



The President's Letter

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Jager felt their concerns “fell on deaf ears.” In turn he decided to send an anonymous e-mail to the college’s Board of Trustees with the attached grievances, asking them to “please seriously look at these talking points, know that we are ready for a change and that we don’t feel the current leadership is working.”

According to Jager, the college responded by conducting an investigation to reveal the author. It was also reported that they saw the anonymous letter as a threat and contacted Homeland Security. Jager said when they found out it had been him; he was given the option of resigning as Student Life Coordinator and from the commencement committee (note that these are charges the university subsequently denied).

Similar threats to academic freedom have come in the form of the creation of a “Professor Watchlist,” created by Turning Point USA, an organization having representation on over 1,100 high schools and college campuses nationwide, over 75 full time field staff, and as of 2015, 8 million members. According to their website, Turning Point USA is a 501(c)3 non-profit organization founded in 2012 by 22 year old Charlie Kirk, who also serves as the organizations Executive Director. Kirk has been referred to as the “conservative boy wonder” by Bloomberg Politics. The organization’s mission is to “identify, educate, train, and organize students to promote the principles of fiscal responsibility, free markets, and limited government.”

The Professor Watchlist website, which seeks to “expose and document college professors who discriminate against conservative students and advance leftist propaganda in the classroom,” is a clear and direct threat to academic freedom and free speech.

On a side note I can’t help but find it fascinating that Kirk never attended college, still sleeps in his childhood bedroom, and that the Turning Point office is housed in a garage. While Kirk’s website has been described in relation to other “citizen journalist” vigilantes of the far-right,” the real and more obvious point is that individuals on this list – although there is little accountability for the truth – face potential real consequences

for being named and therefore caught in the crossfire. In response the AAUP has developed an open letter to the creators which, as of the middle of December (2015), has 6,700 signers. See it at: <https://actionnetwork.org/forms/add-my-name-to-the-professor-watchlist>.

At the level of our own Conference there are also a number of changes are taking place. **One of the main changes involves the resignation of our Executive Director, Tom Policano.**

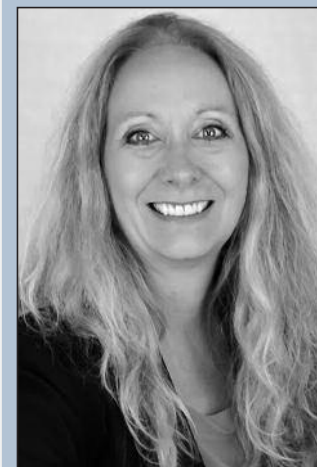
Tom has served the NYS AAUPC with nothing short of devotion and astute insight for the last 10 years and, while we will miss him greatly, we honor his decision to engage in other pursuits, such as his love of travel and photography, and hope that he will remain active in the Conference. We also have seen an upsurge of activity at the Chapter level and, with the information we garnered at the most recent training on political mobilization, we will be moving forward in creating a more aware and active presence so that we can have our voices and our needs heard.

Along that same path, I have contacted the Department of Organizing and Services at AAUP National and they have pledged their support in helping the NYS AAUPC build and develop a more effective conference. These plans include doing some basic strategic planning, leadership development, and organizing training.

As we move forward into the new year, and as we move forward as a Conference, I am confident that our struggles, challenges, and victories will met with confidence, cooperation, and celebration.

In closing, allow me to leave you with one last quote by Martin Luther King Jr., “Before the victory is won, some will be misunderstood and called bad names. Some will be dismissed as dangerous rabble-rousers and agitators. Some will lose their jobs. Some will have restless nights and will be forced to stand amidst the chilly winds of adversity. We shall overcome.”

As always, please feel free to contact me directly at sdearhealeyaaup@gmail.com.



