

MUSTANG DAILY

NOVEMBER 21, 1995

TUESDAY

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Art and design awarded accreditation Portions of Prop. 187

By Jon Brooks
Daily Staff Writer

Cal Poly's art and design department has propelled itself into national status.

Recently, the department was awarded full accreditation — which recognizes educational institutions and programs for a high level of performance — by the National Association of Schools of Art and Design.

The department is now recognized at a national level, said Eric Johnson, department chair.

The accreditation committee, which met with faculty, staff, students and alumni in April 1995, pushed the department into the ranks of other member

institutions such as the Art Center College of Design in Pasadena, the California Institute of the Arts in Valencia and the Parsons School of Design in New York.

The department is isolated from other areas because of its location on the Central Coast. The accreditation will enable faculty and students to gain additional contact with the rest of the art and design community around the world, Johnson said.

The accreditation will make it easier for the department to petition for additional funding from Cal Poly, he said.

"We have received our stamp of approval," Johnson said. "This now enables us to make our case

to the administration on the needs of students."

This was the first time the department had been evaluated for accreditation, Johnson said. And he said the accreditation is well-deserved.

The department accepts only a small percentage of applicants every year to the program, Johnson said. Applicants are required to submit a portfolio, a practice that is not commonly found in art and design programs.

The Academic Senate suggested the art and design department seek accreditation after reviewing several departments on campus. This recommenda-

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Portions of Prop. 187 ruled unconstitutional by U.S. District Judge

By Louinn Lota
Associated Press

LOS ANGELES — A federal judge on Monday struck down portions of voter-approved Proposition 187, saying elements of the California law denying public services to undocumented immigrants are unconstitutional.

U.S. District Judge Mariana Pfaelzer ruled that undocumented immigrants can't be questioned about their immigration status when applying to attend public schools or receive health and welfare benefits.

"The state is powerless to enact its own scheme to regulate immigration or to devise immigration regulations which run parallel to or purport to supplement the federal immigration law," Pfaelzer said in a 71-page written ruling.

Pfaelzer issued the ruling in response to a motion for summary judgment filed by the Mexican American Legal Defense and Education Fund, the American Civil Liberties Union and other organizations.

The judge declared unconstitutional the notification requirements that compel teachers, health care workers and social workers to collect and report information about applicants' im-

migration status.

"The California voters' overwhelming approval of Proposition 187 reflects their justifiable frustration with the federal government's inability to enforce the immigration laws effectively. No matter how serious the problem may be, however, the authority to regulate immigration belongs exclusively to the federal government and state agencies are not permitted to assume that authority," Pfaelzer wrote.

Portions of the law on which Pfaelzer did not rule still will go to trial under the lawsuit filed by immigrant rights advocates. No date for the trial has been set.

Meanwhile, a preliminary injunction preventing most portions of the law from being enforced by the state will remain in effect, Pfaelzer said.

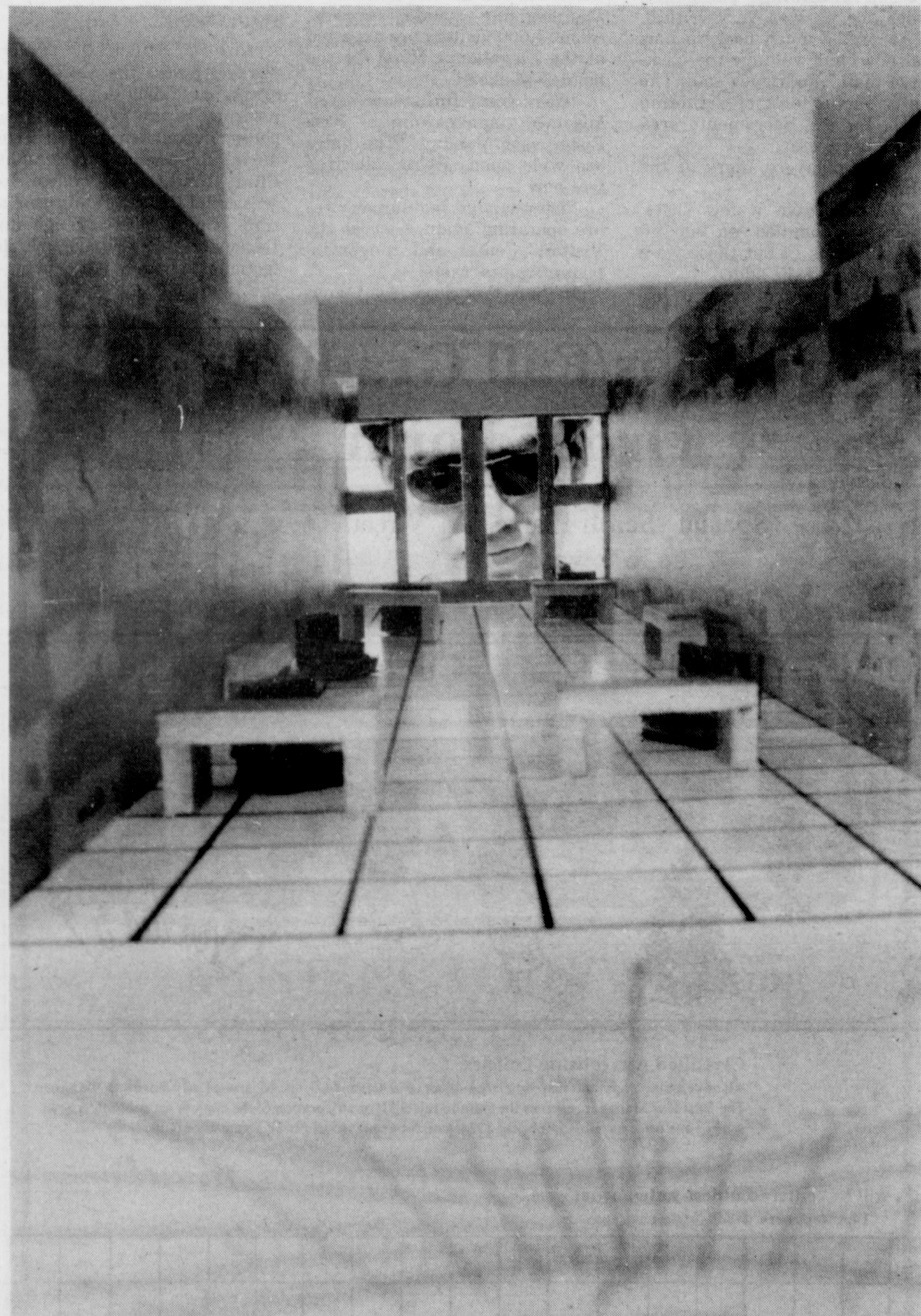
The only provisions now being enforced are increases in criminal penalties for making, selling or using false immigration documents.

Opponents of the law said the ruling effectively gutted the measure, approved by voters last November.

"Proposition 187 effectively has been thrown out by the

See 187 page 6

Lookin' in



Architecture junior Alberto Angelo Daza looks through the window of a scale model of a classroom designed to be lighted with indirect daylight / Daily photo by Joe Johnston

Fundraiser nets \$2,000 in pennies for children

By Fawn Damitio
Daily Staff Writer

It's a good thing foundation has an electronic coin counter.

