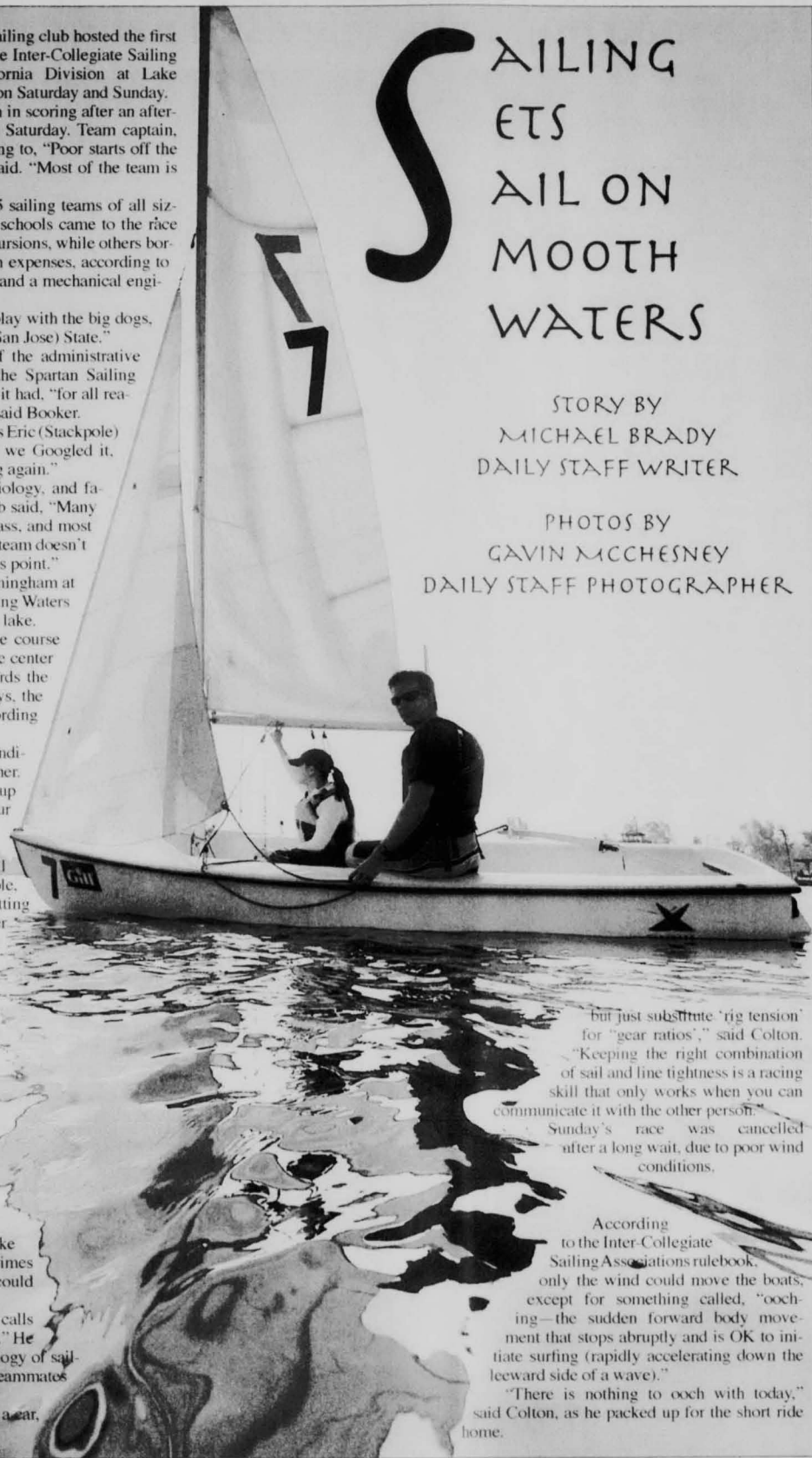
"Instant penalties usually are just having to make a couple of 360's with your boat to slow you down," said Stackpole. "Waiting until after the race and taking to a jury can lead to disqualification."

