



## Madden '10 steps up its game

Venerable football franchise tosses up a Hail Mary and connects P. 5



## SJSU squirrels are going missing?

Campus population continues to crowd out our furry friends P. 5



## Men's soccer team looks to build on last season

Top scorer in the MPSF returns to head Spartan offense P. 6

# Students vie for limited class seating

By Kyle Szymanski  
Staff Writer

Aly Nassair, a junior finance major, has seen firsthand the impact budget cuts are having on SJSU students.

"I had a girl in one of my classes who was crying because she couldn't get in," said Nassair. "The teacher felt bad and everybody was frustrated."

The \$42 million budget shortfall SJSU is currently experiencing has impacted students' ability to add classes to their schedule this semester.

"A lot of my friends are crashing courses as much as they can, and they just can't find anything," said Nick Williams, a sophomore kinesiology major.

Julian Rosenberg, a senior mechanical engineering major, said 70 to 100 people were attempting to add his general chemistry class, which already had 200 students enrolled on Monday.

"I think people are expecting

See **BUDGET**, Page 3



[ Joe Proudman / Spartan Daily ]

Prenursing junior Emily Benstead receives an add code from Art and Design Assistant Professor Anthony Raynsford, while senior interior design major Heather Loosley waits her turn to add an art history class.

# SJSU masters enrollment limitations

By Jill Abell  
Staff Writer

According to an e-mail from Averil Phillips, the vice president of student affairs, graduate student admission was reduced to 80 percent from previous Fall 2008 admission.

The Fall 2009 admission cycle limited the number of students in graduate programs by 20 percent, said Pat Lopes Harris, director of media relations at SJSU.

In the past, colleges would normally accept all undergraduate students who qualified for the graduate program, she said.

In fall 2008, 4,434 applicants were admitted, said Pam Stacks, assistant vice president of graduate studies and research. This Fall 2,774 applicants were admitted.

The admission limitations were not based on an exact science, Lopes Harris said.

"We used a blunt knife instead of a kind cut. Next year we hope to use a more refined

See **ENROLLMENT**, Page 2

# Kennedy called 'champion of the common man'

By Dominique Dumadaug  
Staff Writer

Ted Kennedy, a liberal icon and a key supporter of public education has died at 77. With his passing, the Senate lost its dominant liberal and one of its legendary dealmakers.

"He always was supportive of maximum access to public education," said political science professor Terry Christensen. "So the Pell grants, any kind of funding for higher education that gave students greater access, he consistently supported. There are a lot of students, graduates and alumni of San Jose State who benefitted in that way from his support in the Senate."

The Massachusetts senator's extended political family of fellow Democrats and rival Republicans, steeled for his death since his brain-tumor diagnosis a year ago yet still jarred by it, joined in mourning.

His own presidential bid a failure 30 years ago, Kennedy just last year jumped into a fractious Democratic presidential nomination fight to side with Barack Obama, giving the Illinois senator a boost that had the air of a family anointment.

"For his family, he was a

guardian," Obama said Wednesday. "For America, he was a defender of a dream."

Kennedy will be buried Saturday at Arlington National Cemetery after a funeral Mass in Boston. He will lie in repose at the John F. Kennedy Presidential Library and Museum in Boston before that.

Also buried at Arlington, the military cemetery overlooking the capital city, are his late brothers John and Robert Kennedy; John Kennedy's wife, Jacqueline; their baby son, Patrick, who died after two days, and their stillborn child.

To Americans and much of the world, Kennedy was best known as the last surviving son of the nation's most glamorous political family. Of nine children born to Joseph and Rose Kennedy, Jean Kennedy Smith is the only one alive.

"He was a man who was raised with every privilege an American can have, and yet he dedicated his life to trying to improve the lot of those who weren't nearly as fortunate as he was," said department of political science chair James Brent. "When you've got millions and millions and millions of dollars I think it can really be difficult to empathize with others, and

yet he was always the champion of the common man."

Politicians also calculated the consequences for Obama's push for expanded health coverage. For several months, at least, Kennedy's death will deprive the Democrats of a vote that could prove crucial for his signature cause of health reform.

"It's going to be even more difficult to pass strong health care legislation without his vote," Christensen said. "If he had been able to participate ... what's happening with health-care could be a lot different."

He lost his sister, Eunice Kennedy Shriver, less than two weeks ago, saw the bright promise of nephew John F. Kennedy Jr. end in a plane crash in 1999 and struggled with excesses of his own until he became a settled elder statesman.

Like Obama, Kennedy was a master orator. But the words that live for the ages seem to be those he uttered in tragedy or defeat.

"He has been a leading liberal voice for a long time, and it was always wonderful to watch Sen. Kennedy," Brent said. "He was one of the best orators, very passionate, a guy who could express his views very clearly, but in a way that spoke to every-



[ Courtesy of Associated Press ]

This undated file photo shows the Kennedy brothers, John F. Kennedy, left, Robert Kennedy, and Ted Kennedy, right, in Hyannis Port, Mass. Ted Kennedy has died after battling a brain tumor, his family announced early Wednesday.

body in the chamber."

Older Americans remember his eulogy of Robert Kennedy, when he asked history not to idealize his brother but remember him "simply as a good and decent man who saw wrong and tried to right it, saw suffering and tried to heal it, saw war and tried to stop it."

Remembered, too, is his

See **KENNEDY**, Page 2

# Campus prepares for upcoming flu season

By Jennifer Hadley  
Staff Writer

The flu season is near and the University Police Department and the Student Health Center said they want students, faculty and staff to take precautions.

As of right now there have been no confirmed cases of the H1N1 flu on campus, but that doesn't mean somebody doesn't have it, said Razzari Elrod, the Student Health Director.

"I would say there's people here with H1N1," Elrod said, "It's out there. If you're talking about 30,000 folks, somebody has H1N1."

