

## From the NYS AAUP President's Desk:

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procedure to break their union contracts and stiff their creditors.

Regrettably, there is no sign that either political party in New York or in the nation's capital has any intention of making substantial efforts to address this festering problem that is growing more dire as the economy continues to stall.

To make matters worse, President Obama's Secretary of Education, Arne Duncan, recently convened a high level meeting of a dozen college presidents and leaders of two nonprofit education organizations (but not the AAUP!) with the intention of finding "ways to hold down costs and raise productivity" in

colleges, according to the New York Times. The "Big Idea" that came out of the meeting was summarized by Robert W. Mendenhall of Western Governors University, an online nonprofit university, "We need to fundamentally change the faculty role, and use technology to do the teaching."

That's right, it's the technological solution. The idea was echoed by Jared L. Cohon, president of Carnegie Mellon University, who stated that we had to "question all our strongly held assumptions, including getting our faculty to think differently about teaching." He added, "I think technology can help us educate more students faster and better."

Meanwhile, on the streets and cam-

pus, students disillusioned by what they see as broken promises and crushed dreams resulting from the poor employment outlook and a future of endless debt have organized a "student debt refusal" drive by circulating petitions urging students and graduates to join the movement for reform.

In an earlier decade the rallying cry was, "Hell No, We Won't Go!" Today's call is more like, "Down With Debt."

It behooves those of us on college faculties across the nation to pay heed to our students' plight.

*(See the article elsewhere in this issue regarding AAUP support for the Occupy Wall Street & 99% movements.)*

## National AAUP Candidates Nominated

The AAUP Nominating Committee has announced that it received the following nominations for the 2012 national election.

### President:

Rudy Fichtenbaum (Wright State University)

Irene Mulvey (Fairfield University)

First Vice President:

Hank Reichman (California State University-East Bay)

Wendy Roworth (Rhode Island)

### Second Vice President:

Christopher Moylan (New York Institute of Technology)

Susan Michalczyk (Boston College)

Craig Vasey (Mary Washington)

Don Eron (University of Colorado-Boulder)

### Secretary-Treasurer:

Michele Ganon (Western Connecticut State University)

Cecilia Konchar Farr (St. Catherine)

### AAUP National Council District 8 (New York State)

Marie Monaco (New York University School of Medicine)

Stephen Goldberg (Adelphi University)

Sally Dear-Healey (Syracuse University)

Anne Friedman (Borough of Manhattan Community College/PSC)

### AAUP National Council At-Large (3 positions)

Joerg Tiede (Illinois Wesleyan)

Brian Turner (Randolph Macon)

Rana Jaleel (New York University)

Richard Gomes (Rutgers University)

Heimir Geirsson (Iowa State University)

Mayra Besosa (California State University-San Marcos)

Louis Kirshenbaum (Rhode Island)

Jane Hikel Central (Connecticut State University)

J. Philippe Abraham (University at Albany, State University of New York/UUP)

Charles J. Parrish (Wayne State University)

## From the President's Desk:



### THIS GENERATION'S VIET NAM

By David Linton

No, it's not about Iraq or Afghanistan; it's about money, debt and the future. It's not about physical survival; it's about the survival of optimism and aspiration.

It may turn out that student loan debt is this generation's Viet Nam War. Though not deadly in a literal sense, the effect of the loan obligation upon the ambitions and futures of, by now, millions of college students and graduates is similarly deadening to the spirit and the soul. Furthermore, the political, economic, and social consequences bear striking similarities as well.

Consider bankruptcy laws. You can make a wrong guess about investment prospects or a real estate purchase and mortgage selection or even run up a frivolous pile of credit card purchases for baubles and luxuries and still have recourse to bankruptcy protections that give you the opportunity to recover from your bad or careless choices, but investing in a college major that led to poor job prospects (sadly, just about any in the Humanities or Liberal Arts these days) or a high priced private university that you could afford only if you went into hock, saddles you with debts that follow you forever. Specific regulatory restrictions treat debts incurred from college loans differently from other kinds of financial responsibilities.

