

# Clarion

NEWSPAPER OF THE PROFESSIONAL STAFF CONGRESS / CITY UNIVERSITY OF NEW YORK



APRIL 2008

CLINICAL FOCUS

## CUNY Law



Sue Bryant explains how CUNY is improving legal education everywhere.

PAGE 6



# CUNY NEEDS A RAISE

The second week in April was Contract Week across CUNY. Above, PSC members were joined by DC37 members at College of Staten Island as they protested CUNY management's failure to put forth an economic offer to either union. Members on a dozen other campuses drew attention to the lack of competi-

tive compensation – salaries for faculty and professional staff are 20 to 30% below those at comparable public universities like Rutgers and UConn. PSC President Barbara Bowen wrote an open letter to Chancellor Matthew Goldstein on the same subject in March.

PAGE 3

## HEALTH & SAFETY

### BCC promises sinkhole fix

Last year, leaky pipes created a sinkhole at Bronx CC; now it can fit a SUV. Activists pressed the administration for more information about promised repairs.

PAGE 4

## CORPORATE CUNY

### Hunter class controversial

Coach, the handbag company, paid Hunter \$10K to offer a course in which students ran a public relations campaign on the evils of counterfeit bags.

PAGE 5

## BUDGET

### PSC fights budget cuts

State and City cuts to CUNY are on the table. The union is marshalling members and others to tell politicians that investments in CUNY pay off.

PAGES 7 & 12



## BENEFITS

### More disability coverage

Until May 15, eligible full-timers can purchase increased disability insurance coverage without providing a medical history.

PAGE 8



# PSC training focuses on organizing

By PETER HOGNESS

"Organizing is how you get anything." That's how Lillian Taiz, president of the California Faculty Association (CFA), opened her talk at the PSC's leadership training program, held at the union hall on March 7 and 8. And that was the central point of the two-day session.

"The training was great," said Nikki McDaniel, associate professor of biology at Bronx Community College. "It had a little of everything we needed to really gear up the organizing on our campus. I came out of it feeling more prepared for the projects ahead, and more connected with other activists at my college."

"CUNY can be very fragmented," observed Douglas Medina, a higher education associate at Baruch. "There's often not a lot of opportunity to interact with people in other offices and departments. Not to mention the adjuncts – they don't even have a phone or a desk!" It's one of the biggest obstacles to organizing at CUNY, Medina said.

## Activist skills & analysis

The training session was an opportunity to bring people together, said Jen Hayashida, an adjunct in Asian American studies at Hunter. "What was the most helpful for me," she told *Clarion*, "was meeting people from other campuses. It was a chance to learn more about the challenges they face in terms of working conditions, to learn about strategies that worked for them that we could consider implementing at Hunter."

### SEPARATION

People at CUNY are separated in many ways, Hayashida observed, and the union can offer a way to reach out across those divisions. "I have found it really inspiring to see full-time faculty who are committed to everyone's needs," she explained. She recalled a full-timer from College of Staten Island who spoke at the mass meeting, not only about their own pay raise but on issues affecting other groups as well. "It makes such a difference when we

have conversations across these lines," she said. "There's no doubt that everyone's getting screwed, and we need to stick up for each other."

Another gap, said Medina, is generational. "I was definitely one of the younger participants," he commented. "If PSC is going to grow and have political power in CUNY, we need to recruit more of the newer faculty and staff who've been hired in the last few years." In discussions at the training session, he recalled, "I said what I would like to see is more resources put into outreach to younger members. A couple of people from the leadership came up to me and said, 'You're absolutely right. That's why we're having this training workshop, and we need to do more.'"

Medina said he looks for ways that he can contribute to building the union at the base. "For me there's an educational aspect," he said, "explaining to people I work

with that unions are not some distant, bloated bureaucracy. They're a way for you and me to work together, to exert pressure and create change."

Again and again, participants in the two-day meeting emphasized that what it takes for the union to bring people together is member-to-member communication.

### The union isn't a distant bureaucracy, it's you and me.

"I think the one-on-one organizing is the most important," said McDaniel, "and also the hardest thing for most of us to do."

"People are used to sitting back and pressing a button online to send a letter to their senator," agreed Medina. "And that's good – but they're not used to talking to people, being socially active within their department." In workshop sessions on base-building, activists discussed how to build effective communication networks at the grassroots. "That's where our power comes from," said Nancy Romer, professor of psychology at Brooklyn College, "keeping in touch through member-to-member discussion."

Lillian Taiz told the group that this was a key lesson of the California experience. The CFA president said that this year, her union won one of the best contracts it has ever achieved. But that took years of step-by-step work to build the union's organizing capacity. "It took a lot of legwork, a lot of phone-calling, a lot of hall-walking and door-knocking," she told PSC activists. (The other featured speaker was Gary Rhoades of the University of Arizona, well known for his analysis of the corporatization of higher education; see page 12 for more.)

### EFFORT

"President Taiz's presentation on the CFA's last contract campaign showed how much power a meticulously organized membership can bring to bear," said Scott Dexter, associate professor of computer science at Brooklyn College. "It also made clear how much effort we'll all have to put in if we really want that power for ourselves."

One member who's ready to step up to the plate is LaRoi Lawton, a library faculty member at Bronx Community College. Before the training session, Lawton said, "I would have considered myself a PSC member who does the obligatory mailings, signings, meetings and so on – but not 'active' to the point of going on a picket line in front of the president's office for better workload and pay."

But that began to change, he said, in workshop discussions that got him thinking about the many ways management's agenda fails to serve the needs of the University. "[It] made me decide that I was either part of the problem, or part of the solution," Lawton told *Clarion*, "though this process will more than likely evolve with time."

### TAKES PRACTICE

It's a process, agreed Syed Amir Abdali, a CLT at City College, and even an excellent meeting is just a start. "Leadership training is important," he said. "But I think it takes practice – getting trained, and then doing something." The point is to take it into action, Abdali said. "People have to spend time, doing the union work," and learn as they go along.

The training session ended with a focus on what to do next. "We concluded on Saturday afternoon with a concrete and forward-looking workshop on campus action and local organizing," said Diane Menna, an adjunct in English at Queens and co-chair of the PSC Organizing Committee. Topic number one, she said, was developing plans for the 'Contract Week' protests from April 7 to 11. (See page 3.)

"The contract and budget that our members deserve will only be won by putting our collective shoulder to the wheel to organize and channel our power," said PSC Treasurer Mike Fabricant, who also co-chairs the union's Organizing Committee. "This training helps to point us in the right direction."



PSC members and staff at the March 7 and 8 leadership training.



## LETTERS TO THE EDITOR

WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006.  
E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: (212) 302-7815.

# CUNY needs one health plan for all

● I read your article "At CUNY, Adjunct Health Care is Broken" with great interest. I want to point out another flaw in the broken system and add an argument for all employees to be covered by the NYC Health Benefits Program.

I'm a veteran adjunct at BMCC who was offered a full-time substitute

position this semester. When I accepted, this meant going from the Welfare Fund insurance plan that covers adjuncts to the NYC Benefits Program. My contract – and coverage – ends on July 31. Whether I return to BMCC in the fall semester as an adjunct or as a full-time sub, during August I will have to go on the federal COBRA program and pay a hefty sum to maintain my insurance coverage.

This situation is wrong and unfair. After teaching at BMCC for over 15 years, now I suddenly have to pay out of pocket for this month.

This problem would be eliminated if full-timers and adjuncts were all on the same plan, and it would also cut back on paperwork for our benefits officers. This two-plan system has to go.

Kate Walter  
BMCC

### Great debater, greatest teacher

● I read in the March issue of *Clarion* John Drobnicki's letter about the late Hobart Jarrett, who was a

member of the celebrated debate team at Wiley College that was the basis for the film *The Great Debaters*. Although not an English major when I was a student at Brooklyn College, I took Professor Jarrett's Shakespeare course. We read many important plays and sonnets as well as first-rate literary criticism. When Professor Jarrett read aloud from the texts, he was particularly inspiring. He was one of the greatest teachers I ever had.

Irvin Schonfeld  
City College

## Next issue

*Clarion's* series on adjunct labor at CUNY will continue in May.



# Campus actions

By PETER HOGNESS

PSC members at a dozen colleges organized protest actions the week of April 7 through 11 to demand a fair contract. With picket lines, leafleting, and in a meeting with Chancellor Matthew Goldstein, union members had the same message: it's time to make CUNY salaries competitive again.

At the College of Staten Island, 60 people turned out on April 8 for an informational picket line. The action was jointly organized with the other main union at CUNY, District Council 37 of the American Federation of State, County and Municipal Employees (AFSCME).

"It's not simply that we need a raise for ourselves," said PSC Chapter Chair Vasilios Petratos, who chairs the political science and economics department at CSI. It's hard to hire, he said. "Applicants look at the salary we're offering, and say this is below national standards – and when you couple that with New York's high cost of living, we're way behind."

This in turn affects students. "Our working conditions are the students' learning conditions," Petratos said.

The slogan "CUNY needs a raise!" was also popular with DC37 members. "We don't get enough

## Contract protests across CUNY

money," said Barbara Leskowitz, a DC37 member who works in the college's publications office. "If PSC and DC37 can work together, I think it'll benefit both unions." Mickey Eberlein, of DC37's college assistants' local, said they have been working under an expired contract for more than a year.

"The unions came together and saw that we have common objectives," said Petratos.

**Two unions,  
one message:  
CUNY needs  
a raise!**

PSC members at LaGuardia turned out for a picket line on April 7 in bitter weather. "We are out in the cold because CUNY management has put us out in the cold," said Danny Lynch, professor of English. "They refuse to make a financial offer – and without that, we can't have a contract." Professor Michael Frank said it was "disgraceful and disrespectful" that CUNY has made no economic offer.

### SILENT MARCH

On April 8 at City Tech, the PSC chapter organized a "silent march" through hallways and department offices. The idea, said Chapter Chair Bob Cermele, was to have a strong, visible impact without disrupting classes. "We got a very good recep-

tion," he told *Clarion*. "In some departments, we got cheers!"

Students who saw the protest were startled and concerned to learn that CUNY faculty are underpaid relative to other area universities, and they readily signed PSC postcards asking for increased public funding. (See pages 7 and 12.)

"We're underpaid and overworked," said Steve Panford, assistant professor at City Tech – and that comment captured the two themes of the City Tech protest: in addition to action on salaries, the march protested City Tech's teaching load, which even after recent reductions is still higher than any other CUNY senior college. "We are the only senior college that has a 24-hour teaching load," said Costas Panayotakis, an assistant professor, "and there is no reason for that."

At Hostos, more than 50 members took part in a lively and musical picket line on April 9. The chapter collected more than 500 signed postcards in support of more funds for CUNY. (See pages 7 and 12.)

At Queens, members took their protest into the cafeteria, where students lined up to sign a petition in support of union demands.

PSC members at John Jay raised the issue of parental leave, among



Gary Schoichet

City Tech faculty and staff during Contract Action Week.

others, in an open letter they handed out when Chancellor Goldstein arrived for a campus meeting on April 7. And as at Brooklyn College (see article below), the chancellor's comments made clear that months of union contract actions were having an effect.

"When asked about providing childcare and parental leave for the many young faculty being hired at John Jay, the chancellor

indicated that he was convinced there was a need and expected to see some movement on funding such benefits in the current round of negotiations," said PSC Chapter Chair Jim Cohen.

As *Clarion* went to press, planning was underway for other contract actions later in the semester. To stay up to date, go to the PSC website ([www.psc-cuny.org](http://www.psc-cuny.org)) and sign up for the union's weekly e-mail update.

# Union presses chancellor for an offer

In March the PSC brought its contract issues directly to the chancellor. The union's approach was pointed and persistent – and the central issue was the need for competitive salaries.

More than six months after the last contract expired CUNY negotiators have still presented no economic offer in contract talks. Those negotiators represent CUNY's chancellor – and in a March 17 open letter, PSC President Barbara Bowen said it was time for him to make salary increases a priority.

The consequences of low pay at City University have "reached the point of crisis," she wrote, with departments facing severe problems in recruitment and retention. "CUNY salaries are now thousands of dollars behind salaries at other public universities in the region, such as the University of Connecticut and Rutgers, and totally uncompetitive nationally," she said.

