

The Jambar

The student voice of Youngstown State University since 1931

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Complaints spark reaction from Courtyard Apartments management

Marissa McIntyre
ASSISTANT NEWS EDITOR

Within the first week of living at the University Courtyard Apartments, junior Lauren Smith found an eviction notice in her bedroom when she arrived home after class.

Smith had a voice message on her phone from earlier that day stating that the notice could be picked up at the front desk by 5 p.m., but she was still in class.

Since she wasn't able to pick it up on time, Smith said someone entered her room and left it there instead.

Smith said the idea that anyone can enter her room doesn't give her a safe feeling, and she wasn't sure why it was put in her room rather than the common area of the apartment.

Junior Katie Pompeii is an assistant at the apartment complex. She was shocked to hear that Smith's notice was left in the bedroom.

"The bedroom is overstepping the boundaries to me," Pompeii said.

Tami Finan, regional vice president for the Ambling Management Company, which manages the University Courtyard Apartments, said that the eviction notices are normally slid under the bedroom door to protect the student's privacy.

"We would rather they receive it so that their roommates and other residents are not aware," Finan said. "We are very sensitive to resident privacy. We take it very seriously."

Finan added that she has never received a complaint concerning privacy at the University Courtyard Apartments.

All Courtyard assistants have a universal key granting access to bedrooms, but Pom-

COURTYARD PAGE 3



YSU-OEA President Julia Gergits announces that the faculty union has voted to accept the proposed contract at Butler North Church on Tuesday evening. YSU-OEA ratified one day after ACE ratified its contract. Photo by Chelsea Miller/The Jambar.

Unions ratify contracts, look to work with university

Jordan D. Uhl
NEWS EDITOR

Negotiations are over and contracts were ratified this week when Youngstown State University unions and administration voted to accept proposed contracts.

"I want to thank the members of the faculty and classified staff unions for ratifying these new three-year contracts, ... [for] recognizing the difficult financial challenges facing the university and agreeing to make concessions to help address those challenges," YSU President Cynthia Anderson said in a statement.

YSU's Chapter of the Ohio Education Association ratified its contract Tuesday night in what Julia Gergits, YSU-OEA president, called a "close vote."

"All day long we could never tell what was going to happen with it," she said.

Though the majority of

voters approved the new deal, many are still disgruntled.

"Our members accepted this concessionary contract for the overall good of YSU, though it will be a financial hardship for most of us," Gergits said in a press release.

"To me, the consequences of the contract being voted down was more harmful to the union, the university and individuals than the consequences of accepting a bad contract," said Tom Maraffa, professor of geography.

Hong Kim, a professor of teacher education, said he approved the contract. Budget issues at the local, state, national and international levels played a part in his decision.

"It's something we have to share," Kim said. "The world is changing, and we have to go with it."

The YSU Association of Classified Employees ratified its contract after a 190-63 vote.

Paul Trimacco, ACE presi-

dent, said it's hard to tell the impact the classified employees' contract will have.

A grievance has already been filed due to the removal of hazard pay from the new contract, and Trimacco said it would be seen through.

"We have guys in facilities that handle chemicals, acids and cleaning agents — some pretty powerful stuff," Trimacco said. "[Hazard pay] is gone now."

Pending the grievance, administration is pleased with the deal.

The unions will now begin working with the administration to tie loose ends in their contracts before the board of trustees votes on it in the upcoming weeks.

Both contracts had recent changes made to the health care plans. ACE representatives are seeking to have the health care plan match YSU-OEA's.

A tentative date for the vote

was Tuesday, but trustee Scott Schulick said there have been ongoing correspondences that indicate a potential date change. No matter the day, Schulick said there is no doubt in his mind that the board will approve both contracts.

"There's every reason to support [them]," Schulick said. "Both are equally acceptable. Now it's just the simple formality of ratifying them."

All three sides can rest easy for a while until the contracts expire in 2014.

"We hope that future negotiations will be more collaborative. Using a high-priced Cleveland attorney made this process longer, more confrontational and more expensive for the university than it needed to be," Stan Guzella, chief negotiator for the faculty union, said in a statement.

"There's so much bad in this contract that we're going

ACE/OEA PAGE 3

Phi Kappa Phi earns 'excellence' for two consecutive years

Chad Travers
ARTS & ENTERTAINMENT
REPORTER

The Youngstown State University chapter of the Phi Kappa Phi honor society has been recognized as a Chapter of Excellence for the second year in a row. Only 11 of the 296 chapters nationwide received the award for the 2010-2011 academic year.

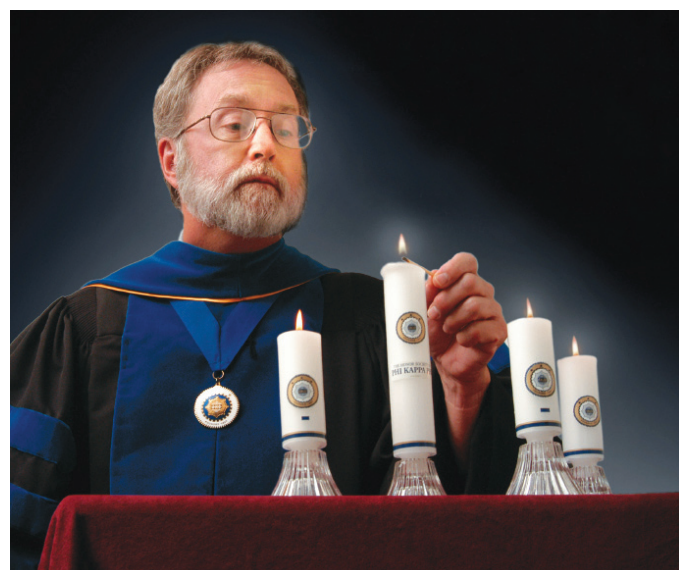
Caroline Cooper, the national coordinator of chapter relations, said each year the national organization awards chapters that have fulfilled requirements such as nominating students for awards and grants, sending members to training workshops and hosting events like lectures or seminars.