One student said she was less concerned about getting the flu while on campus than in other environments.

"I'm not too worried about it, because there haven't been many cases reported in the area," said Christal Martinez, a junior accounting major. "I'm only ever worried when I get to work, because I work at the airport and come in contact with people from many different places everyday."

Yvette Phillips, emergency

services coordinator for UPD special operations, said she has been utilizing different outlets to get information on the flu season spread throughout campus.

Phillips, along with Cathy Busalacchi, executive director of the Student Union, arranged for the Santa Clara County Public Health Department to distribute literature and supplies for the flu season to students on campus today during Fall Welcome Week.

Getting public safety announcements on 90.5 KSJS and educational posters distributed to all buildings on campus, South Campus, fraternities and sororities are also on Phillips' to-do list, she said.

With all the information out there, some students said that they are not concerned about the H1N1 virus and the upcoming flu season.

"I'm not taking any special precautions — just a lot of hand washing and be very aware of my surroundings," said Daniel Rothstein, a senior kinesiology major.

Phillips said she is an advocate of hand washing.

See **H1N1**, Page 2

65

89

Virgo

F 87 SAT 83 SUN 80 M 79

Flag and weather art. [ Courtesy of Jenni Curtice ]

**Sports Slideshow**  
SJSU men's soccer team prepares for the season with a scrimmage.

**Audio Slideshow**  
Legendary jazz vocalist Cleo Laine performs at the Summer Pops concert.

**Photo Blog**  
spartandailyphoto.wordpress.com  
See everyday items turned into art at the "Manufactured" exhibit at the Art Building.

Visit us @ [theSpartanDaily.com](http://theSpartanDaily.com)

Online

[ Chad Ziemendorf / Spartan Daily ]  
Go to [www.thespartandaily.com](http://www.thespartandaily.com) to see a slideshow of the men's soccer team.

**H1N1**

From Page 1

"It sounds like a simple thing, but it's probably the most preventative way to avoid getting the flu or giving the flu to someone," she said.

Phillips isn't the only one encouraging students to take precautions for the upcoming flu season.

Student Health Director Roger Razzari Elrod said he and his colleagues have been updating the Student Health Center Web site with information and links for students to stay updated on flu prevention and concerns.

Elrod said he plans to post a picture on the Web site of a health kit that would display the necessary items for the flu season, such as acetaminophen, hand sanitizer and a thermometer.

"One of the hard things for many of the students is that if they live away from home they don't have a thermometer, so they don't have a good way of getting to knowing their temperature," Elrod said.

Elrod said some staff members in the health center are testing disposable thermometers, and if they work they plan to distribute them to students.

"One of the big first precautions we would encourage for folks is to get vaccinated, but we don't quite yet have a vaccine for the H1N1," Elrod said.

Students can go to drug stores such as Longs Drugs to get a flu shot or visit the health center — although they have a limited amount of vaccines, he said.

"It's not going to provide immunity to H1N1, but it'll make somebody healthier as they go into the H1N1 season, because [if] your body gets worn down by the seasonal flu, there's a chance that you might be a little more susceptible to the H1N1," Elrod said.

There have been 76 hospitalizations and five deaths associated with the H1N1 virus in Santa Clara Valley, according to the Santa Clara County Health Department.

Nationally, there have been 7,983 hospitalized cases and 522 deaths associated with the H1N1 virus, according to the Centers for Disease Control and Prevention.

Check out more information at the Centers for Disease Control Web site.

[www.cdc.gov/h1n1flu](http://www.cdc.gov/h1n1flu)

**The University Police Department has a few tips for students, faculty and staff to prevent the spread of the flu.**

- Carry hand sanitizer.
- Be aware of your health.
- Go to your physician and get the seasonal flu shot, but be aware that it is not likely to protect you against the H1N1 virus.
- Cover your mouth when you cough and sneeze, and wash your hands after.
- If you have a fever stay home for 24 hours or until the fever has subsided.

**These are the signs and symptoms UPD recommends to look out for because they may indicate you have the flu.**

- cough or sore throat
- runny nose
- fever, chills or body aches
- headache
- tiredness
- diarrhea or vomiting



**ENROLLMENT**

From Page 1

tool for graduate admissions — or in other words are more detail oriented." Lopes Harris said.

Prospective graduate students must pass through two obstacles for admission, Stacks said. They first must meet the minimum 2.5 GPA through the university standards, then must meet the more specialized requirements of the college they are applying.

Sonoma State University student, Anne Christie, said she plans on applying for the graduate program in the sociology department at SJSU in Fall 2010.

"I'm keeping my fingers crossed

"I'm keeping my fingers crossed that I get in for Fall 2010."

Anne Christie  
Sonoma State University  
Graduate

that I get in for Fall 2010," Christie said. "I worry that because people didn't get in this coming spring, maybe that will leave programs really impacted. More people and less spots available, I think it's going to be a big headache."

The sociology department has one of the most impacted programs on campus — along with

social sciences, sciences, humanities and arts, Stacks said.

Tiffany Smith, another prospective graduate student, said she is wary of the impact the budget will have on her admission into the school of arts and design graduate program.

Graduate programs, such as the school of arts and design, look for the extra effort from prospective students, Stacks said.

She stressed that it varies within departments, but after students meet the minimum GPA scores, admissions look for references, personal statements, samples of work and impressive GRE scores.

Lopes Harris said this decision was not made by one individual, but was made by a group of people who were put in a difficult position.

Plans to boost graduate admissions space involve booting out "super seniors", Phillips said.

"Super seniors" — or students that have surpassed the standard four years or have taken more than 120 units to graduate — deny prospective students the opportunity to enroll in graduate programs, Phillips said.