### DECENT SALARIES

"The faculty and staff want more than the *appearance* of a great university; we want the real thing," said Bowen. "And that takes decent salaries – across the board."

The union understands, she added, that CUNY must get City and

## Members speak up on campus

State support for any economic offer. "But it is an abuse of our loyalty to expect us to continue giving our all to CUNY without even discussion of a raise."

### HEALTH INSURANCE

Bowen called on Chancellor Goldstein to join with the union in drawing public attention to the need for competitive salaries at CUNY. "You have shown that you can be an outspoken advocate before the City and State for your priorities for CUNY," she noted, including spending "millions of dollars on advertising to advance your agenda for the University. If nationally competitive salaries are really a priority, we expect the same level of public advocacy for investment in the faculty and staff."

"The University's financial offer is ultimately a statement of the University's priorities," Bowen emphasized. "Is restoration of our salaries a priority or not?"

Pay is not the only issue in the current negotiations. Unlike SUNY, CUNY's graduate employees do not have health care provided by the

University, and in contract bargaining the PSC has demanded that CUNY provide it. In a March 18 picket at the Graduate Center, the union and the Doctoral Students' Council demanded that CUNY provide health coverage for all doctoral students and graduate employees.

"No health insurance – makes me sick!" the crowd chanted. "Endless

excuses – make me sick!" Ellen Zitani, a doctoral student in history who teaches at Hunter, spoke to the 50 protesters about the disparity with the SUNY system. "SUNY [graduate] students have affordable health insurance with prescription drug coverage," Zitani said. "CUNY students deserve equality and health care." The protest, and the issue, received coverage on NY1.

"It's unrealistic to think that our health care situation doesn't affect our studies or our instruction," said picketer Jolie Cerrazas. The two plans CUNY makes available to its graduate students, she said, require that they pay the entire cost themselves – and many cannot afford it.

**Asking  
Goldstein for  
'public  
advocacy'  
on salaries.**

Neither plan, she added, covers prescription drugs.

"I really need health insurance," said Elan Abrell, a graduate teaching fellow at Hunter and a doctoral student in anthropology. "I had coverage, but couldn't keep paying it and had to drop it. When I had an eye and ear infection, a doctor visit cost \$200, and the medication cost another \$200."

### DEPARTMENT CHAIRS

The protest was organized to coincide with a visit by Chancellor Goldstein to the Graduate Center, and union pressure and the organizing for the rally had an impact. Five days before the protest, the chancellor and Graduate Center President Bill Kelly wrote to legislative leaders in Albany, requesting funding for CUNY to offer the same coverage as SUNY. In discussions at the meeting, GC faculty continued to press the chancellor on the health insurance issue.

The chancellor was confronted again the next day at Brooklyn College, where he met with faculty. The Brooklyn College PSC Chapter presented him with a letter asking for action on CUNY salaries. "Many departments have gone through multiple, extensive, time-consuming

faculty searches, only to be turned down by our first, second and third choices," the letter said. CUNY is now experiencing "severe problems with faculty recruitment and retention." The letter also called for adding adjuncts to the regular NYC health plan, providing them with some job security, and better opportunities for advancement for HEOs and CLTs.

The statement asked the chancellor to withdraw management's demand to remove department chairs from the PSC bargaining unit, which it described as a "threat to collegiality" – and Goldstein commented on this issue during the campus meeting. The chancellor was quite open about his view that department chairs not only should not be in the union, but also should not be elected. But he also said that if faculty opinion was strongly against taking chairs out of the union, he was prepared to concede the issue.

Months of campus protest against taking department chairs out of the union seem to be getting results. "It shows that if we keep speaking out, he's forced to respond," said Carolina Bank Muñoz, assistant professor of sociology at Brooklyn College. During the rest of the semester, she said, "we need coordinated efforts to express members' concerns and frustrations. Now is the time to keep the pressure on."

– PH



# BCC begins sinkhole repair

By DANIA RAJENDRA

When the sinkhole at Bronx Community College first appeared in April 2007, it was large enough to fit a Volkswagen Bug. Now, it's large enough for a full-size SUV, said union activists at BCC.

As weeks turned into months with no sign of work on repairs, the PSC chapter at BCC agitated for action and tied the issue to other safety and health problems on campus. And just shy of the sinkhole's first birthday, BCC's administration offered a present: a plan, complete with timelines, for the elimination of the underlying problem and the repair of the hole.

## PETITION

In celebration, the campus's PSC chapter held a party on April 1, dubbed "the First Annual Sinkhole Farewell Party." The event included balloons, music and donut holes for all. Faculty, students and staff were invited to sign a petition, asking the administration to be more communicative as the repairs got underway and to fix related problems with the campus heating system.

More than 600 people signed that day, union activists reported.

The sinkhole was created when the ground caved in due to leaks in the campus's steam heating system, which uses aging pipes that run under campus lawns and driveways. The hole is right in front of Havemeyer Hall, the building that houses BCC's College Language Immersion Pro-

## PSC petitions for information



Students with BCC PSC Health & Safety Co-Chair Jason Davis, right, a CLIP teacher who works in Havemeyer Hall.

gram (CLIP). CLIP teachers told of rodent and roach infestations as well as student and faculty inconveniences resulting from the sinkhole.

Many of the campus's health and safety problems are interrelated, said campus union leaders, and the needed repairs are extensive. "They can't fix the hole without fixing the pipes," noted PSC Chapter Chair Marianne Pita. Plans are underway to dig up the pipes, replace them and then re-cover the ground. Pita said the administration hopes to be done

in September, but that November "might be more realistic."

At the party, CLIP teacher Leslie deGiere gave a tour of the many health and safety problems in Havemeyer Hall that preceded the sinkhole, including rotting floors, and walls and ceilings with swaths of plaster missing that are "patched" with plastic. But while these were preexisting problems, many cannot be fixed until the sinkhole is repaired.

DeGiere noted that in her classroom, the ceiling and wall is missing



a large section of plaster and is covered by a tarp. "They can't fix the wall until they fix the leak in the roof," she said. "They can't fix the leak without a crane. They can't bring in a crane until the sinkhole is fixed," she explained, because the ground nearest the roof leak is adjacent to the sinkhole and likely to collapse under a crane's weight.

## QUESTIONS

DeGiere's classroom isn't the only one with problems. "I was here when the workman came three years ago," CLIP teacher Oliver Mann told *Clarion*. The worker put up a plastic patch that now half-covers a missing chunk of ceiling in the staffroom. "He had a slip of paper in his hand. It was dated 1997. Maybe

in four more years, he'll come back and fix it," or, he said, at least reattach the plastic, which now hangs, half loose, from the ceiling.

The frustrations over slow repairs and inattention from the administration have simmered as the sinkhole continued to grow. So the repair plan was greeted with relief – but also a lot of caution.

"The administration met with us and DC 37 in January," Pita told *Clarion*. At that meeting, she said, the administration really listened. It has been hard to get their ear since, she said. "Questions of funding take us back to pressuring the City and State for a fair budget for CUNY and for a fair contract for PSC members, too," she noted. (See page 7.) "It's all related, and it's all on-going."

BCC's Office of Administration told *Clarion* that they expect the repairs – which include replacing the heating pipes and filling the hole – to be completed by September 4, but did not answer questions about how, and how often, the BCC community would be informed about the progress.

"It's great that the administration is starting to work on this, but we all need more information, more regularly, so we can look after our own health and safety," she said. CLIP teachers have ongoing concerns about the fixes themselves. The CLIP program continues all summer, and teachers are concerned about noise, air quality, traffic, and which doors will remain locked, possibly creating a fire hazard, and exacerbating the inconvenience.

She and Pita said they would continue to press for more information.

# New staff members at PSC

By JOHN TARLETON  
& DANIA RAJENDRA

The PSC has hired an organizing director, who now joins the union's legal director and an organizing coordinator as new faces on the union's professional staff. "The PSC agenda is to build the political power necessary to restore the salaries and quality of work our members deserve," said PSC Treasurer Michael Fabricant.

## CHRIS AIKIN

Organizing Director Chris Aikin comes to the PSC fresh from the Writers Guild picket lines; Aikin organized the union's East Coast strike efforts. Film and television writers fought hard and won a groundbreaking agreement including new rights to compensation for work distributed over the internet.

"It was amazing to see people at different income levels, and in non-traditional jobs, come together in collective action in defense of intellectual property rights," he told *Clarion*.

Aikin grew up in a union household in East Texas – his mother was a member of the American Federation of State, County & Municipal

## One lawyer, two organizers

Employees (AFSCME). After earning a BA at the University of Texas-Austin, Aikin was hired by the American Federation of Teachers (AFT) in Texas, where he worked with PSC Organizing Coordinator Nick Cruz.

He went on to work for the Communications Workers of America (CWA), and came to NYC in 2001. While organizing full time, Aikin did graduate work in public policy at NYU and in labor studies at Queens College. His experience as a student at Queens and Texas left him with a deep commitment to affordable public education, Aikin told *Clarion*, and that's one reason he's glad to be working for the PSC.

Another is the union's ambitious organizing agenda. "I'm looking forward to building strength for campus struggles and for fighting on our city- and statewide issues, too," he told *Clarion*. "The work of organizing is working with members to get them in a position to fight most effectively. The easier we make it for

members to be involved, the more we win."

## PETER ZWIEBACH

"I grew up in a two-union household – one PSC and one NYSUT," said PSC lawyer Peter Zwiebach. His father was a political science professor at Queens College and the Graduate Center; his mother was shop steward in the NY State United Teachers local at a Glen Cove high school, where she taught English. "Unions are very, very important for people who work," said Zwiebach. "There's just an imbalance of power in the workplace without them."

Hired last fall as the PSC's director of legal affairs, Zwiebach previously worked at the New York City labor law firm of Gladstein, Reif & Meginiss, where his work included representation for public-sector unions such as the CWA, Transit Workers Local 100 and the hospital union 1199/SEIU.

Zwiebach earned his law degree at Duke, where he graduated with hon-

ors. He has also worked in the union movement as an organizer for Local 802 of the American Federation of Musicians and a researcher for the United Steelworkers of America.

As legal director for the PSC, Zwiebach's responsibilities include handling arbitration and disciplinary hearings, and arguing matters before the Public Employment Relations Board (PERB), New York's public-sector equivalent of the better-known National Labor Relations Board.

"This union has a good reputation as an active, aggressive union," Zwiebach said. "It seemed like a place where you can really sink your teeth in and accomplish something."

## KIAN FREDERICK

Kian Frederick is a veteran labor activist who came on board this fall as a PSC organizing coordinator. She works alongside Nick Cruz, the union's other organizing coordinator, who started last summer. (See page 8 of the September 2007 *Clarion*, at [www.psc-cuny.org](http://www.psc-cuny.org), for news on Cruz.) Frederick divides her time between the union's campaign for a new CUNY-wide contract and organizing work with employees of the CUNY Research Foundation.

A native New Yorker, Frederick worked for a decade as a waitress before moving up through the ranks as an organizer for UNITE HERE Local 100. She subsequently worked

for SEIU Local 32 BJ and on the AFL-CIO's Delta campaign, organizing flight attendants.

"Organizing is one of those funny things that gets in your blood," said Frederick. Working at PSC brings her full circle, she said, because she got her start in organizing as a student at Hunter College. Frederick helped lead the 1989 student movement against tuition increases, when some 15,000 students took to the streets.

"That was a defining moment for me," she told *Clarion*. "I'd never felt that much power in my life, just taking over the streets and having everyone get out of the way." With the Research Foundation (RF) organizing campaign, Frederick and other organizing staff are working to unionize and win contracts for the thousands of RF employees who work on CUNY campuses. To date, campus-based RF employees have voted to organize at City Tech, LaGuardia and the CUNY Graduate Center.

Frederick said wages, health care and the foundation's hiring and firing policies are issues that need to be addressed. "A lot of people have not had wage increases in six or eight years," she noted. "They're often doing the same work as PSC members, but making less money."

As with so many union issues, Frederick said, "It's a basic issue of respect."



