

NEW YORK Academe

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From the Interim President's Desk

by Mary Rose Kubal



September is here and a new academic year has begun. I hope everyone's semester is off to a good start. The state conference leadership has been busy this summer preparing for our Fall meeting.

The Executive Council met via Zoom in July and August to discuss and approve a comprehensive set of proposed constitutional revisions which are the product of the detailed work of our Constitutional Review and Election Committees and compilation and editing by our Executive Director.

A copy of the proposed reforms is included in this edition of *Academe* in time for you to review them in advance of the Fall NYSC AAUP meeting at Borough of Manhattan Community College. All members in good standing are eligible to vote on the proposed constitutional changes during the Saturday portion of the meeting on October 19.

There are a number of significant changes being proposed – some intended to streamline our organization and others we feel necessary in response to changes to the National AAUP organizational structure, as reported in the previous edition of *NYS Academe*. I encourage you to look at the proposal and if at all practical to attend the Saturday portion of the fall meeting (the Friday afternoon business meeting is also open to members).

In addition to the vote on constitutional revisions, we have programming planned on issue campaigns, shared governance, and conflict resolution skills for academics. Perhaps most timely is a session on “AAUP Restructuring – Seeing the Future of the AAUP Through a New Lens.” Organizational change can be stressful and at times cumbersome, but also presents opportunities for productive change.

My own campus advocacy chapter at St. Bonaventure University had been somewhat dormant for the past couple of years—most of us are involved in university service and

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State AAUP to Meet At BMCC, October 18-19

The New York State Conference of the AAUP will hold its fall conference at the Borough of Manhattan Community College (BMCC) on October 18 and 19, 2019. The theme of the meeting is “**Boots on the Ground. Fists in the Air.**”

On Friday, the Conference Business Meeting will be held. On Saturday, there will be a number of workshops, as well as the vote on the revised State Conference constitution (the text of which can be found elsewhere in this issue).

The workshops will cover issues campaigns, shared governance, the restructuring of national AAUP, Conflict Resolution Skills for Academics, and a panel discussion on “Issues, Challenges and Wins.”

Saturday's program begins at 8:30 a.m. and will take place in Room N452. The Fall Conference is open to all AAUP members. Borough of Manhattan Community College is located at 199 Chambers Street in lower Manhattan.

The college is close to seven different subway lines and two bus routes (information can be obtained from the Metropolitan Transportation Authority website: <https://new.mta.info/>) and the “PATH” train World Trade Center station (<https://www.panynj.gov/path/>).

Additional information will be available on the State Conference website: <https://nyscaup.org/>

The Detailed Schedule for Saturday, October 19, is as follows:

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| 8:30-8:45 | Registration |
| 8:45-9:00 | Welcome and Opening Remarks |
| 9:00-9:45 | Issues Campaigns” (David Kociemba) |
| 9:45-10:30 | “Shared Governance: Engaging and Supporting Key Stakeholders” (Kimberley Reiser, Chair of NYSC AAUP Shared Governance Committee and committee members) |
| 10:30-10:45 | Break |

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National AAUP Seeks Candidates for Second Vice President

The AAUP National Nominating Committee is soliciting nominations for the vacant position of Second Vice President.

The Second Vice-President assists the President in the conduct of the affairs of the Association, performing such duties as the President or the Council may assign to them. The Second Vice-President will also attend Council meetings, which generally meets in person twice a year in Washington, DC; between meetings, it conducts business via frequent email discussions and conference calls. The person filling the position will complete the current term, which ends in June 2020.

All members of the Association in good standing, with the exception of associate members, are eligible to be elected to the Second Vice-President position and to nominate other eligible members. The Nominating Committee seeks diverse candidates with experience in the AAUP at the local, state, or national level.

The Council will vote by secret ballot in order to fill the vacancy expeditiously. Nominees will be provided with further

information regarding the Council vote.

Those wishing to nominate themselves to the Second Vice-President position OR to nominate another eligible member, must submit the following information to the Nominating Committee by October 15, 2019:

1. The name, institution, and email address of the individual being nominated.

2. The name, institution, and email address of the individual making the nomination (if not self-nominating)

Please send nominations by email to nominations@aaup.org or by surface mail to AAUP Nominating Committee, 1133 Nineteenth Street NW, Suite 200, Washington, DC 20036.

The vacancy-in-officer election process is set forth in the AAUP Constitution (online at <https://www.aaup.org/about/organization/aaup-constitution>).



AAUP Brief: Workplace Discrimination Based on LGBTQ Status is Unlawful

The AAUP has joined an amicus brief arguing that workplace discrimination based on LGBTQ status is discrimination “because of . . . sex” and therefore is prohibited by Title VII of the Civil Rights Act.

