

From the NYS AAUP President's Desk

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strong dose of anti-intellectual animus toward the professoriate in general, there has been a virtual blockade in place against the NLRB consisting of holds on appointments, defunding attempts, and other obstructionist tactics. And, to make matters worse, it sometimes seems as though the Democratic Party leadership has assigned NLRB empowerment a low priority.

But this is a cause that deserves close attention and it will continue to shape the future of higher education, for better or for worse.

To read the full article and others in the current issue of Academe, visit this AAUP web site: <http://www.aaup.org/article/navigating-troubled-waters-nlr#UqeXbkJTtII>

MEANWHILE....

On December 12 the *New York Times* reported in a front page story that concerns regarding academic freedom have arisen at schools that have established programs in countries where authoritarian governments take a dim view of American notions of free inquiry and expression. The article, titled "U.S. Colleges Finding Ideals Tested Abroad," focused on Wellesley College in particular and its relationship with Peking University in China and went on to identify a number

University of New Hampshire Lecturers Form Union

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of English, notes the salary of lecturers at UNH is 40% below the national average. Chrissy O'Keefe, Lecturer of English, adds "like teachers everywhere, we'd like a voice in how our classrooms are run and we choose to do this through the collective bargaining unit of a union."

After the election for the union takes place in early 2014, the organizing group will begin negotiations with university administrators to write a contract for lecturers.

of other institutions with similar arrangements such as NYU's contracts in Abu Dhabi and Shanghai. In fact, problems concerning these deals were part of the bill of particulars that led to the faculty vote of No Confidence in NYU's President, John Sexton.

It appears that administrative eagerness to latch on to foreign capital and to pad their own resumes regardless of abuses of standards of academic freedom and shared governance, are driving this trend.

Once again, greater faculty participation in crafting the programs and assuring their integrity might have avoided some of these failures.

A day later, on December 13, it was reported that The Pearson Foundation, a non-profit front established by the Pearson Publishing giant to promote the company's text and test products, will pay \$7.7 million to settle a suit charging that it had broken New York State laws by assisting its corporate parent in marketing its wares, a practice forbidden under laws governing non-profit, tax exempt organizations.

As all levels of American education are beset by the ongoing testing mania along with the dubious benefits of the overpraised MOOC craze, this decision sheds light on that troubling tendency.

Violations at Northeastern Illinois University

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AAUP investigating committees, which are authorized in a few selected cases when significant violations of academic freedom, tenure, or governance have been alleged and persist despite AAUP staff efforts to resolve them, are composed of AAUP members from other institutions with no previous involvement in the matter.

The report is available on the AAUP's website at <http://www.aaup.org/report/academic-freedom>

From the President's Desk:



FACULTY RIGHTS TIPPING POINT

By David Linton

Everyone who cares about academic freedom and the central role of faculty in higher education is urged to read the most recent issue of the national AAUP's publication,

Academe, the journal from which this New York State newsletter takes its name. The cover illustration captures the severity of our present situation with its headline, "Participate or Perish." Inside, the lead article, "Navigating Troubled Waters at the NLRB," by Risa L. Lieberwitz, reviews the history of the Supreme Court's Yeshiva Decision and the role of the National Labor Relations Board (NLRB) in faculty-administration relations.

Of particular interest is the suit filed by the union representing the faculty of Point Park University in Pittsburgh in an effort to gain collective bargaining recognition at the school. The AAUP has filed an amicus brief in the case which was drafted by Professor Lieberwitz, the author of the article.

It is not an overstatement to point out that this is the most significant development in more than three decades. Since the Yeshiva Decision was handed down in 1980, union drives at private institutions have come to a standstill. As a result, as the article points out, fully 93% of unionized higher education faculty are in public sector institutions. Nearly all of the few in the private sector had achieved their bargaining rights prior to 1980 and have managed to hold on to them since.

Unfortunately, the likelihood of either overturning Yeshiva or of establishing clearer guidelines for its interpretation and application appears to be a long shot. Due to the deep-seated anti-union bias of the majority of the Republican members of Congress, a view that corresponds with a

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N.Y.U. Graduate Assistants to Unionize

Graduate teaching and research assistants at New York University have voted overwhelmingly to unionize, becoming the only graduate assistants' union recognized by a private university in the United States.