# Course controversy at Hunter

By DANIA RAJENDRA

The luxury accessories company Coach paid \$10,000 to Hunter College to offer a Spring 2007 course on how the counterfeiting of luxury brands harms society. Hunter faculty members have charged that academic freedom was violated, and the case is currently under investigation by the Hunter College Senate.

Senate Chair Richard Stapleford declined to comment while the investigation is underway.

Students enrolled in the class, "Special Public Relations," created and executed a public relations campaign against counterfeit goods. Curriculum and course materials were provided by Paul Werth Associates, a public relations company hired by the International AntiCounterfeiting Coalition (IACC), an industry-funded group. Coach, a member of the IACC, paid Hunter to run the course – which featured the story of a student's devotion to her authentic Coach bag.

In the class, an industry representative chose from among three student proposals for PR campaigns. The selected strategy was to create a fake student personality, "Heidi Cee," with a blog of her own (encounterheidi.blogspot.com/). "Heidi" posted flyers around the Hunter campus detailing the loss of her beloved Coach handbag and offering a \$500 reward. When it's returned, she discovers someone has swapped her authentic bag for a fake. Outraged, she learns about counterfeiting and works to dissuade Hunter students from purchasing counterfeit goods.

## \$1 MILLION

Coach CEO Lew Frankfort, a Hunter alumnus, has taken a big role in Hunter College fundraising. He chairs Hunter President Jennifer Raab's "Visioning Cabinet," which Raab has said "has helped recruit some of our most prominent alumni" to aid the college. Frankfort received an honorary Doctorate of Humane Letters from Hunter in May 2007. A few months later, he and his wife donated \$1 million to the college.

Distinguished Professor Stuart Ewen said that Raab should not have been involved in the genesis of the class. "Her request that the course be offered by the department was not guided by scholarly wisdom but, rather, by the desire to promote a donation from the CEO of the Coach corporation," said Ewen, according to *The Envoy*, Hunter's student paper.

*Clarion* asked Meredith Halpern, Hunter's executive director of marketing and communications, whether Raab had suggested the course. Halpern declined to answer, saying only that the IACC course "had been well received at many other colleges

## Coach, Inc., pays \$10,000 for class

around the country" and that "because the course was new, it was developed in conjunction with the IACC, whose staff are experts on this subject."

### INDUSTRY EXPERTS

Halpern also declined to say when discussions began with the Frankforts about their large donation.

The untenured faculty member assigned to the class, Assistant Professor Tim Portlock, told *Clarion* that he was pressured into it over his objections. The pressure, Portlock said, came both from his chair and the Hunter administration.

Film and media studies department Chair James Roman gave a different account, insisting that there was no attempt to pressure Portlock. "I've never forced anyone to teach any class," he told *Clarion*.

What is undisputed is that the course became part of the curriculum in the department of film and media studies without any formal faculty discussion – not required for experimental courses, Roman told *Clarion*. But Ewen, a department member and former chair, said, "This course wasn't developed by a faculty member. It should have been passed before the faculty." The department has since instituted a policy that the faculty must approve all sponsored courses, Roman said.

Work on the class began in Fall 2006. Portlock said that when Roman asked him to teach the class and presented him with a packet of course materials, he replied that he didn't want to teach it and wasn't qualified. Portlock holds two Masters of Fine Arts, one in art and one in studio visualization. "I might as well have been asked to teach biology or history," he said.

Next, Portlock received an e-mail from a staff member in Hunter's Office of External Affairs, which said that according to Roman, he had volunteered to teach the course. This wasn't true, Portlock said this April, and he again told Roman he didn't want to do so: "But he told me, 'You're going to teach this class.'"

The junior faculty member said he was worried about the ethics of the course and was concerned it would be controversial. But with his chair insisting he teach the class, he said, he felt he had no alternative.

### CONCERN

"My main concern was that if the president's office was really invested in the class, how am I going to get through this so that it's not a failure?" he told *Clarion*.

Portlock said that when he met with the Office of External Affairs staffer, "I explained to her that there

were academic freedom issues with teaching the class," and that he planned to include "some critical perspectives."

"A few days later," Portlock said, "I get a message from [the chair] on my machine: 'You are going to teach this class according to the protocols in the packet.'"

"The packet" is the "Professor/Faculty Advisor Project Kit," a 34-page document from Werth detailing how to conduct the class. It states that IACC "is partnering with the students in your program in a client/agency relationship. We are the client; your students are the

'Senegalese guy,'" Portlock told *Clarion*, because he has connections in the Senegalese community. After that comment, he abandoned the idea. He said the PR firm shot down all his ideas that differed from the industry perspective.

The course kit requires "routine updates to keep us informed about your progress....While we don't need to approve every aspect, we'd like the opportunity to review plans and creative work." An industry representative attended class several times.

Roman, the department chair, disputed Portlock's account on several



Counterfeit bags are widely available in Manhattan.

agency."

Given his lack of experience with PR, Portlock had asked for a co-teacher and was assigned an adjunct. In planning for the class, he said, "there was communication between me, the co-teacher and the PR company, culminating in a phone meeting."

Werth/IACC representatives had said, "Oh, you should teach all perspectives," Portlock recalled. But when he suggested adding a section on arguments that counterfeiting might not be wrong, "I got a really strong message: this is not why we're giving you \$10,000."

"One of the things I said on the phone was, 'I want to get alternate perspectives. What about people who have to do this out of economic necessity?'" Portlock said. Their response was, "'So, you think you're going to get some Senegalese guy to come unroll his mat for your students?'"

"I actually was going to get a

points. He did not order Portlock to teach the class, he told *Clarion*, and had never said "you're going to teach this class."

"That's not part of my mandate as the chair of this department," he said. "That's not the way I lead."

### FROM ADMINISTRATION

The original idea for the course came "through someone from the administration," Roman explained; he said he did not remember exactly whom. He maintained that he had not pressured Portlock in any way, and had not directed him to teach the class strictly according to the materials in the industry packet. "Frankly, I wasn't familiar with those protocols," Roman added.

He said that Portlock's internet experience made him a good choice to teach the class. The adjunct assigned to the class, Roman said, was selected because he "was very knowledgeable about PR," and proved to be "very dedicated to that class." In terms of its

outcomes, Roman emphasized, the class was a success: "The professor who observed the class thought it went very well. It fulfilled the objectives of the class, as articulated in the syllabus."

### TIMING

Roman noted that the controversy around the course comes as his department holds its next election for chair.

More broadly, Roman told *Clarion*, he doesn't see an inherent problem with the course's corporate support. "From my perspective, there were no violations of academic freedom," he said. "If you look at corporate America and take notice of their involvement with higher education, you'll see there is quite a pronounced role. I'm not advocating it – I'm just saying it exists."

The class began to draw attention when, at an end-of-semester department meeting, Roman thanked Portlock for doing "the Coach course," sparking questions and concerns from other department members, Portlock said. Ewen, who studies public relations, began to speak out about the issue, and several bloggers began to cover it. *InsideHigherEd.com* and the Hunter student newspaper *The Envoy* ran stories in March, and *Forbes* covered it in April.

### CREDIBILITY

The controversy follows a 2006 survey in which many Hunter faculty said that dissent on college policy issues would invite administration retaliation. (See *Clarion*, Summer 2006, page 7.) Ewen told *Clarion* that the course fits with a pattern of presidential interference with faculty autonomy under President Raab.

The president "didn't know, or didn't care, that this is inappropriate," Ewen told *Clarion*. The way the course was run, he said, "was in total violation of the fundamental principle of universities, that curriculum is the prerogative of the faculty." Ewen warned, "She's selling off the credibility of the college."

PSC Academic Freedom Committee Chair Steve Leberstein said the case involves potential violations of academic freedom in two areas: "One is the curriculum and the second is the selection of the faculty."

"It says nothing ill about Portlock that he told the chair that he wasn't qualified and didn't want to do it," Leberstein said. "If this happens to you – call the union!" The case also shows the importance of defending the independence of department chairs, Leberstein added. "No chair should be pressured to accept an industry-sponsored course, even if there is money attached," he said.

All members need to be vigilant about violations of academic freedom, said Leberstein. "The independent functions of the faculty are under attack with the corporatization of CUNY," he said.



# Leading in legal education

The CUNY School of Law won strong praise in *Educating Lawyers*, a report last year from the Carnegie Foundation for the Advancement of Teaching. As a result, the school was invited to join a Carnegie team on promoting change in US legal education.

Peter Hogness, editor of *Clarion*, talked with Sue Bryant, a professor at CUNY Law School since its founding and one of three CUNY members of the Carnegie team. The excerpt below is adapted from their conversation.

**Q** CUNY Law School has long been recognized for the quality of its clinical program, often cited as one of the best in the nation. The Carnegie report praised not only the clinical program itself, but also the way that CUNY Law integrates practical experience into its curriculum overall.

**A** I think a lot of people don't realize that many lawyers are not educated to be practitioners. I mean you wouldn't go to a doctor that hadn't seen a patient under supervision, or studied in the field. And yet, a lawyer can graduate from law school, pass the bar and start a practice, without ever seeing a client.

**Q** So a clinical program is designed to give students practical experience?

**A** Yes, and almost every school has one. But some schools have clinical programs with slots for only 16 or 30 students. And they could have 400 or even 800 students in all.

We're one of only three schools in the country that require clinical programs for all students. It's very rare for a law school to make this a requirement.

**Q** How long has clinical education been a required part of the CUNY Law School curriculum?

**A** Since it was founded, in 1983. At the time that we started, clinical education was beginning to be accepted in legal education – not across the board, but law schools were beginning to have a smattering of clinical education courses. So we had the luxury of hiring a new faculty, and the law school very much embraced clinical education as a method for learning law practice and professional responsibility. It was deeply embedded from the very beginning.

**Q** How is this different from the approach at most US law schools?

**A** The major way instruction occurs in law schools across the US is what's called "case-dialogue instruction." Students read cases and then have this dialogue with their teachers about what the case means, how might it be applied in some other setting, and what's the underlying policy.

This case dialogue with faculty members often happens in rooms of 80 or 100 students, like the scenes in the movie, *The Paper Chase*.

The goal is to teach students

## Carnegie report: CUNY's approach is better



Sue Bryant of CUNY Law School talked with *Clarion* about a Carnegie Foundation report on legal education.

what's called "thinking like a lawyer." By that we mean the capacity to extract legal principles from cases, statutes and commentaries and synthesize that information into new legal doctrine and apply it. It's a highly analytical, highly abstracted process where you glean the important facts that cause a case to turn one direction or another. This could be ten facts out of a week's worth of witnesses.

This is important, but it's not the only thing involved in being a lawyer. And in many law schools the people who are hired to teach in those large classrooms have never practiced. They may have clerked for a judge, but they haven't practiced.

**Q** So how is CUNY Law School different?

**A** We wanted students to get more practical experience – but we also wanted more integration of theory and practice, moving back and forth between the two. We wanted the education to be more like the work of lawyers.

The Carnegie report emphasizes that learning is developmental – that learners need to try things on, receive feedback, make mistakes, be mentored.

One of their criticisms of legal education is that it focuses too narrowly on "thinking like a lawyer" and that it's not developmental. The pattern of case-dialogue instruction gets repeated and repeated, you're just studying something different – you're studying securities, anti-trust, poverty law, family law. By the third year, students are often really bored because it's all so similar.

So we try to do it differently and developmentally. Our students are introduced to practice in their first year, in simulated cases, where they

will apply what they're learning in their large classroom, in thinking like a lawyer. So they'll take that thinking now and apply it to a fairly sophisticated simulated case.

**Q** So this is like a mock court, but not just arguing the case at trial?

**A** It's interviewing, negotiating, theory, drafting, narrative, learning how to tell a story – not the lean story of the Socratic dialogue classroom, but a much more complex narrative from which those ten salient facts might arise.

**Q** And do people play the clients?

**A** Yes. I've played a nun who runs a homeless shelter, an administrator at a Legal Aid Society – different characters.

The students start in a simulated context with narrower tasks. In their first semester, they might be focusing

more on how to get the important facts from the client, how to recognize what the important facts are. The "client" may be interviewed in a room full of people. So you're not even talking about how to

build rapport with this human being that's across the table from you, as you would with a real client. In that situation, you're trying to get the students to think about facts in a more complex way. Then maybe in their second semester you might have them interview a simulated client in a way that's closer to the real thing – two students with one client – and videotape it and give them feedback.