The brief, filed in the Supreme Court of the United States, was prepared primarily by the Lawyers’ Committee for Civil Rights Under Law and the Leadership Conference on Civil and Human Rights, and was joined by other civil rights organizations. The brief involves three separate cases arising from the termination of employees based on their LGBTQ status, which were consolidated by the court. A decision from the court is expected by June 2020.

Each of the three cases involved individuals who were fired from their workplaces after the employer learned of their LGBTQ status. Three separate lawsuits were filed alleging that the terminations violated Title VII’s prohibition against discrimination based on sex. Courts issued conflicting decisions in these cases.

In the lead case, Gerald Bostock, a county employee in Clayton County, Georgia, was fired after his employer learned that he is gay. He sued the county under Title VII for employment discrimination, but a court held that Title VII does not prohibit firing because of sexual orientation.

In the second case, Donald Zarda was fired from his work as an instructor with a skydiving company in New York, and a court found that Title VII does prohibit discrimination based on sexual orientation.

In the third case, Aimee Stephens, a transgender woman, was fired after informing her employer that she would transition to live as a woman. She brought her claim to the Equal Employment Opportunity Commission (EEOC), which investigated and then brought suit against her employer. In that case, a court held that Title VII protects against discrimination because of transgender status.

Because the decisions addressed the same issue, the
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Executive Director's Report: Welcome Back to the Fall Semester

by Sally Dear-Healey,
Executive Director, NYSC AAUP

Welcome back to the fall semester!

If you are still teaching, for many of you this is an exciting time. New students. Fresh minds. New jobs. New opportunities. Even new preps can be fun. Still, for some of you, the return to school is also a reminder that there are issues brewing, above and below the surface, and in some cases unthinkable things are being done to our colleagues and the profession. Entire departments and institutions have ceased to exist.

We know this because of the many emails and calls we receive from faculty about situations occurring on their campuses across our state, which are also echoed on campuses across the country. Obviously there are two groups impacted – students and teachers. You might think I would put teachers first, but we all know that the reason we teach is the students. The thing is, when we are in the midst of unrest or chaos, our students feel it too. It impacts all of us.

Our mission as teachers is to teach, and to learn. What we are learning now is that we need to pull up our bootstraps and fight for the very essence of academic freedom - the ability of our teachers to teach, and our students to learn (AAUP's 1915 Declaration recognizes that "[a]cademic freedom has traditionally had two applications—to the freedom of the teacher and to that of the student, *Lehrfreiheit* [to teach] and *Lernfreiheit* [to learn],” and the AAUP recognizes that “the freedom to teach and the freedom to learn are inseparable facets of academic freedom.” 1967 Joint Statement on Rights and Freedoms of Students, Redbook at 262).

Remember, “Life is too short not to fight a few good fights” (Summer

Institute, Hofstra, 2014).

With the impending restructuring of AAUP at the national level, it is clear that we have another learning curve ahead of us.

While the AAUP is more accurately returning to a former organizational model, today's academic climate requires a renewed, if not a ‘new and improved’ vision of how we are going to go forward. One of the major concerns of our members, and undoubtedly those of us who are a part of the State Conference leadership, was what will happen to the State Conferences?

We have been reassured by AAUP National that the State Conferences are not going away. And, while the Assembly of State Conferences (ASC) is ceasing to exist as a separate entity, there will not be a discontinuance of their support or a cessation of benefits and opportunities such as Conference Development Grants, which are spent on member services. It also means that State Conferences can and will play a bigger role for our members.

One example is the opportunity for members, or anyone interested in becoming a member or starting a chapter to attend State Conference biannual meetings, participate on committees, and/or run for office.

This year the NYSC AAUP Fall Meeting will be held at the Borough of Manhattan Community College on Friday, October 18th and Saturday, October 19th.

While Friday is set aside for the business meeting, the Saturday Conference program provides our members with valuable trainings and hands-on workshops as well as time to learn from and network with colleagues across the state around shared challenges and victories.

This year, our guest speaker is East Coast Organizer David Kociemba, who will be giving you the tools and skills you need to run “Issue Campaigns.” Members of our NYSC Shared Governance Committee will be doing a workshop on “Shared Governance.” And, since communication and problem-solving skills are a big part of all of this, I will bring 12 years of mediation/conflict resolution training to share “Conflict Resolution Skills for Academics.” At the end of the day we will bring together a panel of our colleagues – our brothers and sisters – to discuss and collaborate on “Issues, Challenges, and Wins.” **Please join us!**

Registration information will be up soon on our new website. (Note that we are aware that the previous “website is “suspended.” We were told that it had either been hacked or was due to malware.