Students who exhibit the highest levels of academic excellence at YSU are eligible for membership. Because the

society endeavors to promote academic excellence across the disciplines, all fields of study are welcome.

Juniors in the top 7.5 percent and seniors in the top

PHI KAPPA PHI PAGE 2



Rick Shale, Chapter 143 historian and YSU professor of English, lights candles at the 2010 Phi Kappa Phi induction ceremony and banquet. Photo courtesy of www.ysu.edu/phi-kappa-phi/.

North Side zoning codes to be changed as part of 2010 plan

Kevin Alquist
NEWS REPORTER

The North Side is undergoing a zoning change, shedding a more than 40-year-old plan and reinventing the area.

The Youngstown Redevelopment Code will also broaden what Youngstown State University can do within the district.

A public meeting was held last week by Clarion Associates to discuss the first draft of Module 1, which is part of the Youngstown 2010 plan to redistrict the North Side. The existing zoning laws date back to 1969.

"The code needed to be modernized," said Don Elliott, project leader with Clarion Associates. "The language was dated and does not fit for modern-day Youngstown."

Module 1, which contains

permitted uses and districts, is the result of 12 public input meetings held over the summer and a diagnosis of the existing code.

"Our goal is to reverse and integrate all the rules related to development and redevelopment in Youngstown to implement the 2010 plan and promote reinvestment," Elliott said.

The points discussed in Module 1 are strengthened enforcement of codes and property upkeep, mixed-use development, historic preservation, redevelopment of vacant land, green industry, home-based industry and public parking.

Many who attended the meeting were concerned with the enforcement of property upkeep, such as lawn maintenance in occupied and vacant

ZONING PAGE 2

Catholic churches embrace more literal translation of Latin ritual text

Rachel Lundberg
REPORTER

On Nov. 27, the Newman Center at Youngstown State University and Catholic churches throughout the city will adopt a new translation of the prayer book used to celebrate Mass.

They're not alone. Beginning in late-November, Roman-Catholics will notice changes to the Roman Missal, the "ritual text containing prayers and instructions for the celebration of the Mass," according to the United States Conference of Catholic Bishops. The Vatican recently approved these changes.

According to the USCCB, the revised edition of the Roman Missal contains prayers for the observances of recently canonized saints, additional prefaces for Eucharistic Prayers and revised instructions for celebration of the Mass, among other things.

This third edition of the text means the first major changes to

Mass in more than four decades, but also what some say is a more literal translation of the original Latin text.

With the updated Roman Missal, language will be more elevated, said Fran Amer, director of the office of worship within the Diocese of Youngstown.

Amer has held sessions with church leaders throughout the Diocese of Youngstown's six counties to prepare them for the revised text. Each church leader will then ready congregation members for the switch.

The Rev. Chris Luoni, vocations director of the Diocese of Youngstown and chaplain of the Newman Center, said he would begin preparing parishioners in the next few weeks. Students will be given fliers explaining the changes, and an information session will be held in late October or early November.

"I think it's really great that the church is updating the mass," said Daniel Catello, spiritual chairman of the Catholic Student Association.

Luoni and Amer said they

think the transition will be easiest for young adults.

"People who have been in the pews for 30 or 40 years ... it's going to be most difficult for them," Luoni said.

Luoni said that once those who are resistant see the beauty of the Mass, they will come around. Many parishioners have the old prayers memorized and will need time to adjust to the new ones, he added.

Amer said she is hopeful that once the retranslation is in use, people will be happy with it and find the prayers meaningful.

Additionally, in March, the New American Bible, Revised Edition was released.

According to the USCCB, "The [NABRE] is the culmination of nearly 20 years of work by a group of nearly 100 scholars and theologians." It includes a new translation of the entire Old Testament and the 1986 translation of the New Testament.

Amer said the translation is meant for scholarly and personal use.

PHI KAPPA PHI PAGE 1

10 percent of their respective classes are automatically invited to join.

Graduate students who rank in the top 10 percent of all graduate students are also eligible for membership. Faculty, professional staff and alumni who have achieved academic distinction may also be invited into the society.

Becky Geltz, director of institutional research and serving president of YSU Phi Kappa Phi, said the organization, which was established in 1972, has inducted more than 4,000 students, faculty and staff over its nearly 40-year association with YSU.

According to its bylaws, YSU Phi Kappa Phi strives "to promote the pursuit of excellence in all fields of higher learning; to recognize outstanding achievement by students and faculty ... and to engage the community of scholars in service to others."

Geltz said during the 2011-2012 academic year, the chapter plans to sponsor a lecture on campus, host a luncheon with a guest speaker and hold its annual initiation banquet.

"We've already started fulfilling the requirements for the award we'll hopefully receive again next year," Geltz said.

Phi Kappa Phi chapters exist on more than 300 campuses across the U.S., Puerto Rico and the Philippines. The society inducts more than 30,000 new members into its ranks every year and claims to have initiated more than 1 million members over its 114-year history.

