Men return home:
Basketball team leaves Big West tourney empty handed. 12

High: 69°
Low: 46°

Baker weighs in on fee referendum

By Kristy Charles
MUSTANG DAILY STAFF WRITER

"Fees should be low," said Cal Poly President Warren Baker. "They should be zero if the state can pay for them, but the facts are that that's not the case."

In an interview with the Mustang Daily and CPTV on Tuesday, President Baker discussed current fee proposals as a way to maintain and enhance the quality of the university for students.

The three main reasons Cal Poly needs increases, Baker said, is to hire more faculty, pay for labs and hands-on opportunities and provide the latest technology as a learning tool for students.

All colleges except one are proposing a $200 per quarter fee increase starting next fall. The College of Liberal Arts is asking for $125 a quarter.

Students approved a fee increase once before in Cal Poly history. In 1996, students paid a $45 academic fee as part of the Cal Poly Plan. The fees were intended to increase the number of units students could take and decrease graduation time. Baker said. He said he is optimistic that this year's fee increase will accomplish the same goal by opening up more classes for students.

Currently, there is no way to calculate how many students are on the waiting list for a class or how many people have tried to enroll in a specific section through POWER.

Departments usually keep track of the classes that become full and decide without Student Life and Leadership what products they carry, I believe the message is inappropriate for a public university bookstore.

"The bookstore is connected to the school," said Barry Hayes, a politically science sophomore. "By selling onetruth clothing, it's making a statement that there is one true religion and one true god and telling everyone else that they're wrong. They should take no stance on religious or political issues."

Clothing line stirs up separation of church and state debate

By Kristy Charles
MUSTANG DAILY STAFF WRITER

Controversy escalated to picketing this week at Cal Poly over Christian-related clothing items sold at El Corral Bookstore, which caused students and faculty to question if university-associated venues should be allowed to sell religious items.

Onetruth clothing items, sold at the bookstore during the past month, have been very popular with the campus Christian community, yet have caused an uproar among those who believe the message is inappropriate for a public university bookstore.

"The bookstore is connected to the school," said Barry Hayes, a political science sophomore. "By selling onetruth clothing, it's making a statement that there is one true religion and one true god and telling everyone else that they're wrong. They should take no stance on religious or political issues."

Onetruth was started in 1997 by Jerome Limpic, a Cal Poly graduate. In an e-mail interview, Limpic said that the clothing line's slogan does state that there is one true religion and that it is imperative to people because it implies that their worldview might not be completely accurate.

"The purpose of onetruth clothing is to create clothing that will cause people to think or ask questions about their spiritual condition," Limpic said. "It's to create relationships and dialogue, not political divisiveness, and hopefully this is what they do. The college years are a time of searching, experimenting and evaluating for many people."

The college years are a time of searching, experimenting and evaluating for many people. "The dress code they are handling is OK with the role of allowing products that may present different viewpoints," he said. "The decision is up to what products they carry. I believe many times, has to do with the market and what El Corral is part of the Cal Poly Foundation, which charges the bookstore for services provided, such as handling with accounts and payroll, said Frank Mumford, executive director of Foundation. Otherwise, the bookstore operates as a business, and there are no regulations on what can be sold as long as it is providing a service to students and not physically harming anyone.

The decision to sell onetruth items at the store was made strictly for business reasons, said Dan Carpenter, general merchandise buyer and manager of El Corral. There was a market for the items, and they have been selling well enough that the bookstore will continue to purchase them, Carpenter said

"We sell Christmas, Hanukkah and Easter items, and religious books," Carpenter said. "We also sell pornographic, gay and lesbian magazines, which are not socially acceptable products.

Many club members feel that the hearings are one-sided and that they are treated as guilty until proven innocent. Some students say the stipulation states that organization may be represented by legal counsel puts the clubs at a disadvantage.

"I think that it's totally in the clubs' rights to have a lawyer present," said Brad Roberts, former president of the Ski Club.

Roberts is someone who knows the process well. Two years ago he was involved in a hearing regarding alcohol on campus. The Ski Club held its officer elections meeting in a classroom on campus where someone allegedly had brought beer. A junior claimed to have found beer cans in the trash and that the room was left a mess.

"We're not out to get any clubs," Barclay said. "We don't have a lawyer and they don't either. If it's a legal issue, it should be brought before the entire university."

The club presented 15 letters of support from professors, ASI board members and local businesses, Roberts said. Despite the recommendation, the club was suspended for six months.

Poly 'P' returns to old self

By Eric C. Rich
MUSTANG DAILY STAFF WRITER

With over 300 student organizations recognized at Cal Poly, violations of club policy will certainly occur. Student Life and Leadership feels that while most clubs don't know much about the particulars involved with the judicial process, some club members feel the process is unfair.

Though each club may be different in character, each one is subject to the same bylaws.

"All clubs must recognize that there are certain rules and regulations found in the club handbook," said Ken Barclay, director of Student Life and Leadership. "These rules are for the safety and benefit of everyone.

Any violation of the rules as stated in the club handbook results in an investigation by the judicial panel. Violations include providing alcohol to minors, harassing, inappropriate fliers and discrimination.

Once a complaint has been received, an investigation is launched within five working days. The club representatives are contacted in writing regarding the nature of the complaint, and notified of the hearing time and location. The hearing is a time to clarify information, and for the organization to make its case, Barclay said.

The club may bring in witnesses and present evidence, but most times those issues are resolved during the investigation.

