It's Back: Academic Bill of Rights is Reintroduced in the State Legislature

The Assembly Education Committee is chaired by Catherine Nolan of Queens. She can be reached at 518-455-4851 or mnolan@assembly.state.ny.us.

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- Michael Benedetto of the Bronx (518-455-5296 or benedetto@assembly.state.ny.us);
- James F. Brennan of Brooklyn (518-455-5377 or bernie@assembly.state.ny.us);
- Barbara M. Clark of Queens (518-455-4711 or clark@assembly.state.ny.us);
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- Tom Kirwan of Orange, Dutchess and Ulster counties (518-455-5762 or kirwan@assembly.state.ny.us);
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- Robert K. Sweeney of Suffolk (518-455-5787 or sweeney@assembly.state.ny.us);
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- Harvey Weisenberg of Nassau (518-455-3208 or weisenh@assembly.state.ny.us).

The Chair of the Senate Higher Education Committee is Kenneth P. Lavello of Suffolk (518-455-3512).

The other members of the Senate Higher Education Committee are:

- James S. Alonzo of Monroe (518-455-2051);
- Ruben Diaz, Sr., of the Bronx (518-455-2511);
- John J. Flanagan of Suffolk (518-455-2071);
- Joseph A. Griffis of St. Lawrence, Lewis and Onondaga counties (518-455-3334);
- Shirley L. Huntley of Queens (518-455-3315 or shuntley@senate.state.ny.us);
- Liz Krueger of Manhattan (518-455-2977);
- Serphin R. Maltese of Queens (518-455-3281);
- Szu Chin Oppenheimer of Westchester (518-455-2011);
- Kevin S. Parker of Brooklyn (518-455-2560);
- Mary Lou Rath of Erie andGenesee counties (518-455-3161);
- Joseph E. Robach of Monroe (518-455-2909);
- Jose Serrano of Bronx and Manhattan (518-455-2795);
- James L. Stewart of Cortland, Tompkins, Chenango, Oneida, Herkimer, Schenectady, and Greene counties (518-455-3131);
- Toby Ann Stavisky of Queens (518-455-3461);
- David J. Valesky of Cayuga, Onondaga, Madison and Oneida counties (518-455-2288);
- George H. Winener, Jr., of St. Lawrence, Lewis, St. Lawrence, Lewis and Oneida counties (518-455-2951) and Catharine M. Young of Dutchess County (518-455-3560).

If you have put the above pieces together, congratulations. You can now return to your teaching, research and service if you don’t want to continue with this column. But first let me paraphrase Phillips’ quote and say, “Eternal vigilance is the price of good governance.”

Faculty is a collective noun, and good governance at an institution can only occur when the faculty functions as a collective body and asserts its proper role in governance. That alone is a necessary, but not necessarily sufficient, condition. The tripod of teaching, scholarship and service and, for teaching and service (put them in the order most relevant for your institution), oftenApollo takes its place on this tripod. Within the realm of service concern with internal governance is often the weakest component.

What happens to governance if the faculty does not work for good governance? Rabelais said, “Nature abhors a vacuum.” Administrators also allow vacuums and will fill them whenever they can. Soon, what passes for governance in your institution will revert to a series of dicta. When the administrators are well grounded in the realities of service and will fill them whenever they can. Soon, what passes for governance academic settings.

At its Spring 2007 issue:

Academic Bill of Rights Reintroduced in the State Legislature

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Legislation that would create an "Academic Bill of Rights" has again been introduced in the State Legislature.

S. 2300, and A. 4406, the identical assembly version of the bill, were introduced in early February. The Senate bill is sponsored by John A. DeFrancisco (R-50th District), and co-sponsored by Orson H. Johnson (R-4th District), Serphin R. Maltese (R-15th District), Thomas P. Morahan (R-11th District), Frank Padavan (R-11th District), George H. Winer, Jr. (R-53rd District), and Catharine M. Young (R-73rd District). The Assembly bill is sponsored by Anthony S. Seminito (R-13th District).