Otherwise, it would have taken months for the Children's Center to count the nearly 200,000 pennies raised in this year's Children's Penny Harvest.

"We started out counting the pennies by hand," said Tonya Iverson, Children's Center Director. "Thank goodness Foundation volunteered to count the pennies on their coin counter."

The Children's Center will buy playground equipment with the money raised.

The fundraiser ran from Oct. 17-31 with the goal of collecting 600,000 pennies, or \$6,000.

"Six-thousand dollars was our pie-in-the-sky figure," said Stephanie Allen, who organized the penny drive. "It's amazing that we raised \$2,000. We were really impressed with the enthusiasm of some of the departments."

The department that donated the most was the biological sciences department, with a donation of \$357.67.

They had a kind of fundraiser

competition during the fundraiser, Allen said. "They gave free popcorn to those who donated to the drive."

The computer engineering department came in second with \$155.99, and the College of Business was third at \$110.24.

"I'm at the main information window," said Katie Schallwitz, the coordinator of the drive for the College of Business. "Every time anyone went by I'd tell them to give up their pennies. There were lots of donations — there are a lot of good people in the College of Business."

The top three departments, along with Sigma Nu, the only fraternity which donated to the drive, will have tiles with their names on them hung on a Children's Center wall.

Each year the Penny Harvest runs, top donors will get similar tiles.

"Next year should be even better," Allen said. "We'll be more organized and more people will be aware of the drive."

This was the first year the drive ran. Paper bags and plastic jugs were placed around campus

See PENNIES page 3

SPORTS

While we're all away enjoying turkey, men's basketball will take on College of Notre Dame.

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OPINION

Capitalism may be good for big business, but how good is it for the worker?

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INSIDE TODAY'S
MUSTANG DAILY

ART: Department has many goals to accomplish

From page 1
tion was received positively by all of those involved in the department.

Following the senate's recommendation, the department set to work on a self-study document to better understand the strengths and weaknesses of the department, Johnson said.

The document — required of all departments seeking accreditation — evaluated the same areas the accrediting team would evaluate, said Chuck Jennings, art and design professor. The accreditation team then reviewed the document and verified that it was correct.

Jennings spent more than a year compiling the self-study and put together more than half the document himself. Johnson said Jennings was the primary force behind the successful accreditation of the department.

But Jennings credited the whole department.

"The entire staff worked hard to compile this report," Jennings said. "Each professor was responsible for an area of the report — it was a team effort."

Now that the department is accredited, Jennings said, the faculty and staff can concentrate on the short and long term goals they have. The accreditation will hopefully help the department achieve these goals, he said.

The first goal, Jennings said, is to diversify the curriculum to appeal to the large Asian and Hispanic population in the program. They also hope to add another art historian to the faculty.

For the long term, Jennings said, the department hopes to increase enrollment in the program.

PENNIES: Children thought of the fundraiser idea

From page 1

with flyers that announced the fundraiser.

"The children gave us the idea," Iverson said. "The kindergartners were collecting pennies to buy frogs for the center. Stephanie (Allen) thought it was a great idea for a fundraiser."

Competition between departments was sometimes fierce, Iverson said.

"I heard a rumor that the math department was sending around flyers that said the statistics department was beating them," Iverson said.

The math department's tactic seemed to work, Iverson said. Its grand total was \$24.76, while the statistics department's total was \$11.93.

Allen said the drive was good for the children, who felt they

were contributing something to the center.

"We had a huge plastic jug at the Center," Allen said. "It was

completely full by the end of the drive."

The Children's Center alone collected \$287.57.

Parents were particularly enthusiastic about the fundraiser.

"I think it's great," said Michelle Hays, a Cal Poly alumni and parent. "We always have loose pennies in the car. It made the kids feel like they're helping out."

Allen said the Center will be sending thank-you notes to all of the departments, as well as parents, who participated.

"Everyone was wonderful," Allen said. "I think we've started a tradition."

Bosnia talks are 'in extra innings'

By Barry Schweid
Associated Press

DAYTON, Ohio — Balkan negotiators worked past a U.S.-imposed deadline and into the night Monday to settle Europe's bloodiest conflict since World War II. But they suggested a new round of talks might be needed to resolve the contentious issue of how to divide Bosnia.

As the talks teetered on the verge of collapse, President Clinton intervened from Washington with a last-ditch telephone call to Croatia's President Franjo Tudjman.

Senior members of both the Bosnian and the Serbian delegations confirmed that the talks had run into trouble over territorial issues but stressed that negotiations were continuing into the night.

"They are still going on," State Department spokesman Nicholas Burns said of the talks Monday evening. "They haven't broken down."

"I think the people here are determined to continue these negotiations," he said.

"We are in extra innings," said a senior U.S. official as Secretary of State Warren Christopher rejoined the talks Monday morning with only two hours' sleep. "Maybe at the end of the day we'll take stock of where we are. We'll take it one step at a time, hour by hour."

Christopher met several times with all three Balkan leaders. "We're still talking, and that's a positive sign," another U.S. official said late Monday afternoon.

Workers began loading baggage onto a Yugoslav airliner after they were checked by bomb-sniffing dogs. The second official, speaking on condition of anonymity, said Christopher and all three Balkan presidents were leaving Monday night — agreement or not.

Clinton, however, called Tudjman to urge him to help resolve territorial problems and

he received "an encouraging reply," said a senior Clinton administration official, speaking by telephone from Washington.

The Serbs and Muslims Sunday night virtually settled their territorial differences, but Croatia balked at going along, the official said, speaking on condition of anonymity.

Another administration official said a comprehensive pact looked less likely as the day wore on. The parties may put in writing "the progress to date, which has been significant" but which falls short of a full agreement, the official said.

"A lot of progress has been made; just closing it is difficult," the official said.

Last-ditch efforts focused on a territorial dispute and the extent of a U.S. commitment to build up Bosnia's postwar army.

A Balkan delegate said neither the Bosnians nor the Serbs were willing to compromise on control of the Posavina corridor in northern Bosnia. The Serbs, who control the 30-mile-long passage between their eastern and western holdings, are seeking to widen it. But the Bosnians want their territory to cut through the strip of land in order to give them access to the Sava River on the Croatian border.

The Clinton administration has promised to help build up Bosnia's army with equipment and training, but Bosnia is seeking an iron-clad guarantee. Without one, the Balkan official said, the talks would fail.

A comprehensive agreement, resolving territorial and other major differences among rival ethnic factions, remained the goal, said the senior official who briefed reporters earlier, also on condition of anonymity. But, he said, "our thinking could change" on accepting a more limited pact.

Senior Balkan officials said the talks could go on for most of the day. A senior U.S. official

said "it could go either way."

White House press secretary Mike McCurry had said Clinton was "available to the parties if his participation could help them get an agreement."

Christopher spoke several times with Clinton's national security adviser, Anthony Lake, who in turn was in touch with the president.