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Weather Watch

5-DAY FORECAST

TUESDAY
High: 69° / Low: 46°

WEDNESDAY
High: 70° / Low: 47°

THURSDAY
High: 62° / Low: 40°

FRIDAY
High: 60° / Low: 40°

SATURDAY
High: 58° / Low: 40°

SUNDAY
High: 60° / Low: 40°

TODAY'S TIDE

Low: 2:19 a.m. / 2.00 feet

5-DAY FORECAST

V High: 62° / Low: 40°

TODAY'S MOON

AT PORT SAN LUIS

TODAY'S SUN

Sell us your textbooks during Finals week and get lots of cash

as a BONUS receive a coupon for 20% OFF

BUYBACK BONUS

• on ALL Spirit Shop Merchandise
great Cal Poly sweatshirts, tees, hats, logoed gifts, promotional gifts, greeting cards

• on ALL Student Supplies
stock up on notebooks, pens, erasers, leads, binders and lots more class supplies

• on ALL regular price general reading and Reference Books
Engineering, Cooking, Art, Agriculture, Literature, Study Aids, Test Manuals, and more

El Corral Bookstore
A Nonprofit Organization serving Cal Poly since 1933
www.elcorralbookstore.com

ONETRUTH continued from page 1

acceptability to a lot of people, but there is a market. We support freedom of speech and people buy what they want. If it was proven that there was a market for a different kind of religious clothing item, we would sell them."

Besides hearing about the clothing on campus and seeing the support it had at Cal Poly, Carpenter said that students started asking that the store sell them. He did some research, found out that there was a market on campus, and ordered some items.

Yet, some students believe that there is a difference between selling now-commercialized holiday gifts and cards and selling noncommercialized items, and that they should be removed.

Vipal Galal, an industrial engineering senior, said that the clothing should be sold in the University Union, not in the bookstore. "If it was a Christian school, maybe it would be OK, but Cal Poly's a public institution," Galal said. "If the bookstore also sold other religions, it would be OK, but right now, it seems like the college is sponsoring Christianity."

The bookstore sells items regardless of public sentiment, Carpenter said. It tries to be non-biased and takes no stance on Christianity or any other religions.

BYLAWS continued from page 1

"I think they had pre-conceived notions about what was going on," Roberts said. "They said the room smelt like beer and was trashed when it wasn't."

The panel itself is composed of six members, a balance of three students and three staff members. The staff members include Barclay as the chairman, Dave Edwards, associate director of Associated Students Inc., and Arldith Tregenza, chief judicial officer. Two representatives from the ASI board and a student appointed at large make up the rest of the panel.

The decision based on the hearing is timely, being rendered within 10 working days. The department chooses the penalty and reserves the right to notify any national organization affiliated with the campus club, according to the club handbook. For example, a fraternity might not suffer huge penalties from the campus, but its national board imposes a severe punishment. "There can be a host of recommendations," Barclay said. "Depending on the infraction there can be a warning, various forms of probation and suspension, or the removal of the organization's charter."

The decision of the panel may be appealed to the vice president of Student Affairs within 10 working days of the hearing. The appeal must be in writing and state why the organization feels the decision was unfair. "It would be different if they were selling them in a booth at the UU," Gipe said. "There is a difference between selling religious books in the back and a religious item in the public section of the bookstore. Maybe it would be better if it's off to the side and not in people's faces."

Haley Gipe, an architecture sophomore, said that she considers herself a Christian, yet she can understand why other people are offended by the situation. "It would be different if they were selling them in a booth at the UU," Gipe said. "There is a difference between selling religious books in the back and a religious item in the public section of the bookstore. Maybe it would be better if it's off to the side and not in people's faces."

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The decision of the panel may be appealed to the vice president of Student Affairs within 10 working days of the hearing. The appeal must be in writing and state why the organization feels the decision was unfair. The ruling of the vice president is final.

The judicial panel stressed the objectivity and concern involved in the legal process. "It's important that the students know we really care about the clubs," Barclay said. "They are vital to enhancing the quality of student life and we want everyone to participate actively, but also responsibly."
National Briefs

2 dead, 5 injured by collapsing scaffolding

CHICAGO — Scaffolding that fell off the side of the John Hancock tower in downtown Chicago killed three people and injured five others, authorities said. The scaffolding, which was landed on three cars on Sunday, a spokesman for the Chicago Fire Department said. One escaped with minor injuries, but the other four were hurt, the spokesman said.

All three of the dead were in the car which the scaffolding landed on. There was no one on the scaffolding when it fell. The scaffolding was supposed to have been secured to the building for the weekend. The scaffolding was on the 43rd story of the 105-story tower.

After the crash, a portion of the scaffolding remained dangling off the building, causing a two-block-square area to be secured.

The John Hancock tower is one of Chicago's tallest buildings, and houses offices, apartments and commercial space.

— CNN News

Cell phones may be new target for computer viruses

NEW YORK — Computer security experts say that a phone virus or "Tejcer home" program may cause cell phones to do strange things, like make hoax calls to the White House or the local police stations, or forward address books to telemarketers. The programs could destroy the phone's operating system, causing the phone to shut down and the memory to be erased. Some cell phone owners in Japan and Europe have already been hit by the viruses, which can also call toll numbers, record passwords, and receive messages and send them elsewhere, an expert from a Finnish computer security company said.

Cell phones that have Internet capabilities can be subject to the same viruses and problems that regular Internet users are.

"We should think of cell phones as just another set of computers on the Internet," said Stephen Trilling, director of research at Symantec Corp. "If they're connected to the Internet they can be used to transmit threats and attack targets, just as any computer can."