SJSU will begin to implement "intrusive advising" to allow opportunity for those students who aim to graduate earlier, Phillips said.

**Sparta Guide**

**Today**

**IM Sports Fantasy Football.** Students who want to participate in the IM Sports' Yahoo Fantasy Football '09 online need to sign up at <http://sports.yahoo.com/fantasy> by Sept. 2, 2009. The League ID is 723168 and the password is: Spartans. Participation is free. For more information, visit <http://as.sjsu.edu/ascr> or contact Rob Patchett at (408) 924-6218 or [rpatchett@as.sjsu.edu](mailto:rpatchett@as.sjsu.edu).

**Root Beer Keger** from 8 p.m. to midnight at the Crusade House at 33 S. Ninth Street. Get plugged into the Christian community on campus, make new friends and drink some of the 75 gallons of root beer while listening to live music. For more information, contact [artist25@me.com](mailto:artist25@me.com).

**Tomorrow**

**Fall Welcome Days 2009: Educational Opportunity Programs' "Fresh Start" Student Conference** from 8:30 a.m. to 1 p.m. at Morris Dailey Auditorium. Come learn about important academic resources, and meet your fellow EOP peers. This program is for EOP students. For more information, contact Adrienne Hypolite at (408) 924-5984.

**Truth-Compassion-Tolerance Art Exhibition Preview** from noon to 9 p.m. at the San Jose City Hall Rotunda. Experience an eye-catching display of award-winning paintings, many pieces that have never before been shown publicly. For more information contact, Xinmei at [xinmeichen@yahoo.com](mailto:xinmeichen@yahoo.com).



[Andrew Villa / Contributing Photographer]

**Campus Images**

Jazz vocalist Cleo Laine entertains a crowd of more than 300 people on the lawn of Paseo de San Carlos on Tuesday evening. Go to [www.thespirtandaily.com](http://www.thespirtandaily.com) to see an audio slideshow of the concert.

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SAN JOSE DIRIDON STATION/ALMADEN BLVD

**BUDGET**

From Page 1

that if you can afford to come here that you will get the classes you need and make progress, but that is not happening anymore," Rosenberg said.

The challenges result from a reduction in state funding from the state of California, said San Jose chapter of the California Faculty Association vice president and anthropology lecturer Jonathan Karpf.

According to an e-mail sent to all students via MySJSU, prior to students enrolling in classes, the state of California predetermines how many students are expected to enroll in any one class, funding the university for that specific amount.

Once that preset number is reached, the state no longer compensates the university for further student enrollment, according to the e-mail.

In past years, faculty has been told to add students to their classes over the cap, Karpf said. This strategy would secure more money from the state, which would trickle down to the respective department on campus, he said.

However, this semester, because of inadequate funding, faculty is being told not to add any students above the state designated number, he said.

For Karpf, following this restrictive practice resulted in him having to turn away 24 students during his human sexuality class on Monday.

This policy is being followed extra closely at CSU campuses, beginning this semester, according to a press release from the CFA.

The CSU system is currently in a \$564 budget deficit, according to the e-mail sent to students.

"I think it is stupid, because they accept all these students, and

**Campus Images**



[ Dave Cabebe / Spartan Daily ]

Eager students line up along the fountain wall filling out applications during the job fair on Ninth Street Plaza on Tuesday.

you try to get all these classes and you can't get in," said Alex Fong, an undeclared freshman.

Pat Lopes Harris, director of media relations at SJSU, said she acknowledges this difficult period for students, understanding that trying to find the perfect schedule of classes is challenging even under the best circumstances.

"This isn't something we would

choose to put on any student," Lopes Harris said. "It's not a situation that we like, but this is a result of a budget situation that is larger than the state."

The e-mail, sent via MySJSU, said students will have to work harder this semester by working with their major advisors and the various departments to secure graduation requirements, student

visa's and financial aid.

Karpf said his students are having a difficult time when he informs them that they cannot be added to his classes.

"Based on past experience, they (students) know you show up on the first day and you can pretty much add the class," Karpf said. "Those days are over."

According to a CFA press release, student fees increased by one-third this semester. Undergraduate full-time student fees increased

\$336, part-time undergraduate student fees went up \$195, graduate part-time fees went up by \$240 and full-time student fees went up by \$414.

"We are paying a lot more and not getting anything for it," said Bhupinder Singh, a sophomore civil engineering major.

The Students for Quality of Education collected complaint forms Wednesday afternoon across from the Spartan Bookstore from students who were angry because of

conditions at all 23 CSU campuses this semester. The forms will be sent to Gov. Schwarzenegger and Chancellor Reed during a day of action, which should occur in the next two weeks, according to the organization.

The California Faculty Association plans to collect student complaint forms today, as well as pass out local phone numbers of congressmen from 11 a.m. to 1 p.m. at the Cesar Chavez Arch, according to a CFA press release.



[ Chad Ziemendorf / Spartan Daily ]

A classroom full of Spanish 1A students absorb a professor's lecture on the second floor of Boccardo Business Complex on Wednesday afternoon.

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## Hollywood executive accepts alumnus award



[Daver Cabebe / Spartan Daily]

Tim Hegstrom, Dean of the College of Social Sciences, presents Bob Pisano, chief operating officer of the Motion Picture Association of America and 1965 alumnus of SJSU, with the 2009 Outstanding Alumnus Award in the University Room Friday.

By Scott Reyburn  
Online Editor

The College of Social Sciences welcomed a Hollywood executive Friday morning at the University Room for its Fall 2009 annual faculty and staff meeting.

Bob Pisano, an SJSU public administration alumnus who graduated in 1965, was the recipient of the College of Social Science's 2009 Outstanding Alumnus Award.

Pisano is currently the chief operating officer of the Motion Picture Association of America. Some of his former positions include the national executive director and CEO of the Screen Actors Guild and vice chairman of Metro-Goldwyn-Mayer.