Then in their second year they'll take another one of these lawyering courses and there some of them will have real clients. For example, we have a very interesting program with the Welfare Rights Initiative at Hunter, where our students repre-

sent CUNY undergrads at hearings on workfare rules. We've helped thousands of students stay in school, and only lost a handful of cases since the program began.

**Q** This sounds like a very labor-intensive way to train people.

**A** Yes, and that's one reason a lot of law schools don't do it. But here's one of my favorite quotes from the Carnegie report:

*Asked how CUNY, hardly a well-endowed, affluent institution, can afford to provide such an introduction to legal study when their more affluent competitor institutions obviously seek the economy of scale afforded by large first-year classes, CUNY administrators answered, 'We cannot afford not to do it.'*

The reason we say that has to do with our mission of sending students into public-service jobs. They are not going to carry the bags for some experienced lawyer, they are going to be the lawyer for their clients.

**Q** They won't have the luxury of on-the-job training?

**A** No, they're it. They're the line attorneys, they're the creative problem solvers for communities that have no lawyers. And so we feel a responsibility to those clients. Our school's focus is public-interest law, our motto is, "Law in the service of human need." Because we came to this law school with a social-justice purpose, we're not going to graduate lawyers who are not competent to go out and serve those communities.

**Q** That brings up another point in the Carnegie report. It says, "Issues such as the social needs or matters of justice involved in cases do get attention in some case-dialogue classrooms, but these issues are almost always treated as addenda." Later it

adds, "The fact that moral concerns are reintroduced only haphazardly conveys a cynical impression of the law that is rarely intended."

**A** Right. As if *first* you have to get rid of all that mush about justice, first let's learn this very linear, analytical process – and *then* we'll have the conversation about justice.

Inevitably we take a different approach because of our mission, because of who we're educating. The students who select our law school are interested in social justice issues, so they bring that conversation into the classroom. And we don't squelch it, we welcome it, we integrate it.

In many law schools students are taught professional responsibility in terms of what the Carnegie report calls "the law of ethics." So students learn a list of the ethical rules, but they don't learn how to engage those rules. We teach ethics pervasively in our law classes, in our lawyering classes and across three years.

**Q** What else did the Carnegie report like about CUNY Law?

**A** They praised the fact that we had learning goals for our students at an institutional level, rather than each faculty member deciding what the students should learn in their course. Our faculty spends a fair amount of time talking about pedagogy and the best ways for students to learn.

And we were praised for the way we assess students. In addition to the traditional end-of-the-year exams, we also evaluate our students based on professional competencies, which are criterion-referenced rather than curve-referenced. We say, "an excellent lawyer does these things, rather than, you're the best out of the group of 16 so you get an A."

One of Carnegie's criticisms of legal education is that almost all the grading is done on a curve and assessment is done basically to sort students, as opposed to communicating to students where they are on their path to being excellent practitioners.

**Q** So this sorting of students is the top priority if you're a prestigious, big-bucks law firm and you want to know who's the cream of the crop for you to hire, but it's not as useful to the students.

**A** Right. We grade our students and we have pretty rigorous standards for retention but we don't rank our students. We don't have a mandatory curve, which most law schools do. About 40% of the overall grading is based on these competency-based evaluations.

**Q** Overall, where did CUNY fit in to the Carnegie report?

**A** They visited 16 law schools across the spectrum of legal education. In the 300 pages of the report, CUNY is mentioned more than any other school. We didn't just have a good first-year program, or a good clinical program, it's more pervasive. For almost all the things they thought were wrong with legal education, we had taken a crack at the problem and had something to show for it.

See the next issue of *Clarion* for Part 2: *Challenges and Experimentation*.



# Big budget fight looms

By PETER HOGNESS

There is a real threat of significant cuts to City funding for CUNY in this year's budget, say PSC legislative activists. Mayor Bloomberg has proposed slashing support for CUNY's community college operating budget by \$30 million, with an additional \$35.5 million in programmatic cuts affecting both senior and community colleges. With a looming budget deficit, the threat of funding reductions is more serious than in past years.

"These are some of the most severe cuts we have faced in years," said PSC First Vice President Steve London. "We must act now to make sure that they are restored and new funds added to meet critical needs at every CUNY campus." Every member should sign a postcard against the cuts, London urged, and collect signed cards from students, colleagues and friends. (See page 12 for details.)

The general operating fund reduction of \$30 million also includes the Safety Net scholarship program, while the other \$35.5 million includes cuts to the Vallone Scholarships and programs such as CUNY's Black Male Empowerment Initiative and its Citizenship and Immigration Project.

## CUTS

In addition to restoring the cuts, the PSC is asking the Council for \$19.5 million to fully fund CUNY's budget request and \$2.5 million for the PSC's proposal to expand CUNY's badly overstretched psychological counseling services and to provide dedicated support for the faculty mentoring that is critically important for student success. (See sidebar for details.)

Also at stake is \$379 million in City funding for CUNY's capital budget. This money will be matched by the State – which means that if the City does not fund the full amount, it will be leaving State funding on the table, unused.

While the outcome is uncertain, the PSC has built strong relationships with City Councilmembers, which will help in this fight. Councilmembers who attended the PSC's annual CUNY Day legislative breakfast on April 2 pledged to stand firm in defending CUNY's interests. But they warned that they would need PSC members' support.

## SUPPORT

"We're going to need each one of you to show up at City Hall," said Councilmember Robert Jackson. "Make your presence known – it really does make a difference." Jackson opposed Bloomberg's call for extending the City's property tax rebate program, which would cost the City \$1.3 billion in lost revenue if extended. "We cannot afford a property tax decrease," Jackson said.

The Council projects higher tax revenues than Bloomberg for both

## Bloomberg wants deep cuts to CUNY



From left: Steve London, Kendall Stewart, Chelsea-Lyn Rudder, Barbara Bowen, Leroy Comrie, Maria del Carmen Arroyo, Robert Jackson, Arthurine DeSola, Eileen Moran

the current fiscal year and next, \$258 million and \$392 million, respectively. The nonpartisan Independent Budget Office puts future revenues even higher, about double the Council's estimates.

"CUNY can be made whole," said Councilmember Leroy Comrie of Queens. Next year's budget may be tougher, Comrie said, but this year there is enough money available to restore these cuts without moves that would "pit New Yorker against New Yorker."

"Comrie stressed that City agencies have a billion dollars in unspent funds from the current year's budget," said Eileen Moran, co-chair of the PSC Legislative Committee. "He wants the Council to keep last year's property tax rebate. I don't agree with him on the tax rebate – but the main point is, the City has some options. There's no way that cuts to CUNY are necessary, and they'd be a bad choice for New York

City." This is especially true in a declining economy, said Moran, since higher education is so important to future economic growth.

But despite these potential sources of revenue, Bloomberg appears intent on cutting CUNY funding. In past years, the mayor and the Council engaged in what became known as the annual "budget dance," in which the mayor proposed cuts in popular programs – such

as CUNY – to force the Council to bargain with him in order to get this funding back. But this year, say City Hall observers, the mayor appears far more serious about actually cutting the funds that CUNY receives.

At the CUNY Day breakfast, the union honored several groups and individuals as "Friends of the PSC," including the City Council's Black, Latino and Asian Caucus. The 25 members of the Black, Latino and Asian Caucus make up nearly half

the City Council and have a history of strong support for CUNY.

"Maria del Carmen Arroyo, co-chair of the caucus, graduated from Hostos and then from Lehman," noted the PSC Legislative Committee's Moran. "Like a lot of caucus members, she really 'gets it' about why CUNY is so important to the people of New York City." (Jackson, the caucus's other co-chair, is a former union staffer who graduated from SUNY-New Paltz.)

## UNNECESSARY

Also honored as Friends of the PSC were the Workers Defense League, which has provided valuable support to CUNY adjuncts on unemployment issues; the PSC's own Cecelia McCall (former PSC secretary and legislative coordinator) and Irwin Yellowitz (former PSC treasurer and Retiree Chapter chair); and PSC members who volunteered to go to New Orleans for post-Katrina reconstruction work.

**Union asks members to make their voices heard.**

# NY State budget resolved

Just as Clarion went to press, the New York State budget was settled, more than a week past the April 1 deadline.

For CUNY, the State budget includes a \$17.7 million cut in operating aid, though a larger cut had been proposed.

Then-Governor Spitzer's budget proposal in January originally included a \$16.7 million reduction in support for CUNY, dubbed an "efficiency cut." As State revenue projections fell, New York's new governor, David Paterson, increased this proposed cut to \$40 million. The final operating aid cut was less than half that amount, \$17.7 million. New ini-

tiatives proposed under CUNY's Master Plan were not funded.

The \$120 cut per full-time equivalent student (FTE) in community college base aid proposed by the State executive was fully restored. This would have added up to a combined cut for both CUNY and SUNY community colleges of \$20.4 million. Higher education opportunity programs such as SEEK were fully restored, as was financial aid under the Tuition Assistance Program (TAP).

The state provided a new five-year capital for CUNY in the amount of \$1.83 billion for new projects and capital maintenance.

NYSUT legislative staff in Albany said that activism by PSC and other NYSUT members had helped mitigate the reductions to CUNY's budget.

Finally, a statutory framework was created for a future endowment for public higher education. It does not include the controversial securitization of the New York State lottery proposed by former Gov. Spitzer, and the funding sources are to be specified in the future. But the legislation clearly establishes that the endowment will be used to fund public higher education, a point for which the PSC and NYSUT had fought hard.

– PH

## Counselors and mentoring

*Below is an excerpt from the PSC proposal, "Increase Faculty Counselors and Mentors at CUNY."*

The Professional Staff Congress/CUNY proposes an additional \$2.5 million in funding to the City University of New York for two purposes: adding urgently needed psychological counseling faculty at the six community colleges [\$1.7 million] and initiating a pilot program for faculty mentoring of students [\$800,000].

The events at Virginia Polytechnic Institute and State University, Northern Illinois University and other campuses highlight the stress on students and dangers that surround campus life today. While the causes of the massacre at Virginia Tech and of other campus shootings are multiple and complex, one issue that is clear is the importance of psychological and mental health counseling. The long-standing shortage of faculty counselors at CUNY suddenly appears more urgent.

The PSC asks the City Council to provide funding for an additional 17 full-time faculty counselors at the CUNY community colleges. CUNY has 5,000 fewer full-time faculty now than it had in 1975 – yet enrollment is at a 30-year high. The shortage has been particularly acute among faculty counselors.

The International Association of Counseling Services (IACS) requires, at a minimum, a ratio of one trained psychological counselor to every 1,500 students. Many professional organizations call for even smaller ratios. At the CUNY community colleges, the ratio of counselors to general population students is 1:2,300.

## UNACCEPTABLE

That ratio is unacceptable on any college campus; it is especially unacceptable at CUNY. Statistically among the lowest-income college students in the nation, CUNY students face pressures unknown at many academic institutions. We, who are privileged to teach and learn from these students, are aware of their remarkable resilience. It is a tribute to their commitment to a college education that they co-exist at CUNY largely in harmony and stability.

One of the surest routes to increased retention and improved graduation rates is access to one-on-one contact with faculty. Given the CUNY-wide full-time faculty to student ratio of 1:36, close faculty supervision of students is difficult to maintain. Funds requested for this pilot program [in faculty mentoring] would support 125 community college faculty members to develop student mentoring projects over an entire academic year. Project outcomes would be tracked and assessed for their effectiveness in promoting student achievement and retention.

*Note: The PSC is also seeking State funding for more faculty counselors at CUNY senior colleges, where the counselor/student ratio is 1:5,000.*



# Open enrollment for upgraded disability coverage

By PATRICK SMITH  
PSC-CUNY Welfare Fund

## Optional rider for full-timers

The Welfare Fund has initiated an improvement to the disability insurance rider offered to full-time faculty and professional staff through The Standard Life Insurance Company of New York. The change has triggered a unique opportunity for covered members to buy the optional disability rider without medical evidence.