For now, relatively cell phone technology keeps users in the United States immune to such viruses. Cell phone operating systems have been "closed," thus unable to download software. But new "smartphones" are capable of third-party downloading.

— Associated Press

International Briefs

Middle East

JERUSALEM — Israel Prime Minister Ariel Sharon said on Sunday that he would be willing to end Yasser Arafat's confinement to the West Bank and negotiate a truce. But he said that he would not call off any maneuvers against militants, due to the violence, which is at its highest level in 22 months of fighting.

Sharon is willing to end Arafat's virtual house arrest because the conditions he set for the release were met when the fifth and final suspect in the October killing of Israeli Cabinet minister Rehavam Ze'evi was arrested.

Hours before Sharon made the announcement, Israeli helicopters attacked Arafat's Gaza Strip office, turning it into rubble. The attack was in retaliation for a Palestinian suicide attack that killed 11 people in Jerusalem. No one was hurt in the Gaza Strip attack — the office had been evacuated before the assault began.

Also on Sunday, a Jewish celebration in Ashed was fired on by Palestinians, police said. A 15-year-old boy was seriously wounded. In other clashes in the West Bank and Gaza Strip, three Palestinians and one Israeli were killed.

This week, U.S. Mideast envoy Anthony Zinni will make his third attempt to work out a truce between the Israelis and the Palestinians.

Secretary of State Colin Powell said that the outbreaks of violence will not prevent him from doing his job.

On Saturday night, a seawall hotel in Netanya was bombed and fired on, allegedly in retaliation for the recent Israeli attacks on Palestinian refugee camps.

Near the West Bank town of Nablus, a 13-year-old boy was shot dead by Israeli soldiers who were firing on youths who were throwing stones, Palestinian officials said.

Be an informed Voter

Cal Poly has earned a terrific reputation for the quality of its academic programs. In order to sustain and enhance the quality of these programs, each of the six Cal Poly colleges have joined in a fee initiative. Students will vote on these college-based academic fee proposals on March 14. You can learn more at: http://studentaffairs.calpoly.edu/fees/es/. If you have any questions or concerns that have not been addressed, please feel free to contact us anytime at vpsa@calpoly.edu or 756-1521.

Get the 411 on your college fee proposal

Architecture & Environmental Design http://www.calpoly.edu/%7Ecaed/
Business http://www.cob.calpoly.edu/fee/
Engineering http://www.csc.calpoly.edu/%7Eesc/Fee/fsee.html
Liberal Arts http://cla.calpoly.edu/ca/CPP/
Science and Mathematics http://www.calpoly.edu/~cosam/
Quick Link Via Student Affairs http://studentaffairs.calpoly.edu/fees/

Know where to go on March 13th and 14th

Take time to vote at any of these convenient spots around campus...

Sierra Madre Residence Hall, Engineering (Bldg. 13), Business Breezeway, University Union Plaza, Business/UTC Breezeway, Dexter Lawn, Graphic Arts/Air Conditioning/Comp Sci (Inner Perimeter), Rec Center, Business Breezeway, Fisher Science, Ag (Outer Perimeter Road), Library

— Associated Press

Briefs compiled from various news services by Mustang Daily contributor Anne Gullford.
March 11, 2002

To the Students of Cal Poly:

The following statements, although articulated on several previous occasions, address five principal areas of concern regarding the College-Based Academic Fee Initiative and the compact with students that it represents. We offer them again to emphasize our resolve and responsiveness in these matters.

Allocation of Fee Revenues and Budget Assurances:

The President and the Provost affirm the following three principles regarding the allocation of fee revenues and college budgets.

- All fee revenues derived from the college-based Academic Fees will stay in the colleges, unless the colleges themselves, with student consultation, decide to direct any portion of those revenues elsewhere to address needs that their students have helped identify.
- There will be no reduction of the colleges’ base budgets as a result of new revenues derived from the college-based fees.
- There will be no reduction in the normal access to and share of other General Fund allocations as a result of new revenues derived from the college-based fees.

High Demand and Bottleneck Courses:

The President and the Provost affirm that the University will achieve an immediate net increase in academic year 2002/03 in General Education and support courses that represent bottlenecks to student progress to degree. The funding for these courses will be provided from sources other than the revenues generated by the college-based Academic Fees, although some colleges may also choose to direct funds to this purpose.

Financial Aid:

Ninety-six percent (96%) of those students who enrolled at Cal Poly in 2000/01 who applied for financial aid and who demonstrated financial need were provided financial assistance.

The President and the Provost affirm that the University will continue to offer this level of support in the future for those students demonstrating financial need.

Library and Instructional Technology:

The President and the Provost affirm that the University will actively seek ways beyond the college-based fees to insure that academic services for students that are delivered by the Library and ITS are also well supported. We have already sought and obtained the endorsement of the Cal Poly Plan Steering Committee to allocate some portion of the existing Cal Poly Plan academic fee revenues to fund added student services by both the Library and ITS.

Based on the outcomes of the respective college-level votes, the deans have also offered to include the advice and, if needed, the support of ITS and the Library, to implement services specific to the individual colleges where students ask for them. Additionally, we will ensure funding to provide increased access to professional librarians’ support services, a consistent campuswide approach to the refresh of open access labs, and the availability of a broader range of licensed software for students in open access labs.

Student Input:

As outlined in all the college proposals, we are firmly committed to formal student involvement at the college and departmental level to assure that student interests and priorities are met. This means that students will be involved in direction-setting and performance assessment.