The bill’s provisions for students to be graded solely on the basis of their work, that student fee money be distributed in a fair manner, and that a student’s freedom of conscience shall not be infringed upon by administrators or student government organizations. Colleges would be required to inform students of their rights and establish a grievance procedure for dealing with infractions. In their justification for the bill, the sponsors assert that “students and many college classes based or one-sided.” However, they do not provide any evidence of such infringements on student rights taking place in New York.

The major justification for the bill appears to be that similar bills have been introduced in other states. The Assembly Bill memo inaccurately reports that it has been passed in other states. The AAUP, UUP and PSC have all gone on record opposing the measure, as have a number of other groups.

The Assembly version has been referred to the Education Committee, and the Senate version to the Higher Education Committee.

The introduction of the bill comes at a time when the Board of Trustees of the City University of New York has adopted, despite the opposition of the PSC, a procedure for students who complain about faculty conduct in formal academic settings.

New York State Conference – American Association of University Professors

The Executive Committee meeting (opened to all members) ill be held on Friday afternoon. That evening, there will be a screening of the film, "Declining by Degrees: Higher Education at Risk," a 2005 PBS documentary in higher education in the United States. Following the screening, there will be a discussion of the film.

On Saturday, the morning meeting will be held. There will be guest speakers and a workshop. Further details will be available on the new website: www.nysaaup.org.
AAUP Challenges US Government Ban on Foreign Scholar

On February 23, 2007, the AAUP filed a lawsuit in federal court in New York against the Bush Administration’s ban on foreign scholars. The lawsuit was filed by Professor Ramadan in an attempt to force the government to lift the ban on his participation in the US. The lawsuit was filed at the request of Professor Ramadan, who was denied a visa to enter the United States in order to lecture at Adelphi University. The lawsuit challenges the government’s claim that Professor Ramadan and others like him are “material supporters” of terrorist organizations.

The government has never provided any evidence that Professor Ramadan or any other person engaged in activities that would constitute terrorist activity. The lawsuit challenges the government’s refusal to provide information about the evidence it used to deny Professor Ramadan’s visa. The lawsuit also challenges the government’s refusal to provide information about the evidence it used to designate Professor Ramadan’s organization as a terrorist organization.

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The Final Weeks of Marymount/Fordham

By Leo Colodny, President, Fordham/Marymount AAUP

We have begun the countdown, after one hundred years, to the final graduation of Marymount College, lately Marymount College of Fordham University, at the University commencement ceremony to be followed by a Diploma Ceremony at Marymount College on May 20, 2007. All faculty offices will have to be vacated by May 31, the official closing date of the College. Ironically, June 15, 2007 is the official ‘deadline for removal of INC, ALG, NGR, grades for Spring ’07. Tenured faculty will receive salary and benefits through October 31, 2007. They will be treated emeriti status, will continue to have the right to use the library and other facilities of Fordham, and will enjoy continued use of Fordham mail and e-mail for the rest of their lives.

We remain hopeful that some, perhaps many, faculty will be offered suitable positions as Visiting Professors in accord with Fordham’s commitment to AAUP principles and guidelines.

City University University Adopts Student Complaint Procedure

The Board of Trustees of the City University of New York has adopted a new procedure for handling student complaints about professors that are not related to either academic freedom or are not covered by other policies. The policy was approved by the Professional Staff Congress of CUNY, which criticized the proposal as conflicting on academic freedom and compared it to the “Academic Bill of Rights.” Donald Horowitz’s proposal has recently been re-introduced in the New York State Legislature.

Prior membership in AAUP, 1974-79.


CANDIDATE STATEMENT

Since its founding, the AAUP has been developing in standards for academic freedom.” It has worked to enhance both the advancement of academic inquiry and the instruction of students for their development for citizenship and public service. Its primary focus has been safeguarding academic freedom – freedom of inquiry and research, freedom of teaching, and the right of faculty to express their opinions and engage in political activities consistent with their professional responsibilities.

However, it has had other concerns such as academic due process, governance in institutions of higher learning, professional ethics, student rights, and the economic welfare of faculty.

Throughout my academic career, I have been active in furthering the AAUP’s principles and goals.

