

JOB OPENING

Executive Director for the NYS Conference of the AAUP

The NYS Conference of the American Association of University Professors (AAUP) seeks an Executive Director.

This is a part-time consultant/contract position which could supplement other sources of income.

Since the NYS Conference is run by volunteer faculty leaders and there is no centralized office, the Executive Director is not provided an office by the Conference and office expenses are not reimbursed.

Approved travel expenses are reimbursable.

Primary duties include: maintain NYSC AAUP administrative services, records, and data bases/website; monitor information relevant to the work of the AAUP, the NYSC AAUP, and its members; engage in contact with politicians /staff members and notify State Conference officers, councils, committee chairs, chapters and members as needed; represent the NYSC AAUP, along with the President and/or other officers, at events and build ties with other organizations and unions; maintain regular and on-going communications with AAUP National, the Collective Bargaining Congress (CBC), the Assembly of State Conferences (ASC), and chapters in NYS; assist the Vice President and the Chair of the Committee on Chapters, Members & Dues with chapter and membership development; work closely with officers and the Executive

Council; provide support for standing committees and councils as well as special committees and task forces; organize and oversee the NYSC AAUP spring and fall meetings.

Applicants are asked to submit the following with their application:

1) cover letter indicating the applicant's experience with and/or interest in serving in an executive director capacity; experience with website management and maintaining records and data bases; familiarity and involvement with the AAUP, shared governance, and union work; experience working on political issues and/or with government officials/aides; and experience organizing large-scale meetings,

2) a resume/CV and

3) a list of three (3) professional references.

Applications must be received by 5/1/17 for full consideration.

Please send applications to:

sdearhealeyaaup@gmail.com

and write "ED Job Application" in the subject line.

The NYSC AAUP is committed to equal opportunity principles.



President's Letter

The Frailty of Faculty Handbooks; An Opportunity for Organizing and Strategizing

By Sally Dear-Healey

For almost a year now I have had the privilege of serving as President of the NYSC AAUP.

I have also had the privilege of hearing from, visiting, and

learning more about some of our members and chapters as well as what is – and isn't - happening in academia across New York State.

What saddens me the most is that very few of the stories I have heard have been positive. In fact, most have been just the opposite. Clearly we all have much work to do!!

Just this morning I was listening to a Morning Edition Commentary on the NPR featuring Kevin Blackstone, sports journalist and journalism professor at the University of Maryland.

The title of the Commentary was March Gladness: A Northwestern Fan Celebrates The Team's First NCAA Bid. Among other things, Blackstone was clear to point out that "Studies continue to show that winning games entices alumni donations, attracts more applicants (sic) from higher achieving students and yields more lucrative class bodies."

He quickly follows with the argument that "Trying to balance winning at big-time college athletics with the mission of higher education is perilous" (www.npr.org/2017/03/15).

These days it seems that trying to balance "winning" teaching, research and service with the mission of administrations is equally perilous. Many colleges and universities are facing declining enrollments which translates to decreasing revenue.

In response they cut classes, faculty, and even entire departments. This might make more sense if at the same time they were not adding layer upon layer of new

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Come Join Us for a Day of "Strategic Organizing and Planning" 2017 Spring Meeting of the NY State Conference of the AAUP · April 28 & 29

The spring meeting of the NYS Conference of the AAUP will be held April 28 & 29 at NYIT - Old Westbury Campus on Long Island.

The business meeting for the NYSC AAUP leadership will be on Friday. The Saturday program/training, open to members and colleagues, will be on Strategic Organizing and Planning.

Our presenter will be Joshua Guy Lenex, Lead Organizer and Campaign Specialist at AAUP National. Since joining the staff in 2015, Josh has worked with AAUP chapters and state conferences to build membership and increase their capacity for organizing.

As the campaign specialist for the AAUP national office, he has extensive experience working with members and leaders to create comprehensive organizing and campaign plans and he specializes in building and deploying sophisticated databases and modern web, and social media campaign tools to support organizing campaigns. Before joining the staff of the AAUP, he worked as an organizer with faculty at the University of Central Florida, and he also worked with K-12 teachers in the Florida Education Association.