Scholarships nationwide total more than \$700,000 each year. Members receive recognition for their academic achievements and career assistance along with networking and leadership opportunities through virtual seminars and online mentoring.

"Let the love of learning rule humanity," the organization's official motto, highlights Phi Kappa Phi's dedication to academic excellence and the benefits it can bring to society.

"This society began as a way to give exceptional students the same kind of praise in academics that star athletes receive in sports," Geltz said. "We want to make heroes out of students."

JAMBAR STAFF

EDITOR-IN-CHIEF:

Josh Stipanovich330-941-1991

MANAGING EDITOR:

Doug Livingston.....330-941-1807

NEWS EDITOR:

Jordan D. Uhl.....330-941-1989

SENIOR COPY EDITOR:

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COPY EDITOR:

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Kevin Alquist.....330-941-1913

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SALES MANAGER:

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RECEPTIONIST:

Alyssa Italiano.....330-941-3095

BUSINESS MANAGER:

Jane Kestner.....330-941-3094

ADVISER:

Mary Beth Earnhardt.....330-941-3095

CONTACT THE JAMBAR

E-MAIL..... editor@thejambar.com

FAX330-941-2322

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homes. Under the new plan, the codes would be rewritten to prevent such occurrences from going unnoticed.

Vacant houses and properties will be redeveloped or turned into green space, while preservation of historic structures will aid in the cleanup of the North Side.

Gary Davenport, president of the Wick Park Neighborhood Association, said he was glad to see zoning for gardening in the Wick Park neighborhood considered in the new zoning code.

"Garden use of vacant land would be a positive ad-

dition to the neighborhood," Davenport said. "Also important are multi-person structures for the college students looking for housing in the neighborhood."

Davenport said he would like to see more support and documentation of student housing in the neighborhood as well as investments by single-family homeowners.

Phil Kidd, a community organizer with the Mahoning Valley Organizing Collaborative, said one problem on the North Side is the "high concentration of group homes and rental properties."

The ideal solution, Kidd said, would be to develop the area in order to attract single-family homeowners to the area just north of YSU.

"Zoning is a long process," Kidd said. "Once the code is put in place, all of the problems don't just go away."

Along with alternatives for downtown parking lots, utilization of land for urban agriculture is also part of the redevelopment plan. Development of farmers markets in Youngstown would allow citizens to sell food, arts and crafts on their own property.

Vacant lots will be used for agricultural goods, hydroponics and forestry.

"Urban agriculture is growing," Elliott said. "All of the vacant lots and large pieces of property in Youngstown can be utilized to benefit the city and its people."

Module 2 will be complete by early November. Clarion Associates will then revise the zoning map, listen to comments and combine Module 1 and Module 2. Once the final draft is complete, it will go through the city's adoption process.

Arctic ozone layer fell to an unprecedented low in 2011

Los Angeles Times
(MCT)

LOS ANGELES -- NASA scientists this week published a study reporting that the ozone layer over the Arctic fell to unprecedentedly low levels over the winter and spring of 2011.

Although industry and scientists around the world came together to stop the release of new ozone-destroying CFCs (chlorofluorocarbons) in the '90s, the CFCs that had already been released into the atmosphere have a long shelf life, according to atmospheric scientists Michelle Santee and Nathaniel Livesey, two of the co-authors of the new study. It will be another 50 or so years before the level of CFCs in the stratosphere start noticeably decreasing.

Scientists are not surprised that the ozone hole continues to show up in Antarctica. But a new hole emerging in the Arctic? That's troubling.

What happened in the Arctic is that the temperature in the stratosphere stayed colder for longer in 2011, and CFCs break down ozone faster when the stratosphere is colder.

"The challenge facing the scientific community is to try to tease out why this winter was so much colder," said Livesey in an interview with the Los Angeles Times.

Although climate change is causing warmer temperatures on Earth's surface, Santee said, it appears to be causing colder temperatures in the stratosphere. Scientists are continuing to investigate how the two phenomena are linked, she told the Times.

Their study was published Sunday in the journal Nature.

The ozone layer protects life from the sun's harmful ultraviolet radiation. It is essential to the makeup of our stratosphere.

"I don't want to convey a sense of alarm about the specific health consequences of this Arctic winter," Santee said. "The ozone layer was low only for a few weeks, so not that huge a population was exposed to harmful levels of UV."

She added, however: "The thinning ozone over the densely populated northern and middle latitudes is a concern if we see a thinning in the future."

Google, Microsoft battle for cloud-computing customers

San Jose Mercury News
(MCT)

SAN JOSE, Calif. -- The pitched battle between Google and Microsoft to sell software applications that run on the Internet "cloud" is escalating.

The tech giants have already engaged in a public war of words this year as they vied to sign up businesses, government agencies and universities for their competing versions of cloud-based productivity software.

Now Microsoft has cut its prices to small and mid-sized businesses for its Office 365 software, and Google is putting out the word for the first time that the rate of small companies signing up for cloud-based services like Gmail and Documents has doubled in the past six months.

That suggests the competition to sell cloud-based apps to small and medium-sized (or "SMB") businesses is only growing more intense, said Matt Cain, an analyst with Gartner.

Microsoft's small-business offer "is a good deal, maybe even a great deal," Cain said. "So Google now faces a very aggressive Microsoft in the race for SMB business, and the search giant is trying to get a leg up on Microsoft via a press campaign."