The graduate assistants voted 620 to 10 to affiliate with the United Automobile Workers. Contract negotiations are expected to begin within weeks between the university and the new U.A.W. affiliate, which the union says will include 1,247 graduate assistants at New York University and the university's Polytechnic Institute in Brooklyn.

In 2000, after a favorable decision by the National Labor Relations Board, a majority of the university's graduate assistants voted to join the U.A.W. Two years later, they became the first group of graduate assistants to negotiate a union contract with a private university. That agreement increased stipends by nearly 40 percent, improved health coverage and added pay if the assistants worked more than 20 hours a week at their duties.

But in 2005, New York University stopped recognizing the graduate assistants' union. The university took that step after the NLRB reversed a previous decision and ruled in a 2004 case involving Brown University that graduate teaching and research assistants should be considered students and not workers and did not have the right to unionize. When the contract for the N.Y.U. graduate assistants expired, NYU President Dr. John Sexton refused to negotiate a new agreement.

Graduate students then went on strike, staging protests and attracting negative publicity for the university. Hundreds of professors held classes of campus to avoid crossing the picket lines. Labor leaders from around the country came to

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National AAUP News

Academic Freedom Applies Equally to Electronic Communications

“Academic freedom, free inquiry, and freedom of expression within the academic community may be limited to no greater extent in electronic format than they are in print, save for the most unusual situation where the very nature of the medium itself might warrant unusual restrictions,” says a report December 3, 2013, by the American Association of University Professors.

The newly revised report, Academic Freedom and Electronic Communications, brings up to date and expands upon the Association’s 2004 report on the same topic, while affirming the earlier report’s basic principles.

The revised report addresses a higher education landscape that has been significantly changed in recent years by:

- the emergence of social media as vehicles for electronic communication,
- increased outsourcing of information technology resources,
- cloud computing,
- expanded security concerns, and
- new communications devices.

The boundaries of the classroom have expanded. Now a classroom is not simply a physical space, but any location, real or virtual, in which instruction occurs.

The revised report concludes that in classrooms of all types the protections of academic freedom and of the faculty’s rights to intellectual property in lectures, syllabi, exams, and similar materials are as applicable as they have been in the physical classroom.

The revised report reaffirms the 2004 report’s conclusion that “full freedom in research and in the publication of the results applies with no less force to the use of electronic media for the conduct of research and the dissemination of findings and results than it applies to the use of more traditional media.”

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Academic Freedom, Governance, and Tenure Violations at Northeastern Illinois University

The administration of Northeastern Illinois University in Chicago violated principles of academic freedom when it denied tenure to a candidate who had opposed its wishes in a dispute between linguistics faculty and teachers of English as a second language (TESL), concludes an AAUP investigating committee in a report issued December 17. The committee found that the activity of the professor was protected under principles of academic freedom and that the administration had allowed allegations that the tenure denial was retaliatory to go un rebutted. Additionally, the committee concluded that the administration, in not providing a credible explanation for the tenure denial, placed itself fundamentally at odds with a requirement in the AAUP’s Statement on Government of Colleges and Universities.

The candidate, an assistant professor of linguistics, had been recommended for tenure during the 2011–12 academic year by his tenured linguistics colleagues, his department chair, the dean of the College of Arts and Sciences, and, unanimously, the faculty’s elected University Personnel Committee. The NEIU president, however, rejected his candidacy—the only rejection among the sixteen candidacies for tenure to reach her desk that year.

The president cited two reasons for denying tenure: the candidate’s failure to meet a deadline for filing a plan regarding student advising and the inadequacy of his “cooperation with colleagues and students.”

But the AAUP’s investigating committee found that neither reason was credible.

NEIU faculty members interviewed by the investigating committee believed that the president was instead motivated by

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University of New Hampshire Lecturers Form Union

Durham, New Hampshire. Full-time lecturers at the University of New Hampshire have successfully launched a bid to form a union as a chapter of the American Association of University Professors (AAUP).

A relatively new teaching position at UNH, lecturers do not have the same salary as professors and are not eligible for tenure or to join the professors’ union.