Rest assured we have taken the necessary steps to rectify the situation and are confident that you will really like the new website and visit it more often).

Since the AAUP restructuring has raised a number of questions from our members, we will address them in the session on “AAUP Restructuring – “Seeing the Future of the AAUP Through a New Lens”. One question in particular involves the status of members and chapters.

Speaking of which, when the revised AAUP constitution approved by the Annual Meeting takes effect in January (2020), all AAUP members must be in a chapter and all members will vote for AAUP officers through chapter delegates at the new Biennial Meeting.

Some of our NYS chapters received notice that they had less than seven (7) members. Under the AAUP's constitution, an active chapter should have at

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AAUP: The Government Must Tread Carefully When Monitoring Chinese Scholars

On August 12, 2019, The AAUP and eighteen other organizations issued a joint statement concerning reports that the FBI is urging higher education institutions to monitor Chinese students and scholars for espionage. The full statement follows:

Statement in Response to Report the FBI is Urging Universities to Monitor Chinese Students and Scholars

According to recent public reports, the Federal Bureau of Investigation (FBI) and other government officials have advised some US universities to develop protocols for monitoring students and scholars from Chinese state-affiliated research institutions.

This move seemingly stems from growing suspicion that the Chinese government is engaged in espionage of American higher education, with the aim of stealing data and intellectual property. However, this is an area where the government must tread carefully.

Some recent incidents suggest concern with the mounting global reach of Beijing's tech-enabled authoritarianism is valid; but calls to monitor individuals solely based on their country of origin violate norms of due process and should raise alarms in a democracy.

If there are articulable concerns about specific individuals because of their activities and affiliations, those should be pursued without regard to the individual's country of origin.

Disclosure requirements, information sharing and export control enforcement all offer powerful means to protect against intellectual property theft and espionage without resorting to tactics that cast suspicion on potentially hundreds of thousands of students and scholars.

Federal agencies need to clarify and specify their concerns, and ensure that their efforts do not trample on individual rights

nor on the principle of free and open academic inquiry and exchange.

More than 340,000 Chinese students are reportedly studying in the US, as of last year. If not conducted with care, this move risks hampering the future recruitment of talented foreign students and scholars to American shores.

This move could also significantly impede the training of new scientists, as well as damage ongoing projects. The pursuit of scientific knowledge should be advanced under conditions of intellectual freedom without political or ideological restrictions.

Further, to the extent that China or other governments are utilizing international students and faculty in the United States as a means to carry out spying or to furtively funnel information back to officials at home, such activities infringe upon the academic freedom of those scholars as well as the institutions that host them and must stop.

Unless researchers possess a formal and disclosed government affiliation, they must be permitted to pursue their work free from state interference or involvement. Failure to adhere to this principle violates the precepts of academic freedom and threatens global scholarly exchange.

China's government is notorious for its aggressive use of surveillance. Efforts by the United States to fend off the global arm of autocracy must not mimic the very tactics it professes to reject.

As concern on these matters grows, we advise universities to zealously safeguard their independence--to maintain their commitment to academic freedom, to uphold the principle of due process, and to respect the privacy rights of students and faculty, no matter their national origins.

State AAUP to Meets, October 18-19

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| 10:45-11:15 | "AAUP Restructuring - Seeing the Future of the AAUP Through a New Lens" (James Davis/Sally Dear-Healey/Patricia Navarra) |
| 11:15-11:45 | Discussion; Constitutional Revisions |
| 11:45-12:00 | NYSC AAUP Vote on Constitutional Revisions |
| 12:00-1:00 | Lunch |
| 1:00-1:45 | "Conflict Resolution Skills for |

| | |
|-----------|--|
| 1:45-2:45 | Academics" (Sally Dear-Healey) |
| 2:45-3:00 | "Issues, Challenges, and Wins" (Panel/Open Discussion) |
| | Closing Remarks |

The idiom "boots on the ground" is often used to refer to volunteers who do the day-to-day, often mundane, but necessary work in a situation. It can also refer to going somewhere or being somewhere.

The raised fist, or the clenched fist, is a symbol of solidarity and support.

Mercy College takes over the College of New Rochelle

Mercy College has taken over the College of New Rochelle's (CNR) campus as the new academic year begins.

This is the latest development as CNR held its last Commencement on August 20, where about 230 students received their diploma's, bringing the College's 115-year history to a close.

The College is expected to file bankruptcy and liquidate its assets after a long-standing financial crisis that led to criminal charges against its former controller, Keith Borge, who was sentenced on August 28 to three years in federal prison after a guilty plea on charges of failing to pay payroll taxes and securities fraud for his part in the crisis.

In 2016, it was discovered that \$31.2 million in unpaid debts that had been hidden from the school's books. This included more than \$20 million in unpaid payroll taxes dating back to 2014.