"I am honored, humbled and thankful for the chance to come back and talk to the faculty of the modern age, because the faculty when I was here had such an important role in my college life," Pisano said.

According to a pamphlet provided at the meeting, the award is the highest honor given to an alumnus or alumna of the College of Social Sciences and it recognizes someone for his or her outstanding professional attainment and civil engagement.

Terry Christensen, a political science professor, said the College of Social Sciences was very proud Pisano came from its department.

"His degree is in public administration, and his career arc shows you the alternatives that are available because getting into the movie industry and representing actors in a union is not something you think most political science graduates are likely to do," Christensen said.

Pisano began his speech talking about college life at SJSU in the 1960s. He also spoke about intellectual property, copyright and free information downloaded off the Internet.

"I spend most of my time trying to convince government and other thought leaders of the points I was making today, that protecting intellectual property, respecting it, is very important in the 21st century," he said.

Pisano said protecting intellectual property is a serious issue.

"If the creators — the writers, the directors, the actors, the cameraman, the grip, the key best boy, the gaffer — if they don't get paid, why should they do it?" he said. "They will go find something else to do."

Pisano said he's trying to get people to understand that there is no difference between a physical copy of a DVD and a file on the Internet.

"It's the same," Pisano said. "It's the embodiment of the work of many people, and just because it's in digital form on the Internet doesn't mean you should get it for free. That's the message we've got to get across."

Barnaby Dallas, a radio, film and theater coordinator of pro-

duction, said Pisano hit on all the issues regarding piracy, ownership and copyright.

"It's something that nobody in the industry, as he says, knows what to do with and nobody seems to be willing to take on," he said.

Sabrina Pinnell, a political science lecturer, said she sympathizes with Pisano's views but people have to balance out plagiarism and royalties.

Pisano said he was one of the people responsible for the decisions to make movies available in digital form. But he said he didn't realize the Internet was getting bigger and faster.

Pisano returned to SJSU in February for the Alumni Association's Alumni Legends Speaker Series.

Dallas said the issues Pisano spoke about don't really affect students for the time being because they are making content and putting it up on YouTube.

## KENNEDY

From Page 1

speech conceding the 1980 Democratic presidential nomination to the incumbent Jimmy Carter. "For all those whose cares have been our concern, the work goes on, the cause endures, the hope still lives and the dream shall never die," he said.

By then, his hopes of reaching the White House had been damaged by his behavior a decade earlier in the scandal known as Chappaquiddick.

On the night of July 18, 1969, Kennedy drove his car off a bridge and into a pond on Chappaquiddick Island, on Martha's Vineyard, and swam to safety while companion Mary Jo Kopechne drowned in the car.

"Teddy Kennedy thought he should be president," Christensen said. "He failed to achieve that and perceiving accurately that failure and that it wasn't going to change. He settled into becoming a really good Senator and really learning the legislative process."

Kennedy's legislative legacy includes health insurance for children of the working poor, the landmark 1990 Americans with Disabilities Act, family leave and the Occupational Safety and Health Administration. He was also key to passage of the No Child Left Behind Education law and a Medicare drug benefit for the elderly, both championed by Republican President George W. Bush.

"There's a long list of public policies that he's influenced," Christensen said. "And that's a huge legacy, and there's probably nobody else in the Senate today who can appoint to such a list of accomplishments as a leader on legislation."

In the Senate, Republicans respected and often befriended him. But his essential liberalism marked him as a lightning rod, too. He proved a handy fundraising foil motivating Republicans to open their wallets to fight any-

thing he stood for.

He was first elected to the Senate in 1962, taking the seat that his brother John had occupied before winning the White House, and he served longer than all but two senators in history.

"He's been in the Senate for so long that his fingerprints are on almost every major piece of progressive legislation over the last 30

years," Brent said. "So in that aspect, I think he's touched the lives of almost every American living."

Kennedy was diagnosed with a cancerous brain tumor in May 2008 and underwent surgery and a grueling regimen of radiation and chemotherapy.

He made a surprise return to the Capitol last summer to cast a decisive vote for the Democrats on

Medicare. He made sure he was there again in January to see his former Senate colleague sworn in as president but suffered a seizure at a celebratory luncheon afterward.

His survivors include a daughter, Kara Kennedy Allen; two sons, Edward Jr. and Patrick, a congressman from Rhode Island, and two stepchildren, Caroline and Curran Raclin.

## Campus Images



[Dave Cabebe / Spartan Daily]

SJSU Alumnus Kevin Lowe unloads a water balloon on sophomore business management major Ron Sim, as senior psychology major Davis Ngo restrains him during Alpha Phi Omega's water fight.

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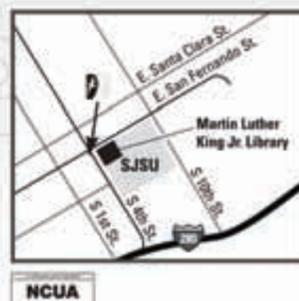
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CD Review: "The Rising"

# Former Evanescence member falls flat with his new CD, 'The Rising'

By Jon Xavier  
Senior Staff Writer



[ Courtesy of davidhodges.info ]  
Musician David Hodges

Just as goth-pop sensation Evanescence was set to be strapped in, ready to blast off for superstardom in 2003, David Hodges excused himself, got out of line and went to wait quietly by the exit.

OK, not really. Hodges left the band in 2002, just before "Fallen," its multiple-platinum-selling major label debut. While Hodges co-wrote many of the songs on that first full-length album, he hasn't achieved anywhere near the same level of commercial success with any of his projects since.

Trading Yesterday, his next band, only released a demo before it left Epic Records, and its first full-length release had to be shelved. He's since had success as

a writer and producer, working with everyone from Kelly Clarkson to Weezer, but never a big hit with his name on the cover.