Ever since Christopher opened the talks at Wright-Patterson Air Force Base on Nov. 1, the United States has insisted on all or nothing — hoping for a wide-ranging agreement that would adjust Bosnia's map to set up two ethnic republics and provide for a new constitution, elections and a determination on the future of Sarajevo, the capital.

A comprehensive accord remained Christopher's strong preference, officials made clear. But with territorial compromises proving elusive, especially on control of corridors to ethnic enclaves, American strategy could change.

"We've pulled together almost everything but the territory," a U.S. official said. "Nobody thinks an agreement would be viable without a decision on territory."

But sources in all three Balkan delegations suggested that if an agreement was reached, it might be a partial one, covering only constitutional issues and leaving territorial questions for a new round of talks.

Burns said Presidents Slobodan Milosevic of Serbia, Alija Izetbegovic of Bosnia and Croatia's Tudjman, who returned from Zagreb late Sunday, "truly want a comprehensive agreement."

"But ... we're not going to drag them across the finish line," he said. "If one of these countries or any combination of these countries decides that the agreement is not in their interests, we'll just all walk away."

Animal deaths mystify, frighten Puerto Ricans

By Katherine Hutt
Associated Press

SAN JUAN, Puerto Rico — Blood-sucking killer leaves trail of dead farm animals throughout the island! Frightened residents wearing fatigues beat bushes in search of mysterious killer!

Whatever it may be, the creature responsible for a string of animal deaths this year has generated both fear and satire in this U.S. commonwealth.

Goats, hens, rabbits and geese all have fallen prey to the nocturnal killer that reputedly sucks their blood, leaving them lifeless. No one can explain why.

Angela Lajes found her dog and her sister's two cats dead in the southern city of Ponce earlier this month.

"It sucked out the animals' blood and took out their guts and ate them," she said.

The daily tabloid El Vocero reported that Puerto Rico's Dracula had a field night on Halloween with a toll of five goats and 20 parakeets "sucked dead." It depicted the killer as a pointy-tailed devil.

Mayor Jose Soto of the northeastern town of Canovanas has led two search parties, some of the vigilantes wearing fatigues and carrying guns, to find the culprit since Oct. 29.

Soto plans yet another search soon. He says he knows the creature is close because he can smell

it — like a pig farm, only stronger.

"It has killed more than 40 animals in this town. The farmers are worried," said Soto, who is seeking re-election next year.

Residents of this Spanish-speaking U.S. commonwealth have dubbed the creature "chupacabras," which translates as "goatsucker."

The San Juan Star newspaper dedicated a humor column to the mystery, headlined "Hunting for

the Goatsucker." The searchers, it said, found a political party was killing the animals to divert attention while it registered voters for next year's San Juan mayoral election.

But Police Chief Pedro Toledo wasn't amused. Fearing an accident, he warned people without proper training against arming themselves and searching for the unknown killer.

The only case examined by the government's veterinary services office indicated that the killers were stray dogs, office director Hector Garcia said. His veterinarians studied a pack of sheep in the central town of Orocovis, including about 10 that died and two that had marks in their necks but had survived.

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COLUMN

The success of the welfare state

by Kurt Horner

I am a racist, so I am told.

I believe blacks and whites have equal potential to succeed. I believe people of all colors have the ability to overcome hardship and become forces for good. I believe race does not define an individual — actions do. Yet, I am a racist. Here's why.

I oppose affirmative action.

I believe race played too big a part in the Simpson trial.

I think O.J. is guilty.

I think "hyphenated-Americans" are divisive terms.

I think welfare does more harm than good.

I like Thomas Sowell, Clarence Thomas and Walter Williams.

I don't like Jesse Jackson, Ben Chavis and Kweisi Mfume.

Confused yet? I think a definition of racism is in order. I would define racism as a belief system which assumes that behavior is determined by race. A racist would say, for example, that blacks are naturally predisposed to violence.

But is this how racism is being defined by today's pundits? In some cases, yes. But, increasingly, racism is defined as opposition to liberalism.

Don't think so? Then ask yourself why people who oppose the welfare state are considered hostile to blacks. Is welfare something the state provides to blacks alone? American liberals would like me to believe that blacks need welfare and affirmative action because otherwise they would never succeed on par with white Americans.

This is an odd belief. After 30 years of Great Society programs, almost every negative social indicator for black Americans is up. The unemployment-rate gap between blacks and whites has worsened. The out-of-wedlock birthrate for black women is 46 percent. Blacks fill our prisons in disproportionate numbers, and our inner cities are war zones.

That's quite a success story.

For many years now, our government has treated minorities like children. Deemed incapable of providing for their own desires, food and housing are provided free to those considered suitably hopeless.

The average welfare recipient (with housing voucher) receives about \$22,000 of untaxed income. That's about \$400 a week for a person who conducts little or no productive activity. And this is supposed to promote self-reliance and initiative?

The scary thing about America's poor minorities is that not only are they being treated like children — some of them are starting to act like children. We have today black male youths over 20 with so little concept of morality and responsibility that they consider drive-by shootings to be self-defense and white-collar jobs to be "sellouts" to the establishment.

Through all this chaos, I maintain the belief that, given a chance and the incentive, America's minorities are capable of providing for themselves without the shackles of a paternalistic government.

To justify affirmative action and a bloated welfare state, the government must perpetuate the myth of racial inferiority. I guess that's why I'm called a racist — people think I give minorities too much credit.

Kurt Horner is an architectural engineering freshman.