President's Letter

Courage in the Face of Contemplating Changes

By Sally Dear-Healey

George Bernard Shaw once wrote, “Progress is impossible without change, and those who cannot change their minds cannot change anything.” It’s a laudable quote, but quite frankly there are times when minds shouldn’t be changed. Another

quote by motivational speaker Denis Waitley states, “Change the changeable, accept the unchangeable, and remove yourself from the unacceptable.” While empowering in one respect, simply removing oneself from a situation doesn’t always work either. I’m left with one quote that I can accept, and I hope you can too. In the words of Frederick Douglass, “If there is no struggle, there is no progress.”

Our country has recently undergone some significant changes and along with them some significant struggles. Along with Donald Trump’s election as the next U.S. President, we are facing an immense array of changes in other areas of and offices in government, some of which have posed threats to our personal and professional lives. Some of these threats have hit many of us close to home, and two of the areas hardest hit are public education and academic freedom.

For example, AFT President Randi Weingarten recently sent out a “Stand up For Public Education” e-mail petition urging individuals to “add their name to join with educators, parents, students and all public education supporters to demand that our secretary of education and every elected official respect and uphold a vision for high-quality public schools for every single student.”

The AFT claims that, by nominating Betsy DeVos for Secretary of Education, Donald Trump has shown he is serious about decimating public education. During his campaign, Trump proposed a \$20 billion voucher plan to shift taxpayer dollars to private and religious schools, a move made ever more likely with DeVos in office.

Needless to say, this could have disastrous and rippling effects on students and teachers alike.

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Appeals Court Reinstates Lawsuit Against NYU Handbook

In a victory for faculty, a New York State appellate court has reinstated two professors’ lawsuit against New York University, where they claimed that the institution’s violations of their rights under the faculty handbook, broke what amounts to a de facto contract with them. The ruling, while preliminary, is significant in that it suggests that policies outlined in a faculty handbook can amount to a kind of contract.

The lawsuit, an Article 78 proceeding, was brought by two tenured professors at the NYU School of Medicine, Marie Monaco and Herbert Samuels, who saw their salaries reduced for not meeting external funding requirements in ways that they argue violated the faculty handbook (Matter of Monaco v New York Univ. 2015 NY Slip Op 51025(U) Decided on July 14, 2015 Supreme Court, New York County Hunter Jr., J.). In their case, which was discussed at the Spring 2016 meeting of the State Conference, they claim that tenure, as defined by the faculty handbook, ensures academic freedom and economic security and so is incompatible with salary reductions related to external funding metrics. A New York State Supreme Court

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Columbia Seeking to Nullify Graduate Student Union Vote

Columbia University is challenging the December 9 vote by its graduate student teaching and research assistants to unionize and select the United Auto Workers (UAW) as their collective bargaining agent. While graduate student collective bargaining exists at a number of public institutions, it was not until last August when the National Labor Relations Board (NLRB), reversing an earlier decision, granted graduate student employees the right to organize an engage in collective bargaining.

Columbia students voted 1,602 to 623 to unionize, according to a tally posted online by the National Labor Relations Board, becoming the first students at an Ivy League school to do so. The UAW currently represents 60,000 academic workers across the United States.

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CUNY ALLIES TO MAYOR AND GOVERNOR: Stand Up for People of Color, Immigrants by Fully Funding CUNY

The CUNY Rising Alliance and supporters called on Mayor de Blasio and Gov. Cuomo to uphold their post-election promises to protect at-risk New Yorkers by committing to phase in a \$2 billion plan to fund free, high-quality education for all City University of New York students.

CUNY undergraduates are 40% immigrants and 77% people of color. CUNY serves a half-million mostly low-income New Yorkers and most of New York's immigrant students. Many CUNY students feel threatened by the racist, anti-immigrant rhetoric of the presidential election and the rise in hate crimes in its aftermath. Yet the university they depend on for a chance at the American Dream is too expensive for many and vastly underfunded.