Now signed to Reprise, the Arkansas native could be ready to change this with a series of solo EPs. Perhaps keeping to the

theme of vertical changes in velocity, the first of these is called "The Rising," and was released on Aug. 11.

So will "The Rising" rise? Is this the first preflight-check on a rocket ride to the stratospheric heights of mainstream music dominance?

The answer, as far as I'm concerned, is "eh, probably not."

It's not so much that "The Rising" is bad. Certainly Hodges demonstrates impressive musicianship — playing piano and singing most songs.

And it's lyrically tight, with songs that evoke the numbing depression that follows in the wake of a major breakup. (Seems to be a bit of a trend in this genre.)

But it's bland. Most of the songs slide into your eardrums like a thin gruel sliding down your throat: slick, colorless and utterly

lacking in nutritional value. It'll keep you alive if your starving for alt-rock-influenced, singer-song-writer schlock, but don't expect to come away feeling full.

A lot of this comes down to a lack of hooks — that part of the song that sinks its claws into your mind and refuses to let go.

It's the part of the song that you find yourself whistling while you shower, humming in the elevator, replaying in your head over and over during that big test in class that you didn't study for, when none of the answers will come except for the words to the chorus, again and again.

I listened to Hodges' four-track EP more times than I can count while writing this review. I'd be hard-pressed to remember a single word from any of the choruses. Nowhere is this problem better illustrated than on the

title track, a two-minute-29-second instrumental that in many ways is the best and the worst of this release. A grinding, darkly epic mix of piano and heavy guitar, "The Rising" is the closest Hodges comes to his work with Evanescence on this EP.

The song has a good energy, adding instruments and layers of sonic complexity as it progresses, demonstrating Hodges' canny grasp of how to mix different types of instruments. It seems to be building toward something big.

And then ... nothing. The song ends.

It could be argued that it was meant to be an intro, something to get the fans psyched up for the much lower-intensity material that follows.

But as this release is only four-tracks-long — and is being

marketed primarily for digital download rather than as a singular product — that approach doesn't make a lot of sense. When you only have four songs and no idea what your listener's point of entry will be, you should make every track count.

Really, the album mirrors the song. I kept waiting for the climax, something to make me pump my fist and feel something.

It never came. "The Rising" is the first of a series of EPs Hodges is scheduled to release with Warner Bros. Records. Maybe they'll get better. Certainly Hodges seems to have the musical chops for it, having written big hits before.

Unless they do, however, do not expect to see him rising to the top of the charts any time soon.

# Fans won't be maddened about the newest NFL football video game

By Husain Sumra  
Staff Writer

Every year, as football season begins to gear up, gamers and football fans quench their thirst for the season with the "Madden NFL" franchise — but every year Madden fans have the same complaint: It ultimately amounts to nothing more than a \$60 roster update with no real game play changes.

That isn't the case this year. The introduction of the new Pro-Tak system coupled with slower game play makes "Madden NFL 10" the best version in a long time.

Pro-Tak is short for procedural tackling, which basically means that there are a lot of different tackles, such as gang tackles, and defenders struggling to take down power backs such as Brandon

Jacobs or Michael Turner. Your defender may actually just try to contain them while he waits for reinforcements to take them down.

Pro-Tak allows quarterbacks to throw the ball as they're being sacked.

Wide receivers and defensive backs smack into each other trying to catch a ball and defensive linemen crush a pocket to suffocate the quarterback.

Madden's game play is also a lot slower, as well. Gone are the days of being able to run around with your quarterback behind the line of scrimmage and tossing the ball 50 yards.

Now you're going to have to set your feet and throw the ball — unless you want to explore your inner gunslinger.

The slower game play also lends to a more methodical and realistic approach. Wide receiver screens



[ Courtesy of virtuaisportsnetwork.com ]

An image from Madden NFL's latest video game release.

are more effective and you can really feel your offense grinding it out in the trenches when you're running the ball.

A couple of new online

modes give Madden even more replay value.

You can now set up an online franchise with up to 31 of your friends and play through the en-

tire NFL schedule and playoffs with the offseason thrown in as well.

You can even assign one of the players to be the commissioner of the online franchise. The commissioner controls the league and can simulate through the schedule.

There's also the option to play cooperatively online with your friends — though, it's not fully realized. Unlike EA's other sports game, "FIFA Soccer," you can't have every member of the team controlled by an actual person.

Offline, the franchise mode is much improved, with a weekly recap show hosted by the NFL Network's Fran Charles and Alex Flanagan. The show is actually a bit generic and their commentary is robotic, but at least it's there.

Presentation, on the whole, is improved, with pregame shots

of fans, the stadium and a half-time recap with a look around the league at other games — the latter being for franchise only.

And yes, there is a worthwhile Super Bowl celebration.

Even though it's the best Madden in years, there are some negatives.

Despite the new Pro-Tak system, you'll still see your players experience a couple graphical glitches, such as seizure-like body shakes before you hike the ball.

Commentary leaves much to be desired, as most of the time they don't even call the game correctly — it's probably better to just ignore the commentary.

This is the best Madden in years, though, and is worth your money if you love Madden or need something to satisfy your football craving until the season officially starts.

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# SJSU stepping into season on right foot

By Joey Akeley  
Sports Editor

Finishing last season with a four-game winning streak has the SJSU men's soccer team excited to get back on the field.

And with the return of Nick Cukar, the Mountain Pacific Sports Federation's leading goal scorer, and Colby Moore, MPSF's leader in assists, head coach Gary St. Clair said he has high expectations for this season.

"I honestly expect to be challenging for the MPSF championship," St. Clair said.

Moore, a forward who had eight assists last season, said the attack is set going into this season.