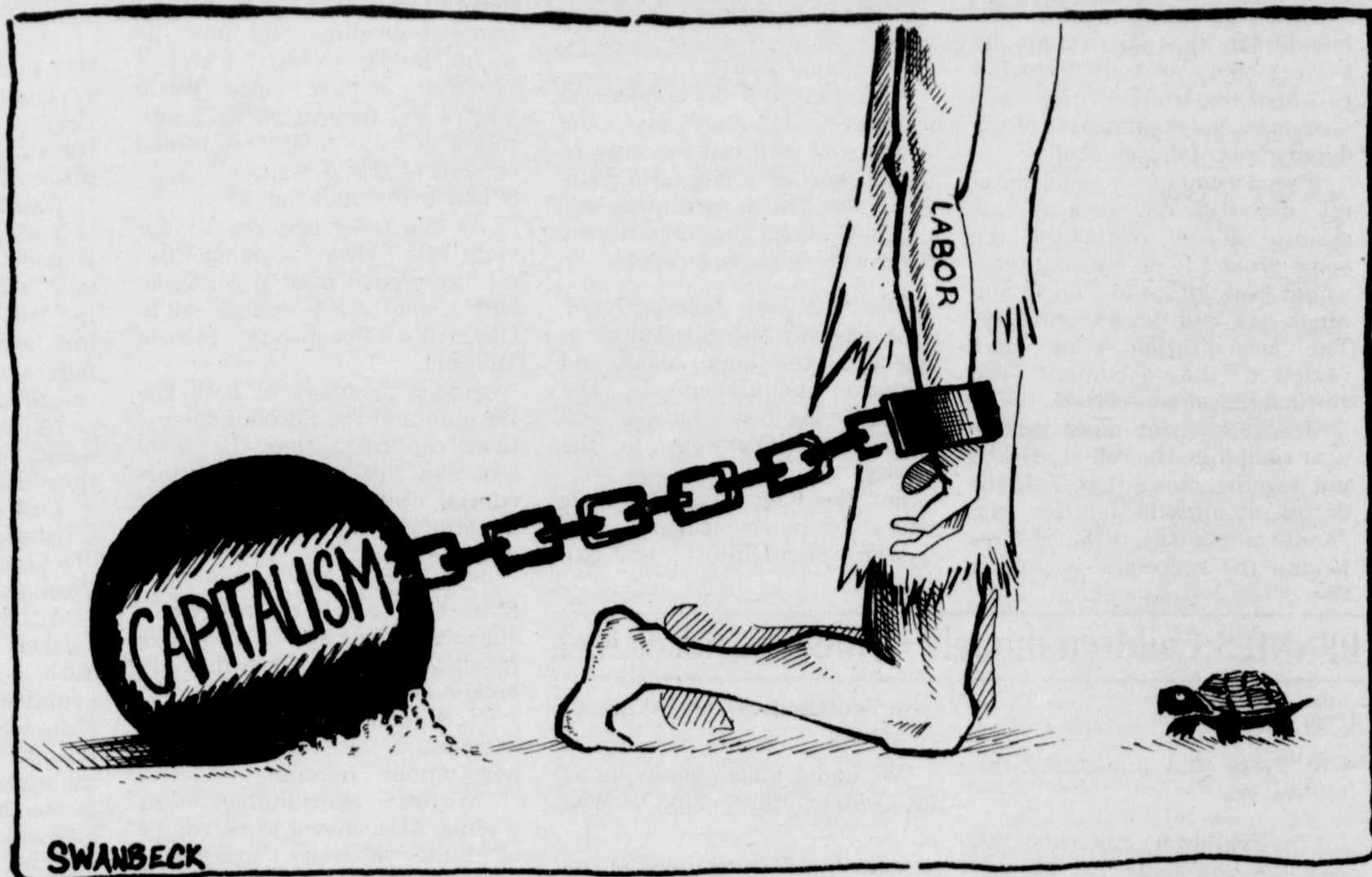
EDITOR'S MOMENT

We, the Opinion editor, just wanted to wish you a happy Thanksgiving, and to remind you to be grateful that we're not a liberal, because if we were, we would have to remind you of all the poor, starving, homeless women and children all over the world that you are directly responsible for, being a beer-swilling, running dog capitalistic American.

But since we're a foaming-at-the-mouth anarchistic Dianic feminist, and have very little room here in this corner, we'll just tell you to be careful swallowing your turkey, because half of all choking accidents involve cranberry sauce and stuffing.

Remember that we, the Mustang Daily staff, still have to put out five more papers, and that means that we, the Opinion editor, still have to fill up five more Opinion pages. So keep those double-spaced submissions with your name, major year and number coming in. We wouldn't want you to have any unfortunate accidents involving pumpkin pie, now would we? —D.P.

COMMENTARY



Capitalism macht frei

by Foaad Khosmood

To clarify the ideas discussed and refute the attacks made against modern liberals and socialists by Kurt Horner, I will focus on the clash between capitalists and the various forms of Marxist ideology present in our society today.

First, it is impossible to grasp Marx's arguments based on the partially explained Labor Theory of Value. One must be familiar with concepts such as alienation and the theory of primitive accumulation, both outlined in Das Kapital vol. 1 which I will leave up to the reader to research.

What Horner calls 'distortions' are objective, scientifically researched observations of how a capitalistic society operates. That they are shocking to Horner, among others, just goes to show how distracted from reality this society really is. For example, it is the manipulative

Capitalists cannot maximize profits without the presence of groups of people so desperate to trade their labor for money that they would accept a lower value for their work. The establishment of welfare, although not a solution, is a step in the right direction.

capitalistic mind set at work when a newspaper column starts with a sensationalistic note on Nazi Germany, when the subject is completely different (By the way: Socialism in German is "Sozialismus").

The reality is that though it is the workers who create the wealth everywhere, they have no control of production and distribution. It is not a matter of putting in 1,000 hours into a statue. It's when you put in a lifetime of eight-hour workdays in a factory and have nothing to show for it. At least the sculptor owns his own statue. The factory worker owns nothing except the ability to work. And the way the system works, he/she will never be able to raise his class level and compete with giant corporations that rule most aspects of life.

"Capitalism is a system of purely voluntary trade"? Only in an idealistic utopian society best left to philosophers to contemplate. Capitalism is a system of trade, but this trade has ceased to be voluntary. In a situation where everyone owns capital, free trade might occur. But when one class has exploited all of capital for itself, what's being traded is the only thing the other class still possesses: labor. As the middle class finds itself more and more desperate for employment, it is forced into

competition which produces better and less restricted labor for the capitalists with less benefits, rewards and security for the workers.

As Marx explains in ch. 26 of Das Kapital (vol. 1), the process of primitive accumulation is historic with roots in the earliest human societies. It not possible for the common person to join the elites of capitalism through 'productive efforts.' Thus it is extremely unfair for one group to monopolize the economy, production and distribution of all products while the other is waiting to retire or get fired. The irony is that none of this would be possible without the working class, yet they have no say in the process. The system has trapped the producers inside a cycle of working to stay alive so they can buy the products they made, and adding to the profits of the capitalist in the meantime. This, my friends, is exploitation.

One way the capitalist society keeps people from realizing the truth is the illusion of free trade. One would think that in shopping there are always several choices of products keeping in competition with each other. But the

many thousands of products available in supermarkets are owned by only three or four giant entities who look to increase profits by widening selections. "Taking risks" is such an absurd and meaningless notion that one can only laugh when discussing it. Real risks are being taken every day at job sites by the working class and their families. It is ridiculous to consider human capital and money as equivalents, but that is what capitalism is trying to establish: that you can buy lives with money, and they are cheap!

Capitalists cannot maximize profits without the presence of groups of people so desperate to trade their labor for money that they would accept a lower value for their work leading to decline of wages overall and increased freedom for the capitalists at the price of decreased freedom for the workers. The establishment of welfare, although not a solution, is a step in the right direction. Denying welfare to a single mother interested in furthering her education is equal to discriminating against her in college admissions by saying, "Sorry, single mothers have to work, not study." It is welfare that is giving her the freedom NOT to be dominated by a system that would otherwise waste her life, forcing her to work out of pure necessity.

Capitalism is a cruel and inhumane system, all of whose participants are alienated in some form or another as they are forced to act out of lust, greed, selfishness or desperation. We can only be thankful that this country is at least somewhat socialist.

Foaad Khosmood is computer engineering junior.

MUSTANG DAILY

"You guys have any aspirin?"

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What is the one dish at Thanksgiving that no one in your family touches?