And I do mean forever. Even long after an education is completed, the student grown and moved away from home, parents who signed for loans are held liable along with the sons and daughters. There are now middle aged graduates or those who never completed their degrees (those lingering ABD's) working at low paid positions whose wages are being garnished because they failed to meet payment schedules.

Meanwhile, as pointed out in a recent New Yorker piece by James Surowiecki (12/19 & 26/2011), corporations such as American airlines commonly file for bankruptcy even when they have "four billion dollars in the bank and could have kept paying its bills," but wish to use the court

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## Governance vs. Shared Governance: Rensselaer Polytechnic Institute

By Jane F. Koretz

In the summer of 2007, the Faculty Senate (FS) of Rensselaer Polytechnic Institute (RPI) was suspended. The administration's rationale for this suspension as well as subsequent events have been previously reviewed ([www.academicfreedomjournal.org/VolumeOne/Campbell-Koretz.pdf](http://www.academicfreedomjournal.org/VolumeOne/Campbell-Koretz.pdf)), and the continued impasse in the restoration of the FS led to the sanctioning of RPI by the AAUP in January, 2011 (<http://www.aaup.org/AAUP/programs/sharedgovernance/sanctionlist.htm>; see link to AAUP report on RPI).

Finally, after over four years and several failed initiatives, a new FS constitution was approved by the RPI faculty. It was also approved by the Board of Trustees after further modifications to the text by lawyers hired by the Board. At this point, the elected faculty committee that drafted the successful constitution has been transformed into a nominating committee, and it is hoped that after elections, a re-established FS will begin to function in early February, 2012.

Self-congratulatory messages from the President of RPI and its Board of Trustees have been issued publicly, and their final success after a protracted period of failure reported in the Chronicle and elsewhere.

So why are some of us on the RPI faculty unhappy with this result? A comparison of the old and new FS constitutions provides the answer. A document delineating shared governance has been transformed into a document that lacks the reciprocity

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## New Constitution To Be Voted On At Spring Meeting

At its fall meeting, the New York State Conference of the AAUP made changes to the proposed new constitution for the Conference.

The proposed constitution (including changes from the October proposal) can be viewed on the state conference website: [http://nysaaup.org/library/nysaaaup\\_constitution\\_amended\\_111015.pdf](http://nysaaup.org/library/nysaaaup_constitution_amended_111015.pdf)

The document will be considered at the spring meeting. Additional details will be available on the conference website: <http://nysaaup.org>, and in the next issue of New York Academe.



# New York State AAUP Spring 2012 Executive Council Elections

The Conference Elections Committee has announced that the following nominations have been received for the NYSC Spring 2012 Elections:

NYSC President 2012-2014 and AAUP ASC Delegate 2012: **David Linton**, Marymount Manhattan College

NYSC Vice President 2012-2014, AAUP ASC Delegate 2012: **Jeanette Jeneault**, Syracuse University

NYSC At Large Member 2012-2014 and AAUP ASC Delegate 2012: **Kate Eskew**, Hilbert College

NYSC At Large Member 2012-2014 and AAUP ASC Delegate 2012: **John Polimeni**, Albany College of Pharmacy & Health Sciences

The election will be conducted in conjunction with the National AAUP election.

## NYS AAUP CANDIDATE BIOS AND STATEMENTS

### David Linton

Professor of Communication Arts  
Marymount Manhattan College

#### Candidate Bio

I was the founding President of the AAUP Chapter of the AAUP at Marymount Manhattan College over 20 years ago during a time of financial crisis at the College. Since then I have remained the President or liaison to the state and national offices on behalf of faculty concerns and grievance research. At the local level I have succeeded in engineering the creation of a ground breaking faculty retirement incentive program and a wide variety of initiatives that expanded faculty participation in governance.