University of New Hampshire Lecturers United AAUP, the group organizing the union drive, has attained support from 70% of their colleagues in a grassroots effort on the Durham and Manchester campuses, exceeding the 30% minimum mandated by the Public Employees Labor Relation Board. After the bid is reviewed, the lecturers will hold an election in early 2014.

Sarah Hirsch, Lecturer of Spanish, says lecturers are unionizing because, “we lack a transparent process of evaluation, a standardized process for contract renewals, and fair and transparent grievance policies.”

She added that in the last two years, UNH has hired over 100 lecturers, but there are often no policies in individual departments or in Human Resources that define their positions.

According to Adam St. Jean, Lecturer in Chemical Engineering, “transparent, consistent contracts would greatly improve the sense of job security for lecturers and would enhance our ability to teach with excellence. As more lecturers serve UNH, it only makes sense to provide that security.”

Currently there are 200 lecturers at UNH who teach nearly half the students on campus. Lecturers have many of the same qualifications as tenure-track professors such as advanced degrees, and publishing or extensive experience in their field. However, Clark Knowles, Lecturer

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NYS AAUP Executive Director’s Report

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At this point in time PSC has published a *Statement on Draft CUNY Policy on “Expressive Conduct.”* The statement demands that the University Administration bargain collectively with the PSC over the impact of the proposed policy.

NYS AAUP Chapter Developments

We would like to congratulate the recent formation of the Nazareth College AAUP Chapter. The chapter is already approaching 20 members. The College, like so many other small private colleges in the state and country, is suffering from economic shortfalls due to weak enrollments. The primary concern of the faculty about ways that the chapter might improve shared governance at Nazareth so they can be involved in the decisions being made by President Braveman.

This November saw the formation of a new AAUP chapter at the Albany Law School whose membership, a majority of faculty members, are concerned about proposed faculty layoffs. President and Dean Penny Andrews and Chair of the Board of Trustees Daniel Nolan cite financial concerns as the basis for layoffs.

However, a preliminary financial analysis conducted by the national AAUP using publicly available information concludes that the law school is in very good financial condition. The Chapter believes that layoffs are financially unnecessary, will damage the educational program, and will threaten academic freedom as guaranteed by the AAUP, the American Bar Association, and the American Association of Law Schools.

On the advice of AAUP, the Chapter wrote to the Administration and Board asking for the following: 1. opportunity for meaningful participation in deliberations that may lead to a determination of financial exigency that cannot be mitigated by feasible alternatives to layoffs; 2. all financial information relevant to determining the financial condition of the law school; and 3. adequate time and opportunity to consult with experts who can advise the faculty about the financial condition of the institution prior to the elimination of faculty positions.

The Administration and Board have not responded to the Chapter’s requests but have notified the faculty that layoffs are planned despite the opposition of the majority of the faculty, and that layoffs may include tenured faculty.

The AAUP is concerned that this plan is proceeding without regard for the accreditation standards of the American Bar Association, the American Association of Law Schools, and AAUP guidelines.

The above two examples are not unique in the academic climate of today. The NYS AAUP Conference is here to serve. If you need help or even just support get in touch with us.

If you have an issue that concerns academic freedom and tenure, AAUP is available to consult with you.

The following protocol explains how to maximize the help we can provide you.

- If there is an AAUP chapter, you should first approach it.

The leaders of the chapter know the situation on campus, and they may be able to mediate the situation. They also can provide valuable advice. If there is a collective bargaining agreement in place, the grievance procedure may cover the issue. This will provide an important source of support.

■ If there is no AAUP chapter, or should the chapter be unable to help, you may approach New York Committee A on Academic Freedom and Tenure. We will be available to discuss the issues fully, and to offer advice. NY Committee A also may recommend to National Committee A of AAUP that it consider your issue.

Finally, at any time, you may approach National Committee A on Academic Freedom and Tenure. However, once you do, NY Committee A will step aside. It is the policy of NY Committee A not to become involved in any matter that has been reviewed, or is under review, by National Committee A.

NYS AAUP Spring Conference 2014

Plans are underway for our NYS AAUP Spring Conference 2014 in NYC on April 25-26th, 2014. Check the NYSC website [<http://nysaaup.org>] for further information as we get closer to our spring meeting time. Meanwhile please do not hesitate to contact us for assistance with faculty issues you may be facing on your campus.