Disability insurance is designed to replace a portion of monthly income in the event an employee cannot work because of sickness or injury. All full-time members of the PSC-CUNY Welfare Fund with one year or more of service receive a basic disability benefit from the Welfare Fund. Many members have elected to buy the optional rider for a higher level of coverage, and this rider is now being upgraded.

Those who are enrolled in the existing rider program will automatically receive the new, improved coverage. Those who have not previously applied will now have an opportunity to get this enhanced benefit without providing "evidence of insurability" – the usual medical history requirement.

### New chance for full-timers to up coverage

This waiver is normally available to members only if they enroll within 60 days after completing one year of service. But during a special enrollment window from April 15 through May 15, Standard Life will forego that requirement. (Those who have previously applied for the optional rider coverage and been denied would still need to provide a medical history.)

The upgraded disability rider provides an increase in the maximum income replacement benefit, raising it from \$5,000 per month to \$6,000 per month effective June 1, 2008. The original rider provided four improvements over the basic plan:

### ENHANCED

1) the benefit is set at a higher percentage of salary (60% rather than 50%);

2) a longer duration of benefit payments – from any age until 65, rather than capped at 5 years (see summary plan description for provisions on when a disability starts at over age 60);

3) Payment into a special TIAA pension while benefits are being paid out; and

4) a higher maximum monthly payment (\$5,000 rather than \$2,500).

All provisions are incorporated in the new rider except item 4, where the monthly maximum is being increased to \$6,000.

"This is a second chance to get the higher level of protection that many people wish they had taken when it was first offered," said WF Executive Director Larry Morgan.

Contact your campus human resources office for a brochure on the new rider, enrollment forms or for any additional information. (More details on the Welfare Fund's basic disability plan and the rider option are also available on the Welfare Fund website, [pscunyw.org](http://pscunyw.org).)



Peer Hogness

## Pilots protest

More than 500 members of ALPA, the pilots' union, marched across from the NY Stock Exchange on March 17. Pilots at Continental gave up more than \$200 million a year in their last contract – a loan to help the airline beat bankruptcy. Now, the union says, the company cleared \$556 million before taxes, and the pilots, who are about to begin negotiations, marched to send the message that they expect their loan to be repaid in the next contract. The current deal expires in December.

# New names, new options for TRS funds

By ELLEN BALLEISEN  
PSC Pension Counselor

## Effective as of July 1

If you have a tax-deferred annuity (TDA) with the Teachers' Retirement System (TRS), or if you are a TRS member in Tiers 1 or 2, you will soon see changes and more options. TRS is adding three new funds, renaming three existing funds, and making it easier for funds to be moved from one fund into another.

Both retirees and active members will be able to take advantage of the new features. For TRS members in all pension tiers, the changes will apply to TDA accounts; for members in Tiers 1 and 2, the changes also apply to their ASF and ITHP pension accounts.

The six funds will be known jointly as "the Passport Funds," and the new names and new options will be implemented this summer. (The effective date is July 1; see [www.trsnyc.ny.us](http://www.trsnyc.ny.us) for updates.)

The three existing funds, which are managed directly by TRS, will all be renamed:

**The Fixed Return Fund** is the new name for the former Fixed Annuity Program. This fund earns a fixed return that is guaranteed by the New York State Legislature. A rate of 8.25% is in effect through June 30, 2009, with a long-term guarantee that the rate will never be less than 7%.

**The Diversified Equity Fund** is the new name for the former Variable A Annuity Program. This fund

invests mainly in US equities, with the stated objective of "a rate of return comparable to that of the broad equity market."

**The Stable-Value Fund** is the new name for the former Variable B Annuity Program. This fund invests in "stable-value vehicles" such as guaranteed investment contracts or fixed-income securities and aims "to preserve principal and provide a steady rate of return."

### NEW FUNDS

The three new funds are:

**The Inflation Protection Fund**, which invests in mutual funds and assets such as commodities, real estate securities, and inflation-linked bonds. Its objective, says TRS, is "to provide a positive real rate of return that exceeds inflation" over the long term. This fund is managed by PIMCO All Asset Fund on behalf of TRS.

**The International Equity Fund**, which invests mostly in non-US companies. Managed directly by TRS, this fund is essentially the international investment component of TRS's long-standing Variable A Annuity Fund (see below). TRS says that its aim is to "achieve a rate of return comparable to the return on the non-US developed equity market" over the long term.

**The Socially Responsive Equity Fund**, investing mainly in mutu-

al funds and US equities, to "earn a rate of return comparable to the return of the broader equity market while reflecting social priorities."

This fund is managed by Neuberger Berman, a Lehman Brothers company, which says this fund seeks to invest in companies that "show leadership" on issues such as the environment, workforce diversity, and "progressive employment and workplace practices." However, the fund's ten largest stock holdings include thousands of shares in Comcast, described by the *Washington Post* as "an avowedly anti-union corporation." According to the Communications Workers of America, Comcast has been charged with hundreds of violations of federal labor law.

The issue of labor rights has been raised by TIAA-CREF members at CUNY and elsewhere in relation to TIAA-CREF's similar Social Choice Fund. Last year the American Federation of Teachers and New York State United Teachers both adopted resolutions proposed by the PSC, criticizing the Social Choice Fund's criteria as weak on union rights and urging that they be strengthened (see September 2007 *Clarion*, page 10).

### NEW RULES

Along with the introduction of the Passport Funds, TRS will be offering shorter conversion periods for people who want to move money from one account to another. At present, fund conversions take 12 months – that is, one-twelfth of the money is moved over each month until the transfer is complete. Under the new system, in-service members and retirees will be able to choose conversion periods of three, six, nine or 12 months.

Another change will provide more flexibility in when you can make changes. Retirees who receive monthly payments will be able to make changes quarterly to the investment choices in their TDA accounts, with effective dates of January 1, April 1, July 1 and October 1. (For TRS retirees in Tiers 1 and 2, this change will also apply to their ASF and ITHP accounts.) Deadlines for filing for conversions will be 60 days

prior to the effective dates, and forms for conversions will be accepted at any time prior to the deadline. However, retirees will not be able to stop conversions already in progress.

The same quarterly effective dates will apply to in-service members changing their investment mix, both for TDA accounts and Tier 1 and 2 members' ASF and ITHP accounts. In-service members will need to file conversion forms 30 days before the effective date. Like retirees, they will be able to submit conversion forms at any time before the deadline; unlike retirees, they will be able to stop a conversion in progress.

Over the next three months, TRS will mail literature to both retired and in-service members with a more detailed explanation of all changes. TRS does not offer opinions on investment advice – but if you have factual questions after reading the mailing, you can contact TRS at (888) 8NYC-TRS or [www.trsnyc.ny.us](http://www.trsnyc.ny.us).

### New 'Passport Funds' for retirees & active members

## ORP+10 years = more pay

Changes resulting from the Optional Retirement Plan (ORP) pension equity legislation that the PSC and NYSUT won last year are beginning to take effect. The first reductions in member contributions kick in this month. Eligible ORP members at community colleges should have seen the change in

their April 4 paycheck, and those at senior colleges should see it in their April 10 paycheck. The PSC worked for seven years for this legislative victory, which will ultimately give eligible ORP members an effective increase of up to 3% in their take-home pay after 10 years of CUNY service.



PROFESSIONAL STAFF CONGRESS/CUNY  
FINANCIAL STATEMENTS AND AUDITOR'S REPORT  
AUGUST 31, 2007  
TABLE OF CONTENTS

Independent Auditor's Report  
Exhibit  
A – Balance Sheet  
B – Statement of Revenues, Expenses and Change in Net Assets  
C – Statement of Cash Flows  
Notes to Financial Statements

Independent Auditor's Report

Board of Directors  
Professional Staff Congress/CUNY

We have audited the accompanying balance sheet of Professional Staff Congress/CUNY as of August 31, 2007 and the related statements of revenues, expenses and change in net assets and cash flows for the year then ended. These financial statements are the responsibility of the organization's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Professional Staff Congress/CUNY's internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audit provides a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Professional Staff Congress/CUNY as of August 31, 2007, and the changes in its net assets and its cash flows for the year then ended in conformity with accounting principles generally accepted in the United States of America.

As discussed in Note 2 of the financial statements, Professional Staff Congress/CUNY changed its basis of accounting for pensions.

December 17, 2007

LOEB & TROPER, LLP  
655 Third Avenue, 12th Floor, New York, NY 10017

PROFESSIONAL STAFF CONGRESS/CUNY	NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES
NOTES TO FINANCIAL STATEMENTS AUGUST 31, 2007	<p><b>Basis of accounting</b> – The financial statements are prepared on the accrual basis.</p> <p><b>Fixed assets</b> – Fixed assets are recorded at cost. Depreciation is recorded on the straight-line method over the estimated useful lives of the assets. Leasehold improvements are amortized over the life of the lease on the straight-line method.</p> <p><b>Use of estimates</b> – The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Estimates also affect the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.</p>
NOTE 1 – NATURE OF ORGANIZATION	
Professional Staff Congress/CUNY (PSC/CUNY) was created by a merger of the Legislative Conference of The City University of New York and the United Federation of College Teachers. It was created to be the collective bargaining representative of the instructional staff of the City University of New York.	
PSC/CUNY is a not-for-profit organization exempt from federal income tax under Section 501(c)(5) of the Internal Revenue Code. PSC/CUNY's primary sources of revenues are membership dues and agency fees.	

EXHIBIT A PROFESSIONAL STAFF CONGRESS/CUNY BALANCE SHEET AUGUST 31, 2007	EXHIBIT B PROFESSIONAL STAFF CONGRESS/CUNY STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET ASSETS FOR THE YEAR ENDED AUGUST 31, 2007	EXHIBIT C PROFESSIONAL STAFF CONGRESS/CUNY STATEMENT OF CASH FLOWS FOR THE YEAR ENDED AUGUST 31, 2007
<b>ASSETS</b>		
Cash and cash equivalents	\$ 975,489	
Certificates of deposits	1,281,000	
Investments (Note 8)	3,945,242	
Accounts receivable	170,449	
Dues receivable	370,000	
Prepaid pension (Note 5)	301,910	
Other prepaid expenses	10,165	
Fixed assets (net of accumulated depreciation and amortization of \$565,973 in 2007) (Note 3)	396,242	
Total assets	\$ 7,450,497	
<b>LIABILITIES AND NET ASSETS</b>		
Due to the New York State United Teachers and American Federation of Teachers	\$ 802,000	
Accounts payable	268,917	
Accrued fringe benefits	365,817	
Other accrued expenses	63,046	
Total liabilities	1,499,780	
Net assets (Exhibit B) Unrestricted	5,950,717	
Total liabilities and net assets	\$ 7,450,497	
See independent auditor's report. The accompanying notes are an integral part of these statements.		
	Revenues	
	Membership dues and agency fees	\$ 9,480,656
	Subsidies from affiliates – NYS United Teachers, Inc. and American Federation of Teachers	1,670,413
	Interest and dividends (net of \$13,267 investment fees)	268,408
	Gain on investments	85,233
	Rental income	155,646
	Total revenues	11,660,356
	Expenses	
	Salaries	1,795,484
	Fringe benefits	712,294
	Depreciation and amortization	53,812
	Dues to affiliated organizations	6,038,464
	Conferences and meetings	160,124
	Occupancy	608,652
	Repairs and maintenance	179,503
	Office supplies, printing, publishing	252,551
	Postage and delivery	81,843
	Professional fees	314,928
	Contract and budget campaigns	271,048
	Insurance	27,483
	Stipends and reassigned time	550,543
	Mobilization and outreach	100,897
	Community relations	16,550
	Elections	25,079
	Committees	10,810
	Cultural activities	10,703
	Other expenses	16,598
	Total expenses (Note 6)	11,227,366
	Change in unrestricted net assets before other changes	432,990
	Effect of accounting change regarding pension plan measurements pursuant to FASB Statement 158 (Notes 2 and 5)	(121,032)
	Change in unrestricted net assets (Exhibit C)	311,958
	Net assets – beginning of year	5,638,759
	Net assets – end of year (Exhibit A)	\$ 5,950,717
	See independent auditor's report. The accompanying notes are an integral part of these statements.	
		Cash flows from operating activities
		Change in net assets (Exhibit B)
		\$ 311,958
		Adjustments to reconcile change in net assets to net cash provided by operating activities
		Depreciation and amortization
		53,812
		Change in accounting principle – SFAS No. 158
		121,032
		Gain on investments
		(85,233)
		Decrease (increase) in assets
		Accounts receivable
		60,209
		Dues receivable
		760,502
		Prepaid pension
		(65,012)
		Increase (decrease) in liabilities
		Due to New York State United Teachers and American Federation of Teachers
		78,000
		Accounts payable
		(216,848)
		Accrued fringe benefits
		(27,679)
		Other accrued expenses
		(747)
		Net cash provided by operating activities
		989,994
		Cash flows from investing activities
		Purchase of fixed assets
		(48,975)
		Purchase of certificates of deposit
		(396,000)
		Liquidation of certificates of deposit
		680,713
		Sale of investments
		250,000
		Purchase of investments
		(1,000,871)
		Net cash used by investing activities
		(515,133)
		Net increase in cash and cash equivalents
		474,861
		Cash and cash equivalents – beginning of year
		500,628
		Cash and cash equivalents – end of year
		\$ 975,489
		See independent auditor's report. The accompanying notes are an integral part of these statements.