I currently serve as President of the New York State Conference of the AAUP and served on the national AAUP's ad-hoc committee that conducted research on retirement programs and submitted recommendations and findings regarding the various ways that institutions deal with retirement issues. Recently I was invited by the AFL-CIO to testify before the National Labor Relations Board (NLRB) regarding proposed changes in rules governing collective bargaining drives.

#### Candidate Statement

There are several issues that the AAUP must be vigilant about at every level: continuing threats to the integrity of tenure, declining membership, and political action. The rise of corporate models of management, distance learning, and the decrease in the ratio of tenure and tenure track positions have resulted in a steady deterioration of tenure.

We must address this problem vigorously if we are to protect the academic principles that the AAUP stands for. To bolster membership we need to reassess our recruitment and promotion practices at every level. And, to increase our political influence we need to build closer working relationships with other education unions as well as those non-education based organizations with which we share common cause.

Sparked by the Occupy Wall Street and 99% movements, we must reach out to students and graduates who are faced with excessive debts and support them in their efforts to lighten their loan and interest burdens. There are daunting challenges facing us that will require our energy, leadership and imagination. I look forward to working within the AAUP to advance our mutual cause.

*EDITOR'S NOTE: Professor Jeneault did not submit a candidate statement for this year. We are re-printing a statement that appeared in 2010*

### Jeanette Jeneault

Syracuse University

#### Candidate Statement

I have spent the past 20 years as a faculty activist. As a faculty member serving contingently at both public and private institutions for the past 25 years, I have learned what is at stake in the realm of academia for all of us whether, tenure rank, professional rank or contingent. Higher education has suffered not only budget cuts and attacks on the humanities, but also a gradual transferring of universities and colleges from places of open inquiry without regard for profit to places more like corporations. The erosion in faculty governance and "the management's" version of academic freedom, and the increase in contract faculty have weakened us but not defeated us. Spending the last two years as Vice President of the New York State conference, I have had many opportunities to make a difference through writing and speaking and being relentless when it comes to seeking justice.

For the past 22 years I have been a Professional Writing Instructor in The Writing Program at Syracuse University. I have also worked for Johns Hopkins University's Center for Talented Youth, SUNY Cortland, and Onondaga Community College. I often conduct workshops on academic writing and research for graduate students, and edit and design books.

### John M. Polimeni

#### Candidate Bio

John M. Polimeni is an Associate Professor of Economics at the Albany College of Pharmacy and Health Sciences. He received a Ph.D. in Ecological Economics from Rensselaer Polytechnic Institute, a M.S. in Financial Economics with a Certificate of Graduate Studies in Regulatory Economics from SUNY at Albany, and a B.S. in Mathematics from Rensselaer Polytechnic Institute.

In addition, he has been a Senior Fulbright Fellow and is a Honorary Member of the Scientific Council of the Romanian National Academy of Science: National Institute for Economic Research, Institute of Economic Forecasting. He has published more than 40 academic journal articles, nine book chapters, and

# THE DANGERS OF A SPORTS EMPIRE

In the light of events at Penn State, the AAUP's National Council issued, on November 29, 2011, the following statement to remind people of the long-term structural problems that helped make that tragedy possible:

Recent accounts of the systemic cover-up of allegations of sexual assaults on young boys at Penn State indicate that the unchecked growth of a sports empire held unaccountable to the rest of the university community coincided with the steady erosion of faculty governance.

Genuine shared governance, which involves meaningful participation by the faculty in all aspects of an institution, could have resulted in these alleged crimes being reported to city and state police years ago, and might have spared some of the victims the trauma they endured, and indeed continue to endure,

because of the memories that remain, and the legal and judicial processes they still face.

The National Council of the American Association of University Professors joins with Penn State faculty member Michael Bérubé in calling on the Penn State administration "to begin treating faculty members, and their elected representatives on the Faculty Senate, as equal partners in the institution" ("At Penn State, A Bitter Reckoning," New York Times, November 17, 2011).