Each race consisted of two man crews in 11-foot boats known as "FJ's" or "Flying Juniors." All the teams raced the same model of boat, but some were shiny and new with crisp paint, and others were dull with brownish algae that flashed out from under the waterline when they made turns.

"Lake Cunningham is a shallow lake with lots of sludge," said Reekie. "Sometimes the algae gets so thick on the boats you could comb it out like hair."

Colton, an industrial design student calls racing, "Easy to learn, but hard to master." He talked a lot about mastering the terminology of sailing in order to communicate with his teammates effectively under pressure.

"In a way racing a boat is like racing a car,



SAILING SETS SAIL ON MOOTH WATERS

STORY BY
MICHAEL BRADY
DAILY STAFF WRITER

PHOTOS BY
GAVIN MCCHESEY
DAILY STAFF PHOTOGRAPHER

but just substitute 'rig tension' for 'gear ratios,'" said Colton. "Keeping the right combination of sail and line tightness is a racing skill that only works when you can communicate it with the other person." Sunday's race was cancelled after a long wait, due to poor wind conditions.

According to the Inter-Collegiate Sailing Association's rulebook, only the wind could move the boats, except for something called, "ooching—the sudden forward body movement that stops abruptly and is OK to initiate surfing (rapidly accelerating down the leeward side of a wave)." "There is nothing to ooch with today," said Colton, as he packed up for the short ride home.



TOP: San Jose State University sailing club member Glenn Jahnke sails his boat with Eric Stackpole Saturday at Lake Cunningham Regional park.

LEFT: UC Berkeley sails on Saturday at the Inter-Collegiate Sailing Association's Northern California Division at Lake Cunningham Regional Park.

Spartan sports news in brief

DAILY STAFF REPORT

Women's Gymnastics

The San Jose State University women's gymnastics team defeated Seattle Pacific University 192.450 to 190.200 on Friday in a nonconference match.

Freshman Renae Moneymaker helped lead the Spartans with a 38.800 score in the all-around event and a 9.800 performance in the floor event.

SJSU scored its second highest team score on the vault, 48.400.

The Spartans return to action 7 p.m. on Friday at Sacramento State.

Women's Tennis

The SJSU women's tennis team swept UC Santa Cruz, 7-0, on Friday at the Los Gatos Swim and Racquet Club.

Junior Courtney Koenigsfeld led the Spartans in singles action when she shut out Banana Slug Angel Zabala, 6-0, 6-0.

Sophomore Dana Popescu and freshman Silvana Dukic helped SJSU in doubles action by defeating UCSC duo Chayla Furlong and Lauren Tisdale, 8-0.

The Spartans return to action against Sonoma State today at 2 p.m. in Los Gatos.

Spartan water polo goalies making a splash poolside

By Andrew Torrez
DAILY STAFF WRITER

Most water polo teams would be lucky to have one good goalie on the roster. San Jose State University has been fortunate to have two solid goalies to choose from this season.



HANSELL

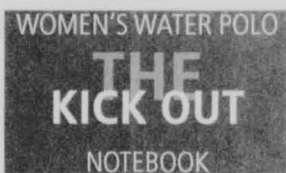
Senior Krissy Hansell and sophomore Kendra Adama have been splitting playing time for the Spartans in goal during the 2006 season. Each goalie played two periods of each game at the Stanford Invitational Tournament on Saturday and Sunday.

In two games played on Sunday, Hansell and Adama combined to make 17 saves against Stanford and the University of Hawaii.

Assistant coach Fana Fuqua has been

working with the goalies this season, during which the Spartans are 3-3 overall. Fuqua was a goalie at UC Berkeley from 1998 to 2001.

"It's a good experience for both (players)," Fuqua said after practice on Tuesday.



"They are both very competitive with each other."

Fuqua said by rotating the position, both goalies have pushed each other to play better.

"They understand that they have a half to take care of," Fuqua said. "They can go out there and go for it and give all that they have

for that half."

Being a former goalie, Fuqua has given Hansell and Adama tips on how to stay relaxed and calm during games.

"Not jumping at the ball and at every fake (shot) that someone throws at them," Fuqua said is one of the tips that she tells the goalies.