**Cash and cash equivalents** – For financial statement purposes, the organization counts all liquid debt instruments with maturity at the time of purchase of three months or less to be cash equivalents.

**Functional allocation of expenses** – The costs of providing services have been summarized on a functional basis. Accordingly, certain costs have been allocated between the program and supporting services benefited.

**Unrestricted net assets** – Unrestricted net assets include funds having no restriction as to use or purpose imposed by donors.

**Change in accounting principle** – PSC/CUNY has implemented SFAS No. 158, Employers' Accounting for Defined Benefit Pension and Other Postretirement Plans, in accordance with FASB requirements for not-for-profit organizations with fiscal years ending after June 15, 2007. This new accounting statement requires organizations to record the net projected benefit obligation of the defined benefit pension plan on the balance sheet. The adoption of SFAS No. 158 has resulted in an adjustment to net assets of \$121,032.

NOTE 3 – FIXED ASSETS		
		Useful Lives
Equipment	\$ 351,573	5 years
Leasehold improvements	365,683	15 years
Furniture and fixtures	235,917	5-7 years
Construction in progress	9,042	
	962,215	
Accumulated depreciation and amortization	(565,973)	
	\$ 396,242	

NOTE 4 – LEASE		
PSC/CUNY rents space for its administrative office. The lease includes provisions for escalations and utility charges. The lease expires June 30, 2022.		
Rent expense for the year ended August 31, 2007 was \$608,652.		
Minimum payments required under the lease are as follows:		
2008	\$ 701,287	
2009	715,313	
2010	729,620	
2011	744,212	
2012	801,171	
Thereafter	8,358,327	

PSC/CUNY rents out a portion of its premises to an affiliated organization. Total rental income for the year was \$155,646.

NOTE 5 – PENSION PLANS		
Clerical and support staff are covered by a non-contributory defined contribution pension plan administered by Local 153 – OPEIU. For the year ended August 31, 2007, the contributions to these plans amounted to \$40,613.		
PSC/CUNY also sponsors a defined benefit pension plan covering all professional (non-clerical/support) employees who are over the age of twenty-one and have completed one year of service, except those covered above and temporary professional employees. All contributions are made by PSC/CUNY. No participant contributions except for temporary employees are required under the plan.		
The following table summarizes the benefit obligations, fair value of assets, funded status and accrued benefit costs as of August 31, 2007 and		

employer contributions, benefits paid and net periodic pension costs for the year then ended:

Benefit obligation	\$ (1,405,764)
Fair value of plan assets	1,707,674
Funded status	\$ 301,910
Prepaid pension benefit cost recognized in the balance sheet	\$ 301,910
Benefits paid	\$ 739
Net periodic pension cost	\$ 132,254

Weighted average assumptions as of August 31, 2007:	
Discount rate	6.5%
Expected return on plan assets	7.0%
Rate of compensation increase	4.0%

PSC/CUNY's pension plan asset allocations by asset category are as follows:

Asset category	
Cash and cash equivalents	5%
Equities	66%
Fixed income	29%

PSC/CUNY's investment policies are designed to ensure adequate plan assets are available to provide future payments of pension benefits to eligible participants. Taking into account the expected long-term rate of return on plan assets, PSC/CUNY formulates the investment portfolio composed of the optimal combination of cash and cash equivalents, equities and fixed income.

Cash Flows

PSC/CUNY expects to contribute \$197,266 to its pension plan in 2007.

The following benefit payments, which reflect expected future service, are expected to be paid as follows:

Year Ended	
2008	\$ –
2009	–
2010	65,609
2011	277,875
2012	563,034
2013-2018	155,493

NOTE 6 – FUNCTIONAL EXPENSES		
Professional Staff Congress/CUNY provides collective bargaining and other union-related services to its members. Expenses related to these programs are:		
Programs	\$ 9,431,882	
Management and general	1,808,751	
	\$ 11,240,633	

NOTE 7 – CONCENTRATIONS		
Financial instruments which potentially subject PSC/CUNY to a concentration of credit risk are cash and cash equivalents with major financial institutions in excess of FDIC insurance limits. These financial institutions have strong credit ratings and management believes that credit risk related to these accounts is minimal.		

	Cost	Market
Bond funds	\$ 3,395,700	\$ 3,339,405
Stock funds	422,343	605,837
	\$ 3,818,043	3,945,242

PSC budget

The PSC is committed to financial transparency: members are entitled to know how their dues are being spent. As is usual practice, we publish the annual audit for your information. (See statement at left.) Please feel free to contact me with any questions.

– Michael Fabricant  
PSC Treasurer

Pre-Retirement conference

The annual PSC Pre-Retirement Conference will be held on Tuesday, May 20, from 9 to 4 at the CUNY Graduate Center. The conference is designed for members who are about five years away from retirement. The conference will feature speakers on financial planning, health benefits and taxes. If you wish to attend, please return the form below. Breakfast and lunch will be provided. If you prefer kosher food, please send a note with your registration.

PSC PRE-RETIREMENT CONFERENCE

I will attend the PSC Pre-Retirement Conference.  
Enclosed is \$ \_\_\_\_\_ registration fees for \_\_\_\_\_ places at \$25 each.

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Retirement System \_\_\_\_\_

College \_\_\_\_\_

Date of original CUNY employment \_\_\_\_\_

Make checks payable to The Professional Staff Congress and return them by  
May 12, 2008 to:  
Charissa Gilbert Weiss, PSC/CUNY, 61 Broadway, 15th floor, New York, NY 10006.



## THE NAME GAME

## This future brought to you by...

By PETER HOGNESS  
and JOSH BROWN

Colleges and universities have long named buildings or auditoriums after large donors, in a quid pro quo that never seemed to require much thought or comment. But a flurry of recent decisions by the CUNY Board of Trustees takes “naming opportunities” into new territory.

Now it's not just bricks and mortar – departments are also apparently up for grabs. At its January meeting, the Board renamed Baruch's Department of Economics “the Bert Wasserman Department of Economics and Finance.” Along with the college's “Stan Ross Department of Accountancy,” it's now a department with personality.

Baruch students do not yet refer to themselves as “majoring in Wasserman” – but they might say that they are “enrolled at Zicklin” (School of Business), so perhaps the former is just a matter of time.

“Micro-credit” has been a hot concept in international development aid, and some of the new designations might be called examples of “micro-naming”:

“Resolved, that the Board...approve the naming of Room 11-278 in the Newman Vertical Campus at Baruch College the ‘Stewart Karlinsky Office,’” states a motion adopted at the Trustees' February meeting. Room 12-175 was renamed the “Ernst & Young/Harry Mancher Classroom,” one of a dozen rooms renamed in February at Baruch alone.

## WHAT'S IN A NAME?

City College topped that number at the Board's January meeting, with 13 rooms renamed. Six of them are in CCNY's Marshak Science Building – which is made of rusted rebar and crumbling concrete, structurally unsound, and still standing only thanks to the large steel beams that form grim Xs on its façade at irregular intervals. A while ago, a large chunk of the Marshak building split off and fell to earth – so the rash of room renamings at Marshak raised a few questions. Was the Board in a hurry to rename the rooms while they are still there? If a Marshak room falls off the building, will the donor get his or her money back? Answers were unavailable at press time.

Many of the names that adorn different pieces of CUNY, both large and small, belong

to people regarded with affection and respect by faculty and staff, people who have made real contributions to the education of CUNY students. But the name game is also a slippery slope, and as we slide down that slope we're picking up speed.

What's in a name? Here's a look at CUNY's possible future:

**May 2008:** CUNY Trustees approve the naming of an endowed chair in the Queens College Astronomy department. While CUNY colleges already have many endowed professorships, this gift breaks new ground: the endowment will fund a piece of furniture, the actual chair on which the professor in Room 3-287 will sit.

“This substantially lowers the barriers to entry for university philanthropy,” said the college's Chief Financial Officer, Nick Ellendime. “You may not be able to afford to endow a professorship – but you can still tell your golfing buddies that you've endowed a chair at Queens College.”

**June 2008:** The Board votes to name next semester's midterm exams at Hunter College “the Kaplan Test Prep Midterms.”

**July 2008:** Brooklyn College's Department of Urban Planning is renamed the “Department of Trump Studies.”

“This titan of bold development has truly remade the map of modern cities,” said the college's Vice President for Creative Finance. “In today's urban landscape, he is inescapable. You cannot study today's New York City without studying the visionary career of Donald Trump, and no one in our new department would dare to try.”

**August 2008:** Naming of the John Doe, Jane Roe, Joe Schmo, Janet Dough, Fred Flow, Joe Blow, Dorothy Bowe, Peter Poe, Joan

Lowe, James Noe, Kate Koh, Jerry Mowe and Bill Woe Adjunct Faculty Shared Office Space at BMCC.

Terms of the gift require the University to continue hiring more adjuncts than full-time faculty and devote the money saved to raises for those on CUNY's Executive Pay Plan. “It's money well spent,” said a spokesperson for the anonymous donors.

was part of the former company's branding, it constituted a piece of intellectual property that JP Morgan now rightfully owned.

**October 2008:** With the unexpected collapse of JP Morgan into a multi-billion dollar pile of debt, the JP Morgan Classroom at Baruch is abruptly renamed Room 8-509. It is rumored on Wall Street that Morgan had invested heavily in complex derivatives based on the resale of college facility naming rights, which turned out to have been grossly overvalued.

**December 2008:** By near-unanimous vote of the Board of Trustees, a CUNY Law School course, Intellectual Property & Ethics, is renamed The Louis Vuitton™ Course on Counterfeiting and Social Decay.

CUNY spokesperson Andrew Mammon insisted that the naming of the class would not dictate its content or infringe on academic freedom: “This much-needed course will examine how counterfeiting of trademarked goods leads to a increase in street crime, rude manners, drug addiction and terrorism, and faculty will be free to impart those lessons however they wish.”

**January 2009:** A \$43 million donation from Tishman Construction wins a promise from CUNY that it will *not* rename the rusted, crumbling Marshak Science Building as “the Tishman Center for Structural Integrity.”