About 8,000 students attend tuition-free as part of CUNY's nationally renowned and well-funded Accelerated Study in Associate Programs (ASAP) initiative. That number

will grow to 25,000 by 2018 thanks to promised investments from the City, but still fewer than 10% of matriculated CUNY students will benefit. ASAP students are more likely to succeed at CUNY and graduate faster than other CUNY students because they receive high-contact teaching and advisement and robust supports that CUNY cannot afford to offer to most students.

The white paper released by CUNY Rising explains the success of ASAP and CUNY's other targeted student success programs. It also details the disinvestment that imperils CUNY's mission to educate "the children of the whole people" of New York. From 2008 – 2015 per-student funding from the State fell 17% at CUNY senior colleges and 5% at community colleges, when adjusted for inflation. Per-student City funding for the community colleges fell 13% over the same period, when adjusted for inflation.

New Report: Student Journalism Under Fire

On December 1, the American Association of University Professors (AAUP), the College Media Association (CMA), the National Coalition Against Censorship (NCAC), and the Student Press Law Center (SPLC) released a report, *Threats to the Independence of Student Media*, shining a light on threats to student media and reaffirming and expanding upon basic principles of a free student press.

The report cites multiple cases in which college and university administrations exerted pressure in attempts to control, edit, or censor student journalistic content. This pressure has been reported in every segment of higher education and every institutional type: public and private, four-year and two-year, religious and secular. The report finds that

administrative efforts to subordinate campus journalism to public relations concerns are inconsistent with the mission of higher education to foster intellectual exploration and debate. And while journalism that discusses students' dissatisfaction with the perceived shortcomings of their institutions can be uncomfortable, it fulfills an important civic function.

Henry Reichman, First Vice President of the AAUP, said, "Academic freedom extends to advisers of student media who support the critical work of student journalists. It's important to draw attention to these threats to student media and to work towards solutions."

Joan Bertin, NCAC Executive Director, said, "This report exposes restrictions on press and speech freedoms on campus *continued on page 7*

Call for 2017 ASC Nominations

The AAUP's Assembly of State Conferences (ASC) is seeking **nominations for one of the member-at-large positions on the ASC Executive Committee**.

The Nominating Committee shall consider nominations from any member resident in a state with an active state conference. Any eligible candidate whose name is recommended to the ASC Nominating Committee by representatives from three or more state conferences shall be included among the nominees.

The nomination and election of candidates is governed by the ASC Constitution and bylaws. The ASC election for this position will take place at the June 16, 2017, ASC meeting in Washington, DC, by conference delegates to that meeting.

Completed nominations are due by 5:00 p.m. on Monday, January 23, 2017. Nominations may be e-mailed to the committee at ascnominations@aaup.org or sent via US mail to ASC Nominating Committee, c/o Kira Schuman, 1133 Nineteenth Street NW, Suite 200, Washington, DC 20036.

There is no nominations form; the nomination e-mail should state the name, affiliation, and e-mail address of the nominee. All nominators and nominees must be AAUP members.

The ASC Nominating Committee members, appointed in accordance with the ASC Constitution and Bylaws, are **Jim Klein** (Del Mar College), chair; **Sally Dear-Healey** (SUNY Cortland); and **Nancy McKenney** (Eastern Kentucky University).

Court Reinstates Lawsuit Against NYU Handbook

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Justice, Alexander W. Hunter, Jr., had dismissed the suit in July 2015, finding that the case had no merit, concluding that, even if the Handbook were contractually binding, it "is devoid of any provision which guarantees tenured faculty a particular level of support as a condition of their tenure."

On December 15, 2016, the Appellate Division of the First Department reinstated the lawsuit, concluding that Monaco and Samuels "sufficiently alleged that the policies contained in [NYU's] faculty handbook, which 'form part of the essential employment understandings between a member of the faculty and the university,' have the force of contract" and "that they had a mutual understanding with [NYU] that tenured faculty members' salaries may not be involuntarily reduced" (In Re Dr. Marie Monaco pet-ap, v. New York University And New York University School Of Medicine, res-res).