At Penn State, and indeed at other institutions across the nation where athletics programs have burgeoned outside of faculty governance structures, the potential for rampant abuse of power remains.

The AAUP's 1989 report "The Role

of the Faculty in the Governance of College Athletics" recognizes the potential for athletics programs that are independent of the rest of the institution to be egregious examples of misplaced priorities that divert resources from the core academic mission of a university. The report states that, "the time has come to recognize that intercollegiate athletics poses a major governance problem for American colleges and universities governance" and that "the athletic department should not be allowed to function as a separate entity."

The AAUP's Council, in the earnest hope of preventing abuses of power, suffering of victims, and betrayals of trust, reaffirms the necessity of ensuring meaningful faculty participation in all aspects of institutional governance and, in particular, of athletics programs.

## Rensselaer Polytechnic Institute

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of the original, a governance document where the "shared" part has disappeared.

The ostensible reason for the FS suspension was a Board-mandated requirement that only active tenured and tenure-track faculty members should represent the faculty (thus disenfranchising faculty retirees, librarians and archivists, and research faculty), but the suspension provided an opportunity for the administration and Board also to require the alteration of other provisions of the constitution. E.g.,

1. Representatives of each of the five Schools are elected within that School rather than globally, and all members-at-large have been eliminated.

2. "It shall be a major duty of the Senate officers to maintain robust communications with the administration", replacing regularly scheduled meetings between the FS Executive Committee and administration. Other Executive Committee duties that involve interaction

between it and the administration have been either reduced or eliminated.

3. Relationships between standing committees and the administration have been altered so that the administration is no longer bound to provide responses to a committee's recommendations.

4. The role of the Planning and Resources Committee has been a particularly thorny issue, in large part because it was specifically charged with participating in the formation of the Institute budget. This duty has been eliminated. Its other functions have been redefined and reduced.

5. For general faculty meetings (one each semester), "The fall meeting shall include a report from the President of Rensselaer Polytechnic Institute" has been altered to "the President of Rensselaer Polytechnic Institute shall be invited to speak". The quorum size for these meetings has been increased, and "Any resolution advanced to the Institute President and the Board of Trustees as a

result of a vote conducted at a general faculty meeting shall require an affirmative vote of a majority of all active tenured and tenure-track faculty."

6. Finally, and most tellingly, "Resolutions of the Senate shall reflect the wishes of the Faculty, and are intended to be implemented" has been altered to "Resolutions of the Senate shall reflect the wishes of the faculty".

Thus, the situation at RPI has become a "glass half-empty vs. glass half-full" dilemma. Is it better to reestablish a Faculty Senate, even though its contribution to shared governance has almost completely disappeared, or is it better to protest the reduction or loss of faculty involvement in the critical functions of the academic community? Does the new constitution meet AAUP standards of shared governance or should RPI continue on the sanction list?

At this time, I have no answers, only more questions.

The AAUP New York State Conference web site is [www.nysaaup.org](http://www.nysaaup.org)



# NYS AAUP Executive Director's Report

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going issues within the organization, including finances, staff and leadership changes, benefits of belonging to AAUP, relations with UUP and Occupy Wall St.

He stated that AAUP is the conscience of higher education in the country and the leading voice on governance. It wants to grow and increase membership in collective bargaining as well as advocacy chapters. He has visited many campuses where organizing is occurring.

He said that this is not the moment for internecine quarrels. AAUP and AFT are meeting to renegotiate the agreement on joint organizing.

There are campuses that AAUP cannot organize by itself, so it must work with labor. On finances, the C3 (note: the AAUP reorganization underway includes a 501(c)(3) is an American tax-exempt, nonprofit educational corporation or association) will be a fund raising branch of the organization once the IRS approves the restructuring documents.

On personnel - there is a new director of DOS (Department of Organizing Services) who is oriented toward serving members. Martin Snyder has been named Associate General Secretary until a search for a permanent General Secretary is concluded. Parameters of the office will be delineated.