"(Cukar) led the league in goals last year and I led the league in assists last year," Moore said. "So, we still have our kind of fire power, and in the mids, Josh and Brian win everything."

St. Clair said the rest of the conference is going to prepare to stop Cukar.

"He's got a big target on his back this year," he said. "When you're the leading goal scorer in the conference, particularly playing on the outside left, which is extremely unusual, people are going to come after you."

Cukar, who scored nine goals as an outside midfielder, said fellow midfielder Brian McGuire will step up this year and chip in more on the attack.

"He's due," co-captain Cukar said. "He's a fifth-year senior. He works awfully hard on the defense ... I'm hoping he gets a few this year."

St. Clair said the attack is the strength of the team.

"The attack should take care of itself," St. Clair said. "I think that, as I look forward to the season, the attack is what is returning, the attack is what has been consistent for us. The real question mark of course for us is the defense."

St. Clair referred to replacing defensemen Sam Shore, Gavin Wenyon and Ed Brand as the million-dollar question. Co-captain Oscar Monjaras, the only returning defenseman, said he is confident in the three new replacements — freshman center back Nick Murphy, sophomore left back Eric Angell and sophomore right back Dan Addiego.

"That's going to be a tough one to replace those guys," Monjaras said. "But I am really confident. The guys are stepping into their positions and they are very young. But, I feel they can fill that role."

The senior Monjaras said he is taking a more vocal leadership role because the other starters are so young.

"To get the backs organized, I feel like I've been here the longest, so I have to communicate with them



[Chad Ziemendorf / Spartan Daily]

Oscar Yniguez makes a move in Tuesdays practice. Yniguez plays midfield.

a little bit more to see where they're at," he said.

The goalkeeper position is a two-horse race between sophomores Tyler Newman and Jonathan Lester. St. Clair said Newman will start Friday's exhibition against Cal State Monterey Bay, but a season-long starter will not be announced until at least three or four games into the season.

"Tyler has been training with us for a long time, and I have seen him make great strides," St. Clair said. "Jonathan is one of the most athletic goalkeepers around. ... They both had excellent springs for us. I think they have the making to make our goalkeeper situation really strong."

Prior to the season-ending six-game unbeaten streak last season, the Spartans lost four in a row in conference play. Moore said a start like that can't happen this year.

"Right when we get into conference, we are going to need to step it up," Moore said.

SJSU was picked to finish third in the MPSF coaches' poll, behind first place Denver and second place New Mexico.

The Spartans first regular season game is on Tuesday against UC Davis, who beat SJSU 2-0 last year.

"We are definitely looking for some revenge, especially on our new turf," Cukar said.



[Chad Ziemendorf / Spartan Daily]

Goalkeeper Jonathan Lester punches the ball out of the goalie box in a practice on Tuesday.

## Coaches Poll

1. Denver
2. New Mexico
3. San Jose State
4. UNLV
5. Sac State
6. Seattle
7. Air Force
8. CS Bakersfield

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Previous Puzzle

6	8	5	7	4	2	1	3	9
3	7	2	1	6	9	4	8	5
4	9	1	5	8	3	2	6	7
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9	6	8	2	1	5	3	7	4
2	5	7	4	3	8	6	9	1
5	1	3	8	2	7	9	4	6
8	4	6	3	9	1	7	5	2
7	2	9	6	5	4	8	1	3

## SUDOKU

Difficulty: 3 out of 5

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## TODAY'S CROSSWORD PUZZLE

**ACROSS**

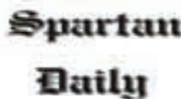
6. Sunday
10. Tumbler
13. Chill crawling
14. Red in proteins
15. The divided Marlon
16. Food part
17. Hilarious
18. Treaties and items
19. Act
20. Kaitia
21. Teller
22. Headphones
24. Prank
25. Unusual
30. 1970s
32. Sinal
34. Cage
37. One to the mill
38. Pre-organ
41. Type of PC screen
42. Water pipe
43. Mating bird
44. Lowest respect
45. Move on a square
46. 9th century
48. Footwear
50. KFC's mascot
51. Some animal with them
53. Under the covers
54. July 4th
55. Order times
56. Hilarious
57. Slide
58. Aftak
59. 10 numbers
67. Part

**DOWN**

1. Block
2. The white
3. City
4. Term
5. Campers
6. Sky
7. Green
8. Under
9. Mark
10. Get
11. Makes
12. Consider
13. Knot
14. Kaitia
15. Every
16. Resisted
17. Bird
18. M
19. C
20. S
21. S
22. A
23. C
24. S
25. C
26. S
27. C
28. M
29. W
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**PREVIOUS PUZZLE SOLVED**

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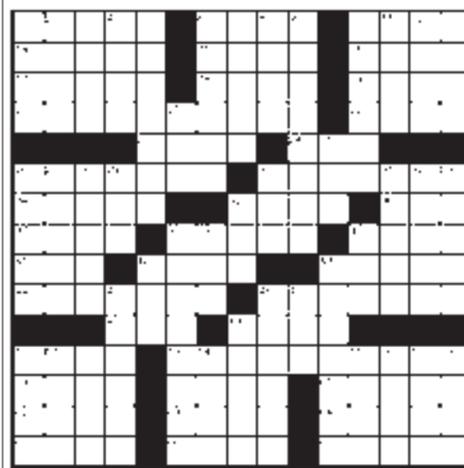
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# Squirrel army faces nutty dilemma



**Jill Abell**  
Staff Writer

Squirrels run our campus. Yes, San Jose State has a fuzzy micro-mafia.

These tiny, urban warriors have no fear. They will swipe your Asiago bagel, paw at your potato chips or even suck the nonfat mocha right out of your cup.

In class, my eyes and attention often slide to these junk food predators scurrying about in the “great outdoors” of campus — or the foreign vegetation that border our walkways and climb our buildings.