The case was argued for the professors by Beth M. Margolis, one of the keynote speakers at the Conference's 2016 spring meeting which was held at Marymount Manhattan College. The case has now been remanded to State Supreme Court for trial. The professors' case was supported by the American Association of University Professors.

New Report: Student Journalism Under Fire

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and exhorts college and university administrators to educate students in the operation of our constitutional system by allowing students to engage in its most critical functions: seeking information, becoming engaged and informed, and speaking out on matters of importance."

Frank D. LoMonte, Executive Director of SPLC, said, "It is hypocritical for colleges to claim they support civic engagement while defunding student news organizations, removing well-qualified faculty advisers, and otherwise intimidating journalists into compliance. Colleges are more obsessed with promoting a favorable public image than ever before, but a college that retaliates against students and faculty for unflattering journalism doesn't just look bad—it is bad. We need a top-level commitment from the presidents of America's colleges and universities to support editorially independent student-run news coverage, including secure funding and retaliation protection for students and their advisers."

Kelley Lash, President of CMA, said, "This issue impacts millions of educators and students. College Media Association emphatically supports the First Amendment freedoms of all student media at all institutions, both public and private, and agrees that these media must be free from all forms of external interference designed to influence content. Student media participants, and their advisers, should not be threatened or punished due to the content of the student media. Their rights of free speech and free press must always be guaranteed."

Columbia Seeking to Nullify Graduate Student Union Vote

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The University's complaint to the NLRB asserts that "voter coercion" on the part of union agents and supporters influenced the outcome of the election and that the vote to join the UAW should be invalidated.

Among the claims made by the Ivy League Institution, whose President was the fifth highest paid private college chief executive at nearly \$2.5 million according to Forbes, were that "known union agents" were standing closer to polling places than allowed, that union supporters videotaped graduate students heading into the poll site, and that voters should have been required to present identification.

On its Facebook page, GWC-UAW Local 2110, the union local representing the graduate students said in a statement: "Employers often file objections as a delay tactic and this appears to be just another baseless effort by the University to ignore the democratic process, especially given the overwhelming margin in favor of the union."

It appears that Columbia is trying to drag out the dispute so that a Trump administration NLRB, with new members, might reverse the August 2016 decision granting the right of graduate students at private universities to unionize

The President's Letter

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At the same time AAUP Senior Program Office Gwendolyn Bradley warns us that "student journalism is under fire." On December 1st, the AAUP, along with the College Media Association, the National Coalition Against Censorship, and the Student Press Law Center, released a report that "exposes the threats to student media and reaffirms and expands upon basic principles of a free student press."

Our own Hartwick AAUP Chapter reported yet another example of student voice under fire. In August of 2015, a letter of censure expressing strong disapproval of Hartwick College President Margaret Drugovich and the "abrupt" and "secretive" processes used to eliminate more than 18 of the college's non-faculty positions in June 2015. Some of these individuals held "significant positions of leadership" (among the eliminated positions were the director of marketing and communications, assistant registrar, manager of special events, purchasing manager, copy and mail center assistant operator, executive assistant to the vice president for student affairs, administrative assistant for campus activities, and several secretarial positions).

This letter garnered the signatures of 46 faculty members (11 of which requested anonymity). A Hartwick student, Noah Jager, attempted to make his concerns about the layoffs known. According to Jager, one of the main concerns among student, faculty and staff was "a lack of communication and transparency." Although 5 pages of grievances, compiled by approximately 130 students, were submitted to President Drugovich,

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The United University Professions (UUP) Condemns Hate Crimes

United University Professions, the nation's largest higher education union, is taking a strong stand against incidents of harassment, hate and violence on SUNY campuses and college campuses nationwide.

The union's Executive Board unanimously approved a resolution that "calls upon our campuses, communities, and our nation to come together in vigilant support of inclusion, of pluralism, and of diversity." The resolution also says "UUP expresses its unequivocal condemnation of hateful expression in any and all forms on SUNY (State University of New York) campuses, our

communities and our nation."