The CBC Executive Committee, Council and staff vetted the piece that he and a colleague wrote about Occupy Wall Street. It speaks to the common good. He believes it important for the organization to align itself with the

movement for social justice.

The open forum discussion that followed Howard's presentation was lively. The conference voted unanimously to support for the Occupy Wall Street movement and all the 99%to1% campaigns that are ongoing. Chris Moylan of NYIT articulated the NYSC's official position;

By a unanimous vote, the executive council of the New York State Conference of the American Association of University Professors endorsed the Occupy Wall Street movement as one fully consistent with the interests and values of labor in general and educators in particular.

The New York State Conference is committed to lending its practical and moral support to a worldwide protest against the concentration of wealth and power in the hands of the few to the detriment of the many.

One important abuse of this power among the one per cent has been a systematic, nation-wide assault on salary, benefits, pensions, labor rights, academic freedom and freedom of expression among educators at all levels.

The NYS AAUP follows the lead of the national AAUP and other labor organizations in applauding Occupy Wall Street for defending the rights of workers and demanding social protections for the unemployed. Moreover, faculty share with students nationwide a growing concern with rising tuition rates, increasing college loan obligations and declining state and federal

support for financial aid.

Professors from CUNY, New York University, Columbia, The New School, New York Institute of Technology and many others have marched with Occupy Wall Street in recent days and will continue to offer support as the movement grows. The AAUP recognizes the diversity of opinions among faculty on the Occupy Wall Street movement and welcomes frank discussion of the aims and activities of the movement.

Further topics discussed at conference included increasing AAUP membership and the status of tenure in NYS Institutions. In this regard please note that the NYSC is available to help your campus organize or rejuvenate a chapter. If you would like our help please contact us. We also will be contacting you for input on the employment practices at your Institute.

Several NYS AAUP leaders will be candidates in the upcoming AAUP National Council Elections. Currently, those I am aware of who are involved in the nominations process include: Stephen Goldberg (Adelphi University), Phillippe Abraham (UUP), and Anne Friedman (CUNY BMCC). Please consider supporting all the NYS members running for council in the upcoming AAUP election this spring.

**The NYS AAUP Conference Spring 2012 will be held in the New York City area May 4-5th, 2012.**

Please plan to attend and look for further details on the NYSC site ([nysaaup.org](http://nysaaup.org)).

two books with another forthcoming. He has given 40 podium presentations at international conferences and been invited to present research on 20 occasions. He has been active in faculty governance at ACPHS serving as Faculty Chair- Elect and Chair of various units and committees. He has actively served on the New York State AAUP Conference Executive Council as an at-large member since 2010.

## **Vision Statement:**

The threat to the university is perhaps at its greatest as the corporatization of higher education places immense pressure on academic freedom, promotion and tenure, and faculty governance in general. The ongoing financial/debt crisis and the fiscal mismanagement by the State and Federal Governments, as well as the administrations of numerous colleges and universities throughout the country and the state have only exacerbated the problem. The NYS AAUP is the only State organization concerned with faculty issues in Higher Education from the faculty perspective. As someone concerned with these issues I would like to continue in my capacity as an at-large member of the Executive Council of the NYS AAUP as I believe the University is one of the last bastions where ideas can be argued openly and freely. The threat to these freedoms is both real and present and the mobilization of faculty is the best way to address these issues in a meaningful and timely manner.

## **Kathryn Regan Eskew**

Associate Professor - Rehabilitation Studies  
Hilbert College, Hamburg NY

### **Candidate Bio**

For over 20 years I have been involved in the higher education field as an associate professor, department chair and program coordinator. About five years ago, our college had a significant change in leadership and that motivate the faculty to pursue affiliation with the state and national AAUP. I was elected the first chapter president and have been active in the formation and maintenance of the chapter, since its inception. We have an active core group and have moved the college to develop strong shared governance documents, revise the faculty handbook along AAUP guidelines and are now updating our tenure and rank process. We have faculty representation on key

Board of Trustee committees.