She added that the goalies work on different drills in practice to help prepare for games.

"(I tell them) to trust their legs," she said. "We do a lot of strength stuff for their legs, so that their legs are pretty much doing all the work and their arms are free to block the ball."

Both Hansell and Adama agree that while it is hard to rotate during games, it is nice to only have to worry about playing half a game.

"It's kind of difficult," Adama said. "It's

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Western Athletic Conference Women's Basketball Standings

Lady Techsters Louisiana Tech University	First place WAC: 10-1 Overall: 18-4
Fresno State	First place WAC: 10-1 Overall: 18-5
SAN JOSE STATE San Jose State University	Third place WAC: 5-5 Overall: 10-11
H University of Hawaii	Fourth place WAC: 5-6 Overall: 14-8
NEVADA WOLF PACK University of Nevada-Reno	Fourth place WAC: 5-6 Overall: 9-14
Vandals University of Idaho	Sixth place WAC: 4-6 Overall: 8-13
BOISE STATE Boise State University	Sixth place WAC: 4-7 Overall: 12-11
AGGIES New Mexico State University	Sixth place WAC: 4-7 Overall: 7-15
U Utah State University	Ninth place WAC: 1-9 Overall: 2-18

SJSU, La. Tech matchup to be televised nationally

By Sophia Seremetis
DAILY SENIOR STAFF WRITER

After the San Jose State University women's basketball team started off Western Athletic Conference play 4-0 — its best conference start since joining the WAC in 1996 — the Spartans have faltered to 10-11 overall and 5-5 in the conference.

WOMEN'S BASKETBALL FULL COURT PRESS NOTEBOOK

Last week, the Spartans traveled to Moscow, Idaho to face the University of Idaho for the second time this season. In the 80-62 defeat, the Spartans missed sophomore forward Amber Jackson, who sat out with an injury. Jackson averages 17 points per game.

On Saturday, SJSU lost its third straight game to first-place Fresno State 63-41, which gives the Spartans losses in four of their last five games. The Bulldogs (18-5, 10-1) are tied for first place in the WAC with Louisiana Tech University.

Fresno's Chantella Perera led all scorers with 20 points, 12 of which came from behind the 3-point line. Perera was announced the WAC Player of the Week on Monday.

SJSU senior guard Anetero Ufiagalelei said she believes some of the Spartans' problems stem from lacking "effort and intensity" on the floor.

The Spartans will face the Lady Techsters (18-4, 10-1) at 7 p.m. Thursday at the Event Center for the second time this season. The last time the two teams met, Tech defeated SJSU 74-51.

Louisiana Tech is ranked 24th in the nation in The Associated Press Top 25 Poll and 23rd in the ESPN/USA Today poll for the week of Feb. 13.

The Lady Techsters have four players who average in double figures, led by senior guard Aarica Ray-Boyd, who averages 13.2 points per game. Junior forward Ty Moore is second in the conference in rebounding, averaging nine boards per game, but SJSU's Jackson leads the WAC Jackson with 9.4 rebounds per game.

The contest will also be nationally televised on College Sports Television. It's the first time the Spartan women's program has hosted a nationally televised event.

SJSU coach Janice Richard said that Louisiana Tech will be another tough opponent.

"Again we'll play the No. 1 team coming in here in the WAC in Louisiana Tech," Richard said. "The two teams (Fresno and Tech) are very similar. They're both tied for first place right now and there's a good reason for it. So we have a lot of work to do."

Senior forward Lamisha Augustine agreed.

"It's going to be a tough game, but if we stay focused and stay with



San Jose State University guard Myosha Barnes battles for the ball against Fresno State forward Andrea Roberson Saturday at the Event Center.

GAVIN MCCHESENEY / DAILY STAFF

coach Richard's game plan, hopefully we'll come out with a victory," said Augustine.

On Saturday, the Spartans will host the New Mexico State University Aggies at 7 p.m. The Aggies are 7-15 overall, 4-5 in WAC play and eighth

in the conference standings.

During the last meeting on Jan. 28, SJSU fell to New Mexico State 50-47 after sophomore point guard Monique Bribiescas made a 3-pointer in the final minute of the game. Bribiescas averages 3.59 assists per game.