For two years the College attempted to remain open, laying off faculty and staff, selling college property, and working out payment plans with vendors and the New York State Department of Taxation and Finance and the Internal Revenue Service.

A new President, William Latimer, took office on April 15, 2018. Shortly after Latimer's arrival, the State Taxation and Finance Department issued a tax warrant to the school, informing CNR that it owed \$3.1 million.

The College failed to make a \$1.2 million payment to the New Rochelle Industrial Development Authority, and a State Supreme Court Judge ruled in February 2019 that 14 faculty members had been improperly laid off.

In March, Mercy College and CNR reached an agreement that would allow approximately 1,700 CNR students to complete their studies with the Dobbs Ferry-based Mercy.

As part of this deal, Mercy agreed to lease the main New Rochelle campus and the CNR branch campuses in Harlem and Brooklyn for up to two years at an annual rent of \$1.8



million. The long-term plan is to sell the 15.5 acre main campus, which has been valued at \$30 million, to pay off creditors.

When the agreement was announced, Mercy College indicated that it would be hiring some former CNR faculty and staff.

While it is not clear how many of the former CNR staff have been hired, CNR's last President, William Latimer, has been appointed Vice President for the former CNR facilities.

NYS Conference of the AAUP Fall Meeting
Borough of Manhattan Community College
Friday, October 18 - Saturday, October 19
Details are in this issue of New York Academe

The AAUP Joins Higher Education Groups Supporting the College Student Hunger Act of 2019

The AAUP joined the American Council on Education and 32 other higher education groups in support of the College Student Hunger Act of 2019 (S. 2143).

The bill, sponsored by Senator Elizabeth Warren (D-Massachusetts) and Representative Al Lawson (D-Florida), would expand Supplemental Nutrition Assistance Program (SNAP) eligibility to students who qualify for Pell Grants and those with an expected family contribution of \$0.

For low-income students who meet food eligibility requirements by working, the bill lowers the threshold from 20 to 10 hours per week.

It also amends a current rule that prohibits students with campus meal plans from receiving SNAP benefits, allowing them access to the program during the winter and summer months when meal services may not be available or when they are off-campus.

Senators Edward J. Markey (D-Massachusetts) and Kamala Harris (D-California) are Senate cosponsors. Representatives James McGovern (D-Massachusetts), Gwen Moore (D-Wisconsin), Alcee Hastings (D-Florida), Eleanor Holmes Norton (D-District of Columbia), Rashida Tlaib (D-Michigan), Salud Carbajal (D-California), and Earl Blumenauer (D-Oregon) are House cosponsors.

In February 2017, Senator Warren wrote a letter with Senators Markey, Patty Murray (D-Washington), and Debbie Stabenow (D-Michigan) to the Government Accountability Office (GAO) requesting a study on food

insecurity at colleges and universities.

In January 2019, Senator Warren and her colleagues released the GAO's report, (read at: <https://www.gao.gov/assets/700/696313.pdf>) revealing that more than 30% of college students may face food insecurity.

Moreover, while SNAP is the main federal program to address food insecurity for low-income Americans, the report found that almost 2 million at-risk students who are potentially eligible for SNAP did not receive benefits in 2016.

"As more and more students struggle to afford college and take on a mountain of student loan debt, nearly one-in-three college students cannot even afford basic necessities like food," Senator Warren said. "Our bill will ensure students have the support they need to work toward a better future without going hungry."

"Food insecurity is a real concern for many college students across our nation," said Representative Lawson. "The significant increase in college tuition over the last decade has forced students to make a choice between buying food or paying for books and housing expenditures."

This bill will help to relieve some of that financial burden for them. I am proud to work with Sen. Warren to introduce this critical piece of legislation."

"We have the food, the resources, and the infrastructure to end hunger in America - but what we lack is the political willpower," said Representative McGovern. "Too often, we stereotype what hunger and food insecurity looks like and stigmatize those who use anti-

hunger programs, but the reality is that nearly 40 million Americans experience hunger, and there isn't a community or a college campus in this country that is hunger-free. That's why I am proud to join Senator Warren and Representative Lawson in introducing this important plan to help make sure that college students can focus on learning, and not on where their next meal will come from."