I am particularly attracted to the squirrels that scamper and play among this scenery.

I wonder, has anyone noticed the deformities of these “woodland” creatures?

Some are spotted and ghostly

thin. Some are so plump they defy physics with each leap and bound. Some have rat-like tails, suggesting interspecies copulation. And one particular squirrel, which I would like to highlight, is albino.

I’m sure some have heard tales of the snowy coat and laser beam eyes of the albino squirrel on campus. Maybe some have been lucky enough to spot it racing into the shadows.

Where did this alien squirrel come from? At first glance, it may appear that this creature has slapped nature in the face.

Among the squirrel population our tiny albino friend is our local pariah. He or she is the proverbial cheese-who-stands-alone. Better yet, let’s dub this creature a hero

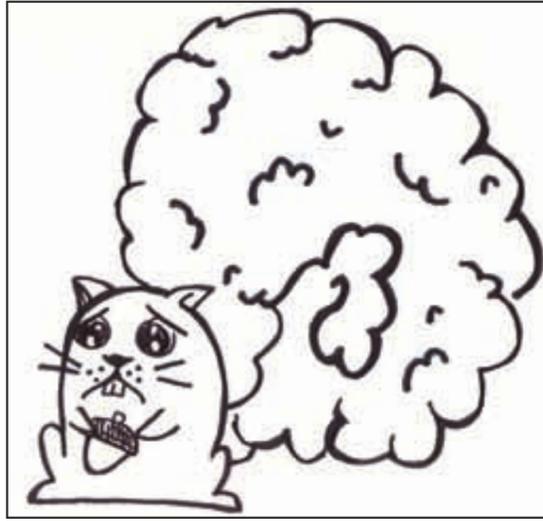


Illustration by Jenny Curtice

of all who deny conformity.

The albino squirrel must endure forced individuality, while other “normal” squirrels ban together in minigangs in their quest for scraps.

They tend to close in on local

cafes and swarm areas with food-scrap potential.

They intimidate patrons by circling and scampering about, all the while never taking their beady eyes off the prize.

The squirrel is actually quite

cunning in its courage to approach people who are 10 times larger, at least.

No grassy knoll or bench is safe from the constant trolling of squirrel gangs. In other words, they are notorious for busting the crap out of your personal bubble.

I have also noticed the dwindling numbers of the squirrel population. Although they overshadow every other campus creature, there is still a significant chunk of the squirrel population missing.

Roughly two years ago, the furry squirrel swarms were massive. Now it seems they only dimple San Jose State.

As annoying as they can be, it seems campus and other urban environments are the only home left for squirrels. Their survival is entirely dependent on humans, and it is entirely the fault of humans for their dependency.

I bet you didn’t see that load of animal-loving hippie coming your way.

People are not so different from urban wildlife, such as the squirrel. We share the ability to adapt, survive and even prosper in almost any environment.

Urban creatures learned to work with their new, forced environment. What did humans do? What we do best: Take the hammer to this inferior group.

Humans will continue to close in on natural habitats and stretch out cities — converting the wild into the civilized.

Woodland creatures inevitably are forced to get along with, and in some cases depend, on their suppressors.

Consequently, happy words such as “wildlife” and “animals” transform into ugly words such as “rodents” or “pests,” for which we have a specific police force to help contain, exterminate and relocate these unwanted beasts from our territory.

Jill Abell is a Spartan Daily staff writer.

## Letter to the Editor

This letter is in response to “Who owns your homework?” that was published on Aug. 24.

In the recent “Who owns your homework?” article from 8/24/2009, I find the manner in which I was portrayed, in addition to the issue itself, appalling.

Momentarily discarding the slant of the piece that chose to vilify me as a mere troublemaker, the argument itself is a highly important, relevant issue regarding copyright and digital freedoms for both students at large and those pursuing programming-oriented degrees that was all but ignored in favor of misinformation.

The issues of a student’s rights to their own homework do not arise in other disciplines, even when they typically reuse assignments as part of a portfolio or for other public displays - most especially Art students, English majors, and promising Business candidates. But a handful of Professors within Computer Science departments worldwide seem to feel exempt from the general academic policies on undergraduate student works of creation.

Most worrisome, however, is the choice by the “Daily” to give the most voice and credence to the university itself while implying that the issue is still a matter of debate, with SJSU standing firmly on the side of righteousness. This is simply not true, and supporting evidence can be easily found outside the university’s propaganda machine.

Portraying this highly controversial university issue in the favor of the institution is absolutely, ethically wrong, and so is the article’s factual misrepresentation of the issue at large.

No matter the financier of a journalistic endeavor, it is generally expected that some modicum of integrity is retained independent of the funding’s source, and SJSU’s “Spartan Daily” has failed to uphold this simple ideal in a horribly epic fashion.

Kyle Brady  
Student, Computer Engineering Major

## A stroke of bad luck hits San Jose



**Stephanie Vallejo**  
Bird's The Word

San Jose has the worst luck ever.

First on the list is the fee increase. By now everyone should know about it. I don’t need to rant about that, because if I do I won’t shut up.

Let me take a moment to describe the dire need for a new plan to add classes. The priority given for adding classes applies only if you’re graduating in December, if you need the units for financial aid or if you are an international student needing enough units to stay in school.

These are all very understandable. But the goal is to have each student finish his or her higher education.

Thanks to the returning bad luck of San Jose — the impossi-

bility to cram students in appropriate classes thanks to the big boys in Sacramento — it seems as though we will never leave the capitol of Silicon Valley.

Seniors are finding themselves turning into super-duper seniors, because the bad luck fairy has bad timing.

That’s not even the half of the bad luck streak.

For those who lean on the bars of San Jose to spend their leftover dollars on a chilled beer and good company, prepare to be disappointed.