For Google, its four-year old apps business is a chance to diversify from its heavy dependence on advertising for its revenue. For Microsoft, the competition is about retaining its lucrative core business of selling Office productivity software like Word, PowerPoint and Excel.

Google Executive Chairman Eric Schmidt said in a speech last month that there are now 40 million users of Google Apps, including 4 million businesses, up from 3 million less than a year ago.

Microsoft says that within two weeks of the launch of Office 365 in June, more than 50,000 businesses, schools and nonprofit organizations

had signed up to try the cloud services, the most recent numbers that company has disclosed.

The intense competition between Google and Microsoft to sign up schools and nonprofit groups (Google recently bagged the University of Connecticut and Yale University; Microsoft got the American Red Cross), government agencies (Google got the cities of Los Angeles and Pittsburgh; Microsoft got New York City and San Francisco) and businesses (Google netted hotel giant InterContinental Hotels Group; Microsoft got McDonald's and Starbucks) has even spilled into the courts.

Google says it is particularly strong in Silicon Valley. Amit Singh, Google vice president for enterprise, said in an interview this week that Google has completed a study of recently launched startups in Silicon Valley and the U.S., as listed by technology websites, and found that at least 80 percent, and in some cases up to 97 percent, of those startups were using Google Apps.

Among the recent converts -- Triplt, a San Francisco startup that allows people to build and organize their travel itineraries online.

"It turns out that generally speaking, smaller companies -- which are really the life blood of the business economy; they add the most employees -- have found Google Apps," Singh said. "If you look at how big cloud computing has gotten, we are one of the players in that."

Google says about 5,000 businesses a day are joining, up from about 3,000 a day less than a year ago.

But Gartner's Cain said Microsoft's strategy to offer small businesses its cloud-based Office 365 software, which includes online versions of its popular Word, Excel and PowerPoint software, at just \$6 a month per user puts pressure on Google to tell its story.

NEWS BRIEFS

MBA information sessions scheduled

YSU's Williamson College of Business Administration will host Master of Business Administration information sessions on Monday and Oct. 19. Both sessions will begin at 5:45 p.m. and will be held in Room 1106 on the first floor of Williamson Hall. The MBA program at YSU is accredited by AACSB International, which represents the highest standard of achievement for business schools throughout the world. For application information, contact Monique Bradford, MBA coordinator, at 330-941-3069.

Judaic and Holocaust Studies offers 'Defiance' screening

"Defiance" will be shown by the Center for Judaic and Holocaust Studies on Tuesday in Kilcawley Center's Ohio Room. The film will begin at 5 p.m. Immediately after the screening, there will be a presentation by Zvi Bielski, son of one of the original Bielski brothers portrayed in the film. This presentation will begin around 7:30 p.m. The event is free and open to the public.

POLICE BRIEFS

Underage student caught drinking

Early Sunday morning, a YSU police officer on campus patrol noticed a male student walking across Indiana Avenue toward a wooded area. According to the report, the student was stumbling and swaying — and was also drinking out of a beer bottle. Despite the officer's requests, the student kept walking and threw the beer bottle into the wooded area. YSU Police then asked the student why he had done so, and he replied (in a slurred, heavy tongue), "I just have to piss, and I want to go home." The student then told YSU Police that he was 21 and repeatedly said that he had to urinate, which he did while facing the wooded area. After further questioning, the student became aggressive and began yelling at the officer, standing approximately 3 to 5 inches from his face. YSU Police then arrested the student and later discovered that he was only 19. The student was issued misdemeanor citations for underage possession of an alcoholic beverage, littering and disorderly conduct by intoxication.

Officer finds heroin paraphernalia during traffic stop

On Saturday evening, YSU Police pulled over a car with no visible license plates on Broadway Avenue. The driver said he had been in an accident (which broke his license plate bracket), so he had displayed the car's license plate in the rear window. He couldn't produce any proper paperwork for the car, however. After discovering that the car's plates had expired and that the driver had an active suspension, the university police officer handcuffed the driver. He then searched the vehicle, finding drug paraphernalia (some of which contained suspect heroin residue). YSU Police had the car towed and transported the driver to the YSU Police Department. En route, the driver admitted that he also had a spoon used to cook heroin on it hidden in his underwear. At the station, YSU Police issued the man traffic citations for improperly displayed license plates, expired registration and driving under suspension. He was also issued misdemeanor citations for possession of drug abuse instrument and possession of drug paraphernalia.

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COURTYARD PAGE 1

peii said that those are only used in the event of an emergency.

In an attempt to clarify any confusion, Carol Seawood, property manager of the University Courtyard Apartments, sent an email to residents, the majority of which are students.

The email sent on Wednesday stated that the instances that would involve any staff member entering the bedroom include "water leaking into an apartment below, smoke alarms beeping, smoke coming from the unit or similar life-safety issues."

Finan said the procedure for entering a resident's bedroom otherwise is to give 24 hours notice.

"If there was an issue serving that eviction notice, I assure that it wasn't malicious," she said.

Seawood has spoken with her staff to make sure they're aware of the appropriate procedures.

Finan said students are always welcome to contact Seawood with any concerns they may have or to file a complaint.

However, Smith did not file a complaint about the unauthorized entry. In fact, she was unaware that the option was available to her.

The issue has since been resolved, and Smith's eviction notice, which was due to the financial aid freeze, has also been worked out.

A handful of other students have experienced different kinds of issues. The problems ranged from noise complaints and threats to tattles about alcohol consumption.

Privacy is not the only issue Smith has had with the University Courtyard Apartments either.