He has a broad range of experience organizing with faculty, graduate students, and public school teachers in challenging "Right-to-Work" contexts, and believes in the power of building strong, democratic, internal structures to drive organizing and membership.

This program should be of tremendous benefit to AAUP Advocacy and CBC Chapters and our colleagues at colleges and universities who are interested in starting an AAUP Chapter.

For details on the conference, including the agenda, registration information and directions to NYIT Old Westbury (Long Island), **please visit the NYSC AAUP website at <http://nysaaup.org>** or contact NYSC AAUP President Sally Dear-Healey at sdearhealeyaaup@gmail.com if you have any questions.

AAUP NATIONAL NEWS

The National AAUP Annual Meeting from June 14 to June 18

The AAUP's Annual Conference will take place June 14-18, 2017 at Washington's Mayflower Hotel.

Among the meeting's highlights are Capitol Hill Day, the Conference on the State of Higher Education, and the Association's Annual Meeting.

The Conference begins on Wednesday, June 14, with an orientation for the AAUP's annual Capitol Hill Day.

The Capitol Hill Day will take place on Thursday, June 15, from 10 a.m. to 4 p.m., when participants will visit the offices of members of the House and Senate, advocating on behalf of issues impacting higher education.

The President's "skinny budget," which cuts student aid to poor students, and reduces funds for research and the arts, are likely to be part of the day's agenda. Members planning to attend are encouraged to make their appointments prior to Capitol Hill Day.

To find your member of Congress, use the Govtrack website: <https://www.govtrack.us/congress/members>. The day will be capped with a reception on Capitol Hill.

Thursday and Friday will feature the annual Conference on the State of Higher Education, and includes panel presentations and plenary speakers.

The 2017 conference will focus on the rights and freedoms of students. Other events taking place include the AAUP-CBC Reception, Annual Meeting, and Dinner; the Assembly of State Conferences Business Meeting, and the State Lobbying Networking Meeting.

Friday's plenary speaker is Ibram X. Kendi, assistant professor of African American history at the University of Florida and winner of the 2016 National Book Award for Nonfiction for *Stamped from the Beginning: A Definitive History of Racist Ideas in America*.

Friday will conclude with a Film Screening and Panel Discussion for *A Time to Stir*, a documentary film about the Columbia student revolt of 1968.

The panel will include the film's director, Paul Cronin, Ellen Schrecker, journalist Juan Gonzalez (who was a member of the Strike Coordinating Committee), and AAUP President Henry Reichman, a student at Columbia during the revolt.

The 103rd Annual Meeting will take place on Saturday. This is the time when the organization takes up matters such

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Political Litmus Tests Have No Place in Higher Education

The following statement was released on February 24, 2017 by Rudy Fichtenbaum, AAUP president, and Hank Reichman, AAUP first vice-president and chair of Committee A on Academic Freedom.

Shortly after the 2016 election, the AAUP warned that we could be facing the greatest threat to academic freedom since the McCarthy period.

It now appears that such a warning was not misplaced. Extremists in the administration, Congress, and several state houses have created an atmosphere in which "alternative facts" reign supreme, and which encourages the introduction of legislation that threatens the core principles of our democracy.

The latest examples of extreme legislation come from Iowa and North Carolina. In Iowa, a bill has been introduced that would prohibit the hiring of a professor or instructor at a public university or college if his or her most recent party affiliation would "cause the percentage of the faculty belonging to one political party to exceed by 10 percent" the percentage of the faculty belonging to the other dominant party.

In North Carolina, legislation (since tabled) was introduced that would require tenure-track and tenured faculty members to "reflect the ideological balance of the citizens of the state," so that no campus "shall have a faculty ideological balance of greater or less than 2 percent of the ideological balance" of North Carolinians.

Many may rightly believe that initiatives like these cannot pass and that if passed they would be overturned immediately by the courts. However, the introduction of such legislation has a chilling effect.