Interviews by Alison Levitt
Daily photos by Juan Martinez



"Pickled beets."
Injoon Song
Graphic communications
junior



"Brussel sprouts."
Maurice Cambell
English senior



"We're vegetarians, so
the turkey."
Jennifer Thomson
English senior



"That damn lime green
jello."
Hodji Stevens
Microbiology junior



"Pumpkin pie."
Saad Sadig
Architecture graduate
student



"That mystery cas-
serole with rocks and
twigs in it."
Philip Rynning
Philosophy sophomore



"Yams — the color is
gross."
Young Kim
Computer science senior



"The stuffing is dis-
gusting."
Evlin Aivazian
Business junior



"Mince meat pie."
Ray Mullins
Biochemistry junior



"Fruit jello with a sour
topping."
Jason Sweet
Forestry and natural
resources sophomore



"Cranberry sauce. I
had it once and got sick
off it."
Brett Garrett
Mechanical engineering
sophomore



"Dry fruit cake that is
about 3 years old because
everyone passes it on."
Joe Piacentine
Communications, U.S.
Marine Corps

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Plane hits apartments; kills three

By LARRY GERBER

Associated Press

FULLERTON, Calif. — A light plane trying to land in fog at the city airport slammed into an apartment building as people were waking for work Monday, killing the two in the aircraft and a woman in her bed.

Fire swept through the four-unit building. Eight to 10 people fled, throwing on towels and blankets in a dash to the street. A firefighter who helped put out the blaze was hospitalized with burns on his face.

"My mom didn't make it," said Jeremy Ernst, 20, dazed and waiting on the sidewalk with his father Ron as emergency crews worked inside. Sharon Ernst was still asleep in an upper room when the plane hit about 6:35 a.m., they said.

The identities of the pilot and a passenger were not immediately disclosed. The Federal Aviation Administration said the plane was registered to Donald L. Wood of Portland, Ore., and Michael L. Benson, address unknown.

The Piper Cherokee left Big Bear Lake in the San Bernardino Mountains about 6 a.m., said Mitch Barker of the Federal Aviation Administration.

Fullerton is 35 miles southeast of Los Angeles, amid the urban freeway hubs of northern Orange County.

People on the stretch of Malvern Avenue, about a half-mile from the east end of the runway at Fullerton Municipal Airport, are used to hearing light planes buzz in.

"We used to just sit there and watch the planes go by," said Ed Borgelt, whose apartment is next to the Ernsts. He was getting out of the shower when the building shook.

"We figured it could happen ... but we never really thought it would happen to us," he said.

The cause of the crash was under investigation and officials said it would likely be months before it was determined.

The airport tower is closed from 9 p.m. to 7 a.m., but after-hours landings are legal and there are usually a half-dozen every night, estimated Roland Elder, the airport director. He speculated that the pilot may have been trying an instrument landing.

With the type of approach system used at Fullerton, planes may not try instrument landings unless they have the runway in

sight at an altitude of 500 feet or higher, he said.

Fog Monday morning cut visibility to less than 100 yards on the ground, but the fog was patchy. The first police officers at the scene reported that the area was clear, said police Sgt. Glenn Deveny.

Some people on the ground heard a "pop" and the sound of a motor revving before they felt a jar like an earthquake and ran outside.

"I thought it was somebody mowing a lawn," said Cindy Stuart, a neighbor.

With plane fuel splattered, the fire spread quickly. It gutted the upper floor of the building, which has two living floors above garage spaces.

Rachel Schweiger, who lives in the building next door, was getting ready for a day of substitute teaching.

"My alarm had just gone off, and I had hit the snooze button," said Schweiger, 23, who was thankful for the escape.

"I thought it was the grace of God," she said. "It could have been any one of us."

Man beats up gunman who threatened his son

Associated Press

COSTA MESA, Calif. (AP) — Randy Ziegler doesn't claim bragging rights in either the brains or brawn department; still, he sent a gunman who threatened his son to the hospital.

"I'm a little, fat, 44-year-old idiot who loves my kids," Ziegler said. "But it's my son we're talking about."

Ziegler and Brandon, 10, were riding bikes at dusk Saturday in Talbert Park when a man appeared with what looked like a revolver. It turned out to be a pellet pistol, although the Zieglers didn't know at the time.

"This guy hops out of a bush, pointing a gun at us, screaming in Spanish," said Brandon. "He motioned me to get off the bike and he freaked. Then he comes up to us and puts it right between my eyes."

Ziegler said he distracted the gunman by saying he didn't understand Spanish. When the assailant swung the gun toward

him, Ziegler said, "I knew I had him."

Ziegler, who had trained in jiu-jitsu, grabbed the man's wrists, disarmed him and started pummeling him.

"I sat on his chest and hit him 40 or 50 times with the gun," he said.

Police arrested Pablo Rosas Gabimo, 33, for investigation of brandishing a weapon and assault with a deadly weapon. Gabimo was treated at a local hospital before going to jail; Ziegler got stitches in the emergency room.

Gabimo had a blood-alcohol level of 0.3 percent, nearly four times the legal driving limit, said police Sgt. George Yezbick.

"In the case where the subject had a real gun and wasn't intoxicated, it could've turned out differently," Yezbick said. "But this is a case where any action you take is better than no action."

Thanksgiving ceremony calls for peace

By Matthew Fordahl

Associated Press

OCEANSIDE, Calif. (AP) — Victor Villasenor stuffed a hole in the ground with two gallons of milk, a bag of rice, water, ashes and a 20-foot-long gilded pine pole topped with a ruby.

The unusual ritual was his way of asking Mother Earth for global forgiveness, peace and unity.

"We're doing acupuncture on the Earth," said Villasenor, a best-selling author who held the fourth annual Snow Goose Global Thanksgiving at his Oceanside ranch north of San Diego.

The needles "really do heal you. They put them in your feet, and it goes to your liver," he said. "When we do this to the Earth, it's going to give a big sigh and smile. Imagine the power."

The pole-lowering ceremony witnessed by 300 celebrants capped Sunday's daylong event. Villasenor plans to needle the Earth in a different city each year, starting with Portland, Ore., in 1996.

"Let's give back to the Earth

what's always been given to us," said Andrea Oppenhuizen of Oceanside. "We started to screw it up a few thousand years ago. ... We've got to stop this raping of the Earth."

Villasenor wrote the critically acclaimed "Rain of Gold," a book that chronicled his family's migration from revolutionary Mexico to the United States. He also recently finished a biography of Selena, the slain Tejano singer.

Villasenor's vision — achieved after the Earth has forgiven humanity through many pole offerings — is modeled after snow geese, which survive because they are led by females, he said.

"They squawk and set the tone," he said, adding he would like to see a female president by the year 2016. "Males are too strong and cause disharmony in nature. They're all boys playing little boy games. ... This is not a football game. This is not a fraternity."

Villasenor's ideas stem from memories of his grandmother, who led his family during the Mexican revolution. "They put

their kids to bed every night with dignity and faith," he said.

The pole ceremony for forgiveness may sound very new age, but Villasenor said it was an ancient rite in many cultures.

"This used to be done all over the Earth. You'd thank Mother Earth at harvest time," he said. "That's what Thanksgiving is about."

Before the pole was dropped into a deep hole Sunday, a holy man from India chanted in Sanskrit as others prepared the pit with milk, rice and water. Ashes from a two-day fire and minerals were then sprinkled about the area.