In addition to my AAUP activities I am also a strong advocate for students, faculty and staff with disabilities in the campus community. I have worked with students to perform accessibility surveys of the campus that have resulted in positive change. Students have also worked with our Independent Living Center to survey restaurants in the community for accessibility and that information is posted on a web site for the Buffalo/Niagara Region.

I am a graduate of Syracuse University and a credentialed Rehabilitation Counselor.

### **Campaign Statement**

I have been involved with the NYS AAUP for the past six years as an active participant with the State Conference, attending conference meetings and in regular communication with representatives and the executive director. The NYS Conference was very helpful in the formation of a new chapter at Hilbert College and I would like to continue to strengthen ties between the conference and all chapters.

Other priorities for the conference should be the continuing dialogue with UUP and NYS-AAUP about our ongoing relationship. Each group has specific concerns and issues. Our mutual interests should help us solidify this relationship that has such an impact on higher education in New York.

I would also like to address the ongoing affairs at the National AAUP. Although some changes have been implemented to address state conference concerns, there is room for continuing improvement. It is important that the issues being faced by all state conferences be a priority for the national office. This includes the struggles of collective bargaining units and advocacy chapters to ensure that higher education at all levels maintain its true purpose and integrity.

If elected to the NYS AAUP, I will be a voice for the individual chapters, as well as the state conference. My background in advocacy and community involvement has provided me with the tools to be an effective listener and spokesperson. I feel NYS-AAUP needs representation from all the diverse constituents across the state. I look forward to representing the views of the membership in a collegial and responsive manner.

## Grad Labor Counts Campaign

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voice in the workplace is an important part of the quality of work they perform. In Ohio, voters have just repealed legislation that would have stripped collective bargaining rights from all faculty at public colleges and universities (in addition to removing collective bargaining for all public employees throughout the state)."

The AAUP Executive Committee and the standing Committee on Graduate and Professional Students therefore support the NYU Graduate Student Organizing Committee's April 2010 petition for the NLRB to rule on its case for union recognition. We also support the Graduate Students United at

the University of Chicago, as well as their campaign to secure the legal right to unionize for private universities through an NLRB decision. In only two weeks, this "Grad Labor Counts" campaign has garnered over 1600 signatures from graduate student employees, faculty, students, and community allies nationwide.

It is increasingly clear that graduate student employees deserve the right to unionize. The Obama administration and the remaining members of the NLRB must have the courage to right the 2004 ruling.

A petition urging the NLRB to reverse its stand was delivered to the Board on December 14, 2011.

## NEW YORK STATE CONFERENCE OF THE AAUP ENDORSES OCCUPY WALL STREET

By a unanimous vote, the executive council of the New York State Conference of the AAUP voted at its fall meeting to endorse the Occupy Wall Street movement as one fully consistent with the interests and values of labor in general and educators in particular. The New York State Conference is committed to lending its practical and moral support to a worldwide protest against the concentration of wealth and power in the hands of the few to the detriment of the many.

One important abuse of this power among the one per cent has been a systematic, nation-wide assault on salary, benefits, pensions, labor rights, academic freedom and freedom of expression among educators at all levels. The NYS AAUP follows the lead of the national AAUP and other labor organiza-

tions in applauding Occupy Wall Street for defending the rights of workers and demanding social protections for the unemployed. Moreover, faculty share with students nationwide a growing concern with rising tuition rates, increasing college loan obligations and declining state and federal support for financial aid.

Professors from CUNY, New York University, Columbia, The New School, New York Institute of Technology and many others have marched with Occupy Wall Street in recent days and will continue to offer support as the movement grows. The AAUP recognizes the diversity of opinions among faculty on the Occupy Wall Street movement and welcomes frank discussion of the aims and activities of the movement.



