

# Clarion

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



NOVEMBER 2005



**MEDIA**  
**2,100**  
**sign public**  
**appeal**

PSC members  
speak out for a  
fair settlement.

**PAGE 10**



Dave Sanders

## PROGRESS ON CONTRACT

There was movement at the bargaining table in October and November, with progress toward an agreement between the union and CUNY management. There was movement on the campuses as well, as PSC activists focused on outreach to students and building local union networks. (Above, Effie Cochran talks

with John Jay students about their stake in the contract fight.) The Nov. 3 deadline set by the PSC Executive Council for real progress in negotiations changed the bargaining atmosphere, as did the settlement of other City contracts. But some stubborn issues remained unresolved. **PAGES 6-7 & 12**

### NYC LABOR

#### Grad assistants strike at NYU

NYU's refusal to bargain sparks a walkout by graduate workers. Meanwhile, New School adjuncts win their first union contract. **PAGE 6**

### TUITION

#### CUNY seeks annual hikes

The chancellor wants tuition indexed to inflation. The PSC warns that in the long run, the idea is a money-loser. **PAGE 4**

### SALARIES

#### Can't live on thought alone

True respect for the hard work of CUNY's faculty and staff should mean decent pay, not Wal-Mart wages, an adjunct says. **PAGE 11**



### YOUR RIGHTS

#### Reappointment & evaluation

For many new faculty and CLTs, December 1 is the deadline for notification about reappointment. Know your rights in this process. **PAGE 8**



LETTERS TO THE EDITOR | WRITE TO: CLARION/PSC, 25 W. 43RD STREET, FIFTH FLOOR, NEW YORK, NY 10036. E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: 212-302-7815.

# The real meaning of productivity

● Management's demand that faculty return to school (for non-teaching work) a week early each fall is based on an impoverished conception of productivity. As any economist, or successful businessperson (and this presumably includes Mayor Bloomberg) would attest, productivity is not mainly a function of how long and hard one works, but of the technology and human capital at a worker's disposal. (This is why the average American worker today is much more productive than his/her counterpart at the beginning of industrialization, when the workday was much longer than it is today).

Faculty members make a central contribution to both technological development and the building of human capital. They do so both through their research and through the contribution that such research

makes to their teaching. The irony is that even as we contribute to growing productivity and a larger economic pie for society as a whole, the University offers salary increases below inflation – in other words a piece of the pie that is smaller in absolute as well as in relative terms.

Costas Panayotakis  
City Tech

## Don't jail Miguel Malo

● *And when they came for me, there was no one left to speak out.*

– Pastor Martin Niemöller

*Non-cooperation with evil is as much a moral obligation as cooperation with good.*

– Dr. Martin Luther King Jr.

*The court found me guilty and fined*

*me \$10.00 plus \$4.00 in court costs.*

– Mrs. Rosa Parks

I am a professor of Allied Health at the City University of New York, at Hostos Community College, with 34 years of teaching experience and involvement in the University community.

I personally know Mr. Miguel Malo. Miguel is not a delinquent who deliberately sought to disregard and interrupt the public order. He is a gentle person who tried to express issues that others were not able to express for themselves. Before, during, and following Mr. Malo's arrest, he has continued to represent, with dignity and respect, issues affecting the larger society.

Placing Miguel in jail denies all of us the protection of being heard and being able to speak up. No jail

time should be imposed on Mr. Malo, and CUNY should ask the District Attorney to stop its prosecution of this case.

Alida Pastoriza Maldonado  
Hostos

## Setting the record straight

● In the July 2005 *Clarion*, the introduction to Kenneth B. Clark's observations about scholarship and social justice includes two factual errors that could lend a misleading impression of Professor Clark's early days at the City College of New York. Professor Clark received tenure in 1950, not 1960 – and from CCNY, not CUNY. (CUNY was a nascent dream then.)

In 1976 Professor Clark was interviewed by me for a monograph, *Recollections: An Oral History of the Psychology Department of the City*

*College of the City University of New York.* He related that his initial appointment to the City College was in the summer of 1941. He left the College at least three times during the 1940's. Once to develop a psychology department at Hampton Institute, another to join the Office of War Information to work with Ralph Bunche, and a third time to test out whether he would be happier at Queens College. Ken was profoundly appreciative of the support of Gardner Murphy, the departmental chair, in those early career trials. He returned to City College in 1947 and received tenure in 1950. Professor Clark never had one moment of doubt that he would get tenure at City College.