These are clear, measurable goals that reflect the University’s commitment to foster student progress to degree, to enhance educational quality, and to honor the compact with students that their support of increased fees represents. We are as mindful of the obligations of this partnership as we are grateful for the opportunity to act together for the benefit of our students and the strengthening of our University.

Warren J. Baker
President

Paul Zingg
Provost and Vice President for Academic Affairs
Baker continued from page 1

when to add more. Cal Poly is developing software that will calculate when new classes are needed during registration and how many people are on a waiting list. But Baker said this software will not be ready for at least one year.

To make sure that departments or colleges are held accountable for where the new revenue goes, they will be required to write an annual report, Baker said. Student participation through student committees is also meant to ensure that funds are properly used.

The following are selections from the question-and-answer session with President Baker:

Mustang Daily (MD): If you had to say just three main things that Cal Poly needs, what would those three things be?

Baker: We need more faculty to deliver the curriculum that’s in the bulletin – that’s obvious. Cal Poly is a polytechnic institution, and the technology that students may need.

To support the technology that’s needed, we have a large percentage of hands-on opportunities. They’re multitasking, and technology is clearly an advantage in providing learning resources for students when they need them.

MD: If Cal Poly needs a fee increase so badly, and if budget cuts would limit what we are able to offer as a university, then why seek a student referendum and not just pass a mandatory fee increase?

Baker: Yes, that’s a very good question, and I’ve asked myself that several times. Most states do it that way. Campuses have the ability within certain ranges and with oversight from the Legislature and the Trustees to go ahead and set tuition, but California’s not that way, and the Trustees’ policy prior to 1993 was that the only way you could raise student fees was through an act of Legislature.

Editor’s Note: In the early 1990s, the CSU fund allocations process changed. Universities were asked to increase enrollment but were being paid for those additional students on the basis of the average marginal cost, which was not enough to cover the costs. To help fund new programs, a self-help system was set to allow universities to charge additional fees if they were needed.

Baker: Fees should be low. They should be zero if the student can’t afford them, but the facts are that that’s not the case. The state cannot, with its budget structure, give us enough money to deliver the curriculum in the way that the students need it and to retain and enhance the quality and to support the technology that’s needed.

We have not been able to get adequate resources. Nonetheless, the idea to raise fees was not politically a good idea. So, we went back to the students and had a referendum in 1994.

Editor’s Note: Through the referendum, a $45 fee increase was approved. It was the academic fee, had several elements to it. First of all, it was an investment of funds through a fee to increase access to classes for students. Allocation of funds to increase quality based upon a number of proposals that would come to the committee. They would be reviewed and those that were viewed as the best would be supported. Then, they had to put in place an assessment and accountability of all of the funds that went out. So, where did the $45 dollars go? Two-thirds of the funds raised supported 16 faculty members that wouldn’t be here if it weren’t for that. When the Cal Poly Plan was put in place, we saw immediately within a year and a half that the average number of units of the students had gone by 15 percent in that year. That meant there was more access to classes. Now that was one measure of accountability.

Editor’s Note: The California Faculty Association has claimed that no tenure-track positions have been incorporated since 1994, and that in fact, one has been lost. Baker did not provide specifics on how the new 16 tenure-track faculty positions were created, or if in fact the money came from the Cal Poly Plan.

General statistics from the Institutional Planning and Analysis Office indicated that in 2000, there were 24 more tenure-track professors than in 1994 but 169 fewer since 1980.

At the same time, non-tenure-track positions have increased from 279 in 1994 to 545 in 2000. Overall, the general headcount for professors has decreased by 8 percent since 1990.

MD: How about the statement by College Faculty Association that says, “The Cal Poly administration has not given evidence that the Cal Poly Plan, $45 per quarter fee already in place, has increased the number of classes or graduation rates.” The administration has promised 16 new tenure-track positions but since 1994, 95 the number of tenure-track faculty has decreased by one; however, the number of administrators has increased by 35.

What would your response be to the College Faculty Association?

Baker: What we have done is add 16 faculty that are identified as Cal Poly Plan faculty. The remaining funds come from the state, and we allocate funds out to the colleges. The enrollment has increased, and we receive enrollment funding each year. The enrollment funding is supposed to take into account all of the allied services (library, instructional services, instructional support, etc.), and the amount of money that we’re provided to do that, if we add 16 more students then we’re supposed to hire one more faculty member. We are supposed to hire that faculty member for $45,000. You can do the math, it doesn’t work. You can’t hire a faculty member for just $45,000. So what happens if you add 18 students and you want to hire a faculty member? Let’s say you spend $65,000 to hire a faculty member. The next 18 students only get one and a half of a faculty member. So you can see, very simply, that the state doesn’t provide enough because of the cost of the programs. That’s exacerbated at Cal Poly because we have a large percentage of our programs, which have a higher cost, and so a higher cost to hire the faculty.

You brought up 35 administrators that have been added. We’ve done an analysis that said that 18 have been added and 16 of those were people to raise funds for the university. And this past calendar year, the university raised $58 million that we wouldn’t have had if we didn’t have these people.