The pole, which two artists spent two months wrapping in 22-karat gold leaf and decorating with other designs, was then carefully lowered into the pit until only about two inches were above ground.

"When they put the pole down ... it felt like we were making love to Mother Earth," said Jill Crosby, 29, of San Diego.

Some people left jewelry and fancy pens near the pit to be buried as an offering.

187: Mexican Americans celebrate the ruling; Wilson disappointed by it

From page 1

federal courts," said attorney Fred Kumetz, who represented several disabled children who would be affected by the law.

"The court found that the regulatory scheme interferes with federal law. The state has no power to regulate federal law as it applies to immigration," he said.

Vibiana Andrade, director of immigrant rights for the Mexican American Legal Defense and Education Fund, said the ruling "vindicated the right to education for all kids. No school will be able to interrogate or mark a child."

Governor Pete Wilson heard the news while attending a campaign rally for Republican presidential hopeful Bob Dole.

"It's very unfortunate. It frustrates the will of the people of California," Wilson said of the ruling.

The governor endorsed Proposition 187, making illegal

immigration a central issue of his 1994 re-election campaign.

While the legal battle continues, Wilson said he will focus on pursuing federal funds to reimburse California for the cost of providing services to undocumented immigrants.

Attorney General Dan Lungren, also at the rally, said his office would concentrate on defending portions of the law not struck down by Pfaelzer. After that, he said, the state will appeal her ruling. He said he expected the case to be resolved before the U.S. Supreme Court.

Los Angeles County Supervisor Michael Antonovich also criticized the ruling. Antonovich is among several supervisors who contend that illegal immigrants are a drain on county resources, consuming hundreds of millions of dollars in services annually.

"Taxpayers don't have the ability or the financial resources to provide those who break the law with free health education

welfare benefits," he said.

Whether the denial of benefits themselves is constitutional depends on whether they are funded by the state or federal government, Pfaelzer wrote. The state cannot deny federally funded services, but it can refuse to spend its own money on undocumented immigrants, the ruling said.

The only health and welfare programs that are funded solely by the state that cover illegal immigrants are prenatal care and long-term care for the elderly. Most public schools and colleges also receive federal funds.

In her ruling, Pfaelzer endorsed the central argument posed by Proposition 187's opponents: that the measure, with its broad definition of illegal immigrants and provisions for dealing with suspected illegal immigrants, is an attempt by the state to deport immigrants or otherwise regulate immigration.

Under federal law, states cannot regulate immigration.

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Nebraska to win 3rd title

By Dave Zelio
Associated Press

LINCOLN, Neb. — The Big Eight Conference surely wasn't supposed to end like this.

Nebraska vs. Oklahoma is one of the great rivalries in college football, one that has produced a "Game of the Century" and twice a matchup of the top two teams in the country. The teams have won or shared 32 of the Big Eight's 36 titles.

Few people are expecting a close game when they play Friday in the Big Eight finale. No. 1 Nebraska is rolling toward a third consecutive national championship game. Oklahoma is simply reeling.

The Sooners (5-4-1, 2-4 Big Eight) have lost three of their last four games and will post their first losing league record in 30 years. Two weeks ago, following a 12-0 home loss to Oklahoma State, Sooners linebacker Broderick Simpson and offensive coordinator Gary Nord reportedly got into a shoving match.

No wonder Nebraska (10-0, 6-0) is favored to stretch its winning streak against Oklahoma to five games, which would be the longest since a six-game run from 1931-36.

The two play again next season when the Big Eight becomes the Big 12. But the annual meetings will end after that, with Oklahoma in the new league's South Division and Nebraska in the North Division.

"I'm a little sad to see it go," Nebraska coach Tom Osborne said. "There's been a lot of good games in the conference, and quite a few of them have been with Oklahoma and Nebraska."

Osborne lost his first five games against Oklahoma as a head coach and eight of his first nine. He is 10-13 against Oklahoma, the only Big Eight team with a winning record against the 23-year head coach.

Oklahoma has upset a top-ranked Nebraska team twice before, but has beaten the Huskers only once in the last seven meetings. In its last six games, Oklahoma has scored 39, 24, 17, 13, 10 and zero points.

"What makes it so frustrating is that we had high hopes at the beginning of the season," Sooners tailback Jerald Moore said. "When the offense didn't work, it all sort of came crashing down. We've lost a lot of fans in the last three or four weeks. I guess I don't blame them."

Moore, who leads the team with 962 yards, has nine of Oklahoma's 15 rushing touchdowns.

"We've always felt that we had enough talent to compete with anybody and win the game," Oklahoma defensive coordinator Kurt Van Valkenburgh said. "This season is frustrating for everybody."

"If we didn't come in and challenge them, we could have avoided the situation. We could have said this is a long-term project. We would have been cheating the players and the university if we had gone that route."

Van Valkenburgh and his defense will have their hands full.

Nebraska leads the nation in rushing (413 yards per game) and scoring (54 points). Only Florida State averages more yards than Nebraska's 571 per game. The Sooners allow 93 yards rushing and 290 overall per game.

"They are a lot more explosive than people give them credit for," Van Valkenburgh said of the Huskers. "They run very well, of course, and the option game usually leads to big yards."

Running Nebraska's option is quarterback Tommie Frazier, who is locked in a close Heisman Trophy race with Ohio State tailback Eddie George.

Arizona back in men's basketball poll

By Walter Berry
Associated Press

Arizona's basketball team is back in The Associated Press' Top 25, although coach Lute Olson can't understand why the Wildcats ever left.

Arizona's streak of being ranked in 144 consecutive polls was broken when the Wildcats were missing from the preseason rankings last week.

The Wildcats were 19th in Monday's first regular-season voting after winning two games to reach the semifinals of the Preseason NIT.

"How can you tell how good a team is until they've played a few games?" Olson said. "If we played two or three games and lost them and fell out of the poll, then we played our way out of it."

The Wildcats' poll run started with the preseason Top 25 for the 1987-88 season and dwarfed that of runner-up North Carolina,

whose two appearances this season made it 92 straight times in the poll.

Olson said the poll snub fired up his players, as Arizona beat Long Beach State 91-57 at home and then No. 16 Arkansas 83-73 at Fayetteville.

In the NIT semifinals at New York's Madison Square Garden, the Wildcats will face No. 16 Michigan Wednesday night after No. 5 Georgetown faces 25th-ranked Georgia Tech.

"We'll know a lot more about our team after those games," Olson said. "I think we're making good progress and I think we'll be a good team this year, but the first two games didn't tell us a lot. The Arkansas team we beat was very inexperienced."

Kentucky, which is next in the consecutive poll streak with 90, remained No. 1 with 42 first-place votes and 1,567 points, 27 more than Kansas, which held second and had 18 first-place

votes from the national media panel.

Villanova, UCLA, Georgetown, Connecticut and Massachusetts also held their spots, Nos. 3-7, from the preseason voting, while Utah and Iowa changed places, with the Utes going from 10th to eighth, with Mississippi State holding ninth.

Wake Forest again led the Second Ten and was followed by Memphis, Louisville, Maryland, Missouri, Michigan, Virginia, Stanford, Arizona and North Carolina.