"Throughout our history, the higher education community has stood as a sanctuary for students from diverse backgrounds to come together and to learn from each other. It is not a place to sew misunderstanding and hatred," said Frederick E. Kowal, Ph.D., president of United University Professions. "We must stand up and reject hate, racism, sexism and xenophobia."

The Nov. 18 resolution was spurred by a national wave of hate speech, hate crimes and harassment on college campuses since the Nov. 8 presidential election.

At least two incidents of hate have occurred on SUNY campuses since Nov. 8. On Nov. 11, a swastika and the word "Trump" were discovered in a residence hall on the campus of SUNY Geneseo. Hate graffiti that read in part, "Isis is calling! Muslims can leave!" with a drawing of a heart next to the word "Trump" was found inside a residence hall at SUNY New Paltz on Nov. 10.

Both cases are under investigation by police.

The UUP resolution calls on SUNY's administration and the SUNY Faculty Senate to join the union to counter any and all expressions of hate.

Why We Protest and the Meaning of AAUP Censure

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meaning, our academic freedom is still compromised, many of the cuts still make no sense, and in some cases the cuts are proving difficult to implement.

In addition, it appears that large sums of money have been used by the senior administration on legal fees, severance settlements, and new hires—belying the notion that saving money was the primary impetus for these changes. These expenditures make us skeptical about the real reasons for the cuts and fuel our protests further.

Therefore, it is clear that those of us who protest are not "whining" over the loss of a few liberal arts courses that "students don't want to take any way" (but which they very well may need as

they enter a globalized, competitive marketplace that requires ongoing adaptation and learning, often outside of one's dated college major.)

No, instead, we are protesting the ongoing loss of the rightful role of the faculty, the rejection of our acknowledged expertise regarding the curriculum, and the utter loss of our contractually guaranteed tenure rights, role in shared governance, and academic freedom.

We also are protesting to fight against the sense of fear and hopelessness that now pervades many parts of our community. Indeed, many faculty (and even more staff) seem scared to speak out—they say they are keeping their heads down. Still others have decided to

just teach their classes and just go home—withdrawing from many of the extra activities they used to engage in that enriched our students and our entire campus community.

Finally, here is the key reason we will continue to protest: We want our Saint Rose back—a true collegial community, committed to academic excellence through shared governance, academic freedom, free speech, and tenure that is respected by our leadership in both words and actions.

Our new "Home" does not feel like the place so many of us have loved and served for decades, so we are fighting for the Saint Rose mission and spirit—so that it survives and flourishes into the future for generations of students to come.

Why We Protest and the Meaning of AAUP Censure

by Kathleen Crowley, PhD
Professor of Psychology, The College of Saint Rose AAUP Chapter President

Some questions recently have been raised regarding the value of the ongoing protests that have occurred on campus over the past year.

There are many reasons for the protests but here is a critical one: The century-old American Association of University Professors (AAUP) which for more than a century has set the nationally-accepted standards for tenure, shared governance, and academic freedom (the foundations of American higher education) formally and unanimously censured President Stefano's administration and the Board of Trustees for terminating 23 tenured and tenure-track faculty members and unilaterally eliminating 27 programs at their annual national meeting held in Washington, DC.

I, and many others who protest, concur with the AAUP's investigating committee's conclusion that by terminating fourteen tenured appointments, the President demonstrated a total "disregard for the institution of tenure, set a dangerous precedent, and dealt a withering blow to tenure and academic freedom." The censure makes it clear that we who protest are not alone in our opinion of the severity and inappropriateness of the President and Board of Trustees' actions.

The bottom line is that St. Rose's executive administration was found as having behaved in an extraordinarily improper way in relation to nationally recognized standards and in violation of our faculty contracts and our faculty manual.