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MD: Let’s say that the fee is implemented and the colleges start working on how they’re going to distribute the money. There is the fear, which is also mentioned by CFA, that there won’t be any accountability on how departments and colleges will actually spend the money. Are the colleges going to have to report back to the university, or are they going to sign an agreement with the university once students approve the funds?

see REFERENDUM, page 9
Cal Poly must stop ignoring wrongdoings

Freedom of speech is one of the most valued protections the American people have been afforded. It allows for every opinion to be put of the general market of ideas. By allowing every point of view to exist, we allow for the doors of change and growth to be opened for new ideas. Nevertheless, there is a limit to this freedom. Because we are a campus community, the question of how far is a little too far for any First Amendment was been raised.

One instance involved the offensive fliers, which some people considered direct attacks on the Muslim community, and others considered a simple dislike of Osama bin Laden, "America's enemy." The second instance involved fliers that offended the black community on campus.

For two years, fliers have gone down the phallic line between protected speech and hate speech is hard to tell. I would not be able to give a straight answer myself. But that doesn't mean we're argued away from the fact that people have been hurt by them. And I emphasize the word hurt, because this is a case of people being offended by something else's opinion. It is a case of misrepresenting people and feeding into stereotypes that can lead to hurtful acts.

At any rate we are a campus community of respectful individuals. Is there is a need to people to get a point across.

On Friday, a round-table discussion about diversity issues took place in the University Union. Representatives from various organizations, most of them representing minority students, faculty and staff, were there, accompanied by ASI and administration delegates.

I was in attendance as an observer. In the room, and students professor alike shared a feeling of helplessness in realizing that in 2002 the issue of intolerance and identity, the issue, of which everyone is aware but which seems to thrive in the words and actions of Cal Poly students. The biggest source of disappointment, though, came from a source that is often overlooked: the administration. It seems to acknowledge there is a problem on campus that goes beyond respecting a group's First Amendment rights.

Two years ago, a club was reprimanded for publishing fliers with anti-Semitic slurs, which show the administration has reacted in the past. How is it then that a single remark has been heard from any representatives in regards to this year's events?

Robert Derewski, interim vice president for Student Affairs, left Friday's meeting before making any statements. Judicial Affairs recognized Friday, six months after the fact, that it needed to look into the events post Sept. 11.

What puzzles me is why a hearing didn't take place months ago? When making the decision of whether or not to reprimand, they were concerned, they were from Judicial Affairs to Student Affairs, from Student Affairs to University Police and no organization was even involved.

The impression left by Friday's meeting is that the administration has a double standard. On one side, it spends money and effort supporting an outreach program. Yet, based on current events, Cal Poly seems unwilling to protect the atmosphere of respect needed to retain minority student.

Let me give you an example of what can happen of when such "minor" events are ignored and how they can negatively affect the community. The same week events occurred in the University Union. Representatives acknowledge there is a problem on campus that goes beyond respecting a group's First Amendment rights.

When such events, they were sent from judicial Affairs to Students Affairs, from Student Affairs to University Police and no concern was made.

When such "minor" events are ignored and how much they negatively affect the community. The same week events occurred in the University Union. Representatives acknowledge there is a problem on campus that goes beyond respecting a group's First Amendment rights.

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Opinion

Monday, March 11, 2002

Point / Counterpoint

Minimum smoking age: should it be raised to 21?

A law has recently been proposed to try to change the minimum age for smoking from 18 to 21. It is totally absurd to even think about raising the legal smoking age to 21 in California, but that's what state legislators are considering.

A Santa Rosa obstetrician-gynecologist proposed the bill, which is backed by the California Medical Association. California's anti-tobacco laws are the most severe in the nation. The State Legislature is already expected to raise the cigarette tax from 87 cents to $1.52 a pack this year. Raising taxes, outlawing smoking in bars and restaurants, and California's enormous anti-smoking ad campaigns are working to stop smoking. Teen smoking has gone down 41 percent since 1995.

We are finding answers to the problems cigarettes pose, but raising the smoking age is not one of them.

I'm a 19-year-old non-smoker. In fact, I hate smoking. Cigarettes kill people, and I wish smokers would realize that and quit. However, this does not mean that I want one of my liberties taken away from me.

When people turn 18, they are considered to be legal adults. They are supposed to be mature and intelligent enough to choose who will lead our country, who they will marry, and who they have sex with. People are old enough to join the military and give up their lives for their country. It is then preposterous to think that they are incapable of deciding if they want to pick up the nasty habit of smoking.

Changing the law will not change the amount of people ages 18-20 who smoke. We can look at how ineffective the drinking laws are to prove this point. There are college students all across the country battling alcoholism, many of them under 21. Go ask the students all across the country battling alcoholism, many of them under 21. Go ask the freshmen in the dorms about parties they walk to on the weekends. If you think that the majority of them are alcohol-free, then you are sorely mistaken.

Prohibition was one of the biggest failures this country has seen. Taking away the free will and free choice to use products like tobacco, harmful or not, goes against the freedoms that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon. Outlawing products people feel the right to use legally only brings more dissent toward the government and more attention to the products that our country is based upon.

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Cory Dugan is a journalism senior and Mustang Daily staff writer.

Minimum smoking age: should it be raised to 21?

A law has recently been proposed to try to change the minimum age for smoking from 18 to 21. This is a way for the state of California to take a stand against kids smoking, and that is a step in the right direction. For years we have been hearing how kids are starting to smoke at a younger age each year. Now, finally, California is taking a proactive stance to try to prevent kids from smoking at such young ages.

I'm tired of hearing everyone say that kids will be kids and somehow find a way to get their hands on cigarettes. This might be true, but it is also a good way to teach our children how to go through life.