A week later, Smith and her roommate received a noise complaint, which was addressed "Dear BAND" across the top.

"Yeah, none of us are in a band," Smith said.

Smith said the notice was unwarranted because her music is never loud and there are never more than three people at a time in her apartment.

Other residents have confirmed noise in the apartment complex, but they never felt the need to complain.

"The first notice is just a courtesy notice — nothing else happens — just to make them aware that a complaint was received. They are always welcome to talk to us about it," Finan said about instances when students must be notified.

Smith had questioned the noise complaint, and it has since been resolved. Still, Smith said the complaint was without merit. Again, she was unaware of the complaint process.

Complaints must go through management.

"We respect our residents. If it weren't for them, we wouldn't have our jobs," Finan said.

Smith said despite the rocky start, she enjoys living in the University Courtyard Apartments and hopes to live there again next semester.

ACE/OEA PAGE 1

to have to live with for a long time. We're going to have to work through it and see if we can do better in the next set [of negotiations]," Gergits said.

Gergits added that YSU-OEA's negotiation team will go in next time expecting confrontational bargaining, but it doesn't mean it's going to be a big war.

"We started this one thinking it'd be the more gentler set of negotiations like in 2008," Gergits said. "It took us by surprise when it took the turn that it did. We won't start that way [next] time."

She added that the whole tone would be different.

The administration, however, doesn't foresee a lingering problem come the next round of negotiations.

"We look forward to putting this round of negotiations behind us and moving forward as a team to provide the academic and other services to ensure the success of our students," Anderson said in a press release.

"Both Gergits and Guzell indicated that they hope the administration will work with them to repair the damage

done to morale among YSU's faculty and hope that the administration follows through on their promise of 'shared sacrifice,'" a YSU-OEA press release read.

Schulick said the university will now begin to tackle the budget deficit, with these contracts serving as the first brick in the road to recovery.

"This allows all of us to get back to the business of Youngstown State," Schulick said. "There's an old adage that goes, 'The best contract is one that no one's happy with.'"

Send letters to:
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got an opinion?



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Andrew Winston, founder of Winston Eco-Strategies, is the author of *Green Recovery*, a strategic plan for using environmental thinking to survive hard economic times. He is also the co-author of *Green to Gold*, the best-selling guide to what works — and what doesn't — when companies go green.

Winston's lecture is free and open to the public. Seats are available on a first-come, first-served basis.

For more information call YSU Office of
Alumni and Events Management.

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Penguins, Wolford hunting for first win outside September

Joe Catullo Jr.
SPORTS EDITOR

The Youngstown State University football team is preparing for a "critical" conference win against South Dakota State University on Saturday.

Head coach Eric Wolford said the game is a chance to get a win in front of faithful Youngstown fans in October.

"We need home-field advantage again like always," Wolford said. "[In the] Illinois State game [on Sept. 17], we had a great crowd, and I felt it was potentially the difference in the football game. One thing our players do is get energized when they see their passion for the game of football. We obviously want to play hard and give them something to cheer about."

SDSU head coach John Stiegelmeier said YSU is a fun place to play.

"I love it," he said. "We're used to playing in smaller venues. The first time I was there was fun."

Stiegelmeier added that the Penguins' offense is SDSU's biggest concern.

"The offense is very good," he said. "They like to attack. Their defense is technically sounded. They are coached very well."

Wolford said he is not misled by SDSU's 1-4 record, and he has been preaching that to his team.

"They got a bunch of returners on the offensive line," Wolford said. "They like to run the ball, they're very physical and they run the ball hard. They've been throwing the ball recently very well. They are a team that kind of keeps everything in front of them."

Sophomore quarterback Kurt Hess described the Jackrabbits' defense as energized and athletic.

"They move well, just like



Sophomore wide receivers Jelani Berassa and Kevin Watts celebrate after Berassa scored a touchdown against Illinois State University. Berassa has 12 catches for 115 yards and three touchdowns on the season. Photo by Nick Young/The Jambar.

Indiana State did," Hess said. "Their linebackers are a great core of linebackers. We'll definitely have to come out and play physical and intense just to slow them down a little bit, but I think we can do it."

The Penguins are coming off their bye week and conference loss to Indiana State University on Sept. 24. Junior Aronde Stanton said it was good to have extra days to prepare.

"We didn't want to go in the bye week with a loss," Stanton said. "The bye week was kind of tough. It wasn't typical. The weight's been on us for two weeks now, and

we're ready to go. I'm pretty confident Saturday we're going to come out and be ready for the first snap."

The Penguins were down by as many as 20 points against ISU. Wolford said it was a team loss.

"Teams don't blame each other," Wolford said. "You just come together and learn from it. I'm confident that we learned from it, but let's see."

Stanton said the loss taught the team a valuable lesson, as far as "taking opponents lightly, to come out and be ready for the first snap."

"From my standpoint, some people were down and

not ready to go, including myself," Stanton said. "I wasn't fully ready in the first quarter. Hopefully every player comes out and is ready from the first snap to the last."

Freshman Davion Rogers said ISU caught the team off-stride.

"They had a couple of good plays. We had a couple of players off plays," he said. "We just needed to play a little bit better."

Rogers added that the team needs to prove to everyone it can win.

"We're going to go out there and play to win no matter what, but as far as a must-

win, we going to get it done," Rogers said. "I'm not going to guarantee nothing, but we're just going to show up and try to win."

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Stiegelmeier said having a freshman quarterback does not benefit the team, but Summer is learning.