Lawrence Nyman  
CCNY (emeritus)

*Editor Peter Hogness responds: The incorrect date cited in our introduction came from the American Psychological Association and from the New York Times. We're glad to have the record set straight by one of Kenneth Clark's former colleagues.*

## Katrina victims need your help

While the aftermath of Hurricane Katrina no longer gets large headlines, the need for assistance is just as great. After quickly responding with donations to relief efforts of the American Federation of Teachers, the AFL-CIO, and Community Labor United of New Orleans, the PSC is appealing to members to support recovery work by Dillard University and the AFT.

While Dillard, a historically black university in New Orleans, successfully evacuated all students by bus before the hurricane hit, its campus sustained significant damage. Funds raised through the PSC Katrina Fund will go toward the recovery and reopening of the school's library. Checks should be made out to "PSC/CUNY Federal Credit Union, account # 9615," and should be mailed to PSC/CUNY Federal Credit Union, 25 W. 43rd Street, 5th floor, NY, NY 10036. For more information, contact Cecelia McCall at 212-354-1252.

Contributions to the AFT Disaster Relief Fund will be used for direct assistance to AFT members in the region who have been displaced. Donations can be made online at [www.aft.org/katrina/index.htm](http://www.aft.org/katrina/index.htm). To contribute by mail, make out checks to "AFT Disaster Relief Fund," and send them to the Fund, c/o John Hylad, Treasurer, PSC, 25 West 43rd Street, 5th floor, NY, NY 10036. –LT



Leticia Taylor

## "When Women Pursue Justice" in Bed-Stuy

By LETICIA TAYLOR

This fall PSC members Rikki Asher of Queens College and Rochelle Shicoff of Hunter took their art out of the classroom and into Bedford-Stuyvesant, through a mural project dedicated to the late congresswoman Shirley Chisholm. Titled "When Women Pursue Justice," the mural celebrates 90 women who were leaders and activists in the 20th Century.

Artmakers, an artist-run community mural organization, wanted to do the project in the Brooklyn neighborhood that Chisholm had

## Mural has CUNY connection

represented. Members of the group contacted Shicoff and Asher, whose work they admired, and invited them to participate.

Shicoff is an adjunct professor at Hunter's School of Education, while Asher is an assistant professor and director of art education in the Education Division at Queens. Two of Asher's students, Zoe Sanders and Sofia Lozefski, volunteered for the project after she described it to her mural-making class.

The project "was a great way to enable students who had participated in the course to see what it is like to paint a mural in another community with muralists and apply what they learned," said Asher. She and Shicoff were among 14 principal artists who worked on the piece, along with five paid interns from a local high school and 30 volunteer artists and neighborhood residents – all of them women.

"A lot of the interns didn't know who the women were, and this is

part of why the mural was needed," said Janet Braun-Reinitz, one of the founders of Artmakers. In fact, she said, in the process of making this work of art, artists and students both learned about these women and the struggles they waged.

In 2006, the Brooklyn Public Library will host an exhibition about the mural, and a booklet describing the mural and the contributions of the women it depicts will be distributed at no charge through schools and community organizations.

The mural is located at 498 Greene Ave., at the corner of Nostrand.

# CUNY told to obey deadlines

By DANIA RAJENDRA

On October 11, the PSC and union member Twana Lindsay won an arbitration victory that strengthens members' rights on reappointment deadlines and due process. Arbitrator Alan Symonette found that management had violated the union contract in several ways, and ordered that Lindsay be reappointed to her position as a higher education associate at Queensborough Community College.

## RULES ENFORCED

The ruling emphasized that CUNY must abide by the deadlines set forth in the contract for notice of non-reappointment. For employees in the higher education officer (HEO) series who are reappointed annually, this means they must be told by March whether they will be reappointed as of the following July. "The March deadline is not conditional," wrote Symonette, and he rejected CUNY's attempt to change its mind about reappointing Lindsay after this deadline had passed.

The arbitrator also affirmed that if CUNY management wants to demote or fire someone, it cannot simply decide not to reappoint them. "By taking an administrative step rather than discipline, the College has deprived the grievant of her contractual right to challenge the allegations made against her," wrote Symonette – and he ruled that this cannot be allowed.

Instead, the decision states, management must go through the disciplinary process spelled out in the contract. This puts the burden of proof on management, which must show just cause for the discipline, and it gives the member the right to respond.