Moreover, implicit in these proposals is the demand that prospective and current faculty members disclose their political affiliations and personal political views as a condition of employment, which is precisely what happened during the McCarthy period.

The AAUP opposes in the strongest terms any legislation that would create an ideological or political litmus test as a qualification for employment as a faculty member at a university or college.

Our commitment to academic freedom is rooted in a vision of democracy that thrives on dissent, critical inquiry, free speech, and free research. We will continue to join with other organizations to resist threats to academic freedom, legislative intrusions into higher education, and harassment of faculty.

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and documents, and contact information for leadership and chapters.

I strongly encourage each of you to register for the website so that you can get information and updates on issues related to academia as well as individuals and chapters in NYS.

The NYS AAUP also has a Facebook page which I encourage you to 'like' and post.

The link for the Facebook page is <https://www.facebook.com/NYSAAUPC1>.

Last but not least, on April 28th and 29th the NYS Conference will be holding their spring meeting at NYIT – Old Westbury Campus.

While the business meeting will be held on Friday, the Saturday program/training, open to members and colleagues, will be on Strategic Organizing and Planning.

AAUP Releases Statement on Targeted Online Harassment of Faculty

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available for support.

In grave crises it will be expected to serve as a champion. Although the action to be taken by it will usually be on behalf of the president, the faculty, or the student body, the board should make clear that the protection it offers to an individual or a group is, in fact, a fundamental defense of the vested interests of society in the educational institution."

But while the board has a particular responsibility to

protect the institution, the maintenance of academic freedom is a responsibility shared by all components of the institution: governing board, administration, and faculty.

Recommendations

1. The AAUP urges administrations, governing boards, and faculties, individually and collectively, to speak out clearly and forcefully to defend academic freedom and to condemn targeted harassment and intimidation of faculty members.

The National AAUP Annual Meeting from June 14 to June 18

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as recommendations for censure, policy resolutions, and other matters brought to the body for its consideration.

The Mayflower Hotel is located at 1127 Connecticut Avenue, NW, Washington.

For more information, including registration, see the AAUP's website: <https://www.aaup.org/event/2017-annual-conference>.

Our presenter will be Joshua Guy Lenes, Lead Organizer and Campaign Specialist at AAUP National. Since joining the staff in 2015, Josh has worked with AAUP chapters and state conferences to build membership and increase their capacity for organizing.

As the campaign specialist for the AAUP national office, he has extensive experience working with members and leaders to create comprehensive organizing and campaign plans and he specializes in building and deploying sophisticated databases and modern web, and social media campaign tools to support organizing campaigns.

This program should be of tremendous benefit to members of AAUP Advocacy and CBC Chapters as well as our colleagues at colleges and universities who may be interested in starting an AAUP Chapter.

PLEASE JOIN US!!

And when you feel you could use a quick break (3:42), be sure to check out Kris Kristofferson's version of "Don't Let the Bastards Get You Down" at <https://www.youtube.com/watch?v=3yAW1daYXD4>.

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administrators.

And, while organizations such as The Drake Group (www.thedrakegroup.org) have dedicated themselves to academic integrity in collegiate sport, and the AAUP was concerned enough to publish *The Role of the Faculty in the Governance of College Athletics* (<https://www.aaup.org/report/role-faculty-governance-college-athletics>), who fights to outline the roles and protect the needs and rights of faculty as they balance serving the higher education needs of their students and the increasing demands and derisive, as well as personally and professionally destructive and demoralizing behaviors and activities of college and university administrators and administrations?

While I honestly believe that the AAUP, as well as 'sister' organizations such as the AFT, UUP, COCAL, PSC, CGEU, NYSUT, SEIU and others are trying to do their best, it has become painfully clear that each of these organizations have their own limitations and our gains - despite years of proposals, discussions, and attempts at shared governance - have been quite modest.

This realization provides us with a perfect opportunity to discuss what I see as a major drawback to faculty governance, a lack of understanding and respect for what is known as the Faculty Handbook.