So our protests are not just because some important programs were cut, but because the academic mission and the integrity of shared governance (in which the faculty are supposed to have primary control of the curriculum and academic policies) have been wholly compromised by this executive administration. For example, our faculty manual states that

tenured professors cannot be fired for financial reasons unless the President formally declares a state of financial exigency and opens the books for all to see. She never did that. As many may recall, these violations also led to a faculty vote of "no confidence" in the President by a margin of 125 to 35 last spring semester—a significant majority of the full-time faculty of the College.

These facts make it clear that it is not just a small group of protestors who are outraged by the actions taken by Dr. Stefano, but a clear majority of the full-time faculty. This is another reason why some of us exercise our Constitutional rights to free speech and raise our voices in protests.

And because we believe these important issues must be fixed, we will continue to demand change and to protest ongoing violations of our contract, faculty manual, and agreements on shared governance. We also will continue to demand a restoration of the principles upon which Saint Rose was founded—its social justice mission and ideals, and promises that were made to the faculty in writing. So to be clear, we faculty members are not merely complaining about the loss of important programs or even the loss of our very dear colleagues (who in some cases have lost their very livelihoods.) We are protesting past and ongoing abuses of tenure, shared governance, and academic freedom.

It also is important to note that the faculty did NOT protest when, in May 2015, health care costs doubled (or tripled in many cases), tuition remission was reduced to 80%, professional development support was eliminated, and the College's contributions to our retirement funds were wiped out. Many of us had our compensation reduced by 20% or more—a huge financial blow to faculty struggling to pay mortgages, raise children, and save for retirement on salaries that were already very much

below those of our peers at comparable institutions.

We did not protest because most faculty and staff believed these cuts were needed based on a purported financial crisis described by the President (but who did not declare formal financial exigency), and we were willing to do our part to save our beloved College.

Nor did we protest when, in clear violation of AAUP policies on freedom of speech and academic freedom, our access to group email for the full faculty was unilaterally eliminated by Board mandate. We didn't protest even when the undergraduate transfer credit academic policy was unilaterally changed above the vocal objections and votes of the faculty—the professionals who are presumed to have the expertise to determine academic policy in a shared governance model.

We ultimately protested only when the executive administration seized control of the curriculum from faculty by making unilateral cuts that threatened the very fabric of our academic mission, and destroyed what had been until 2014 a collegial working relationship for many years. The majority of voting faculty also objected to the unbelievably short time frame under which the cuts were made (around six weeks), the lack of what most faculty thought was an opportunity for sincere and deliberative consultation.

Finally, we also protested the absolute absence of required faculty votes on these major cuts—some of which made no sense and still seem unjustified. It is difficult to fathom how Spanish, Environmental Science, Sociology, or the money-making Masters of Fine Arts programs were "low growth" or costly and no hard data have been provided to faculty to justify those decisions.

So why don't we just get over it and move on? The answer is because we continue to lack shared governance, tenure currently has no substantive

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NYS AAUP Executive Director's Report

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election. Makini Beck was nominated and voted into the position that she will hold thru 2018.

There remains one open one At-Large Member position that will be filled at the NYS AAUP Conference Spring 2017 meeting. Should you or

someone you know be interested in this position please get back to us.

NYS AAUP Conference Spring 2017

The NYS AAUP Conference Spring 2017 will be held in the **New York City area on April 7-8th, 2017.**

The location, agenda and registra-

tion information will be posted on the nysaaup.org website.

Should you be interested in having your chapter host this conference please get back to us and as always we invite all NYS AAUP members and their colleagues to attend – please save the date and do please join us!

NYS AAUP Executive Director's Report

by Rom Policano

I will be reporting on The AAUP Governance Conference September 30th-October 2nd in Washington DC, our New York State AAUP Conference Fall 2016 that was held at D'Youville College in Buffalo November 11-12th, and info about our upcoming state AAUP Conference Spring 2017 meeting to be held April 7-8th, 2017.