The College Student Hunger Act will address student hunger by increasing low-income college students' ability to access SNAP, testing new ways SNAP can be administered on college campuses, and increasing awareness about student eligibility for SNAP. Specifically, the bill:

- 1. Increases low-income college students' ability to receive SNAP:** Expands the list of criteria that permits low-income college students to apply for SNAP by allowing Pell Grant-eligible students and independent students (e.g., who are in foster care, who are veterans, or who are homeless) to apply for benefits. The bill also lowers SNAP's 20 hours per-week work requirement for college students to 10 hours.
- 2. Increases outreach to eligible students:** Requires the Department of Education to notify low-income students who are eligible for a Pell Grant that they may be eligible for SNAP, and to refer them to states' SNAP application websites.
- 3. Creates a SNAP student hunger pilot program:** Requires the Departments of Agriculture and Education to run demonstration pilot projects to test ways to make SNAP more useful to college

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NYS AAUP Interim President's Letter

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shared governance roles and stretched thin, as I know many of my fellow AAUP members in CBC and advocacy chapters around the state are as well.

The National restructuring has prodded us into action and I am excited for a new membership drive and programming around work-life balance on our campus. I mention this because I expect many of your chapters are experiencing similar challenges and may have questions related to the changes at the National AAUP. If your chapter could use support during this period of organizational transition, please reach out to us by attending the Fall meeting or by contacting myself or our Executive Director Sally Dear-Healy with your concerns.

As I mentioned in the previous edition of NYS Academe we

will be issuing a call for volunteers for a Strategic Planning committee in advance of the Fall meeting. I had hoped to have that out already, but this work was interrupted by the suspension of our conference website due to a security breach. You should have received an e-mail communication from Sally regarding our website suspension. Due to a complex and bureaucratic set of circumstances we have experienced some delays in getting the website back up, but hope to have it up and running very soon. Please look out for an email communication about the website, Fall meeting registration, and the strategic planning process in the next couple of weeks. I hope to see many of you next month at Borough of Manhattan Community College.

In Solidarity,

Mary Rose Kubal (St. Bonaventure University) Acting President

Welcome Back to Fall Semester

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least seven (7) members and must elect chapter officers.

If you are one of those chapters, or you are interested in starting an AAUP chapter on your campus, there are many resources available on how to build a strong AAUP chapter. For additional information please visit: <https://www.aaup.org/get-involved/start-chapter/step-by-step>.

If you have an existing chapter but need to reactivate it, please notify the AAUP office by sending an email to dhanible@aaup.org.

If a chapter remains inactive, AAUP (national) will rescind the charter of the campus chapter and the members will be added to the national at-large AAUP chapter on January 1, 2020.

The national at-large chapter will consist of all AAUP members who are not members of an individual chapter, with delegates of the chapter authorized to attend and vote at the Biennial Meeting.

Please remember to join us on Facebook (@NYSAAUPC1) and watch for our Action Network emails. They will keep you up to date on meeting/conference details, member news, feature surveys designed to help us help you, and other items of interest.

As always, if you have any questions regarding the State Conference, need help with membership recruitment or chapter development, or have a concern or a victory on your campus, please reach out to us by contacting me at sdearhealeyaaup@gmail.com or Acting President Mary Rose Kubal at MKUBAL@sbu.edu.

AAUP LGBTQ Discrimination Legal Brief

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Because the decisions addressed the same issue, the Supreme Court consolidated the cases. The court will now have the opportunity to determine whether Title VII applies to sexual orientation and transgender status.

The amicus brief that the AAUP has joined argues that Title VII applies to workplace discrimination based on LGBTQ status since it is discrimination because of an individual's sex. The brief outlines how the Title VII has resulted in progress toward eradicating workplace discrimination and how it bars disparate treatment because of sexuality.

It also explains that a decision to exclude LGBTQ status

from Title VII's protections would leave LGBTQ people of color unprotected from pre-textual racial discrimination because of the intersectionality of identities. As the amicus brief argues, carving out an exception in Title VII's protections for LGBTQ individuals would be contrary to its text and other precedents. It would also would leave those most vulnerable to workplace discrimination without protection, rendering Title VII unable to fulfill its purpose of eradicating discrimination in the workplace.

The consolidated cases are *Bostock v. Clayton County, Georgia*, et al.; *R.G. & G.R. Harris Funeral Homes, Inc. v. EEOC*, et al.; and *Altitude Express, Inc., et al. v. Zarda*.

AAUP Supports Student Hunger Act of 2019

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students, such as allowing students to use SNAP to purchase prepared food from dining halls or allowing students to apply the cash value of their benefit to directly offset the cost of a student meal plan.

4.Increases awareness of student eligibility for SNAP:
Implements the GAO's recommendations by requiring the

Department of Agriculture to increase awareness among states and colleges about student hunger, student eligibility for SNAP, and how states and colleges can help eligible students access and use their SNAP benefits. Requires the Department of Agriculture's Inspector General to audit the agency's outreach practices to make colleges and universities more aware of student eligibility for SNAP.