## New York State AAUP Executive Director's Report

By Tom Policano

The NYS Conference of AAUP is conducting elections for President, Vice President and two Members at Large. Those elected will also represent the NYSC at the AAUP Annual Meetings as Assembly of State Conferences Delegates. The bios and position statements by the candidates are found elsewhere in this newsletter. Elections will be again a part of the National AAUP elections and all NYS AAUP members will be invited to vote. The state conference will also be asking our members to ratify the changes. The modified NYSC Constitution is on line at:

[http://nysaaup.org/library/nysaaup\\_constitution\\_amended\\_111015.pdf](http://nysaaup.org/library/nysaaup_constitution_amended_111015.pdf)

Several NYSC members are also running for AAUP Council positions and we urge you to give them your support.

Our NYS AAUP Conference Fall 2011 was held October 14-15 at Niagara University. I would like to thank NU for their hospitality and share a special thanks to Suzanne Wagner and Abigail Levin for their leadership in making all the arrangements.

At the conference we discussed constitutional amendments and additions. The Constitution Task Force proposed more improvements that take advantage of the electronic age to allow greater participation of the membership in the business of the conference. The Steering Committee and members attending the conference ratified the changes. A further motion was passed to ask the NYS AAUP membership as a whole for their opinion on the changed Constitution. This will be done as part of the spring NYSC and AAUP elections.

The work of the Drake Group ([thedrakegroup.org](http://thedrakegroup.org)) was presented and a formal motion was passed in support of the mission statement of this group.

The mission of the The Drake Group is to help faculty and staff defend academic integrity in the face of the burgeoning college sport industry.

The NYSC will seek ways to cooperate with this effort.

Our conference guest and keynote speaker was Howard Bunsis, AAUP Secretary-Treasurer (2012) and Collective Bargaining Conference Chair (2013) Eastern Michigan University. Howard inspired a very active forum discussion about ways that the National and New York State Conference of AAUP can work better together. The NYSC secretary, Cecelia McCall summarized Howard's presentation well when she wrote in the minutes; Howard addressed many on-

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## UUP Sues State, Seeks Health Insurance Hike Reversal

United University Professions, the union that represents academic and professional faculty at the State University of New York, filed suit on December 28, 2011, in federal district court in Albany against the state of New York to reverse a health insurance rate increase affecting UUP's nearly 4,000 retired members.

An extra two percent increase in the contribution retirees pay toward their health insurance premium was unilaterally imposed by the state in October. Retirees, who had been paying 10 percent of the cost of their health insurance premiums for individual coverage and a 25 percent share on family plans, were surprised to learn their premiums would be larger than expected.

"The state's action to unilaterally raise the level of contributions retirees pay for their health insurance is unconstitutional, arbitrary and capricious, and amounts to a breach of our contract," UUP President Phil Smith said. "It's totally wrong to saddle our retirees who are on fixed incomes with this unexpected increase in their health insurance costs."

The lawsuit charges the higher health insurance rates are unconstitutional because the state's action violates a federal law barring states from impairing contracts. The suit also alleges breach of contract and that the action was arbitrary and capricious, since it extended a change intended for retirees not covered by a union contract. UUP's retirees have contractual protection.

UUP's suit asks the court to rescind the state's increase in the contributions retirees pay toward their health insurance. The legal action includes the governor, the state Department of Civil Service and NYSHIP.

"These individuals served the public with distinction for years, only to be ambushed by such an increase," Smith said. "These retirees, who are our friends, neighbors and relatives, had no choice in this decision and did nothing to deserve this unwarranted attack on their financial well-being."

The added two percent contribution the state ordered retirees to pay comes on top of premium rate increases annually imposed by health insurance carriers.