"It is going to be a tough game, but if we stay focused and stay with coach Richard's game plan, hopefully we'll come out with a victory."

— Lamisha Augustine, Spartan forward

SJSU SPORTS OUTLOOK

Today

Softball

vs. Saint Mary's College (Doubleheader) at Moraga, 1 p.m.

Women's Tennis

vs. Sonoma State at Los Gatos, 2 p.m.

Men's Basketball

vs. Louisiana Tech University at Ruston, La., 5 p.m.

Thursday

Baseball

vs. Brigham Young University at Municipal Stadium, 6 p.m.

Women's Basketball

vs. Louisiana Tech University at Event Center, 7 p.m.

Friday

Baseball

vs. Brigham Young University at Municipal Stadium, 6 p.m.

Gymnastics

vs. Sacramento State at Sacramento, 7 p.m.

Hockey

ACHA Division II West Regional Playoff at Logitech Ice, 7:45 p.m.

Saturday

Baseball

vs. Brigham Young University at Municipal Stadium, 1 p.m.

Water Polo

vs. UCLA at Los Angeles, 1 p.m.

Men's Basketball

ESPN Bracket Buster vs. UC Santa Barbara at Event Center, 4 p.m.

Women's Basketball

vs. New Mexico State at Event Center, 7 p.m.

Hockey

ACHA Division II West Regional Playoff at Logitech Ice, 7 p.m.

Roddick wins at second night of SAP Open

By Tatiana Getty
DAILY STAFF WRITER

Two-time SAP Open tennis tournament champion Andy Roddick began defending his title against Spanish pro Guillermo Garcia-Lopez in the second night of feature matches at HP Pavilion in San Jose.

Roddick, who would take the match from Garcia-Lopez 6-3 in the first set and 6-4 in the second, took the court to heartfelt chants of "I love you Andy" and "Be my Valentine" from the crowd.

"I don't know if that ever becomes normal," said Roddick in a press conference following the match. "(And) like I've said before, Valentine's was only invented to get men in trouble."

Garcia-Lopez, currently ranked No. 89 by the Association of Tennis Professionals, came out to play, taking the first game of the match, 40-15. The second game would result in a deuce with the advantage switching between players.

Garcia-Lopez took the game in the end, after Roddick smashed two balls in a row into the net.

This was not the only time Roddick had trouble hitting his spots. In game five, as a line judge called one of his balls out, Roddick let out a groan, and said, "I'm not really questioning it. I'm just telling you your wrong."

"(My play was) average in most regards," Roddick said. "I feel like I'm on the verge of playing well, its



GAVIN MCCHESENEY / DAILY STAFF

Andy Roddick returns the ball to Guillermo Garcia-Lopez Tuesday night at the 2006 SAP Open tennis tournament in the HP Pavilion.

just picking and choosing spots."

Garcia-Lopez would also take the fourth and sixth games. Roddick took the set winning six games to Garcia-Lopez's three. He came out with a 141 mph serve for an ace in game nine.

The second and final set of the match brought a more consistent Roddick to the court. Garcia-Lopez would once again take the first game, 40-30, but Roddick would come back to take the second game 40-0.

Game four resulted in a deuce, with Roddick taking the game point after Garcia-Lopez smashed a ball well past the backline.

Roddick took the match in game 10 with a 137 mph ace bringing the score to 40-30. Garcia-Lopez would hit the ball out of bounds and solidify Roddick's victory.

"I didn't have my best stuff, but it felt good to just get out there and grind," Roddick said. "I think you always want to win and you always want to please everybody, but right now, my main focus is playing good tennis."

Garcia-Lopez was not available for comment after the match.

Roddick will move on to play the winner of the match between Lukas Dlouhy of the Czech Republic and Kenneth Carlsen of Denmark.

POLO - Spartan goalies rotate each half during matches

continued from page 3

hard to get warmed up (after sitting), so it's good and bad."

Between the first and second halves of a game, the goalies are only given a few minutes to warm up. Fuqua said the team will probably continue to rotate goalies throughout the season.