Proposed Amended Constitution and By Laws of the New York State Conference AAUP

THE PROPOSED NEW YORK STATE CONFERENCE AAUP CONSTITUTION WILL CONSIDERED AT THE FALL MEETING ON OCTOBER 19

CONSTITUTION

ARTICLE I: Name and Purpose

1. The name of this organization shall be The New York State Conference of the American Association of University Professors (NYSC AAUP).

2. The purpose of this Conference shall be to initiate, advance, and coordinate action on the state level consistent with the principles and procedures of the American Association of University Professors (AAUP), and to foster the goals of the Association in coordination with other AAUP bodies.

ARTICLE II: Membership

1. All AAUP in service members in good standing in New York State are members of the New York State Conference. Individuals who previously qualified as a member of the New York State Conference may continue as a member of the New York State Conference even if they are no longer employed in higher education.

ARTICLE III: Officers, Committees, Councils, Executive Director, and Newsletter Editor

1. The officers who constitute the Administrative Committee (AC) of the Conference shall be the President, the Vice President, the Secretary, and the Treasurer. They shall perform the duties specified in this constitution and its by-laws, as well as carry out the functions usually appertaining to their respective offices. The Administrative Committee shall meet between Executive Council meetings to conduct such business as the President deems necessary. All actions of the Administrative Committee shall be reported to the Executive Council within ten days and said Council may revise any actions of the Administrative Committee. The Administrative Committee shall prepare the agendas for meetings of the Executive Council.

2. There shall be an Executive Council (EC) chaired by the President. The Executive Council shall consist of the following: the officers of the Conference, four at-large members, the national Council members elected from the district that includes New York State, the at-large Council members who are members of the NYS Conference, and the elected National AAUP officers who are members of the NYS Conference. The Executive Council shall meet at least twice a year. The Executive Council shall make policy on all matters that come before the Conference, except those items reserved for the members of the Fall and Spring meetings of the Conference.

3. The Executive Council shall appoint an Executive Director and other paid employees of the Conference, and the newsletter editor, whether paid or unpaid; shall set the term of service for each; shall conduct regular reviews of the services provided, possibly using the Administrative Committee to carry out the reviews and make recommendations; and, if necessary, shall dismiss for cause, following AAUP principles in such a matter.

4. The Executive Director shall be responsible for maintaining communications with chapters in the state; assisting the Vice President with chapter and membership development; working closely with officers and the Executive Council; providing support for standing committees and councils, and special committees and task forces; maintaining administrative services, records, and data bases; making arrangements for Conference meetings; and supervising the Conference's web site.

5. The newsletter editor shall oversee and coordinate with the Executive Director the issuing of the newsletter and other Conference publications.

6. Audit Committee

a. There shall be an Audit Committee consisting of the Vice President and two At-Large Members of the Executive Committee as appointed by the President.

b. Biannually the Audit Committee shall review the periodic reports of the Treasurer as presented at the meetings of the Executive Council and of the Conference. The Audit

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Proposed Amended Constitution and By Laws of the New York State Conference AAUP

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Committee may also review the financial records, bills, receipts, and other related records of the New York Conference, in order to verify the accuracy of such financial reports and records.

c. The Audit Committee may also inspect any financial reports or other reports filed with the Department of Labor or other governmental agencies; such inspection includes the right to examine all financial records used to prepare such reports.

d. Upon the completion of a review by the Audit Committee, it shall issue a written report to the Executive Council certifying the results of the examination. Any problems or discrepancies discovered through the examination shall be reported to the Executive Council. The Audit Committee and the Executive Council shall work with the Treasurer to take appropriate action to resolve any problems or discrepancies identified.

e. The final report will be made available to the membership.

9. With the approval of the Executive Council, the President may appoint an auditor, a parliamentarian, and special committees or task forces to serve for a special term to consider matters of special interest to the Conference.

10. The President shall recommend to the Executive Council for approval the chairs and members of standing committees and councils, and the termination of the services of committee chairs and members when deemed necessary for the interests of the Conference.

Article IV: Election of Officers and At-Large Executive Council Members

1.a. The President, Vice President, Secretary, Treasurer and the four (4) at-large members of the Executive Council shall be elected for four (4) year terms.

b. Officers and at-large members of the Executive Council shall be elected by secret ballot of the membership.

c. Officers and at large members of the Executive Council shall take office on June 1 following notice of their election from the Election Committee. Should the Election Committee not provide notice by June 1st or should there be an ongoing appeal to the Election Appeals Committee, the officers and at-large members shall take office as soon as notice is provided, or the appeal is resolved.