Academic Freedom Applies Equally to Electronic Communications

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The report includes an expanded discussion of access to research materials, including a discussion of the open-access movement and of the role of college and university libraries and librarians.

The report also discusses access to electronic communications technologies, outsourcing of non-instructional information technology resources, the implications for academic freedom of social media and their use, Freedom of Information Act requests for electronic records, and threats to academic freedom associated with defamation claims against statements made through electronic media such as blogs. A section of the report is devoted to privacy concerns, affirming that “[p]rivacy in electronic communications is an important instrument for ensuring professional autonomy and breathing space for freedom in the classroom and for freedom of inquiry.”

In conclusion, the report declares that electronic communications are too important for the maintenance of academic freedom to be left entirely to institutional technology offices: “Faculty must participate, preferably through representative institutions of shared governance, in the formulation and implementation of policies governing electronic communications technologies.” The report offers six specific recommendations for facilitating such participation.

NYS AAUP Executive Director's Report

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shared by the Hillbert College faculty in attendance is the rumored alliance between the two Institutions.

A follow-up meeting of the two faculties to establish a faculty involvement plan occurred, despite heavy snows, on December 13th. It was held in Ellicottville midway between the two schools that are 60 miles apart.

Attendees included; Steve Nuttall, Barry Gan, Karen Wieland, Mary Rose Kubal and Paul Brawdy from SBU and Kate Eskew, Herb Kauderer from Hilbert. The main talking point was the recent donation of \$250,000 by the Oishei Foundation to help fund the alliance.

The group formulated four principles that the joint AAUP Chapters will be disseminating to all faculty of both Institutions and their respective administrations.

The principles are:

1. Faculty need to be involved in the discussions around the compositions of committees looking at different aspects of the institutions.

2. Committees working across campus (joint committees) should include faculty

3. Faculty involved in the study should be elected by the respective faculty senate's, not appointed by the administration

4. At this point there should be no movement toward downsizing the faculty at either institution; tenured or contingent.

The NYSC elections 2014

The NYSC Election Committee solicited nominations for the offices listed below for our 2014 election. These positions are for the Executive Council of the NYSC Steering Committee and for the NYSC delegates to the AAUP Assembly of State Conferences 2014 meeting. Duties and responsibilities of persons holding these positions are enumerated in the NYS AAUP Constitution. All active members of the AAUP in New York State were invited to stand for election to a position on the Executive Council. Nominations closed November 15, 2013. The roster of nominees is listed below.

• NYSC President 2014-2016 and AAUP ASC Alternate Delegate 2014 - **David Linton, Marymount Manhattan College**

• NYSC Vice President 2014-2016 and AAUP ASC Alternate Delegate 2014 - **Sally Dear-Healley, SUNY Cortland University**

• NYSC At Large Member 2014-2016 and AAUP ASC Delegate 2014 - **Kate Eskew, Hillbert College**

• NYSC At Large Member 2014-2016 and AAUP ASC Delegate 2014 - **John Polimeni, Albany College of Pharmacy & Health Sciences**

We are disappointed that more NYS members have not expressed interest in our NYSC Steering Committee open positions this year. We expect that next year's election we be more competitive. Thank you to those who did complete the nomination process.

ASC Meeting in Columbus Ohio

The executive committee of the Assembly of State Conferences organized the first meeting of that body that I can recall outside of the AAUP Annual Meeting. The meeting was held in Columbus, Ohio November 16-17th, 2013 and was well attended by conference presidents and executive directors. Also in attendance were AAUP President Rudy Fichtenbaum, our new Executive Director Julie Schmid and Senior Labor Advisor Mike Mauer among others. The purpose of the meeting was to address many concerns that our states conferences have due to the restructuring of AAUP and declining non-collective bargaining membership. President Linton and I attended representing the NYSC and raised several new and recurring issues. Our concerns were generally shared regarding the national AAUP proposal to no longer collect conference level dues as part of the national dues paying process of our members, the still incomplete technical build of the dues record keeping system, our interest in having a nationally led effort to appeal the Yeshiva decision, and the announcement that national AAUP will no longer piggyback state conference elections onto national elections which have now been approved to occur bi-annually.