At a recent meeting at Siena College, hosted by the College of St. Rose AAUP Advocacy Chapter, we talked about whether or not faculty handbooks were enforceable contracts.

Many of us have been led to believe that if faculty had a well-written faculty handbook, they were protected. This is not necessarily true. In fact, the AAUP reports that each year they receive numerous inquiries about the legal status of faculty handbooks.

In response the AAUP wrote *Faculty Handbooks as Enforceable Contracts: A State Guide*, which outlines state-by-state the benefits and limitations of faculty handbooks (<https://www.aaup.org/sites/default/files/files/Faculty%20Handbooks%20as%20Contracts%20Complete.pdf>).

According to this Guidebook, "Courts are often asked to decide whether a faculty handbook - which includes policies, rules, and procedures under which professors work - also establishes a contractual relationship between a professor and an institution" (v).

While the Guidebook offers various points of discussion and examination, most concerning is the question of enforceability, e.g. "What is the legal effect of a disclaimer in a faculty handbook in which a college or university disavows any intent to be contractually bound by the contents" (v & vi).

In other words, the faculty handbook can be expertly written and cover all the crucial points, but if the administration wants to insert a disclaimer such as, "The handbook is provided as information only; it is not a contract.

The University reserves the right to modify, suspend, or terminate any of the policies, regulations, practices and procedures described in this handbook, with or without prior notice to employees," faculty really don't have a leg to stand on.

For example, as with the case of *Ricioppo v. County of Suffolk, et al.*, 2009 U.S. Dist. LEXIS 18979 (E.D.N.Y. March 4, 2009), "The federal district court disagreed, noting that the Handbook states that it is a 'guide and does not substitute for existing practice'; that the Handbook reserves the Trustees' right to change the personnel policies 'as they deem appropriate'" (28).

In turn, faculty members may find themselves totally at odds with, and disillusioned by, an institution they have invested years of their life supporting. They may start asking, 'What's the point?' 'What am I going to do now?' and 'What does this all mean for me, my career, and my family?'

When we find ourselves at that precarious place, our initial impulse may be to either give up and quit (flight) or stick with it and decide that you aren't going to 'let the bastards get you down' (*Illegitimi Non Carborundum*) (fight). Either way it is really a prime opportunity to step back and regroup our thoughts and feelings.

This is also a time to recognize and draw upon our individual and collective strengths. If we decide that we aren't quite ready to hand in the towel it is the perfect time to move forward, organize and strategize!

One of the ways to do this is to connect with like-minded colleagues who share your energy and determination.

Another great idea is to connect with members, chapters (Advocacy and CBC), and leadership of the NYS Conference of the AAUP!

A good place to start is the NYSC AAUP website which can be found at <http://nysaaup.org>.

Not only will you find all sorts of valuable information about the NYS Conference, there are lots of FAQs, News and Events information, a Library containing useful information

No Surprise: "Skinny" Federal Budget Undermines Science, Education and the Public Good

President Trump released an initial budget proposal March 16 containing deep cuts that would severely damage scientific research, the arts and humanities, and access to higher education.

The budget proposal includes a cut of nearly 20 percent to National Institutes of Health funding and deep cuts to research programs at the Department of Energy, Department of Education, and other government agencies.

It decimates funding for climate change research and programs within the Environmental Protection Agency and completely eliminates the National Endowment for the Arts and the National Endowment for the Humanities.

The repercussions of these cuts, if enacted, would be very serious for faculty, our students, and the public.

Cuts to student aid are also severe, and disproportionately affect students of color and working class students.

The proposal slashes work-study programs, grants for low-income college students, and programs that prepare disadvantaged students for college.

It robs Peter to pay Paul by moving \$3.9 billion in surplus Pell Grant funds to non-educational uses.

While the AAUP is not surprised by this proposal--just one in a string of politically motivated attacks on higher education--we are dismayed by it.

This is not a design for the world class system of higher education that Americans have come to expect.