The Top 25 was rounded out by Cincinnati, Virginia Tech, Indiana, Purdue and Georgia Tech.

The Golden Bears learned this week that Tremaine Fowlkes was declared ineligible by the NCAA for the season for alleged improprieties involving a car. He can practice with the team until an appeal is heard later this month.

Louisiana Tech earns women's top seed

By Chuck Schoffner
Associated Press

A victory over the old No. 1 team made Louisiana Tech the new No. 1 in The Associated Press women's basketball poll Monday.

Louisiana Tech, fourth in the preseason poll last week, shot to the top after beating defending national champion Connecticut 83-81 in overtime in Sunday's Hall of Fame Tip-Off Classic at Knoxville, Tenn.

It's the first No. 1 ranking for the Lady Techsters since the final poll of the 1989-90 season. Connecticut, which lost for the first time since the 1994 NCAA tournament, dropped from first to third.

Georgia, which hasn't played

yet, remained second and Tennessee climbed two spots to fourth after beating Virginia in the second half of the Tip-Off Classic twinbill. Virginia slipped three places to sixth and Vanderbilt stayed at No. 5.

Louisiana Tech received 26 first-place votes from a national media panel. Georgia was voted No. 1 on seven ballots, Vanderbilt got four votes for first and Connecticut and Tennessee each had one.

In total points, it was Louisiana Tech with 953 and Georgia with 899. Connecticut had 875 points — three more than Tennessee — and Vanderbilt had 860.

Louisiana Tech's climb to No. 1 means there already have been as many changes at the top of

the poll — one — as there were all last season. Tennessee was No. 1 in the 1994-95 preseason poll and held that position until losing to Connecticut in mid-January. Connecticut was No. 1 the rest of the way.

At No. 4, Tennessee can try to start a new streak of top five placings. The Lady Vols' No. 6 ranking in the preseason voting ended their string of 80 polls in the top five.

The first three rounds of the Preseason NIT caused some shuffling elsewhere in the poll. Arkansas and Colorado have won three times and will meet in Tuesday night's championship game. Arkansas climbed one spot to ninth and Colorado moved up three places to 11th.

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SCHEDULE

TODAY'S GAMES

- There are no games scheduled today.

TOMORROW'S GAMES

- There are no games tomorrow.

POLY BRIEFS

Orefice placed 53rd in NCAA cross country Nationals

Cal Poly cross country runner Angela Orefice placed 53rd at the NCAA Division-I National Championships held in Ames, Iowa.

Orefice finished with a time of 18:10 in the Monday afternoon race which hosted 183 competitors from throughout the nation.

Kathy Butler, a senior from Wisconsin, placed first in the individual race with a time of 16:51 and Providence took the team title with a total of 88 points.

NATIONAL BRIEFS

Cal Berkeley's Gilbertson fired

Berkeley (AP) -- Keith Gilbertson, who led California to one winning season during four years as head coach, was fired Monday just two days after the Bears ended their season with a loss to arch-rival Stanford.

Cal athletic director John Kasser met with Gilbertson on Monday and the two reached a financial settlement for the final three years of Gilbertson's contract.

"We felt the need to go in a new direction," Kasser said. "He's a fine, fine person and I'm just sorry that things didn't work out for the best here for him."

The Bears were 3-8 this season and 20-26 overall under Gilbertson, who made about \$225,000 per year.

Gilbertson said he would spend some time with his family in the next few days and was not set on any future plans.

Gilbertson signed a five-year contract when he came to Cal in 1992 after three years of running the offense for a Washington team that won a national championship in 1991. His Cal contract was extended for an additional three years in December 1993.

Kasser said the search for a new coach would begin immediately, and he named a six-member search committee.

"We feel like we have a lot of potential in our football program," Kasser said, "and feel there is a tremendous opportunity for a new coach to have an immediate impact due to the high level of returning talent and quality student-athletes Keith has recruited to the program over the last several years."

1995 American League Gold Glove Awards

First Base: J.T. Snow, California

Second Base: Roberto Alomar, Toronto

Third Base: Wade Boggs, New York

Shortstop: Omar Vizquel, Cleveland

Outfield: Ken Griffey, Jr., Seattle;

Kenny Lofton, Cleveland; Devon White, Toronto

Catcher: Ivan Rodriguez, Texas

Pitcher: Mark Langston, California

QUOTE OF THE DAY

"The confidence is going around, everybody is feeling the electricity"