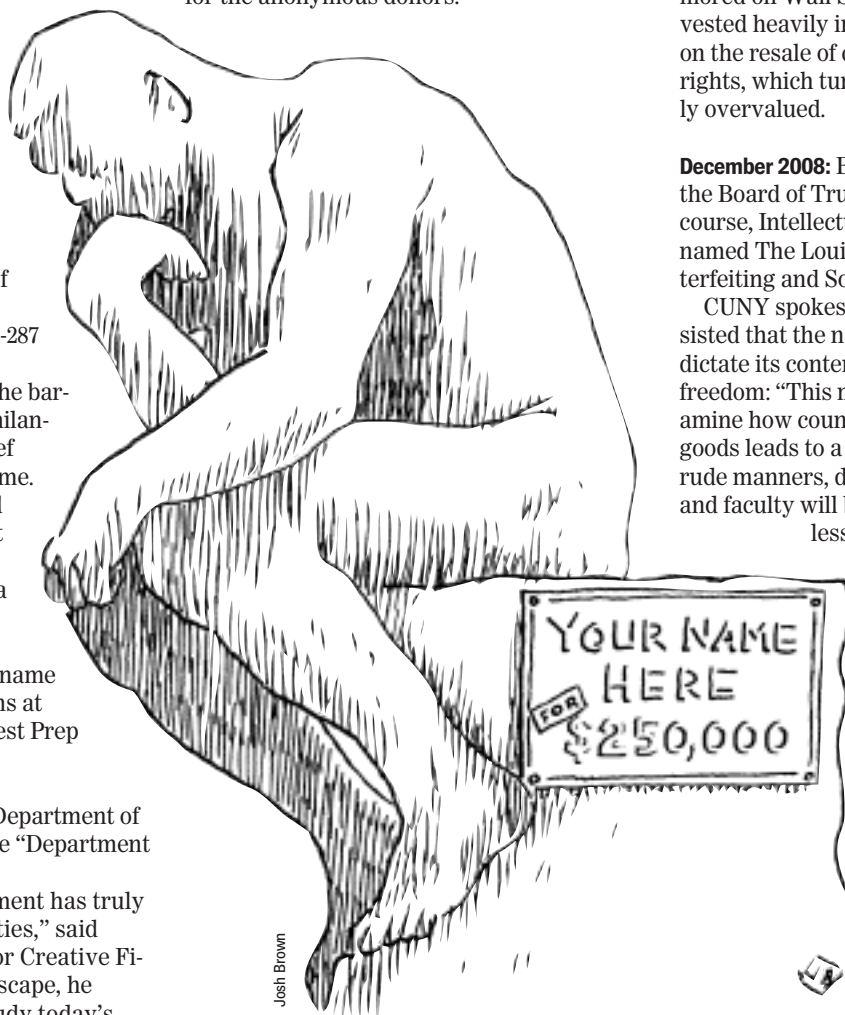
“We told Tishman, ‘We're gonna make you an offer you can't refuse,’” said the University's Chief Officer for Strategic Communication and Enforcement.

“And they accepted, so I'd call it a win-win. They understand that it's not personal – it's business.”

**March 2009:** In a creative experiment in flexible pricing, naming rights for a new lecture hall at the Graduate Center will be awarded on a realtime basis through bids in an ongoing online auction. A large electronic display on a marquee facing Fifth Avenue will show the name of the auditorium, which will change depending on the highest bid for a given interval of time. The new system was adopted after a study by the Graduate Center's Development Office indicated that it would realize far greater returns than the sale of naming rights on a permanent basis.

**May 2009:** The naming of the Elliot Spitzer Center for New York Public Administration. The former governor, seeking to leave a more positive legacy in New York's civic life, has generously agreed to pay \$4,300 per hour, in perpetuity, to cover personnel costs associated with the new center. The center will study the relationship between private donors and public institutions, and the scholarly debate on whether academia has become “the world's oldest profession.”

*Josh Brown is director of the American Social History Project at the Graduate Center; Peter Hogness is editor of Clarion. The opinions and sense of humor expressed above are entirely their own.*



Josh Brown

**September 2008:** Baruch's Bear Stearns Classroom (formerly Room 8-509) is renamed the JP Morgan Classroom, as part of JP Morgan's acquisition of all of Bear Sterns's assets. A judge ruled that since the Bear Sterns name

## The price of “naming opportunities”

## CALENDAR

**SATURDAY, APRIL 26** / International Committee meeting. For more information, contact Renate Bridenthal, rbridenthal@juno.com.

**MONDAY, APRIL 28** / Ballots for PSC chapter elections must be received by this date. (For complete election schedule, see page 8 of the January 2008 *Clarion*, at [www.psc-cuny.org/communications.htm](http://www.psc-cuny.org/communications.htm).)

**WEDNESDAY, APRIL 30:** 6:30 pm / Talk by Marc Bousquet, author of *How the University Works* (see page 11): “From ‘I Feel Your Pain’ to ‘Your Problem is My Problem’: Precarity, Universality and the

Future of Academic Labor.” Sponsored by the Center for the Study of Culture, Technology and Work. At the CUNY Graduate Center, 34th Street and Fifth Avenue. Sociology Lounge, 6th floor.

**FRIDAY, MAY 2:** 3:30 pm / Workshop for adjuncts on unemployment compensation, with speaker from the Workers Defense League. In the PSC Union Hall, 61 Broadway, 16th floor. (Note change in date from previous announcements.) ID is needed to enter the building. For more information, contact Marcia Newfield, (212) 354-1252 or [mnewfield@psccmail.org](mailto:mnewfield@psccmail.org).

**MONDAY MAY 5:** 1:00 pm / PSC Retirees Chapter meeting. Professor

Marie Gottschalk of the University of Pennsylvania will discuss universal health care. In the PSC Union Hall.

**FRIDAY, MAY 9:** 4:00 pm / “First Fridays” meeting of the PSC Part-time Personnel Committee. At the PSC office, 61 Broadway, 15th floor. For more information, contact Marcia Newfield, (212) 354-1252 or [mnewfield@psccmail.org](mailto:mnewfield@psccmail.org).

**FRIDAY, MAY 9:** 6:00 pm / Labor Goes to the Movies ends its 07-08 series dedicated to the theme of war with *Paths of Glory*, Stanley Kubrick's bitter film about the carnage of the First World War. After a suicidal French attack, senior officers scapegoat three innocent

soldiers for its failure and seek their execution. In the PSC Union Hall, \$2 suggested donation. For more information, or to participate in choosing the films and organizing the screenings for the next series, contact Sue Li, [sli@psccmail.org](mailto:sli@psccmail.org) or (212) 354-1252. No RSVPs.

**WEDNESDAY MAY 14:** 6:00 pm / PSC Solidarity Committee meeting. At the PSC office. For more information, contact Jim Perlstein, [jperlstein@bassmeadow.com](mailto:jperlstein@bassmeadow.com).

**TUESDAY MAY 20:** 6:00 pm / PSC Legislative Committee meeting. At the PSC office. For more information, contact Eileen Moran, [eyedon@earthlink.net](mailto:eyedon@earthlink.net).



## BOOK REVIEW

# Low-wage labor and the future of higher education

*How The University Works: Higher Education and the Low-Wage Nation*, by Marc Bousquet (NYU Press, 2008)

Reviewed by **STANLEY ARONOWITZ**  
Graduate Center

In his first book 30 years ago, CUNY Professor David Nasaw argued that, from its origins in the late 19th century, the public education system in the United States has been oriented not chiefly to learning, but to the discipline of young children. Now Marc Bousquet joins a growing chorus of critics of higher education to claim that, far from being an ivory tower, universities are about business: training students for the workworld but also dispensing billions of dollars to politically-connected outside contractors who build facilities and provide services once done by university employees. Universities, he argues, are run along models borrowed from corporate capitalism.

Bousquet, a tenured associate professor at Santa Clara University and an alumnus of the CUNY English PhD program, has been a leading advocate for part-time academic labor unions since his graduate student years. Long before the spate of critical studies about universities that have appeared in the past eight or nine years, Bousquet argued that, contrary to its image of a cornucopia for faculty, higher education was increasingly precarious, contingent and low-paid, conditions suffered by much of US labor. Now he has put these insights in a sustained form and, along the way, takes aim at the optimists who mistakenly proclaimed that the 21st century would bring an outpouring of tenure-stream jobs in the humanities and the rest of the liberal arts for qualified PhD earners.

## NO FLOOD OF JOBS

Instead the retirement of a whole generation of academics from active teaching have not, in the main, produced full-time tenurable jobs. Nor has the new era of computer and other technologies resulted in a tendency toward the teacherless curriculum, as predicted by David Noble, whose *Digital Diploma Mills* is perhaps the most influential work of deconstruction of the notion that technology promises a new era in higher education.

Bousquet shows that, as tenured faculty leave the university, the administration replaces them with contingent, temporary and

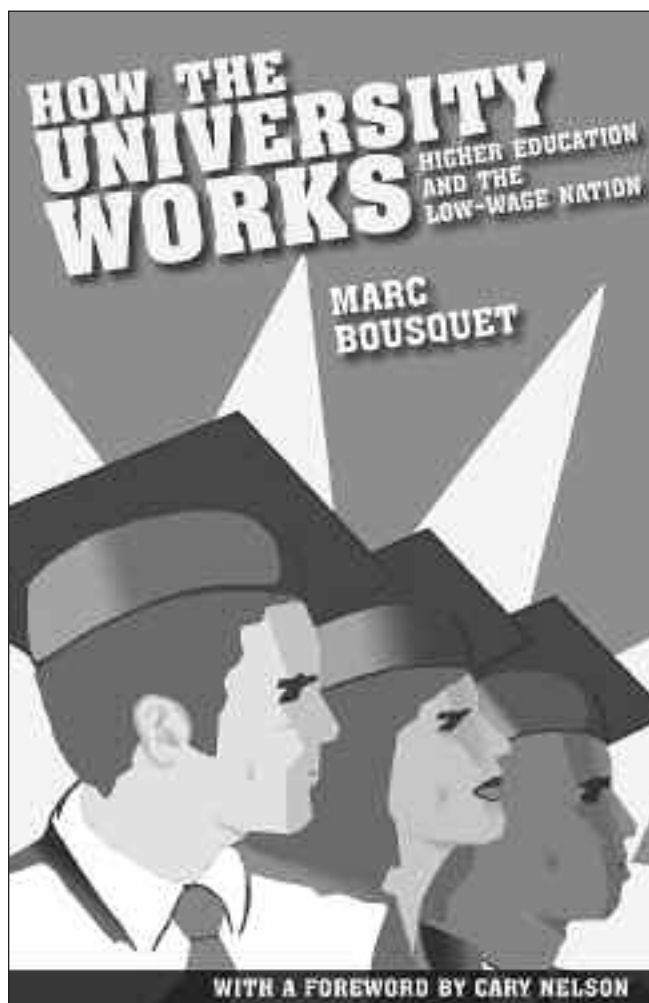
part-time teachers. And far from being professors-in-training, graduate teaching assistants are a necessary source of cheap labor, which accounts for universities' willingness to admit large numbers into PhD programs even when job prospects remain dim. Basing his conclusions on well-known statistics showing that part-timers, both in their absolute numbers and the number of courses they teach at the undergraduate level, have outdistanced the contribution of the tenured faculty, he believes that the cutting-edge agents of change for the present and future of higher education are no longer the full-timers, but that the baton has passed to precarious, contingent labor.

## CORPORATE MODEL

The reason for this turn of events over the last 30 years is, chiefly, that university management has adopted a corporate capitalist model of operations in which cost-containment and cost-cutting govern their perspectives on academic labor. Needless to say, in public universities and colleges this policy owes some of its justification to the reluctance of legislators and executive branch politicians to fund universities adequately. But he points out that spending in higher education has not necessarily been drastically reduced. Instead "campus administrators continue to build new stadiums, restaurants, fitness facilities, media rooms" and more. He suggests that "these huge new building projects [are] financed by thirty years of faculty downsizing..." In this context, distance learning may be understood, not as a way to innovate education, but as a way to cut costs. The predominant faculty in on-line schooling is part-time and low-paid. Like most adjuncts, these precarious workers enjoy few, if any of the amenities of tenure: academic freedom, health and pension benefits, real offices from which to perform research and advise students, and working conditions commensurate with their professional training.

In 1980, the Supreme Court's notorious *Yeshiva* decision halted the forward march of unionism among full-time faculty in private universities when, by a 5-4 decision, it found that professors in these institutions were managers and not entitled to protection under the National Labor Relations Act. But Bousquet notes that in the last 30 years,

## Cost cutting rules academia now



full-time faculty in public universities and colleges have flocked to unions. For example, 44% of full-timers in four-year public universities are covered by union contracts, and the proportion of unionized tenure-stream faculty in community colleges is similarly dense, at least in comparison to other sectors of the economy.

## HIERARCHY

But he is not sanguine about this apparent success. In his view, most professors have either bought into management's doctrines of Total Quality Management, which have centralized power at the top of the administrative hierarchy, or they have remained silent as the traditional value of shared governance is subverted by incorporating the tenured faculty into a largely

ephemeral "partnership" with management and its corporate allies. Bousquet argues that shared governance has meant that faculty identify with the institution rather than academic labor, especially those at the bottom of the hierarchy who have struggled to make their voices heard and their demands for equity met.