As a member of the New York State Conference, I have served (since 1989) on Committee A and have served on Committee T and the Nominating Committee. In addition, I have been active in other activities along with these activities under the auspices of the State Conference, I have examined and presented to those who might be unfamiliar with the challenges many faculty face examples of violations of academic freedom across New York at institutions as varied as SUNY schools, Adelphi, and St. Bonaventure.

Nationally, I have served as Chair of Committee A’s Investigating Committee. The Investigating Committee consists of faculty and student representatives. The Committee reviews complaints regarding academic freedom, and presents its findings to the Board of Directors. The Board of Directors then makes a decision on whether to refer the complaint to the investigating Committee.

For the year 2007-2008, I have been a member of the Nominating Committee at Elms College. I have also served on Committee B and have served on the Nominating Committee for the United University Professions. I have been a member of the UUP’s Commission on Professional Responsibilities and have served on the UUP’s Committee on Professional Responsibilities.

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Despite these challenges and obstacles facing the AAUP, I believe in identifying and respecting the multiple needs and contributions of our community. I have contributed in my work for UUP and for AAUP that I can recognize and articulate needs for all types of campuses and academic sectors.

I am committed to seeing AAUP prosper in the next decade.
Governor Eliot Spitzer’s proposed budget for higher education includes additional spending, no increase in tuition, and creates a Commission on Public Higher Education to make recommendations for the future development of the SUNY and CUNY systems. UUP has endorsed the Governor’s proposals as a first step toward meeting the Governor’s recommendations for its teaching hospitals. This proposal has already sparked opposition from the UW and unions representing health professionals throughout the state.

The Governor’s plan also calls for the establishment of a Commission on Public Higher Education. The panel’s mandate is to develop comprehensive recommendations as part of a multiyear strategy for achieving academic excellence, insuring access, and stimulating the state’s economic revitalization. The Governor’s plan also calls for a new entity, the Governor’s Budget Office, to be a “neutral policy tool” that “promote affordability, accessibility, and predictability in future tuition charges at SUNY and CUNY.” This change sounds similar to a proposal that the SUNY central administration put forward as part of its Fiscal 2007 budget proposal that called for annual tuition increases for each year of the state financial state structural surplus.

The state’s fiscal year begins April 1.

Support for SUNY’s Hospitals tops United University Professional’s legislative Agenda

The president of the nation’s largest higher education union has appealed to New York state lawmakers to provide a “fair share” for the state’s public hospitals at the State University of New York (SUNY)three public hospitals.

William E. Schuerman, President of United University Professions (UUP), vowed to use the union’s 2007 legislative agenda during UUP’s annual legislative luncheon held on January 30 in Albany. Supported by dozens of UUP members from SUNY campuses across the state, Schuerman urged lawmakers to work with the administration to prevent a fiscal crisis at the teaching hospi-

The SUNY hospitals are already under the gun, thanks to the Berger Commission which puts the public status of the hospitals at risk, endangering promising research. In testifying at the February 8 joint fiscal hearings on higher education, Schuerman said, “Instead of focusing on the underlying causes of the critical shortage of funding for the SUNY hospitals, the state should be boosting funding to them so that they can continue their mission of serving the indigent and the uninsured and teaching the state’s next generation of physicians. UUP is also calling for the establishment of a new SUNY hospital in Buffalo to help train medical students attending the SUNY Buffalo Health Science Center.

The City University of New York (CUNY) faces a controversial 4.6 percent increase in state funding, university faculty testified today in Albany, despite a modest increase for CUNY in last year’s state budget.

The professors, led by Dr. Barbara Bowen, the president of their union, the Professional Staff Congress (PSC), were in Albany to speak at a hearing of the State Assembly Higher Education Committee, convened to look at the impact of the 2007-2008 state budget on New York’s public university systems.

“Twenty years of underfunding cannot be remedied by modest fiscal 2007 budget operating budgets,” Bowen told the committee at her testimony before the committee. “The PSC recognizes the courage it took you last year to resist a tuition increase and promote increases in exchange for additional state financial support.

The budget also provides support for infrastructure improvements at the State University of New York’s (SUNY)three public hospitals. The Governor’s plan commits SUNY to “work the additional thousands of students that SUNY admits every year.

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