2. The President shall be able to serve for two successive terms as President.

3. Procedures for the Election of Officers and Members At Large

a. There shall be a three (3) member Election Committee

and an alternate, no two of whom may be from the same chapter, to supervise the nomination and election process.

b. The Committee shall be elected by the Conference for a one (1) year term at the spring meeting prior to the election it will supervise.

c. Those running for election or who, by virtue of their office, are on the Election Appeals Committee may not serve on the Election Committee.

d. The Election Committee shall elect its own chairperson. Should there be a vacancy on the committee it will be filled by the alternate for the remainder of the term.

e. No later than July 1st of the year preceding an election, the Election Committee shall call for nominations. This call shall contain the following: 1) the positions to be filled; 2) the term of office for each position; 3) the procedures for nominations, including the person to whom the nominations shall be sent; 4) the deadline for the submission of nominations; 5) the eligibility requirements for candidates; 6) positions at the annual meeting of the National AAUP to be filled by virtue of holding a specific elected office; and 7) any other federally or state mandated notifications.

f. Nominations shall close no earlier than November 1. The Election Committee shall contact all nominees to verify their willingness to stand for election. Using the criteria found below in Art. IV (4)(h), the Election Committee shall certify the eligibility of all nominees and notify each nominee accordingly.

g. All AAUP members in good standing, except Associate members, who are qualified, as of the date that nominations for the NYS Conference election close, to vote in the upcoming National AAUP election, and who have been AAUP members in good standing continuously since July 1st of the year preceding the call for nominations, are qualified to run for elected office. A member of the NYS Conference cannot be a member of another conference.

h. The format for all nominating petitions will be set by the Elections Committee. All nominations must be sent to the chair of the elections committee and those by email must include the word "Nomination" in the subject line. In order to be a candidate, a nominee must have a minimum of six (6) nominations from members of the conference representing at least two (2) chapters or institutions. Each person who signs a nominating petition must be a member in good standing of the AAUP at the time he or she signs the petition. Candidates receiving a nomination will be contacted by the elections committee to verify their willingness to stand for election. The Election Committee will report periodically to the Executive Director on the progress of the nomination process.

i. Candidates' statements shall be published in NY
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Proposed Amended Constitution and By Laws of the New York State Conference AAUP

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Academe in the issue prior to the date of the election. The Election Committee shall consult with the Editor of NY Academe about the date of this pre-election issue, and then notify all candidates of the final date by which their statements must be received by the Chair of the Election Committee. Candidates shall receive a minimum of three (3) weeks' notice to submit their statements. The Chair of the Election Committee shall notify each candidate upon receipt of her or his statement. Statements received after the final date for submission of statements will not be accepted. For each position, the statements of the candidates shall appear in alphabetical order.

4. Succession of officers other than the members of the National Council, who are elected by national AAUP procedures and the Immediate Past President.

a. In the event the President cannot complete his/her term, the Vice President shall complete the term until the next general election.

b. In the event the Vice President is unable to complete his/her term, the Secretary shall complete the term until the next general election fills the vacancy.

c. After serving temporarily as President or Vice-President the officer shall resume his/her office for the remainder of his/her term.

d. Vacancies in the Executive Council that cannot be filled by the succession provisions of this article shall be filled by vote of the Executive Council until the next general election.

5. Due regard for geographical and institutional representation shall be exercised by the seeking nominees for positions in which insufficient nominations have been received.

6. Those officers and members-at-large who are not up for election shall serve as the Election Appeals Committee and may not serve on the Election Committee.

The Executive Director will keep the secret ballots from the election for one (1) year following the election. A protest to the election proceedings must be filed within sixty (60) days of the election to the Executive Director of the Conference. The Election Appeals Committee will resolve the protest.

ARTICLE V: Conference Meetings

1. There shall be Spring and Fall Meetings of the Conference. The dates and location shall be determined by the Executive Council. The meetings shall be held concurrently with the Fall and Spring meetings of the Executive Council. Adequate notice of the meeting shall be given to all Conference members. The meetings shall consider all matters on the agenda of the Executive Council, but voting on those issues shall be limited to the members

of the Executive Council, except for the following:

1) Consideration and approval of the budget at the Fall meeting; 2) Election of the Election Committee at the Spring meeting in a year in which an election is upcoming; 3) Amendments; and 4) Dues.

2. Special meetings may be called either by the President at the direction of the Executive Council or by petition of at least ten (10) chapters. If a special meeting is called it must be held within three (3) weeks.