"It's hard because you have to sit on the bench and get cold, then you have to get ready to go," Hansell said. "But it keeps competition up, which is cool and that helps us play better."

Head coach Lou Tully said he is happy with the way his goalies are playing this season.

"We are really pleased with both Kendra and Krissy," Tully

said during the tournament this weekend. "They are both playing really well. Fana's feeling right now is that they both are doing a great job and that they both need to play."

The Spartans travel to Southern California this weekend to play against UCLA on Saturday and UC Santa Barbara on Sunday.

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OUTAGE - Campus co-generator did not stop blackout because it was down for inspection, according to chief engineer

continued from page 1

campus. The third outage occurred at 11:10 p.m., Nordby said. All three outages affected the entire campus including the Dr. Martin Luther King Jr. Joint Library, Campus Village and the Student Service building at the 10th Street parking garage. Students in night classes on Monday night were forced to leave their classrooms and those living in the residence halls also had to wait outside during the blackout. KJSJ, the campus radio station, was forced to shut down during the blackout. "I can't play anything, it's all shut off," said Ryan Okuda, a sophomore majoring in radio, television and film, on Monday night. "It was

kind of freaky. I heard stories of lights going off, but I never thought I would experience it." Although the computer center had a backup generator, Nordby said that when the circuit was shut down, the backup generator was unable to work. The blackout caused Internet and telephone services to be down while the facilities department hurried to fix the problem. Because the phone systems went down, the University Police Department was also affected and all 911 emergency calls were routed to the San Jose Police Department. According to Nordby, there is a co-generator running so that problems like a blackout don't happen. "It just so happened that our co-generator plant was down last night

for inspection," he said. Nordby noted that when the co-generator is running and there is failure, the co-generator plant would continue to carry the load of the electricity. "The bulk of campus was served pretty well, as far as getting powered restored," he said. "It takes some time to coordinate with PG&E and make sure it's safe for us turn stuff back on." After the third power outage, Nordby said the power was restored quickly and that the department worked overnight trying to fix the problem before students returned to campus on Tuesday morning.

Daily Managing Editor Cheeto Barrera and Daily Copy Editor Lydia Sarraile contributed to this report.

DANCE - John Glass said in University Police Department report that Tarah DiNardo was acting 'kind of crazy'

continued from page 1

"Shake it for daddy it's time to ride" and "Make it sweat 'til it slide, do your thing like it's justified." "It was vulgar," Silva said in the AP report. "It was like a burlesque, with bumps and grinds. I just came unglued." DiNardo alleges in her suit that she recognized Silva because he "had been heckling the dance team at sporting events for the past two years." Following the conclusion of the dance routine DiNardo and Silva entered into what witnesses described in a University Police Department report as a "heated, verbal exchange." In a telephone interview conducted by the UPD two weeks after the incident, Silva said that he was looking for someone from the athletics department to complain to regarding the dance routine and the music used when he was approached by DiNardo. Silva told the UPD that he argued with DiNardo until they were separated by another patron, at which point he turned to talk to Glass.

In a video recorded interview conducted by the UPD, Glass said that both Silva and DiNardo were trying to explain something to him at the same time. Glass told police that DiNardo was very angry and was yelling at him, and that he believed she was out of control and needed some sort of restraint. The police report shows that according to Glass, DiNardo was acting "kind of crazy" and that he told her "Who the hell are you to talk to this way," then "cupped" her elbow with his hand in an attempt to make his point and get her to listen to him. Joseph DiNardo, Tarah DiNardo's father, said in a telephone interview that his daughter was "basically manhandled." In his interview with UPD, Glass says he touched DiNardo very lightly. In court documents, DiNardo claims she felt pain as Glass squeezed her arm, and that she developed bruising on her bicep that lasted two weeks. The UPD took photos of DiNardo's arm approximately one week after the incident occurred. DiNardo's attorney Ajlouny claims that these photos

show bruises that were caused by Glass grasp. A home video captured by Daniel Bolen showing Glass vigorously shaking his finger at DiNardo while she backs up was shown on nationally televised news programs. Ajlouny said that the video will play a "big role" in his client's case, and that "It's irrefutable evidence that something occurred." "Even though this may not be the crime of the century, this is something that is not really permitted these days," Ajlouny said "You can't go around grabbing someone else's daughter in the arm like that." Ajlouny said they are also suing the CSU because it is typical to sue both an employer and an individual in cases such as this one in order to "cover your bases." "The only way to have the university be liable for him (Glass), is if the court or jury finds that what he did was in the course and scope of his employment," Ajlouny said. According to Ajlouny, if the court or jury determined that what Glass did was a criminal or quasi-criminal act outside the scope of his employment then the university would not be liable for him.