Unfortunately, no consensus on resolving any of these issues was reached but the discussions were certainly lively. As ongoing dues issues and U.S. Department of Labor issues plague our organization, it appears that National AAUP is severing more and more ties to state conferences. This is a very penny wise but pound-foolish "solution" to our problems. We hope to hear back from the ASC leadership and National AAUP with an action plan that address these serious concerns.

CUNY Policy on Expressive Conduct

Back in June PSC/CUNY conducted a referendum of No Confidence in Pathways as part of the *Campaign to Repeal Pathways*. Pathways is an administrative driven gen ed curriculum overhaul for the entire CUNY system of schools created and approved without the appropriate and significant faculty involvement that a curriculum change of this magnitude deserves. The referendum garnered a 92% vote in support of repeal from a healthy 60% turn out of the 7,202 eligible voters.

Later in June at the AAUP annual meeting in Washington DC a resolution passed overwhelmingly to support the *Campaign to Repeal Pathways* as it flagrantly violates our AAUP Principles of Academic Freedom.

Probably as a result of the strength of this PSC/CUNY led campaign the Chancellor stepped down and in July the Board of Trustees appointed William Kelly interim chancellor. Hopes ran high that this would lead to a pull back on the Pathways effort. However Chancellor Kelly's first act as interim Chancellor was the introduction of the *Policy on Expressive Activity*.

This policy restricts the right of assembly on CUNY campuses and requires prior permission for any kind of demonstration of more than 25 persons? This policy appears to be a direct attempt to silence the *Campaign to Repeal Pathways*.

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THE NYS AAUP EXECUTIVE DIRECTOR'S REPORT

By Tom Policano

I will be reporting on our NYS AAUP Conference Fall 2013 at St. Bonaventure University, the NYSC 2014 elections, the AAUP Assembly of State Conferences meeting in Columbus, Ohio, the proposed CUNY Central Administration Policy on Expressive Conduct, and a bit about chapter development in NYS.

New York State AAUP Conference Fall 2013

Our New York State AAUP Conference Fall 2013 was held at St. Bonaventure University on October 18-19th, 2013. The NYSC was invited to SBU to help celebrate the removal of AAUP censure due to improved faculty and administration relations and improvements to their faculty handbook regarding financial exigency and shared governance. The conference opened with a welcome by SBU provost Dr. Michael Fisher and remarks by AAUP's Greg Scholtz. Greg who is the Director of Academic Freedom, Tenure, & Governance pointed out that over the history of AAUP 216 Institutions been put on censure with Grove City College in Pennsylvania having the dubious award of remaining on censure for over 40 yrs. Currently there are 52 Institutions on censure (see <http://www.aaup.org/our-programs/academic-freedom/censure-list>). AAUP considers the censure list a catalog of failures so the mood at SBU was jubilant. Greg went on to conduct a very informative workshop on these topics.

SBU faculty have been concerned that the removal of censure at SBU might erode their bargaining power with the administration so NYSC President Linton made a presentation about faculty using the Middle States periodic review process to safeguard faculty involvement in shared governance. This presentation was enthusiastically received.

Overall the entire conference was well received and we even had Professor Barry Gan's classic rock band volunteer to play at our Friday evening banquet must to the delight of all attending which by the way included several members of the SBU Administration and Board of Trustees and their spouses.

One concern raised by the SBU faculty and

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Hooray for the University of St. Bonaventure

By David Linton

It is always a sad day when a college or university is placed on the censure list of the AAUP due to failures to live up to standards of academic free speech or shared governance. There are currently 52 institutions on the list and each one represents a loss in the struggle to maintain crucial protections of academic integrity. So it is an event worth celebrating when an institution makes the collaborative effort between faculty and administration to be taken off the list. It is a pleasure to report such an event at the University of St. Bonaventure.

And celebrate we did! Following the formal, unanimous vote at the annual meeting in June to acknowledge that SBU had successfully addressed the conditions that had led to the original censure, the New York State Conference held its Fall meeting at the western New York State campus to formalize the action and to congratulate the faculty on the vitality of the newly energized local AAUP chapter.