The saying "If I did it as a kid, so will my kid" is a lazy way of parenting, and I'm sure most of us parents and this new law, the future could he bright for the children of California. Perhaps people will reconsider their kids from smoking, and that is a step in the right direction. For years we have been hearing how kids are starting to smoke at a younger age each year. Now, finally, California is taking a proactive stance to try to prevent kids from smoking at such young ages.

We need to bring in guest speakers to class to talk about the dangers of smoking to the kids. Educate kids on the dangers of smoking. We can do this by showing videos, bringing in guest speakers to classrooms, or anything we can to scare these kids out of thinking smoking is glamorous or cool.

Some of the responsibility for the high incidence of teen smoking is due to the glamour Hollywood showcases smoking as being cool and sexy to young people. On the big screen, smoking is still considered a cool thing to do. Many kids see these famous movie stars using a cigarette, and the kids then justify smoking, because if Brad Pitt or Nicole Kidman smokes, it must be great.

The legal age for purchasing cigarettes has been 18 for some time now. The problems just continue to occur. The kids then justify smoking, because if Brad Pitt or Nicole Kidman smokes, it must be great.

I understand that if this law passes, our problems with smoking will not miraculously disappear. We need to stop being so passive about teen smoking and the addiction it causes. California showcases smoking as being cool and sexy to young people. On the big screen, smoking is still considered a cool thing to do. Many kids see these famous movie stars using a cigarette, and the kids then justify smoking, because if Brad Pitt or Nicole Kidman smokes, it must be great.

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Distinguished Educator Award Nominations

The Cal Poly chapter of the California Faculty Association (CFA) is seeking nominations for the "Distinguished Educator Award." The "Distinguished Educator Award" is being given, this year for the first time, to recognize faculty and educators who are not yet tenured. Tenure-track faculty, librarians, and counselors are ineligible for most teaching awards, yet they deserve recognition and distinction for outstanding service as they work to achieve tenure at Cal Poly. We encourage students, faculty to be eligible, so a librarian, or a counselor to be eligible, so a librarian, or a counselor to be eligible, a Distinguished Educator. This is your chance to make your voice heard. There $500 awards will be presented at CFA's end-of-the-year banquet in June.

Below is a list of tenured-track faculty members, librarians, and counselors at Cal Poly. Please take a moment to peruse the list to see if there is someone you'd like to nominate. Then write or e-mail the nominee's name and reasons supporting your nomination to the address below. The CFA Distinguished Educator Award criteria may include teaching, scholarship, service, and leadership. Thank you.

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Please submit your nomination NO LATER THAN TUESDAY, MAY 3 to: Distinguished Educator Award Committee/CFA/Building38-141 or e-mail your response to mmertogu@calpoly.edu

Please include: 1. Name of Educator Nominee, 2. Reasons supporting your nomination (a minimum of 50 words should be considered), 3. Your name, and 4. Your e-mail address.
Baker: There are two ways. Every mandatory fee is a part of the budget and subject to audit and all of those issues that are in place with respect to how the money is spent are still in place and they apply to the fee to being with.

Over and above that you’ll see in proposals that it’s the key to this student participation on an ongoing basis in the allocation of the funding. So if you take engineering, for example, each department will have a committee of five students and two faculty members who know exactly how much money is allocated to that department, and they confer about what is the best use for the benefit of the students with broad guidelines that can’t be violated. You then track the money and annually there would be a report that would have to come back.

MD: But what happens in the instances where the allocations of fees will be finalized at the college level. In the College of Liberal Arts, for example, each department will have a student committee write up a “needs” report that will be handed to the dean. He will then decide, with another committee, where the money will ultimately go. What guarantees that a small department, like journalism, will actually see any of its money?

Baker: You decide if you want to pay an additional fee to improve the curriculum of a college or department within Cal Poly. If you, don’t you vote no. If you do, you vote yes. If you want to have it go to journalism, then students should have gotten together and said, well, the bulk should have been written this way.

There is clear evidence on record of the intent that (the money) flows where students feel the priority should be, and that is an important part of the whole concept of student engagement in governance of the institution, and students will have a role in doing this that students in other universities have. That, I think is another unique characteristic of Cal Poly. To engage the students about what they think is important, and the students have some claim in this now because it’s dollars that they have control over.

MD: This seems to be the first time that we are actively looking for student input. Why now? Why haven’t we had this kind of student-input system from the beginning? It has been our money all along.

Baker: This gives me a chance to say that it does happen, it just doesn’t happen on a departmental level and on an extensive basis. It happens through student representatives through ASI, through student participation on the Foundation Board of Directors, and actually what we also do (is to have) student councils in each college. Now, they have gone down to departmental levels. I think that it has usually been more informal and through professional clubs. For example, the student chapter of the American Society of Civil Engineers in their meetings, they have discussions with faculty members about expenditures and funding, etc. It’s on a more informal basis, whereas this is a much more formal basis relating to specific dollars that the students have voted on to tax themselves.

MD: What happens if the budget is cut and this fee is approved? Students are saying that it will just maintain what we have now, but what if the fees don’t pass and the budget is cut?

Baker: It will be harder to get classes. If the budget is cut a substantial amount, we would need to reduce the (university’s) budget without cutting classes. There’s no doubt about that. If it gets up to be a 5 percent cut in the budget, it will affect enrollment in classes. This fee is a long-term issue.

MD: It seems like we’ve gone through this before. We’ve had to work with the state for money, do fund-raising campaigns, and ask students for increases. It seems to be a repeating pattern. Is this because the university never has enough money for all of its needs, or is it partially because students keep voting down fee increases!