"He has handled himself very well," Stiegelmeier said. "He gets along with the team. He's an easygoing guy."

Wolford said he has been thinking about leadership for a long time.

"We have so many new players in the linebackers and the secondary," he said. "It's about time someone steps up a little bit. On the football field, the linebacker can't text the safety. You need to get yourself ready to go, and that's a little bit of the world we live in right now."

YSU lost to SDSU last year, 30-20. In the game, Hess set career highs in completions and attempts, going 26-46.



Members of the YSU swimming and diving team practice at the Beeghly Center Natatorium. The team is returning many players and anticipates a solid year. Photo courtesy of Sports Information.

Swimming and diving looking to make a splash

Nick Mancini
SPORTS REPORTER

The Youngstown State University swimming and diving team is preparing to open its upcoming season.

Head coach Matt Anderson said that after a solid 2010 campaign, he hopes another year of experience will push the team further this season.

"We are returning almost everyone from last year, so I am expecting some really good things this season," Anderson said. "With another year under our belt, that's going to really help us. We have some freshmen that will impact us immediately. We just need to stay healthy, and I think it will be a good year."

During the offseason, Anderson said the team focused on the little things to improve in and out of the pool.

"Just coming to practice prepared and ready to work was really important," Anderson said. "We worked really hard, and we should see some of the drops in times we are capable of. We have to know it isn't to

be good enough to just get by. We have to be great."

Anderson said he has high hopes for some of his returning swimmers.

"[Senior] Kirstin Walker was great last year, and I think she can take another big step this season," Anderson said. "She has a chance to move into the top five. [Sophomore] Megan Ciampa is another swimmer who can improve and could jump into the top eight. [Junior] Samantha [Roberts] is someone I am very excited about. There is a very good chance she can be in the top two."

Incoming freshman Ashley Dow is someone Anderson thinks can make an immediate impact.

Preparing for the upcoming season, Anderson knows the Horizon League will be tough as usual.

"[The University of Wisconsin-Green Bay] has won the Horizon League the last five or six seasons," Anderson said. "They have consistently put out a top program for years, and I don't expect anything to change."

After Green Bay, the University of Milwaukee-Wiscon-

sin and Cleveland State University finished second and third, respectively. The University of Illinois at Chicago and Wright State University followed.

"I really feel like we can move ahead of Illinois and Wright State," Anderson said. "Our team is able to compete with anyone in this conference."

Anderson said the season builds up to the championship meet in February.

"That is what we work towards," Anderson said. "That is when we want to be peaking. We need to have our fastest times of the year, and we kind of put all of our eggs in that basket."

Even though Anderson is excited for the season, he said he knows the team can get better.

"There is always room to improve, no matter how good the team is," Anderson said. "We have some talent on this team, and we have to work on reaching its potential."

The Penguins begin their season Friday in the annual Red-White Meet, held in the Beeghly Center Natatorium. The meet starts at 5 p.m.

Hockey team skates toward the season

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SPORTS REPORTER

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"Our two wins are over [the University of Akron] and John Carroll University," said assistant coach Mike Poljak. "We played well in both those games. Our lone loss is to Kent State University. It was a really hard-fought game, but they are 22nd in the nation, so we knew it was going to be a battle."

Leading the Penguins in goals is sophomore forward Dan Jech with two. Four players are behind him, each with one point.

Topping the team in points is sophomore forward Mike Evans with four. Jech and freshman center Joe Czekaj are behind him with two each.

In the offseason, the Penguins worked on a variety of drills to prepare for the season. Poljak, whose playing career ended after a number of concussions, said most of the workouts were off-ice activities.

"We just did a lot of agility drills, running and working out in the gym," Poljak said. "We were practicing five days a week in the offseason, but now that the season started we are down to three."

The Penguins will have long road trips this season that Poljak said he is looking forward to.

"This weekend we are heading to Niagara University for a game and also this season traveling to play the Rochester Institute of Technology," Poljak said. "The one trip I am really looking forward to is playing Navy [College]. That should be

fun."

The team will also play the University of Pittsburgh, West Virginia University and Washington & Jefferson College, among others.

"All the league games are must-win games," Poljak said. "John Carroll has always been one of our biggest rivals. The games are always tough, physical and fun to watch."

Winning the conference or being ranked in the top 16 will earn a trip to nationals. Poljak said he knows which one would be best for the Penguins.

"Winning our conference is our best bet to make it," Poljak said. "It's a tough league, but I think we are ready for the challenge."

The Penguins will add six freshmen to the squad after losing three seniors. Poljak said he expects them to play key roles.

Three players he wants to lead the team this year are senior defenseman Alex Arnold and senior goalies Gary Biggs and Adam Chudnofsky.

"Our captain Alex Arnold leads by example, both on and off the ice," Poljak said. "He plays more than half the game, which is a lot for a player, but he is a big, strong physical player who is a huge part of our team."

Poljak said the two goalies are players the Penguins can trust, no matter who is between the goal pipes.

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The Penguins' next game is scheduled for the weekend at Niagara University. Their next home game at the Ice Zone is Oct. 21 against Slippery Rock University.

Moving forward

The Jambar
EDITORIAL BOARD

RELATED STORY
ACE/OEA PAGE 1

The long, contractual nightmare is over. But the budget balancing is far from over.

Since ACE and OEA ratified their contracts, the ball is now in the administration's court.

YSU management has promised a "shared sacrifice," and the campus community is watching intently to see if they live up to their end of the bargain.