"So you have to sue him as an individual as well so he can't weasel out of liability in the event that it's determined that they're not vicariously liable for his act," Ajlouny said. A case management conference is scheduled for June 13. According to Ajlouny, case management conferences are conducted by the court in order to see where all of the parties are in their case preparations and whether they have been served or not. Ajlouny said that the case could still be settled before it goes to trial. "It could settle quickly, or it may not settle at all," he said. "It depends on what we ask for, it depends on what they're willing to offer." When asked whether DiNardo had discussed with him what would be an acceptable settlement, Ajlouny said that he had, but would not say what that figure was. Ajlouny said he had contacted the university in an attempt to settle the matter out of trial. "I did write them a letter initially, but usually until you sue someone they don't pay much attention to you," he said.

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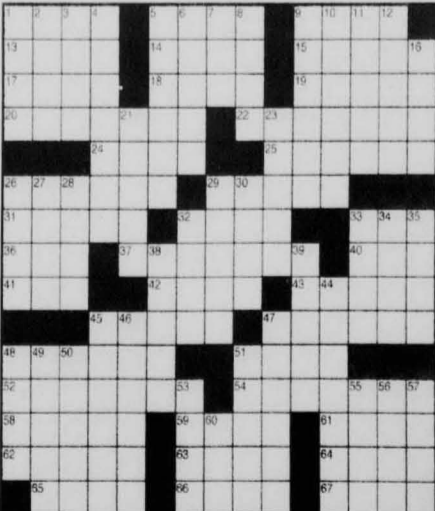
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DE ALBA - Underage drinkers should be punished, some say

continued from page 1

able. "That's stupidity — giving alcohol to people underage," he said.

Filing said he's sorry De Alba lost his job, but there's a reason there is a law against giving alcohol to people under 21.

"He should have known better," he said.

Robert Regalado, a junior who is undeclared, said he thought it was in the university's best interest to get rid of De Alba.

"I think they did the right thing," Regalado said.

He said somebody in De Alba's position is supposed to be an example to the students.

"They have to cut him because otherwise he'll put a blemish on the school's image," Regalado said.

Another opinion in the student population was that the underage students and De Alba should share responsibility.

"If he's getting in trouble, the students should get in trouble, too," said Karen Phangureh, a sophomore in electrical engineering.

Valerie Sabado, a junior majoring in psychology, said she didn't hear anything about what happened, but said she is surprised that someone "official" was caught.

A few students interviewed disagreed with the de-

cision to fire De Alba, saying there is too much fuss over drinking in general.

Sasha Volynets, a junior majoring in illustration, said she thinks there isn't anything to get upset about.

"I don't think it's a big deal," Volynets said. "There are worse things people at this school have done, such as unfair grading and sexual harassment."

Volynets added that she disagrees with the university's general take on alcohol.

"The university's alcohol policy is uptight," she said, and alluded to the CSU's recent decision to ban alcohol from university sports events. She pointed out

that the majority of students are of age.

Some students and faculty are unaware of the incident altogether.

A group of five students sitting by the library Tuesday afternoon said they hadn't heard anything about the A.S. adviser being fired.

Three students walking in front of the engineering building said they were too busy doing homework to follow student government.

Economics professor Douglas Greer said, "I don't know anything about (the incident)."

Former Daily Executive Editor John Myers contributed to this report.

"That's stupidity — giving alcohol to people underage."

— Mike Filing, student

FELLOWS - Defense attorneys say racial allegation is invalid

continued from page 1

"I think when you have an organization as large and complex as ours is," said SJSU President Don Kassing, "you periodically have a claim like this that has to be dealt with."