3. Conference meetings shall be open to all members of the American Association of University Professors in the state.

4. The regular spring and fall Meetings of the Conference shall consider the following matters:

a. Approval of the minutes of the previous Conference meeting;

b. The reports of officers, Executive Director, and chairs of committees and councils;

c. At the fall Meeting, action on the budget for the next calendar year, subsequent to a recommendation by the Executive Council. If the Executive Council makes no recommendation, the voting members of the Conference may take action. If for any reason no budget is approved by the Conference, the recommendations of the Executive Council shall be in effect until the next Conference meeting. If neither the Executive Council nor the Conference takes action, the budget for the current year will be duplicated for the following year.

d. Election of members of the Election Committee;

e. Action on amendments to the Conference Constitution, subsequent to recommendations by the Executive Council. If the Executive Council makes no recommendation, the voting members of the Conference may take action. Proposed amendments to this Constitution shall be presented in writing to the Conference's Executive Director at least sixty (60) days in advance of the Meeting in which action is to be taken and circulated to Conference members prior to that Meeting. Amendments shall be adopted by two-thirds vote in a secret ballot of the Conference members present and voting at the Meeting;

f. Changes in Conference dues, subsequent to recommendations of the Executive Council. Executive Council recommendations for Conference dues changes shall be made known to Conference members at least sixty (60) days prior to the Meeting where action is to be taken. If the Executive Council makes no recommendation, the voting members of the Conference may take action. Dues changes may be made at either the fall or spring meetings by a majority vote in a secret ballot of the Conference members present and voting at the meeting;

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- g. Old business;
- h. New business.

5. Any proposal referred to the Executive Council for action or further consideration, and then rejected by the Executive Council, shall be referred to the next Conference meeting for final approval or disapproval.

6. Each member present shall have one vote in matters coming before the meeting. In no case shall there be more than four (4) votes from any one chapter. A chapter or Institution exceeding this number shall caucus before voting takes place to determine who will vote its maximum allowed representation. Decisions in this caucus shall be by majority vote.

7. Votes are normally taken by voice vote; however, two (2) or more members present may request a roll call vote.

ARTICLE VI: Bylaws

1. Bylaws may be adopted and amended by majority vote at the spring or fall Meeting or by a special meeting of the Conference.

ARTICLE VII: History of Ratification

1. This Constitution was submitted to all AAUP chapters in New York State. It became effective and the New York [now New York State] Conference of the American Association of University Professors came into existence in 1971, when a majority of those chapters voting approved the document within sixty (60) days of its submission to the chapters. Upon ratification, the Presidents and Executive Committees of the existent New York State and Metropolitan Conferences appointed a joint six (6) member organizing committee to nominate the Conference's first officers and at-large members, and to set the date, location, and agenda of the first Conference meeting.

BYLAWS

1. The **authorized standing committees** of the New York Conference-AAUP are:

- Committee A on Academic Freedom and Tenure
- Committee on Academic Professionals
- Committee on Chapters, Members, and Dues
- Committee on College and University Government
- Committee on Faculty Holding Contingent Appointment
- Committee on Government Relations
- Committee on Graduate and Professional Students
- Committee on Retirement
- Committee on the Status of Minorities in the Academic Profession
- Committee on Gender and Sexuality in the Academic Profession

The President shall appoint the standing committee chairs

of the New York State Conference.

2. The **Councils of The New York State Conference** are:

- The Independent Council
- The CUNY Council
- The SUNY Council
- The Collective Bargaining Council
- The Regional Councils:
 - The Long Island Council
 - NYC-Westchester Council
 - Lower Central Council
 - Capital Area-Mid Hudson Council
 - Western-Midwestern Council

The President shall appoint the chairs of the councils of the New York State Conference.

3. The Executive Council shall meet at least semi-annually.

4. Executive Council meetings can for convenience be combined with Conference Meetings. The presiding officer should make clear on each matter voted on who is entitled to vote.

5. The terms for the chairs and members of standing committees and councils shall be for three (3) years, beginning and terminating at the end of the spring Meeting. Acting chairs shall serve for the remaining term of the chairs they replace.

6. A quorum for meetings of the Executive Council shall be five (5) members.

7. A quorum for a Conference Meeting shall be representation from eight (8) chapters.

8. No member of the New York State Conference may be a member of any other conference. All AAUP members of the New York State Conference who are qualified to vote in national AAUP elections may also vote in New York State Conference business matters, including Conference elections, and serve in any non-elected capacity for the Conference. To run for a NYS Conference elected position an AAUP member must additionally have been an AAUP member in good standing as of July 1st of the calendar year preceding the call for nominations.

9. The New York State Conference designates its delegates to AAUP Annual Meetings as follow:

a. For the Annual Meeting, the delegates shall be the President and Vice President. If the President cannot attend, the alternate shall be the Secretary; if the Vice President cannot attend, the alternate shall be the Treasurer.

b. The rules for, and amounts of, reimbursement of expenses for delegates to the Annual Meeting shall be set by the Administrative Committee.

10. The Approval of the Administrative Committee is required for any non-budgeted expenditures in excess of \$500.