The meeting was attended by Greg Scholtz, AAUP Director of Academic Freedom, Tenure and Governance, who was instrumental in working with faculty and administrative representatives in addressing the governance issues that were at stake. At the state level, the initiative was taken by NY State Executive Director Tom Policano and Board members Suzanne Wagner and Frank Higman. But the most important players in the drama were the local AAUP leaders at St. Bonaventure: the lead faculty member was the AAUP Chapter President Steven Nuttall who worked with the University Provost Michael Fisher to put the pieces of the plan together.

The event was made even more festive during the evening's banquet by the presence of a band headed by faculty member Barry Gan. As the saying goes, "The hills were alive. . . ."



New York State AAUP Conference President David Linton sharing a token of appreciation with Steven Nuttall, President of the SBU AAUP Chapter.

UUP Calls for SUNY Endowment

United University Professions (UUP) President Fred Kowal, says SUNY needs a permanent endowment to have a long-term source of funding.

Kowal and NYSUT Director of Legislation Stephen Allinger, left, testified at a December 12, 2013 legislative committee hearing that the state should finance a SUNY endowment. That would allow the university to hire more full-time faculty to serve its increasing student enrollment, and improve conditions for part-time, adjunct and contingent faculty.

Kowal gave testimony at a public hearing conducted by the state Assembly Standing Committee on Higher Education.

Kowal also spoke out against the state Education Department's refusal of NYSUT's request to delay implementation of its new student performance assessment - the edTPA.

"The result is a chaotic and educationally unsound transition that threatens to unreasonably deny the current cohort of students their teaching certification, despite their successful pro-

gram completion at our institutions," Kowal said.

He pointed out that student teachers have not been adequately prepared for the edTPA, because the requirements were not clear nor made available to teacher education programs in enough time to adjust the curriculum. Students must pass the edTPA this spring semester to be certified to teach in New York.

"SUNY students who have invested in their college education, who have worked hard, who have completed the teacher preparation program requirements successfully and who have been assessed by experienced educators to be prepared to enter the teaching profession may be denied teaching certification at unacceptable rates," he said.

Kowal also asked lawmakers to support the "Brooklyn Hospitals Safety Net Plan" that would save SUNY Downstate Medical Center and preserve public health care and medical education in Brooklyn. UUP, NYSUT, AFT, CSEA and the Public Employees Federation (PEF) endorse that plan.

PSC Wins Pathway Grievance

CUNY management was defeated in its attempt to block consideration of a union grievance on the way the University implemented Pathways, and has been told in no uncertain terms that faculty's curricular duties are terms and conditions of employment covered by the PSC's contract.

The ruling was issued on December 13, 2013 by an independent arbitrator of a grievance filed by the PSC. CUNY had petitioned for the grievance to be dismissed, arguing that issues

of governance are not covered by the PSC contract and cannot be challenged by the PSC. The petition to dismiss was an attempt to narrow scope of the contract, and was soundly rejected by the arbitrator.

The grievance, filed by the PSC in 2012, alleges that in its implementation of Pathways CUNY failed to act in accordance with University Bylaws and college governance plans established for the development and execution of curriculum changes. The grievance also alleges that the implementation of Pathways was a violation of academic freedom and that CUNY retaliated against members of the faculty for acting in opposition to Pathways.

The arbitrator ruled that the grievance was subject to arbitration, or "arbitrable," in its entirety and ruled against CUNY on every point. The arbitrator held that the ability to maintain some degree of control over curriculum was an integral part of faculty members' terms and conditions of employment and was therefore subject to the grievance and arbitration procedure in the PSC-CUNY collective bargaining agreement.

The PSC will now be permitted to present evidence to establish the violation of Bylaws and college governance plans that have occurred in CUNY's headlong rush to implement its deeply flawed Pathways Initiative.

The grievance should not be confused with the two lawsuits filed by the PSC against Pathways, which are still moving slowly through the courts. The grievance is limited to violations of the PSC-CUNY contract and is an entirely separate proceeding. The grievance challenges only the implementation of Pathways, not the adoption of Pathways.

The AAUP passed a resolution criticizing the CUNY administration's implementation of Pathways at its June meeting.