The AAUP Governance Conference

The AAUP Governance Conference was well attended and once again New York was well represented among the list of presenters as follows:

■ **The Relationship of Faculty Governance to Administrations and Legislatures** by David Gerwin (City University of NY – Queens College)

■ **Methods of Resistance: What to Do When SAPP Destroys Shared Governance** by Kathleen Crowley (The College of Saint Rose)

■ **Academic Freedom, Governance and Title IX** by Risa Liberwitz (Cornell University and Anita Levy (AAUP Staff)

■ **Embarking on Re-writing the Governance Plan: Goals, Concerns, and Pitfalls** by Hollis F. Glaser (City University of New York – Borough of Manhattan Community College)

■ **Nimbleness in Shared Governance: Developing a Uniform Policy on Sexual Violence Response and Prevention in the State University of New York System** by Peter L. K. Knuepfer and Joseph C. Storch (State University of New York)

■ **Principles, Structures and Best Practices of Shared Governance at Rochester Institute of Technology** by Tom Policano (Rochester Institute of Technology)

■ **SUNY Voices: Institutionalizing Shared Governance in the SUNY System** by Nino Tamorowski, Peter L.K. Knuepfer, Ken O'Brien, and Tina Good (SUNY)

The key points I made in my presentation were:

■ Whether you are at a Collective Bargaining or Advocacy Institution the “faculty handbook” serves as the “rule of law” in resolving faculty/staff issues in a fair and consistent way.

■ Words matter. Carefully written policies, though extremely time consuming, are an absolutely essential foundation for a healthy academic community.

■ Creating policies for the faculty handbook has the advantage for CB Institutions in that those policies, once approved, do not need to be on the table for every contract renegotiation.

■ Key to remember is that the validity of Faculty Handbooks as contracts is being heavily challenged in the courts.

Some of the decisions are weakening this validity. It is important that at your institution you get the following language in your initial offer letter to all faculty and have it repeated in faculty annual renewal letters: The faculty manual is considered part of your contract and it cannot be altered without written agreement.

■ Support the effort to defend faculty handbooks as contracts and consider making a donation to Save Academic Integrity Now (SAIN). If you wish to talk to one of the lawyers in the SANE effort about your faculty handbook contact Beth Margolis of Gladstein, Reif & Meginniss LLP in NYC.

Regarding my last two bullets on the validity of Faculty Handbooks as binding contracts there has been some good news this month. A New York State appellate court has reinstated two professors' lawsuit against New York University, which alleges that the institution broke a de facto contract with them. The ruling, though preliminary, is significant in that it suggests that policies outlined in a faculty handbook can amount to a kind of contract (from Inside Higher Ed).

NYS AAUP Conference Fall 2016

The New York State AAUP Conference Fall 2016 meeting was held at D'Youville College in Buffalo November 11-12th. Our keynote presentation and workshop were lively and informative. Hans Joerg Tiede, our Keynote speaker, spoke on AAUP Committee A on Academic Freedom, Tenure, and Governance - How We Do Our Work. Jorge is Senior Program Officer in the Department of Academic Freedom, Tenure, and Governance of the AAUP.

Most of the day Saturday involved a workshop led by Samuel Dunietz, AAUP Staff; Brian Turner of the AAUP Assembly of State Conferences and our own Fred Floss, Chair of the NYSC Committee on Government Relations. The workshop topic was titled, Political Mobilization Training For State Conferences.

State legislatures are the front lines for many issues affecting the higher education and labor landscape. Challenges, such as cuts to higher-education appropriations, competency based education, and right-to-work legislation, among others, are issues that affect our members.

Being involved in the political process is not just limited to paid lobbyists. One of many important points made by Fred Floss during discussion was that to avoid getting caught up in state regulations regarding lobbying and lobbyists it is best to avoid using that word when communicating with legislators and use words like advocate or concerned faculty or citizen(s).

In our Steering Committee business meeting we accepted nominations for an At Large Member replacement for Jeffrey Baker who was elected as Vice President in this year's

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The Crisis at the College of New Rochelle

by David Linton – President Emeritus – NYSC/AAUP

The unfolding story at the College of New Rochelle (CNR) might be seen as an object lesson in the importance of shared governance and faculty involvement in all aspects of an institution's affairs.