It's clear from union sentiment following the contract vote that membership is not entirely happy with the outcome.

Health care contributions increased. Hazard pay cut. Summer compensation slashed. Grievance process adjusted.

The tenets of collective bargaining have been eroded even as the ACE contract notes, "The university recognizes the integrity of the bargaining unit."

They made YSU-OEA bend more than it wanted, and stripped ACE's contract down to the bone. Now administrators have nowhere else to turn but themselves.

Ron Cole, director of university communications, said there have been discussions of an administrative pay cut, and we are expecting some sort of reduction on the administrative end.

The board of trustees will be examining any and every possible way to chip away at the deficit.

Both sides must sacrifice. One side somewhat unwillingly has.

If administrators do not significantly reduce their own salaries and benefits, then their lack of consideration would speak volumes against the rants of dire fiscal emergencies pounded into our heads over the past eight months.

OUR SIDE POLICY

The editorial board that writes Our Side editorials consists of the editor-in-chief, managing editor and news editor. These opinion pieces are written separately from news articles and draw on the opinions of the entire writing staff. The Jambar's business manager and non-writing staff do not contribute to editorials, and the adviser does not have final approval.

YOUR SIDE POLICY

The Jambar encourages letters to the editor. Email submissions are welcome at editor@thejambar.com. Letters should concern campus issues, must be typed and must not exceed 400 words. Submissions must include the writer's name and telephone number for verification and the writer's city of residence for printing. Letters are subject to editing for spelling, grammar and clarity. The editorial board reserves the right to reject commentaries that are libelous or that don't defend opinion with facts from reliable sources. The editorial board will request a rewrite from the submitting writer based on these requirements.

Letters will not be rejected based on the view expressed in them. Letters may be rejected if they are not relevant to Jambar readers, seek free publicity or if the editorial staff decides the subject has been sufficiently aired. The Jambar will not print letters that are libelous, threatening, obscene or indecent. The Jambar does not withhold the names of writers of letters or guest commentaries.

The views and opinions expressed in letters and commentaries on the opinion page do not necessarily reflect those of The Jambar staff. Editorials do not necessarily reflect the opinions of the faculty, staff or administration of Youngstown State University.

NOW I KNOW WE ALL WANTED APPLE TO RELEASE THE IPHONE 5, BUT AT LEAST THEY MADE IMPROVEMENTS TO THE SANDWICH MAKING APPLICATION WITH THE NEW IPHONE 4S FROM THE PREVIOUS IPHONE 4.



Cartoon by Paris Chrisopoulos/The Jambar.

Close a Miranda loophole

McClatchy Tribune
(MCT)

A case argued before the Supreme Court on Tuesday poses the question of whether a prisoner must be advised of his rights when he is interrogated inside prison walls. The court should answer yes and close an unconscionable loophole in the Miranda rule.

Randall Lee Fields was in jail for disorderly conduct when he was taken by a corrections officer to a locked conference room. He was then questioned about his relationship with a man named Travis Bice, whom he had met when Bice was a minor. Fields was not read his Miranda rights, which would have told him of his right to remain silent and his right to a lawyer, and was told he could leave the conference room at any time. Fields confessed to engaging in sexual acts with the minor and was eventually convicted of criminal sexual conduct.

When Fields appealed, a Michigan court held that, while he was clearly in custody — which is when the requirement usually kicks in — Miranda didn't in fact apply in this case. Its reasoning was that there wasn't a connection between Fields' custody and the crime he was being questioned about. That was inconsistent with a 1968 Supreme Court decision in which the court said that a Miranda warning was required regardless of why the suspect was in custody.

When Fields petitioned a federal court, he was more successful. Citing past decisions, the U.S. 6th Circuit Court of Appeals held that Fields had indeed been in custody and offered what it called a bright-line rule: "A Miranda warning must be given when an inmate is isolated from the general prison population and interrogated about conduct occurring outside the prison."

Since the case of *Miranda v. Arizona* was decided in 1966, police and prosecutors — sometimes with

the acquiescence of the Supreme Court — have sought to evade its requirements or exploit what seemed like loopholes. A typical tactic is to pretend that a suspect wasn't really in custody when he was questioned. But the Supreme Court has made clear that a suspect doesn't have to be in a police station to be in custody. Last term it dealt with a Miranda case arising from the questioning of a minor in school; it held that the age of a suspect must be taken into account when determining whether he or she is "in custody."

Miranda remains controversial because much of the public thinks it prevents police from obtaining valuable information about crimes. That is the case in some circumstances, but the rule also prevents coerced confessions and, equally important, protects evidence gathered after the warning is issued from legal challenge. The rule should be enforced every time someone is taken into custody, including in prison.

Where are the Bush Republicans?

The Dallas Morning News
(MCT)

The last of the Bush Republicans may have walked out the door when Florence Shapiro recently announced her retirement from the Texas Senate. George W. Bush; Shapiro, who heads the Senate's education committee; and others like them pioneered "consequential accountability" in the 1990s, along with reform-minded Democrats such as former Gov. James Hunt of North Carolina.

"Consequential accountability" is a mouthful. But it's just a fancy way of saying that governments should give schools resources to do their work, measure their performance and hold them accountable for their progress. And it's the concept that shaped No Child Left Behind.

Regrettably, Republicans now are sprinting away from this accountability message.

Some are returning to the days when Republicans' only education vision was to give all students a voucher to private schools or close the U.S. Department of Education.