It is, instead, a design that will undermine the world's finest system of higher education and further harm low-income college students. It is not in the interest of the American people.

The AAUP has long supported teaching, research, and student access

to higher education, including expanding opportunities for students of color. We believe that colleges and universities are a public good and learning and the search for truth are vital for a functioning democracy.

To sign an open letter opposing the budget, go to: <https://actionnetwork.org/forms/trump-budget-undermines-education-public-good>



The National AAUP Releases a Statement on the Targeted Online Harassment of Faculty

On January 31, 2017, the AAUP released a statement addressing increasing concerns about efforts to intimidate and harass faculty.

The Professor Watchlist website, claiming to identify professors who "advance leftist propaganda in the classroom" is one example of such efforts.

The statement includes recommendations for administrations, governing boards, faculty bodies, and individual faculty members to defend academic freedom, condemn targeted harassment of faculty, and to prohibit surreptitious recordings of faculty and students.

The statement is printed in its

entirety below:

Targeted Online Harassment of Faculty

The 2016 election has exacerbated a political climate that was already inimical to academic freedom.

Six years ago the American Association of University Professors

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AAUP on Targeted Online Harassment of Faculty

conveyed its concern that “the war on terror, the conflict in the Middle East, and a resurgence of the culture wars in such scientific fields as health and the environment” had created an atmosphere “in which partisan political interests threaten to overwhelm academic judgment.”[1] Since the election, we have seen a

resurgence of politically motivated witch hunts against academic scientists working in fields such as climate change and fetal tissue research, where the implications of scientific findings are perceived as threats by entrenched interests and partisan ideologues.

In addition to the “danger zones” for academic freedom enumerated in 2011, issues related to racial justice have also come to the forefront in the course of the last two years and played a prominent role in the most recent election.

Against this backdrop, ongoing and new efforts by private groups to monitor the conduct of faculty members have heightened concerns about the impact of the political climate on academic freedom.

Thirteen years ago the Association’s Special Committee on Academic Freedom and National Security in a Time of Crisis remarked that such groups, “parading under the banner of patriotism or acting to further a specific cause, have been monitoring academic activities and have denounced professorial departures from what these groups view as acceptable.

A private project called Campus Watch, for example, has subjected professors of Middle Eastern studies to such scrutiny.

Antecedents to these efforts can be found in the activities of the John Birch Society in the 1960s and of the Accuracy in Academia movement in the 1980s.” Today, their descendants can be found on websites such as Campus Reform, College Fix, or Professor Watchlist.

A website like Professor Watchlist, which purports to identify faculty who “discriminate against conservative students and advance leftist propaganda in the classroom” and which had initially also aimed to identify those who “promote anti-American values,” lists names of professors with their institutional affiliations and photographs, thereby making it easy for would-be stalkers and cyberbullies to target them.

Individual faculty members who have been included on such lists or singled out elsewhere have been subject to

threats of physical violence, including sexual assault, through hundreds of e-mails, calls, and social media postings.

Such threatening messages are likely to stifle the free expression of the targeted faculty member; further, the publicity that such cases attracts can cause others to self-censor so as to avoid being subjected to similar treatment. Thus, targeted online harassment is a threat to academic freedom.

Commenting on the distinction between governmental interference in academic freedom and the activities of external faculty monitors, the Association’s special committee made the following observation about the latter:

As private entities, these groups are protected by the First Amendment from state censorship or sanction as long as they stay within lawful bounds.

They are sheltered by the same freedom of expression that we seek for ourselves, and they are equally subject to public rebuke.

Insofar as a particular professor might be thrust into the rough and tumble of the public arena, the law demands, as a prominent legal scholar once put it, a certain toughening of the mental hide. Such is the price of free speech.[2]

But while it may indeed be wise counsel for those who have been thrust into the public arena (willingly or unwillingly) to steel themselves against harsh criticism, surely such advice does not extend to threats against faculty members’ lives or those of their family members.