In September 2016 it was discovered that for two years the CNR management had been delinquent in submitting payroll taxes amounting to \$20 million. In addition, they were also remiss in paying another \$11 million in outstanding debts to various service providers and vendors.

Though a full investigation is not yet complete, as of this writing the college has amassed at least \$31 million in debt and several vendors have filed suits against the school. When confronted with these findings, the CNR President, Judith Huntington, resigned and the auditing firm that had certified the veracity of the financial reports, KPMG, was terminated. The comptroller had already resigned a few months before the problem came to light. It is not clear if the auditing firm is legally liable for having approved reports that should have raised red flags about the growing shortages.

Following its original internal examination of the financial problems and possible violation of law, the Board of the College announced that the U.S. Attorney's Office was now involved and was in the process of conducting its own investigation. Furthermore, at a December 15 Town Meeting it was announced that faculty layoffs would be announced in March and that the procedures for determining which individuals would lose their jobs would not follow those that are prescribed in the faculty handbook.

Understandably, faculty, students and staff were dismayed to learn of such severe mismanagement and the college is now faced with a financial crisis unlike any in its history. So far none of the administrators have been accused of having made any personal gain. However, the institution is now faced with making hard decisions.

The Board of Trustees has announced plans to auction off several pieces of real estate that it owns in the vicinity of the campus and has either let go or not replaced a number of staff positions.

At a recent meeting of the Board and representatives of the college alumni it was announced that they were looking at three options to address the shortfall and put the college back on a more secure footing:

- 1) raising enough money to meet scheduled payment deadlines;
- 2) making deep cuts in faculty and staff;
- 3) restructuring the debt payment schedule.

Hanging over all of the deliberations is the threat of having to close the school if sufficient funds cannot be raised to

pay the amounts in arrears as well as meeting ongoing salaries and other obligations.

In response to the crisis members of the faculty, initiated by Dr. Anne Ferrari, reached out to the AAUP New York State Conference and I visited the campus to engage in discussions regarding courses of action open in order to protect the faculty against arbitrary actions, especially in case of violation of existing governance policies and protocols.

The faculty clearly recognized its obligation to engage fully in whatever way possible to protect the very existence of the college as well as their own positions.

They expressed a desire to work with the administration to find solutions in a spirit of sharing and transparency that would benefit all concerned. Unfortunately, it seems that the administration is deciding to turn its back on the faculty by leaving them out of the deliberations regarding the most important element of the educational endeavor: the existence and integrity of the very programs that are offered.

According to a report of a December 3, 2016 meeting of the Board and alumni representatives, “Serious faculty and staff cuts will be made. . .” and that, ““Selection of which faculty to cut will be made by the Interim President in consultation with the deans.”

There is no indication that the faculty will be consulted or involved in any way, a major breach of the best governance and decision-making processes. Furthermore, faculty terminations will be made without regard to tenure or years of service.

In response to this “go-it-alone” posture on the part of the Board and administration, the faculty has quickly acted to form an independent chapter of the AAUP and to seek its own legal and financial sources of advise.

It is still too early to tell if the College of New Rochelle can be saved from its own self-inflicted wounds or if it will compound an already dire situation by alienating the group of individuals who have the most to offer and the most to lose. But if, as suggested above, there is a lesson to be found here it is that college faculty must always be vigilant in looking out for their own interests by insisting on policies that guarantee the reasonable sharing of governance and that they have the kind of collective structures such as a strong AAUP chapter to enforce and protect their rights.

For another perspective on the unfolding story, here are two news items from a local media outlet:

<http://www.lohud.com/story/news/education/2016/12/15/college-new-rochelle-budgets-faked/95486100/>

<http://www.lohud.com/story/news/education/2016/12/16/college-of-new-rochelle-keith-borge/955344>