## EVALUATION

Finally, Symonette ordered CUNY to remove an improperly prepared evaluation from Lindsay's file. "The arbitrator upheld the sanctity of the annual evaluation process," noted PSC Director of Legal Affairs Nathaniel Charny, who argued the case at arbitration. "It requires a real meeting of the PSC member and her supervisor. They can't just write your evaluation before the meeting, hand it to you, and ask you to sign it. And it can't just focus on one topic – it has to address your overall performance."

Lindsay, a 12-year employee of the University, first came to CUNY as an accountant, a position represented by AFSCME DC 37. In 2001, she was promoted to assistant bursar at Queensborough – a higher education associate position, represented by the PSC – where her responsibilities included federal accounting.

When students withdraw before the end of a semester, some of the student aid they have received must be returned to the federal government, and Lindsay's duties included

## Can't use non-reappointment for discipline



Twana Lindsay, right, and Vera Weekes, the grievance counselor who handled her case

overseeing the reimbursement of these funds. When the reimbursement deadline was moved up, her work day suddenly got a lot longer.

"I put in extreme hours," Lindsay told *Clarion*, "getting in at nine and staying past midnight, while I was grieving for a close family member." She told her supervisors that the deadlines were impossible to meet with the number of staff currently trained to do the job. "I missed the deadline by two days," she recalled. "But I had done my job to the best of my ability." In the end, she said, "the deadlines were unreachable."

In February 2003, Lindsay had already received a satisfactory evaluation and a letter informing her of her third annual reappointment. But on April 19, she came to work to find she was being demoted. "I went into the office as usual, and a staff member told me she was sorry to hear I was being transferred out of the office," Lindsay said. Her supervisor called her in and handed her a new evaluation. Written up in advance, it talked only about federal reimbursements and rated her unsatisfactory. "A couple of hours later I was told that I was being moved," Lindsay recalled. "I was just in a daze because everything was happening so fast."

## SLAP IN FACE

The same day, CUNY gave Lindsay a letter of non-reappointment – more than seven weeks after the March 1 deadline for notifying employees. "I went from working as assistant bursar to working in the accounting office, where I previously worked as the director," Lindsay said. "I felt I had given everything I

had to that project – and instead of thanking me, as I thought I deserved, I got a slap in the face."

Management contended that Lindsay had misrepresented her work on the federal funds reimbursement to her supervisor, and that he was unaware that there were any problems with the deadline. For this reason, CUNY maintained, management was justified in reversing itself on her reappointment. But the arbitrator firmly rejected this argument.

## INSTITUTIONAL PROBLEM

Symonette noted that Lindsay "has adamantly challenged" the charge that she misrepresented anything about her work. If CUNY is allowed to simply not reappoint her over this issue, he wrote, "the University thus avoids the need to prove its allegation while the grievant has little or no opportunity to challenge it." Instead, he ruled, if management wants to remove a union member from his or her current position, it must do so through the discipline process spelled out in the contract, which allows employees to have their "day in court."

Vera Weekes, the PSC grievance counselor who handled the case, said that the ruling had prevented management from making Lindsay a scapegoat. "This was an institutional problem," said Weekes. "It wasn't a Twana Lindsay problem." The contract exists to protect members in such situations, she said: "There's a contractual process management has to follow, whether they like it or not."

"If this had been left unchecked," Weekes observed, "it would have meant that even months after they've given someone a letter of reappointment, they could turn

around and rescind it whenever they want. In that case the deadlines and the contract would mean nothing." Instead, she said, the ruling puts "real teeth" in the contract's guarantees.

Lindsay called the union the same day she was improperly demoted – and she's glad she did. While going through the grievance and arbitration process was sometimes stressful, said Lindsay, it was worth it. "Besides the union, no one would listen," she told *Clarion*. "At the end I was happy that I finally got a chance to give my side of the story."

## WORLD LABOR IN BRIEF

### B.C. government sparks illegal strike

British Columbia teachers voted to accept a mediator's report and return to classes October 24 after continuing with a strike that was declared illegal after its first day, October 7. The strike was in response to the provincial government's decision to impose a contract by legislation and without negotiations. BC's right-wing government had previously passed a law limiting teachers' right to strike, which the International Labor Organization said violated the ILO conventions.

The teachers had support from staff, students, parents, the Canadian Union of Public Employees, Canadian Teachers' Federation, and educators internationally. Support staff from schools walked picket lines with teachers, and students and parents delivered food to the lines. When the courts banned distribution of strike pay, post-secondary faculty unions bought \$200,000 in grocery vouchers for teachers. Educators in Mexico and Guatemala demanded that Canada comply with international labor law.