In 2011 “alt-right” publisher Andrew Breitbart posted a surreptitiously recorded video clip of a labor studies class at the University of Missouri that had been edited to distort the context of the classroom discussion, an action that led to death threats to the instructors.

In response to Breitbart’s action, the AAUP observed: “When students voice their views in class, they should not have to fear that their comments will be spread all over the Internet. When faculty members rightly explore difficult topics in class, they should not have to fear for their jobs or their lives.”

The AAUP does not dispute the First Amendment rights of these organizations, nor does it call for government censorship or sanction against them.

It does, however, condemn efforts to intimidate or silence faculty members, and it urges others to do so as well.

Governing boards of colleges and universities have a responsibility to defend academic freedom and institutional autonomy, including to protect institutions from undue public interference, by resisting calls for the dismissal of faculty members and by condemning their targeted harassment and intimidation.

As the AAUP’s Statement on Government of Colleges and Universities asserts: “When ignorance or ill will threatens the institution or any part of it, the governing board must be

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We Can Help You Defend Your Academic Freedom

by *Irwin Yellowitz*,
Chair, New York Conference, Committee A on Academic Freedom and Tenure

Academic freedom protects all faculty members, tenured or untenured. If a faculty member in New York State has experienced, or is threatened with, a violation of academic freedom, or of the tenure rights which sustain it, the members of New York Committee A on Academic Freedom and Tenure are ready to help.

We are prepared to receive complaints and provide advice about possible courses of action.

Our first function is to discuss the issues and actions thoroughly with the faculty member. This involves telephone conversations, e-mail exchanges, and a full examination of the available documentary record.

In personnel actions, or any issue that has implications for academic freedom, faculty members should keep accurate and complete records of all relevant correspondence, telephonic and electronic communications, and meetings with colleagues and administrators.

Our counsel is based on AAUP guidelines and our own experience. (*See AAUP Policy Documents and Reports, 11th Edition, 2015, “The Redbook.”*)

We offer advice on whether the procedures of the institution meet established academic practice, and whether they have been applied properly.

We offer advice on whether the actions taken or contemplated have a prima facie aura of discrimination or malice.

Our advice helps faculty members understand their situations better, allows them to maximize the effectiveness of internal institutional procedures, and clarifies the realistic possibilities for outside action.

When NY Committee A believes that a violation of AAUP policies or standards has occurred, it may

- try to arrange a settlement;
- investigate the matter;
- refer the complaint to national AAUP Committee A with a recommendation for a full investigation and appropriate action.

As Chair of NY Conference Committee A, I deal with an inquiry, or assign it to a member of the Committee, who then contacts the person and takes responsibility in the matter.

The full Committee makes all decisions on how to proceed once the facts and issues have been established.

Our actions are based on AAUP’s principles as stated in AAUP’s policy statements, and on our judgment of how a particular situation fits with those standards.

How to Maximize Help from AAUP Concerning Academic Freedom and Tenure Issues

If you have an issue that concerns academic freedom and tenure, AAUP is available to consult with you. The following protocol explains how to maximize the help we can provide you.

1. If there is an AAUP chapter, you should first approach it. The leaders of the chapter know the situation on campus, and they may be able to mediate the situation.

They also can provide valuable advice. If there is a collective bargaining agreement in place, the grievance procedure may cover the issue. This will provide an important source of support.

2. If there is no AAUP chapter, or should the chapter be unable to help, you may approach New York Committee A on Academic Freedom and Tenure.

We will be available to discuss the issues fully, and to offer advice. NY Committee A also may recommend to National Committee A of AAUP that it consider your issue.

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

4. Thus AAUP offers a variety of means for a faculty member to get valuable advice, and perhaps ultimately to have AAUP intervene in a case. If you follow the steps outlined above, you will best take advantage of the resources offered by AAUP in this critical area.

If you have reason to consult with NY Committee A, contact the Chair of the Committee:

**Irwin Yellowitz, Chair, NY Committee A.;
e-mail: iyellowitz@aol.com**