His evaluation of faculty unionism is, therefore, quite harsh. While he refutes writers like Harvard's Derek Bok and California's Clark Kerr, who view unions as unimportant when not dangerous to the academic enterprise, he is generally pessimistic regarding the question of whether the two major unions in higher education – AFT and NEA – possess the political will, let alone the vision, to embrace the cause of contingent labor. Based on a solid reading of recent history, he shows that faculty unionism remains parochial when not downright myopic concerning the needs

of the three million employees of higher education institutions. Moreover, unionism in higher education is divided by full and part-time faculty, research and teaching institutions, and different unions with different priorities.

In the squeeze, students are consistently short-changed by overstuffed classes and the plethora of contingent faculty who have little time to spare for them and worn down by the burdens of rising tuition and, in most instances, the need to engage in wage-labor to put themselves through school.

Bousquet bemoans the lack of solidarity among the rank and file of universities. In contrast, management has congealed into a new "caste" and has exhibited remarkable solidarity around its interests. As a result, despite heroic efforts by many teachers to buck the tide, the university has become a graveyard of genuine education.

It may be too much to ask a critic who paints this gloomy picture to suggest ways out of the quandary. Yet this book, whose indictment is persuasive and eloquently laid out, could have benefited from a speculative chapter that discussed strategies for change. I do not make this suggestion in order to undercut Bousquet's bold, realistic assessment. The problem is that absent a discourse of alternatives, its effect may be to reinforce the sense of hopelessness that already pervades the professoriate. So it is up to activists in university unions to take up the challenge posed by Bousquet's analysis – to develop new strategic thinking for academic labor.

## Clarion APRIL 2008

Newspaper of the Professional Staff Congress/City University of New York, collective bargaining representative of the CUNY instructional staff. Vol. 37, No. 4. PSC/CUNY is affiliated with the American Association of University Professors, National Education Association, the American Federation of Teachers (Local 2334), AFL-CIO, the New York City Central Labor Council, and New York State United Teachers. Published by PSC/CUNY, 61 Broadway, 15th floor, New York, NY 10006. Telephone: (212) 354-1252. Website: [www.psc-cuny.org](http://www.psc-cuny.org). E-mail: [phogness@psccmail.org](mailto:phogness@psccmail.org). All opinions expressed in these pages are not necessarily those of the PSC.

**PSC OFFICERS:** Barbara Bowen, President; Steven London, First Vice President; Arthurine DeSola, Secretary; Michael Fabricant, Treasurer; Stanley Aronowitz, Jonathan Buchsbaum, Lorraine Cohen, John Pittman, Nancy Romer, University-wide Officers; Robert Cermele, Vice President, Senior Colleges; Kathleen Barker, Marilyn Neimark, Alex Vitale, Senior College Officers; Anne Friedman, Vice President, Community Colleges; Jacob Appleman, Lizette Colón, Susan O'Malley, Community College Officers; Iris DeLutro, Vice President, Cross Campus Units; Donna Veronica Gill, Steven Trimboli, Vera Weekes, Cross Campus Officers; Marcia Newfield, Vice President, Part-Time Personnel; Susan DiRaimo, Diane Menna, George Walters, Part-Time College Officers; Peter Jonas, James Perlstein, Retiree Officers; Irwin H. Polishook, President Emeritus; Peter I. Hoberman, Vice President Emeritus, Cross Campus Units.

**STAFF:** Deborah Bell, Executive Director; Chris Aikin, Director, Organizing; Faye H. Alladin, Coordinator, Financial Services; Dorothee Benz, Coordinator, Communications; Debra L. Bergen, Director, Contract Administration & University-wide Grievance Officer; Nick Cruz, Coordinator of Organizing; Kian Frederick, Coordinator of Organizing; Barbara Gabriel, Coordinator, Office Services and Human Resources; Kate Pfordresher, Coordinator, Research & Public Policy; Diana Rosato, Coordinator, Membership Department; Clarissa Gilbert Weiss, Director, Pension and Welfare Benefits; Peter Zwiebach, Director of Legal Affairs.

**Editor:** Peter Hogness / **Associate Editor:** Dania Rajendra / **Designer:** Margarita Aguilar / **Proofreader:** Nicole Lisa / **Intern:** Candice Johnson

© 2008 Professional Staff Congress/CUNY



# The failing flagship 'strategy'

By GARY RHOADES

From one university to the next, chancellors, presidents and provosts are all talking about being "strategic." They're suggesting that we need to make tough choices. And they're seeking to enhance the standing of these universities.

Take the case of my university, which is the flagship, at least for the moment, of Arizona. Our new president and our previous president are talking about our school becoming a top ten public research university. In the case of CUNY, which bills itself as the "leading urban public university in the country," your chancellor is talking about creating a flagship environment. (I gather he's not creating a flagship environment on teaching loads and salaries.)

## DISTINCTIVE

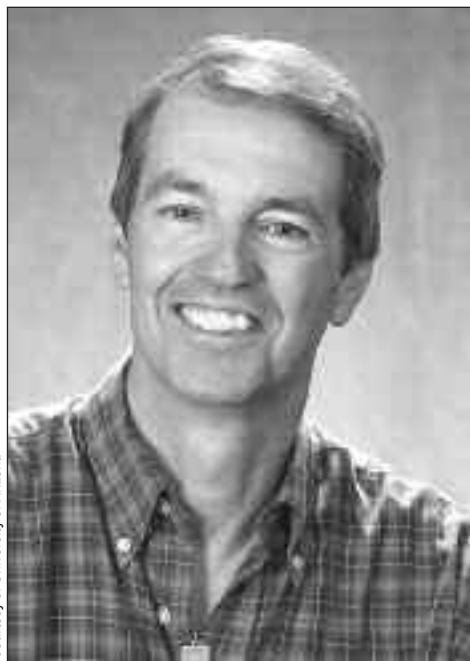
What's remarkable about this national pattern is that everybody is talking about being "strategic," and yet we're all largely moving in the same direction. For the most part, the choices are not all that tough or strategic because they're so similar. They simply consist of imitating more highly ranked universities.

Rather than trying to be what our universities can never truly be and ending up at best superficial, indistinct, Xerox copies of the elite, we should instead work to find sustainable, distinctive niches that will set us apart and that will enable us and our communities to thrive.

It is absolutely essential that the faculty and professionals who do the work of these places, who are connected to and understand and are committed to the communities in which they work and live, articulate that alternative path – that niche and place of historical and comparative advantage.

There's a wonderful report out, written not by a sociologist, not by radical political scientists, but issued by the Education Trust and sponsored by the Lumina Foundation; the title of this report is quite

## Public universities: what role?



Courtesy of University of Arizona

Gary Rhoades

suggestive, *Engines Of Inequality*. The subtitle is even clearer and especially appropriate: *Diminishing Equity in the Nation's Premiere Public Universities*. It's an analysis of each flagship university in each of the 50 states.

Here's the pattern, and it will sound very familiar to you: less access over time for under-represented minorities. At other colleges and universities, as you might expect, 24% of students are from under-represented student populations, but at flagships the number is half that, 12%.

## ACADEMIC CAPITALISM

If you look at low-income students, the news is even worse; 44 of 50 flagships have reduced access relative to other universities.

At UA, when we look at a poor student of color south of 6th Street, which is our dividing line in Tucson, we say, "They cost us money." They may be smart but we have to give them financial aid. They cost us money, the tuition is lower, then we

give them financial aid, hell, we're not making anything out of these people. That's what academic capitalism is. You begin to see dollar signs in the place of your students.

We are a low-income state; 25% of children in Arizona live in poverty. There are school districts where two-thirds of the children do not have health care at all. We don't need a Stanford in southern Arizona. We don't need some place that takes the children of the upper middle class and translates them into upper middle-class professionals.

We need a place that takes first generation students from working, lower middle-class

backgrounds and moves them into a middle class of color, an immigrant middle class. That would be a distinctive mission and niche. That would set us apart from our aspirational peers. We could do that but we are not.

Neither is CUNY.

So what's the pattern at CUNY? Obviously, an increase in in-state tuition; an increase in traditional standards of entry; heightened stratification of students: an investment in an honors college and a decline in the number of SEEK students; heightened stratification of colleges within CUNY and management by objectives for each of those colleges; increased stratification in performance-based management; tiering the system into highly selective, moderately selective and open access; and eliminating remediation from the senior colleges and instituting a CUNY proficiency exam in very traditional terms.

Who is the focus? Students who would otherwise have gone to top colleges in the country, top Ivies.

That's great. Not all of those honor students are the same people, but mostly they're similar.

As the father of two daughters, 20 and 23, who have earned honors at various educational levels at UCLA and Brown, I believe there is a very important place for honors students and no institution ought to turn their back on honors students.

## INCLUSION

But historically CUNY made its mark not because of who it excluded but because of who it included. More than that – because of the quality of the professionals providing education to all New Yorkers. The CUNY proposition has been that the public good will be served by providing high quality professors and professionals to all in the city who seek a college education.

Your legacy and your genius are not to out-compete Harvard and Columbia and NYU for the same students. Your legacy and genius and niche are to recognize that Harvard and Columbia were and are actively excluding students who had and have great promise. They wouldn't let in immigrants, they wouldn't let in Jews, they wouldn't let in students of color, and you said, "Come in." Those were students who would benefit enormously from a higher education and students who would transform and enrich their communities and countries socially, politically and economically.

The irony is that this is happening just as some of the Ivies are taking little, tiny steps in the other direction. Now anyone whose parents make under \$50,000 can attend Harvard, Yale, Dartmouth, Brown, Stanford, for free. Just as they're taking those steps towards you, you're moving in the opposite direction, you're moving towards them.

Why shouldn't CUNY get a bonus for moving students from working-class and lower middle-class occupations into the middle

and upper middle class? That would be a metric that I believe actually would resonate with state policy makers and even with people in business.

You have an honors college that gives free laptops, free cultural passes, free tuition for honors students. Why not an endowment for honors experiences for all who will work for it or volunteer for it? I actually believe that there are people who would give to that.

So I think part of your challenge in the PSC is not only to criticize the current pattern and movement, but to help articulate a strategic course for CUNY that honors and builds on the CUNY difference. And I think you are in an excellent position to mobilize support for creating a very different conception of what a flagship university does.

**Moving working-class students into the middle class is a distinctive niche.**

It's not hard to understand why the presidents are the way they are. For example, when the new president of a college in the California State University system met with the mayor of the town in which the college is located, the mayor's first question was, "So

you're gonna make us like a UC, right?"

## EXCELLENCE REDEFINED

The presidents are working within a circle and within a society that values growth, mobility, rankings, moving up. And part of challenging that system is challenging the discourse about what constitutes a really excellent place of higher education.

This is a nationwide issue. They're all speaking with each other but they're all also feeling like, this is what we've got to do, this is the program, there's no other choice. So I think we need to give them other choices and define them as feasible. The challenge is really to question that discourse and provide an alternative.

Gary Rhoades is a professor at the University of Arizona and director of its Center for the Study of Higher Education.

This article is adapted from his presentation at the PSC's leadership training in March. (See article on page 2.)

Professional Staff Congress/CUNY  
61 Broadway, 15th Floor  
New York, New York 10006

NonProfit Org.  
U.S. Postage  
PAID  
New York, N.Y.  
Permit No. 8049



## 15-MINUTE ACTIVIST

## Message to City Hall: Stop the budget cuts!

Mayor Bloomberg has proposed \$65 million in cuts to CUNY's budget, which would mean bigger classes, canceled courses, reduced library hours and deteriorating facilities. The PSC is organizing a postcard campaign to press the City Council to restore the cuts and add new funds to meet critical needs on every campus. Contact your chapter chair to get postcards. (Find yours on the list at [www.psc-cuny.org](http://www.psc-cuny.org), where you can

also send an e-mail to your Councilmember.)

Pass the postcards out in your classes, so students can sign. Ask everyone in your department or office. Bring the postcards to department meetings, staff meetings – any meeting! Take some home, to the gym, the bank, your house of worship – wherever you go.

Return the postcards to your designated drop-off location by May 2.