### Airline food grounded

Gate Gourmet workers in Düsseldorf went on strike October 7 following a deadlock in collective bargaining. The airline caterer had just settled an agreement with workers at London's Heathrow airport when the dispute in Germany broke out. Gate Gourmet demanded concessions in working hours, holiday leave, and shift premiums, while the German food and restaurant workers union NGG called for a wage increase of 4.5% to cover inflation.

## Retiree representatives added to PSC Exec

By DANIA RAJENDRA

On September 22, the PSC Delegate Assembly approved an amendment to the union's constitution that added two positions to the Executive Council for representatives of PSC members who are retirees. Delegates also voted to eliminate a constitutional provision that had barred retiree members from being elected to union-wide office.

"This important structural change recognizes the vital role retirees play in the life of the union," said Retirees Chapter Chair Irwin Yellowitz. "It will benefit both retirees and the entire PSC."

Over the last decade the Retirees Chapter has grown to include more than 2,200 PSC members. Retirees have been a visible and vocal pres-

ence at demonstrations for a fair contract, including a protest at a Board of Trustees meeting in February that focused on retiree issues.

Retiree Jim Perlstein, who co-chairs the union's Solidarity Committee, reminded those at the September meeting that every PSC member is a "retiree in training."

Delegates voted unanimously in favor of both constitutional changes. Retiree Executive Council Officers will be chosen for the first time in union-wide elections next spring. Only retiree members may vote for candidates for these two positions.

As with all EC posts, the newly created retiree positions have a three-year term of office. The two additions will give the PSC Executive Council a total of 27 members.

**Every member is a "retiree in training."**

## CALENDAR

**NOVEMBER 3 – JANUARY 30:** Activism and Repression: the Struggle for Free Speech at CCNY, 1931-42. Previously seen at CCNY and the CUNY Grad Center, this exhibit includes more than 100 images of student and faculty activism in the Great Depression, and the ensuing repression that led to dismissal of more than 50 staff and faculty. Baruch College Library, 155 E. 25th Street. Also online at [www.vny.cuny.edu/gutter/panels/panel1.html](http://www.vny.cuny.edu/gutter/panels/panel1.html).

**FRIDAY, DECEMBER 2:** 4:00 pm / "First Fridays" meeting of the DA Part-time Personnel Committee, at the PSC office, 25 W. 43rd Street. Contact Marcia Newfield, at 212-354-1252.

**MONDAY, DECEMBER 5:** HEO-CLT Professional Development Fund meeting. HEO-CLT committee meets to review applications for professional development grants. Applications will be reviewed on the first Monday of each month through June. For more info contact Linda Slifkin at [lsifkin@pscmail.org](mailto:lsifkin@pscmail.org) or 212-354-1252.

**FRIDAY, DECEMBER 9:** 6:00 pm / Labor Goes to the Movies – *A Day's Work*, *A Day's Pay* follows three NYC welfare recipients as they participate in the largest workfare program in the country. Forced to work at city jobs for below prevailing wage and deprived of the chance to go to school, they fight back, demanding programs that will help them move off of welfare and into real jobs. At 99 Hudson Street, 6th floor. For more information contact Dania Rajendra at [drajendra@pscmail.org](mailto:drajendra@pscmail.org).

**MONDAY, DECEMBER 19:** TIAA-CREF pension counseling. Vito Ruvolo from TIAA-CREF will be at the PSC office to discuss retirement options. Contact Linda Slifkin at 212-354-1252 to schedule an appointment.

**TUESDAY, DECEMBER 20:** 6:00 pm / PSC Women's Committee meeting. For more info, contact Norah Chase at 212-354-1252 or [NChase91@aol.com](mailto:NChase91@aol.com).

# CUNY Board considers plan for annual tuition hikes

By HANK WILLIAMS, BMCC & CCNY & PETER HOGNESS

At its November 28 meeting, the CUNY Board of Trustees is expected to endorse a plan for automatic annual increases in tuition, essentially indexing it to inflation. The proposal would form part of CUNY's budget request to Albany for the coming year, and requires legislative approval.

The push to adopt a system of constantly rising tuition comes only two years after one of the largest tuition hikes in CUNY history, and one year after an additional another steep increase for graduate students. The PSC Executive Council voted to oppose the plan, saying it would "put access to the University out of reach of many students, violating the University's historic mission." The union pointed out that tuition and fees have grown to nearly equal the amount of State funding for operating CUNY's senior colleges.