PSC Blasts CUNY Policy on "Expressive Conduct"

At its November 14, 2013 meeting, the PSC Delegate Assembly passed a resolution which condemns the CUNY administration for their nighttime raid of the Morales/Shakur Center at City College and calls on the CCNY and CUNY Administrations to refrain from using excessive force or punishment for student, faculty or staff dissent.

It also calls for all criminal charges against City College students Khalil Vasquez and Tafador Sourov to be dropped. The two students are leaders in defending the Morales/Shakur Center at City College and opposing the appointment of general David Petraeus. Read the full resolution.

The Delegate Assembly also acted on the "Policy on Expressive Activity" drafted by CUNY's central administration. The

policy, crafted in June, drew sharp criticism when it became public in October. A newly revised version drops some provisions that had sparked objections, but it leaves the central elements in place.

The Delegate Assembly of the PSC passed a resolution demanding that CUNY's draft Policy on "Expressive Conduct" be withdrawn from any further consideration by the CUNY Board of Trustees.

The draft Policy on Expressive Conduct, a revised iteration of CUNY's draft Policy on "Expressive Activity," which became public in October, still reads as "an attempt to silence dissent and stifle protest before it starts," according to the resolution.

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the fact that the rejected candidate had been a leader in the dispute between linguistics and TESL faculty, which culminated in faculty votes of no confidence in the president and her provost.

AAUP's fundamental principles of academic freedom are found in the 1940 Statement of Principles on Academic Freedom and Tenure, which was jointly issued by the AAUP and the American Association of Colleges (now the American Association of Colleges and Universities) and has been endorsed by more than two hundred other organizations. The Statement on Government of Colleges and Universities, also commonly accepted in the academic world, describes principles of academic governance.

The NEIU administration provided lengthy objections to a

draft text of the investigative report, emphasizing its commitment to AAUP policy recommendations and its resentment about being faulted for having declined to provide "confidential personnel information" to the AAUP, an external organization. In response, the chair of the AAUP's Committee A on Academic Freedom and Tenure wrote that the basic problem "is not NEIU's refusal to provide the information to AAUP. The AAUP's concern is instead that [the candidate] was not afforded credible reasons, stated in detail, for the decision to deny him tenure and, as called for in the AAUP's procedural standards, opportunity for him and his supporters to contest what they alleged to be an unstated reason that violated principles of academic freedom."

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UUP's TV ad to save SUNY Downstate

The United University Professions (UUP) has launched a new television advertising campaign that urges viewers to speak out to keep SUNY Downstate Medical Center a full-service public hospital.

The 30-second ad features patients who have received vital treatments at Downstate's University Hospital of Brooklyn. It began airing January 2 on select cable television channels in New York City and Long Island; it will run through the month.

The ad will also air on cable TV channels in Albany for nearly three weeks while the state Legislature is in session.

The ad warns that Downstate could be privatized or closed, which would rob necessary health care services from hundreds of thousands of Brooklynites, including those who depend on the medical center's nationally recognized outpatient dialysis and asthma centers, and pediatric services.

The ad concludes by asking viewers to call a toll-free phone, 1-877-255-9417 and urges them to "tell the governor to keep Downstate open, public and working for Brooklyn."

NYU Graduate Assistants Unionize

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offer their support. In April 2006, AAUP President Jane Buck and incoming president Cary Nelson were arrested for blocking traffic in front of New York University during one of the many protests.

In November 2013, after years of protests by graduate assistants, the university and the U.A.W. announced that the school had agreed to recognize and bargain with the union if a majority of graduate assistants voted in favor of joining the union.

As part of the agreement, the union agreed to withdraw a case it had before the NLRB asking it to rule that graduate assistants be considered employees who have the right to unionize and bargain over contracts.

An issue that had long prevented agreement between N.Y.U. and the union was whether graduate research assistants in the natural or physical sciences could be included in the union. The university argued that the research those assistants did was an essential part of their academic training, and should not be viewed as employment. In their statement, the union and N.Y.U. acknowledged that they had not resolved their differences over whether the 275 graduate research assistants in the sciences had bargaining rights. They will not be part of the union.

At the time, the school and the union issued a joint statement, saying the agreement would "improve the graduate student experience" and "sustain and enhance N.Y.U.'s academic competitiveness."