Rick Perry is one of those who talk about shuttering the federal office, and the Texas governor isn't alone among Republicans. Even education advocate Sen. Lamar Alexander, who served as Bush's education secretary, is backpedaling these days. Alexander is sponsoring

legislation that would not only do away with No Child's requirement that schools show adequate yearly progress, it would shift most of the responsibility for education back to states.

Yes, states and local communities should have the largest say on the subject, but Washington must have some authority in order to prevent our nation boasting only pockets of excellence. That might be the best we can do if leaders such as Alexander have their say. Under his bill, there is no guarantee that states would hold schools accountable.

Contrary to popular sentiment, "consequential accountability" is producing benefits. For instance, last week, I reported on a Harvard Journal on Legislation report that shows black and Latino students in some age groups jumping one grade or more in reading and math scores since accountability took root.

Here's more data: According to the scholarly work of Stanford's Eric Hanushek, students in states with accountability systems that carry serious consequences have done better on the National Assessment of Educational Progress than those without the accountability/consequence combination.

Let's be clear: Bush Republicans didn't confine their message to simply measuring schools and holding them accountable. They dug into the weeds to see what strategies could improve schools. They held hearings and drafted legislation on such topics as how states can improve the quality of their teachers, sharpen middle schools and develop strong principals.

Who will step up now that Shapiro and others like Bush have left

the scene? There isn't a long line of Republicans waiting to replace them. A few GOP governors, such as John Kasich of Ohio, focus on measuring the effectiveness of teachers. But, by and large, Republicans have returned to simple answers or are backing away from accountability.

Sandy Kress, who worked with Bush on creating No Child Left Behind, suggests one reason for the retreat. Localism is on the rise. People don't want to hear much from any government, much less a federal one that asks them to show whether students are measuring up.

Whatever the reason for it, this new attitude could create a real problem for Republicans and the country.

If the GOP looks like it is giving up on public schools, Republicans could be the loser with independent, moderate voters next fall. Patrick McGuinn, a Drew University political science professor, summed this up well when he recently told Education Week that the talk of abolishing the Department of Education makes Republicans "come out sounding anti-education."

And if schools and parents are not preparing kids across America for well-paying jobs and/or college, those students are sunk. So are the rest of us. Without a pipeline of talent, the innovation that has fueled our economy will fade away. That means a lower standard of living.

I don't know about you, but that's not a world I'd like to see. The GOP could take us there, though, if Bush Republicans disappear.

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By Tennessee Williams

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Youngstown STATE UNIVERSITY

Penguins, Wolford hunting for first win outside September

Joe Catullo Jr.
SPORTS EDITOR

The Youngstown State University football team is preparing for a "critical" conference win against South Dakota State University on Saturday.

Head coach Eric Wolford said the game is a chance to get a win in front of faithful Youngstown fans in October.

"We need home-field advantage again like always," Wolford said. "[In the] Illinois State game [on Sept. 17], we had a great crowd, and I felt it was potentially the difference in the football game. One thing our players do is get energized when they see their passion for the game of football. We obviously want to play hard and give them something to cheer about."

SDSU head coach John Stiegelmeier said YSU is a fun place to play.

"I love it," he said. "We're used to playing in smaller venues. The first time I was there was fun."

Stiegelmeier added that the Penguins' offense is SDSU's biggest concern.

"The offense is very good," he said. "They like to attack. Their defense is technically sounded. They are coached very well."

Wolford said he is not misled by SDSU's 1-4 record, and he has been preaching that to his team.

"They got a bunch of returners on the offensive line," Wolford said. "They like to run the ball, they're very physical and they run the ball hard. They've been throwing the ball recently very well. They are a team that kind of keeps everything in front of them."

Sophomore quarterback Kurt Hess described the Jackrabbits' defense as energized and athletic.

"They move well, just like



Sophomore wide receivers Jelani Berassa and Kevin Watts celebrate after Berassa scored a touchdown against Illinois State University. Berassa has 12 catches for 115 yards and three touchdowns on the season. Photo by Nick Young/The Jambar.

Indiana State did," Hess said. "Their linebackers are a great core of linebackers. We'll definitely have to come out and play physical and intense just to slow them down a little bit, but I think we can do it."

The Penguins are coming off their bye week and conference loss to Indiana State University on Sept. 24. Junior Aronde Stanton said it was good to have extra days to prepare.

"We didn't want to go in the bye week with a loss," Stanton said. "The bye week was kind of tough. It wasn't typical. The weight's been on us for two weeks now, and

we're ready to go. I'm pretty confident Saturday we're going to come out and be ready for the first snap."

The Penguins were down by as many as 20 points against ISU. Wolford said it was a team loss.

"Teams don't blame each other," Wolford said. "You just come together and learn from it. I'm confident that we learned from it, but let's see."

Stanton said the loss taught the team a valuable lesson, as far as "taking opponents lightly, to come out and be ready for the first snap."

"From my standpoint, some people were down and

not ready to go, including myself," Stanton said. "I wasn't fully ready in the first quarter. Hopefully every player comes out and is ready from the first snap to the last."

Freshman Davion Rogers said ISU caught the team off-stride.

"They had a couple of good plays. We had a couple of players off plays," he said. "We just needed to play a little bit better."

Rogers added that the team needs to prove to everyone it can win.

"We're going to go out there and play to win no matter what, but as far as a must-

win, we going to get it done," Rogers said. "I'm not going to guarantee nothing, but we're just going to show up and try to win."

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Swimming and diving looking to make a splash

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