On Friday, attorneys for California State University, Snell, Conrath and Duffy-Horling responded to the suit by filing a demurrer, a motion seeking to dismiss portions of the lawsuit for technical reasons.

The defense attorneys argued that all the charges except the racial discrimination claim are either invalid because the court has no jurisdiction over the discretionary decision-making of university officials, or because Fellows has not provided sufficient facts to back up her allegations.

The documents filed by the defense attorneys do not argue that Fellows' racial discrimination claim is invalid. However, a footnote to the memorandum supporting the demurrer states that CSU "vigorously denies" race was a factor in the decision to not offer Fellows a reappointment.

"A case like this will move along in the courts," said Donald Newman, California State University counsel.

In her lawsuit, Fellows alleges that Snell refused to allow her to apply for a full-time or tenured position. Fellows then applied for reappointment as a lecturer. She claims she was asked to "re-interview," and alleges that no Caucasian lecturer was required to do so.

According to the suit, Fellows was then evaluated by a "non-tenured colleague who was leaving SJSU."

Fellows' lawsuit calls this evaluation "hurried and random."

The suit alleges that Snell then presented Fellows with her own personal evaluation, which classified her performance as "unsatisfactory."

Snell said her counsel advised her not comment on the lawsuit.

Fellows' lawsuit claims that she asked for an evaluation of her work by an "experienced tenured professor."

Jeffery Kallis, a professor in the marketing department, conducted that evaluation.

"My evaluation of Brenda Fellows' class was professionally done," Kallis said. "In my opinion, Fellows is a qualified, engaging, dynamic professor."

Fellows' "re-interview" was scheduled for May 6, according to her lawsuit.

Fellows alleges that before this interview was to take place, Snell sent her a "terse, two-line e-mail" stating that she would not be hired for the Fall semester.

Fellows claims she then wrote to David Conrath, then the dean of the College of Business.

"I certainly encouraged her to pursue due process," Conrath said in a phone interview from his home in Burlington, Ontario.

Conrath retired and moved to Canada following the Spring 2005 semester.

Conrath said he advised Fellows to contact Duffy-Horling in the office for equity and diversity.

Fellows claims in her lawsuit that Conrath advised her Kallis' evaluation would not carry any weight because he was not in the "Snell camp."

Fellows claims she had no prior knowledge of any

political conflicts within the marketing department related to Snell.

In her lawsuit, Fellows alleges that Snell repeatedly claimed to have fielded a number of "student complaints" about her. Fellows claims that Snell was unable to provide her with any record of the complaints.

Fellows charges that Snell "tried to intimidate a professor who was awaiting tenure decision into creating student complaints where none existed."

No one has yet come forward to corroborate this claim. Snell declined to comment on any of the allegations made in the lawsuit.

"Jackie Snell plays fair," said Jeffrey Fadiman, a professor of marketing. "She's not in any way a disciplinarian."

Fellows also charges that she was denied access to the student evaluations of her teaching in the Spring 2005 semester.

According to an SJSU Academic Senate policy recommendation signed by then-President Robert Caret on April 9, 2003, completed Student Opinion of Teaching Effectiveness evaluations must be returned to faculty members, except those that are placed in a personnel action file.

In the suit, Fellows alleges that she was told her evaluations had "disappeared" from the office of Joan Merdinger, the interim associate vice president for faculty affairs.

Merdinger declined to comment on this allegation.

Fadiman said the marketing department was divided by academic differences, but that Snell has been a diplomatic chair during her year and a half in the position.

"She's very strongly in favor of a win-win situation," Fadiman said.

Fadiman said that some marketing faculty members believe in what he called a "lockstep approach" to the curriculum, in which multiple instructors teaching the same course all use the same textbooks and the same course materials.

"There's a school of thought within the department that students should be guaranteed with learning a basic minimum," Fadiman said.

Fadiman said that he and Snell were both proponents of academic diversity.

"I think we all have our own philosophies," said Roberta Pollard, a lecturer in the marketing department.