## New Constitution To Be Voted On At Spring Meeting

The proposed constitution (including changes from the October proposal) can be viewed on the state conference website: [http://nysaaup.org/library/nysaaup\\_constitution\\_amended\\_111015.pdf](http://nysaaup.org/library/nysaaup_constitution_amended_111015.pdf)

## Grad Labor Counts Campaign Conference

On December 6, 2001, The AAUP Executive Committee and the standing Committee on Graduate and Professional Students called upon the Obama administration and every remaining member of the NLRB to reverse the board's 2004 decision to withdraw the right of graduate student employees at private universities to choose unionization through a democratic vote.

The joint statement said that "We deplore the seven years that graduate student employees at private universities have waited for the approval of what the United Nations regards as a basic human right—the right of any employee group to choose collective bargaining."

The 2004 decision of the NLRB stands as an exceptionally undemocratic denial of employees' rights to have a voice in their future and working conditions. This denial is particularly egregious in the case of graduate student employees, as they otherwise have no say in the policies that govern their salaries, benefits, and working conditions. Unlike many faculty, they cannot address these issues through any shared governance structure—they do not have a document comparable to a faculty handbook.

The joint statement conclude that "An NLRB ruling to reverse the 2004 decision is all the more important now, at a moment when political leaders and their constituencies from across the political spectrum agree that quality higher education will be a crucial component of any national economic recovery.

Voters have recognized that giving academic employees a

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The tenth annual Conference of Contingent Academic Labor (COCAL) Conference will be held in Mexico City, on the campus of the National Autonomous University of Mexico (UNAM) from Friday, **August 10 through Sunday, August 12, 2012.**

The host for COCAL X is the Sindicato de Trabajadores de la Universidad Nacional Autónoma de México (STU-NAM). Contingent faculty activists and representatives from North America will participate in the conference. Presentations and plenaries will be translated into English, French, and Spanish.

Tentative themes for the conference are: changes in academic work in the context of neoliberal globalization; organization and new forms of struggle of the academic workers; challenges and strategies for the 21st century; culture and identity of the new academic subjects of higher education in North America, and perspectives of organization and struggle of the COCAL

The National Autonomous University of Mexico (UNAM) was founded in 1551. It is the biggest university in Mexico and Ibero-America.

There are many cultural sites nearby, including the Ciudad Universitaria facilities (UNESCO World Heritage Site), the Chapultepec Castle (former residence of Maximilian of Habsburg and Charlotte) and the National Museum of Anthropology.

**More information can be found on COCAL's website:** <http://cocalinternational.org/events.html>.

## AAUP to hold Annual Conference on the State of Higher Education in June

The AAUP's Annual Conference on the State of Higher Education (including the Ninety-eighth Annual Meeting of the AAUP) will take place June 13-17, 2012 at the Mayflower Renaissance Hotel in Washington, D.C.

The highlight of the Annual Conference on the State of Higher Education will be three days of presentations by faculty members and administrators from around the country. The presentations begin Wednesday, June 13, and continue until 5:15 pm on Friday, June 15. Issues to be addressed include: online education, assessment and accountability, corporatization and research, discrimination, governance, higher education funding, and numerous others.

Other events include a Friday afternoon state lobbying networking meeting (for AAUP members only); a and a Friday night reception for all attendees

Capitol Hill Day, the AAUP's annual grassroots lobbying event, provides you an opportunity to advocate for higher education. AAUP members visit their senators and representatives and speak up about the issues that matter most to academia. We supply briefing materials and everything else you need to prepare and present your message persuasively. The day concludes with a congressional reception on Capitol Hill. New York State Conference members can contact Executive Director Tom Policano to join New York's lobbying effort.

Featured speakers include Gamelyn Oduardo Sierra, a recent graduate of the University of Puerto Rico Law School, who will share his experiences as a student organizer in the University of Puerto Rico.

In addition, the conference includes meetings of the AAUP Executive Committee and Council, the Collective Bargaining Congress, and the Assembly of State Conferences. The Annual Meeting plenary (Saturday, June 16) will consider important business items such as investigations of alleged violations of academic freedom and tenure.

**More information can be obtained from the AAUP website:** [www.aaup.org](http://www.aaup.org).