Baker: I’ll get back to what I said first. The reason for doing all of this is that there’s not enough money in the university to deliver the curriculum to the students with the quality that we think they deserve and not be a barrier to baccalaureate graduation. The institution today is a barrier to four years, and I can’t say honestly that any student who wants to can graduate from here in four years. One of the reasons is that there aren’t enough faculty to reach the courses required in the curriculum.

MD: The priority for most of the colleges, it seems, is hiring faculty. Do we have any kind of guidelines as far as when this is going to happen or is it just up to the colleges as far as when they have the money to hire the faculty?

Baker: Let’s say the fee passes in the fall of engineering and spring quarter starts. The committees are formed and the faculty begins to work with the students on the committee. They’ll know approximately how much money will come to the college. They’re going to say, “If we need to hire faculty, we need to know now.” We can probably hire lecturers or part-time faculty that we couldn’t hire otherwise for next year, but we will then recruit for a tenure track position and we probably won’t get that person on board for a year from next September. I would assume that they’ll start right away and people will go to work in the spring, deciding how to spend the funds.
A ll of us at Cal Poly should be proud of the University’s active, multi-faceted efforts since the recession of the early ’90s to secure and manage the resources required to keep the University strong and vital. Cal Poly has not been content to wait and hope for increased State support. It has acted boldly to determine its own future, not to sit idly by while external forces threaten our quality and identity. Specifically, through the Cal Poly Plan, and with strong student support, advice, and oversight, the University has taken consistently positive steps to strengthen the educational environment in those areas that students tell us they most care about — more faculty, more classes, greater course loads, higher graduation rates.

Therefore, it is particularly disappointing that the executive board of the Cal Poly chapter of the California Faculty Association (CFA) would launch an assault on the College-Based Fee Initiative, particularly without full consultation with the CFA membership or Cal Poly faculty in general, and apparently without much regard for the true record.

Students need and deserve accurate information as they consider whether or not to support the College-Based Fee Initiative. Below I summarize some of the significant benefits that have accrued to Cal Poly since the Cal Poly Plan was approved in 1996, and which suggest the additional positive consequences that will flow from the College-Based Fee Initiative.

Contrary to the CFA statement, the number of tenure-track faculty at Cal Poly has increased significantly since the inception of the Cal Poly Plan.

- In Fall 1996, the number of tenure-track faculty teaching at Cal Poly was 592. In Fall 2001, that number was 637, with 38 additional tenured-track faculty on leave. For Fall 2001, Cal Poly tenure-track searches resulted in the addition of nearly 50 new tenure track faculty. This is clearly an increase in tenure-track faculty, including sixteen critical positions directly funded by the Cal Poly Plan.

- Since 1996-1997, Cal Poly has conducted, on average, 48 tenure-track searches per year. In 2000-2001, for example, the University conducted 62 such searches, nearly four times more than had been conducted in 1994-1995, prior to the Cal Poly Plan.

Contrary to the CFA statement, the number of administrators hired has not exceeded the number of faculty hired since the inception of the Cal Poly Plan.

- Since the Cal Poly Plan has been in effect (Fall 1996 to Fall 2001), the number of management plan personnel (i.e., “administrators”) has increased by 16. This increase is much lower than the number of tenure-track faculty hired over the same period, as demonstrated above. A significant proportion of these appointments represent conversion of pre-existing positions from the Foundation and/or positions funded independently by Athletics and the Dormitory Revenue Fund from non-state funds.

- The area of University and college based advancement accounts for several of these positions to help the colleges achieve their fund-raising goals as part of the University’s Centennial Campaign. The total fundraising generated by the Advancement Division from July 1, 1994, to March 7, 2002, is $183.8 million. Over 95% of this support has been used to enhance academic programs, create new faculty positions, develop state-of-the-art instructional technology, renovate existing and establish new academic facilities and provide student scholarships and internships. This is a clear example of exemplary performance and accountability.

Contrary to the CFA statement, there is clear evidence to show that the numbers of classes, student course loads, and graduation rates have improved since 1994-1995.

- The Office of Institutional Planning and Analysis regularly provides this information in both annual and quarterly updates, in hardcopy and on its web page.
  - **Graduation rates:** The six-year graduation rate for first-time freshmen who entered in 1990 and 1991, and who did not have the benefit of any Cal Poly Plan investments, was 58.2% and 57.3%, respectively. The six-year graduation rate for students who entered after 1991, and who benefited in some part from Cal Poly Plan investments, has risen steadily from 59.8% to, most currently, 66%.
  - **Student Course Loads:** The average, undergraduate student course load in 1994 was 13.98 units. In 2001, it is 14.09 units.
  - **Courses offered:** In Fall 1994, Cal Poly offered 2,965 course sections. In Fall 2001, the University offered 3,617 (22% more than 1994). Undergraduate enrollments at the University have grown 19.3% from Fall 1994 to Fall 2001. Thus, the number of course sections has increased at a higher rate than enrollments.

Contrary to the CFA statement, the University has taken a number of steps to identify alternative sources of funding to meet educational needs.

- The State of California faces a budget deficit this year between $13 and $18 billion, depending upon whether one accepts the Governor’s analysis or that of the Legislative Analyst. This budget situation exacerbates a situation since the early 1990s when the level of State funding for higher education suffered a significant decline. This decline has not been recovered.