Caravan, a downtown dive bar on the corner of San Fernando and Almaden, may become the new home of a fun, exotic and crowded — parking lot. The San Jose City Council wants to

spend a whopping \$1,120,000 to buy the place out to make room for parked cars to sit and wait.

It’s also going to cost the city \$187,000 to shut down the bar in January. After the bar’s long string of history occupying that corner of San Jose since 1964, shame on the city’s plan to destroy this landmark.

Taking away a watering hole from the community isn’t the only issue here. Caravan also hosts live bands — original rock bands to be exact, which not many venues have going for them. Plus, there’s no cover charge.

Why take a good, free thing and replace it with crap? It would be like taking your really awesome rocker grandpa and trading him in for a self-playing piano.

So be sure to park your bottom at Caravan before their existence turns into another lame garage.

Talking about music, just when things start to look up for the heavy metal scene of San Jose, more bad news comes to light.

This Friday, Black Label Society, with frontman Zakk Wylde, was scheduled to rock the socks off metal heads at the San Jose Civic Auditorium. Unfortunately, Ozzy’s former guitarist was diagnosed with blood clots in his lungs on Tuesday.

As disappointing as this is, the show must go on — only without the BLS crew. That blows. The last time Zakk Wylde was in San Jose or close to us was last summer for Ozzfest.

The string of bad luck in San Jose will hopefully fade with time. For now, we have to deal with the reoccurring negative streak of events flooding our fair city.

Stephanie Vallejo is the Spartan Daily opinion editor. Bird's The Word appears every Thursday.

## If you can’t drive well, take the bus



**Dominique Dumadaug**  
Staff Writer

“Mom, I almost died today,” I said.

“What happened this time?” she asked.

I’ve said it so many times that she didn’t stop what she was doing.

I’m a commuter. I live in Tracy, which is about an hour drive from SJSU, so I’m always on the road. Sometimes, driving to and from SJSU has caused me to face some near-death experiences.

Some of my fellow commuters just plain scare me with what they are doing and not doing while they are driving.

One night, when I was driving home, a trucker that was driving in the lane near me, merged into

my lane and nearly ran me off the road. I don’t know how he missed me. I was able to look to my left and see him directly through the window.

As it turned out, he was too busy playing with his GPS unit to even check his blind spots and mirrors before switching lanes. It scared the you-know-what out of me. Never had my heart raced so fast.

And the horror stories of almost being crashed into don’t stop there. I have seen plenty of people perform many dangerous activities while driving.

I’ve seen guys shaving, people eating a full fast-food meal, women enjoying a book and men reading the newspaper.

I know firsthand how boring sitting in traffic or driving the same route can be, but it doesn’t give motorists the permission to daydream.

Of course, some people are busy and have a lot to do, but please keep your eyes on the road.

This brings me to another great story.

I’ve seen businessmen doing work while driving. Many I have driven past could be seen talking on the phone without a Bluetooth ear piece and talking into voice recorders.

Where’s the California Highway Patrol to give the offenders a ticket when you need them?

I almost got sideswiped by a man who was working on a presentation. He was too busy reading and writing to pay attention to the road.

He definitely got the angry horn honk, icy stare down and the finger from me. It’s too bad

he couldn’t hear what I was yelling at him — I would’ve ripped him a new one.

Ladies, you’re not the smartest or safest drivers either.

Countless times, I have seen women using their rearview mirrors to apply makeup and the side mirrors to check if they missed any spots. That’s creative. It’s also dangerous.

Did I mention those lovely ladies were swerving in-and-out of their lanes and nearly crashed into other motorists?

I’m not saying drivers can’t do anything in the car. Try turning up the music on the radio and singing, and try to make being stuck in the car somewhat fun. But remember, you’re still in the car, so don’t get too carried away.

To all the multitaskers out there — stop. It can’t be done.

Dominique Dumadaug is a Spartan Daily staff writer.

### Did you know ...

Condoms were used during World War II to cover rifle barrels? It helped the barrels from being damaged by salt water as the soldiers swam to shore.

- funshun.com

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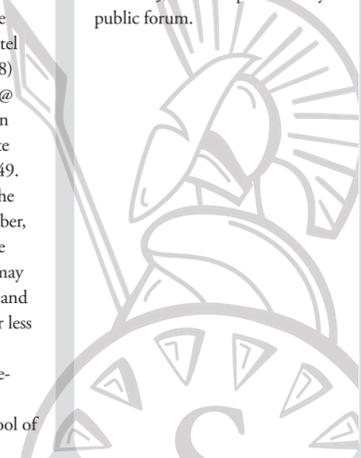
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# Campus Voices

What activities would you suggest for students on a budget?

**Brian Ukabi**  
Junior, Kinesiology



You just have to be creative. Sex is free. And you can drink and if you're hot, it's free too.

**Jennifer Wu**  
Junior, International Business



Students on a budget can go to the arcade, because it's free admission and the games are only like twenty-five cents. And it's located near the bowling alley on campus.

**Dennis Tracey**  
Freshman, Kinesiology



There's a whole bunch of events that go on on campus, like free barbecues, events and stuff that are either free or they cost very little. Also, there are a whole bunch of different stuff off campus, like free movie nights at the local movie theaters.

**Lea Endo**  
Junior, Occupational Therapy



I like to go to the gym — it's free, and you get to meet a lot of people there. So many people bike, so you can go biking with friends.

**Damen Hughes**  
Sophomore, Kinesiology



You can go to the park with your friends and play football. It's free.

**Luca Vezzuto**  
Senior, Aviation



I recommend joining the flight team. You get to go up with some of our best pilots and fly for really cheap. We have a beginning fee if you're starting out. It's like \$25. But \$25 to fly is pretty cool.

Feature and Photos by My Nguyen

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