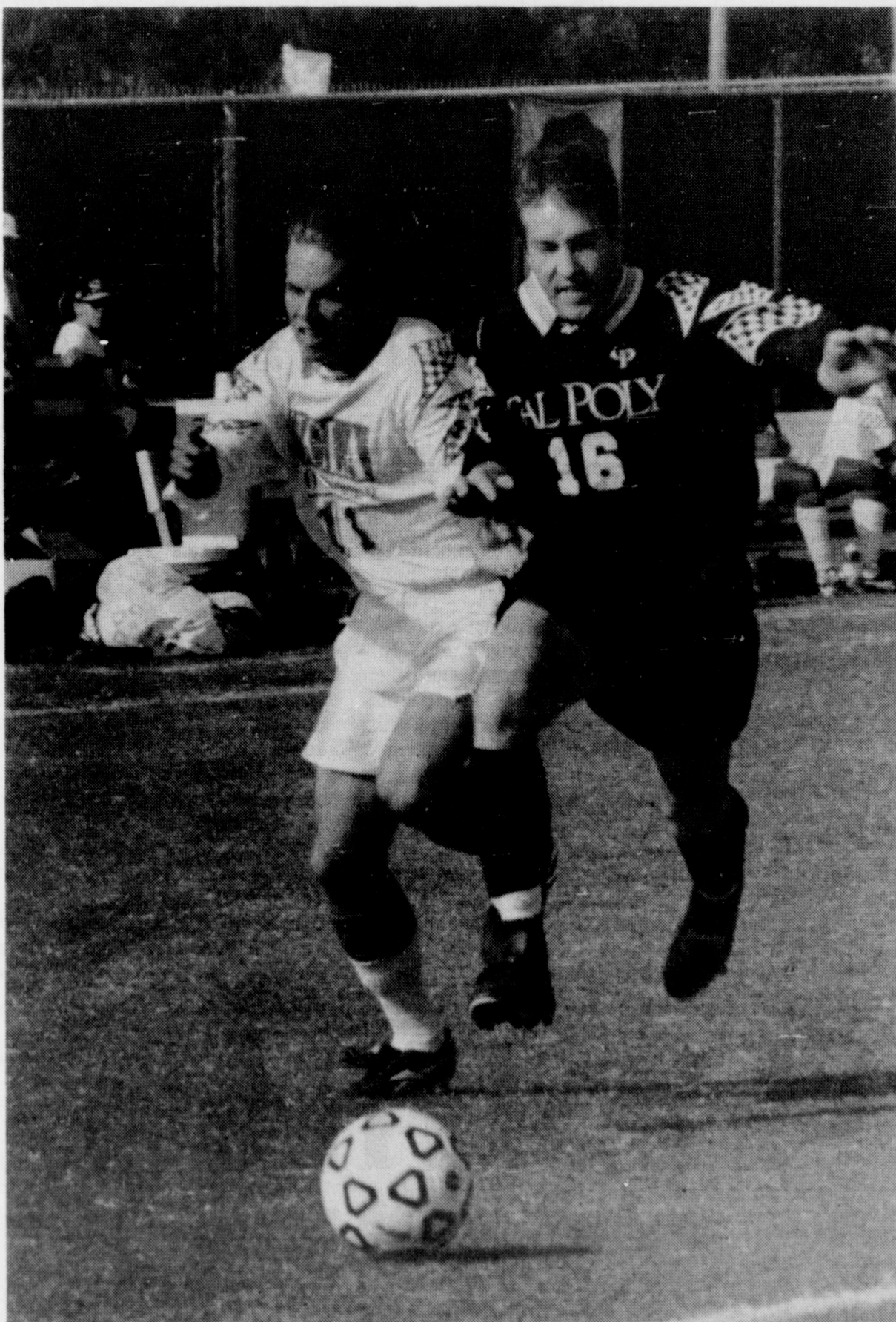
Colin Bryant

Junior guard's attitude after Cal Poly's 134-93 stomping of Race Express

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Dreams fade away

After a game that was decided in the last five minutes of play at UCLA's North Field, the Cal Poly men's soccer team saw their NCAA Division-I championship dreams fade away with a 2-1 loss to the Bruins. The Mustangs ended their second season at the Division-I level with an 11-6-1 record and became the first Cal Poly athletic team to qualify for the NCAA playoffs.



Sophomore goalkeeper Greg Connell,

right, kept Cal Poly within reach of

upsetting the UCLA Bruins by saving

10 of the Bruins' 31 shots on goal.

UCLA kept Connell and the Cal Poly

defense busy for most of the game.

Cal Poly only had four shots on goal.

The Mustangs played without sopho-

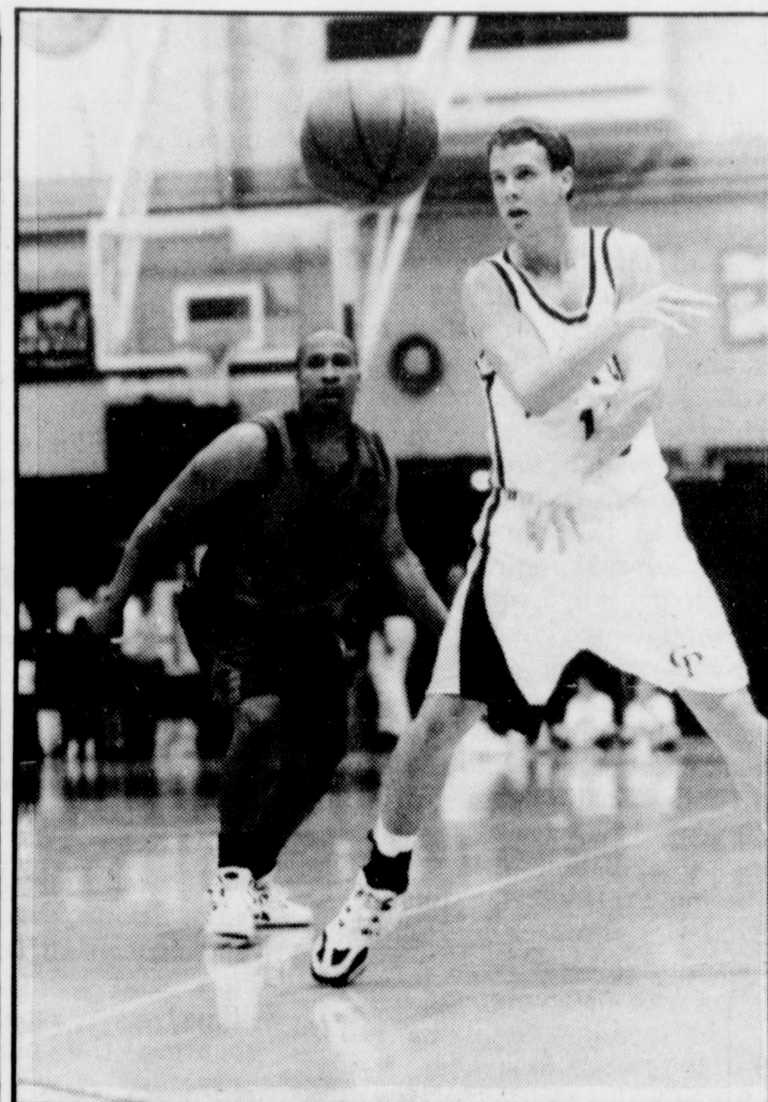
more defender Jonathan Bedrosian

and midfielder Scott Holmes. Defender

Wade Stark, above, filled in for

Bedrosian / Daily Photos by Dawn

Kalmer



Junior guard Brad Antonioni had eight points and four assists last Saturday / Daily photo by Joe Johnston

Confidence flows high for Cal Poly after its first win

By Franco Castaldini
Daily Sports Editor

After scoring 134 points in its first game, Cal Poly wants to keep the momentum flowing.

With an exhibition victory against Race Express last Saturday, Cal Poly opens its regular basketball season to a team of similar stature.

The College of Notre Dame — not the same university located in South Bend, Ind. — will travel from Belmont, Calif. to Mott Gym to face the Mustangs Saturday at 1 p.m.

If Cal Poly can generate the same numbers it did against Race Express, the Mustangs should run over the Division-II Argonauts and tie their win-total from last year.

Five players finished in double-digits against Race Express and the team shot 57 percent from the field and 43 percent beyond the 3-point arch.

Little is known about the Argonauts, other than their enrollment is just above 1,000 students and their big game is against Menlo College — Cal Poly's only victory last year.

Although Head Coach Jeff Schneider was unfamiliar with the Argonauts, he did not plan to change the team's approach for Saturday's game.

"It'll be the same game plan," Schneider said. "No matter if we play Race Express or North Carolina State."

The game plan figured in nicely, especially with the perimeter players.

Junior guard Colin Bryant, who led the team with 25 points Saturday, benefited from the up-tempo style.

"The system is great," Bryant said. "It gives you the opportunity to use your open court skills."

Three other guards cashed in on the system, taking opportunities to sink the threes and finding the big men under the basket for assists.

Freshman guard Ben Larson scored 22 points, junior guard Shanta Cotright matched Larson's total and freshman guard Quency Turner came off the bench to score 17.

"The confidence is going around," Bryant said. "Everybody is feeling the electricity."

On the down side, Cal Poly committed 28 fouls Saturday, which turned into most of Race Express' points. The team will be looking to improve their defense and cut down on the fouls against the Argonauts.

Junior forward Damien Levesque, who fouled out of several games last year, seemed to suffer the same fate.

"I play really aggressive," Levesque said. "Sometimes I get frustrated and make stupid fouls, but I'm going to have to control that."

Schneider expects his team to improve within the next week.

"All teams in the country are working on that," he said. "We're continually going to get better. It's a building process."