- The College-Based Fee Initiative is part of a four-pronged strategy that the University has pursued to deal with these budget realities and to sustain the quality of a Cal Poly education. These four elements include: pressing our case for increased funding in the Legislature and with the Governor, raising private funds through University Advancement including the current $225 million Centennial Campaign, becoming more operationally efficient as an institution, and asking students to be part of this strategy through increases in their own fees. Each of these elements reinforces the others and underscores a partnership of purpose and commitment not to sit still while forces external to the University adversely affect our work and frustrate our aspirations.

Contrary to the CFA statement, the Cal Poly Plan discussions - like those involved with the College-Based Fee Initiative - have been conducted and reported routinely and openly.

- The Cal Poly Plan web site (www.calpoly.edu/~inststudy/ep/plan/index.html) provides a full and current accounting of all Cal Poly Plan expenditures and investments. Accountability is a basic principle of the Cal Poly Plan and the College-Based Fee Initiative.

- The Cal Poly Plan Steering Committee consists of a plurality of students, and no decisions are made without student support.

- All of the college plans for the College-Based Fee Initiative include specific details on the role and involvement of students and accountability measures and reporting. These details are published on the respective college-related web pages for all of the colleges. These roles and measures have been developed with students in all of the colleges.

The College-Based Fee Initiative represents an important opportunity for Cal Poly students to assume an expanded role in securing Cal Poly’s educational strength and advantage in this new century - through their financial contributions and through their active participation in ongoing college and University consultation about investment of those contributions. Through their votes students will have a decisive voice in this important matter. I urge all students, as well as faculty, to take the time to become well and accurately informed about the College-Based Fee Initiative. It is worthy of your support. Thank you.
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Mustangs come up short at Big West

By Aaron Lambert

ANAHEIM — Like the woman who can chill a warm beer with her freezing hands, the Cal Poly men’s basketball team went cold Thursday night in its Big West Tournament opener.

Shooting only 38 percent from the floor and 41 percent from the line, the Mustangs fell for the third time this season, and ninth time in a row, to UC Santa Barbara. The Gauchos went on to defeat Utah State for the tournament title.

The Mustangs were also out rebounded 45-28, grabbing only 18 defensive rebounds against the Gauchos.

“We went through a couple of stretches there where we just couldn’t hit a shot,” said Kevin Bromley, Cal Poly head coach.

In their final game in green and gold, senior David Henry and Brandon Beeson led the team in scoring, combining for 26 points. Beeson came out scoring Poly’s first seven points and pulling down four rebounds in the first seven minutes, only to go cold until the second half, when he chipped in another four, leaving the game with 11.

Henry led the team with 15 points on five of 13 shooting. He also had five rebounds.

“This is not the way I wanted to end the season. I thought we could’ve won the Big West, but we just didn’t execute,“ Henry said.

UC Santa Barbara’s Chirsimen Oliver (15) and Cal Poly’s Mike Tichenal, lower left, collide under the basket during the second half of the Big West quarterfinal game that UCSB won 74-65.

Lacrosse holds off pesky Chico State

By Dawn Rapp

The Cal Poly men’s lacrosse team celebrated another win, using a late game surge to beat Chico State 10-6 on Saturday.

The Mustangs are currently 14-6 in the nation, with an overall record of 7-2, with a league record 2-1 in the Western Collegiate Lacrosse League.

After a week of rain and only one practice, the Mustangs weren’t completely satisfied by their performance.

“We were a little slow and sleepy,” assistant coach Scott Sablan said.

After a weekend of three big wins for the Mustangs in Arizona, some of the players mentioned feeling a little overconfident. The Mustangs had to face the Wildcats without the help of their aggressive goalie, Geremy Olson, who was out of town.

Luke Shaffer, a psychology senior and midfielder, said that the team was happy that they won but felt that they could have played better.

“We expected to win big,” Shaffer said. “We came into it like the analogy of the hare and the tortoise.”

Shaffer and other midfielders Andy Furr and Zach Dolstart all had strong showings at Saturday’s game. While the best performance was from the defense, the entire team played well together, Shaffer said.

The first half was close, as the Mustangs had a 3-3 lead at intermission. But the Wildcats couldn’t match Cal Poly’s intensity in the fourth quarter, as the Mustangs pulled away with a strong showing in the second half.

The Cal Poly lacrosse team fought a tough Chico State team 10-6 on Saturday at the Sports Complex.

BREIFS

Mustangs split softball games at Fresno tourney

FRESNO — The Cal Poly softball team went 1-1 on their final day of the Hedrick’s Hallowell Chevrolts Classic hosted by Fresno State.

The Mustangs concluded the tournament with a 2-3 record and are 13-9 overall. In the first game with Baylor, the Bears opened the top of the first, scoring three runs, two on a home run by Kristen Lancaster. Baylor added a single run in the third before the Mustangs could get on the board. Cal Poly got two runs back in the bottom of the fourth, piecing together five hits and making use of one Baylor error. However, Cristin Vitek relieved starting Katy Decker and halted the Mustangs’ rally. Carrie Schubert collected two hits to lead the Mustangs.

The Mustangs bounced back to pick up a 3-0 win over Boston College in the final game. Mustang starter Jamie Gelhurst won her fourth game (4-0) of the season when she limited Boston College to four hits in the shutout. Nicole Daniels had two hits to lead the Mustangs. Chelsie Stoufer, Holle Ballard and Kassey Petey collected RBI in the contest.

The Mustangs will open conference play on Friday, March 15 when the team travels to Long Beach State for a three-game series. On March 15, Cal Poly will start a five-game homestand that included games against UC Riverside and Santa Clara.