Pollard said there was "no big rift," but in a department composed of three disciplines, these differences were normal.

Business communications, decision sciences and marketing are the three areas covered by the department.

"We can't all teach the same thing," Pollard said.

In the lawsuit, Fellows charges that Duffy-Horling conducted an investigation into Fellows' discrimination complaint. According to the lawsuit, the complaint was denied.

Fellows charges that this investigation was a "sham."

Duffy-Horling declined to comment on any of the allegations in the lawsuit.

Fellows states in the suit that she has continued to file claims with the relevant organizations in accordance with California state law.

"She's not a litigious person," said Andelin, Fellows' attorney. "She's never filed a claim before."

Black History Month celebrates long history of accomplishments

By Tandra Madison
DAILY STAFF WRITER

According to About.com, Black History Month was started in 1926 by Carter G. Woodson, and it began as Negro History Week. February was later chosen as the month because both Frederick Douglass and Abraham Lincoln celebrate birthdays during the month.

Infoplease.com clarifies that the second week of February was the one Woodson chose for recognition, but the month itself has other significant dates, including W.E.B. DuBois' birthday, the passing of the 15th Amendment, which gave blacks the right to vote, and the creation of the National Association for the Advancement of Colored People.

"It's a month that is very inspiring to me," said African-American Studies Department Chair Steven Millner. "It's not just that Frederick Douglass chose to celebrate his birthday this month. I've been celebrating and studying the spirit of those who've contributed to blacks' freedom in this society since I was 10 years old."

Some of those contributions include Colin Powell, who was appointed the first black U.S. secretary of state, Charles Drew who established the first blood bank, Toni Morrison who was the first black writer to win the Nobel Prize for literature, Madame C.J. Walker who became the first black millionaire and Robert Johnson, owner of Black Entertainment Television, who became the first

black billionaire, according to Infoplease.com.

About.com says that Woodson also founded the Association for the Study of Negro Life, which was created to "train black historians and to collect, preserve, and publish documents on black life and black people."

San Jose State University, like other campuses nationwide, celebrates Black History Month. The African Awareness Month Planning Committee has cultural events scheduled throughout the month of February, including a Women's Appreciation Night on Feb. 21, a Day of Activism on Feb. 22 and an African Unity Fest on Feb. 28 to wrap up the month's celebration.

The National Pan-Hellenic Council fraternities and sororities have events going on this month as well, including the Delta Sigma Theta's annual Soul Food Night on Feb. 23 and the monthly NPHC Black Thursday which falls on Feb. 16.

According to the Mosaic Cross Cultural Center's calendar, Black Thursdays are every third Thursday of the month, from noon to 2 p.m. in the Student Union Amphitheatre. The event provides students with music and games, while providing a networking opportunity.

SJSU President Don Kassing said he thought the student organizations have done a good job in their recognition of Black History Month.

"It's good for us to discuss what African-Americans have done in

history," Kassing said. "The student groups do a pretty good job. The black fraternity and sorority leadership are amazing people."

There are students, however, that feel what SJSU is doing this year is not enough.

Broadcast journalism major Justin Perry said that SJSU was severely lacking in its efforts to recognize historical black achievements.

"There aren't enough activities and programs that involve black people," said Nicole Pickens, an undeclared freshman. "I don't know what's going on this month."

She said there should be more events and that the events that were planned should get more publicity.

Kisura Hendrix, a political science and international business major, said it wasn't just a shortage of programs and activities.

"The school, as a whole, doesn't really participate," Hendrix said. "The administration only cares about black students when it's popular. I mean, Black History Month is cool for what it is, but why are we only unified for one month?"

Hendrix wasn't the only one who felt black recognition should be for more than one month. Music and dance lecturer Joe Hodge said that he thought Black History Month brought awareness of Black achievements.

"Hopefully we'll get to a point where there is no black history month, where the awareness is year-round," Hodge said.

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Correction

In a Feb. 7 story titled "Formerly missing prof sits out semester," a student was quoted about taking an online meteorology course with Professor Vinod Kumar Saxena. The student was mistaken and took the course with another professor.

It is Spartan Daily policy to correct all errors.