## MASTER PLAN

PSC leaders said that tuition indexing would let the State off the hook for funding public higher education. "The chancellor's plan assents to the continued slide away from using tax dollars to support public needs," said PSC Secretary Cecelia McCall.

Chancellor Matthew Goldstein advanced the tuition plan at an October 7 legislative hearing, as part of a proposal for funding CUNY's Master Plan. The chancellor noted that while New York law requires CUNY to develop a Master Plan every five years, Albany is not required to pay for it – and he proposed "a compact with the State" to put the Master

## Indexed to inflation

Plan on more solid financial ground.

Under this "compact," the State and City would provide full tax-levy funding of the University's mandatory costs. Public funding would also cover at least 20% of the costs of investment in new initiatives, such as additional full-time faculty, research support, and enhancements of academic and student services. The rest would be come from "modest tuition increases, with no increase greater than the Higher Education Price Index," plus private fundraising, enrollment growth, and "greater efficiencies."

CUNY management bills the plan as an "economically efficient way to finance" the University. It says that increases in tuition, while constant, would not be "huge and unexpected," averaging 2.5% annually for the next four years, and that financial aid would keep poor students from being hurt. The chancellor contends that the commitment to rising tuition would help "leverage funds" from the State and City, and that "over time [the plan] would reduce the proportion of operational expenses covered by tuition."

## UNION RESPONDS

At the same October 7 hearing where the chancellor advanced his plan, PSC President Barbara Bowen responded that it would absolve the State and City of their responsibility to fund CUNY. By relying so heavily on tuition and private fundraising, Goldstein's plan institutionalizes a reduced funding obligation for the State and City and further privatizes the University.

**The plan lets Albany off the hook, warns PSC**

State appropriations per full-time student have fallen behind inflation by \$1,673 at SUNY and by a staggering \$6,188 at CUNY since 1990, said Bowen, citing figures from the NY State Board of Regents. In the absence of adequate public funding, she said, faculty, staff, and students have subsidized the University.

## PRICED OUT?

Many students are concerned that steadily rising tuition will put a burden on those least able to pay. "It makes me fearful for the future of working-class and poor students, who will definitely be priced out [of CUNY]," said Rodolfo Leyton, a student at CCNY.

Opponents of annual increases point out that many CUNY students must work full-time while attending college to support themselves and their families. But New York's Tuition Assistance Program does not assist many of the students who need it most. Part-time students are not eligible for TAP, and the program also excludes many students who are financially self-supporting.

Hamid Kherief, co-chair of CUNY's discipline council for English as a Second Language, notes that TAP is not available to CUNY's thousands of undocumented immigrant students, or to those on student visas. "The choice is tough for them," said Kherief. "For many, tuition increases could make CUNY prohibitively expensive."

Miriam Kramer of the NY Public Interest Research Group says that "there is no way to guarantee that this type of tuition plan could avoid steep increases in the future." According to Kramer, "Other states

that supposedly index their tuition to inflation have increased their rates above and beyond that index during years of fiscal austerity." In Alaska and Ohio, "indexed" tuition has seen annual increases as high as 10 to 13 percent. "What happens is that the indexed tuition serves as a floor, but not a ceiling," Kramer said.

That political uncertainty, NYPIRG says, also extends to financial aid. Federal student aid is now on the chopping block in Congress (see p. 12), and a NYPIRG report on Governor Pataki's higher education record shows that he has recommended cuts to TAP or financial aid programs seven times in the last ten years.

PSC leaders say that in the long run, higher tuition would not even guarantee more money for City University. "The record shows that tuition increases are a losing strategy for CUNY," said PSC Treasurer John Hyland. "Tuition was raised twice in the 1990s – and by the end of the decade, in real dollars, CUNY had \$159 million less in total operating funds."

## HIKES LIKELY?

Goldstein's support for indexing tuition to inflation goes back at least to January 2003, when he promoted the idea in a speech at the Harvard Club of New York. "Indexing can provide a rational basis for tuition policy making," he said at the time, citing Michigan and Florida as positive examples.

A proposal to index both CUNY and SUNY tuition to inflation was made last year by Governor George Pataki. It was rejected by the legislature after intense opposition from the PSC, student groups and others. But this year, with Goldstein's support, indexing may have a better chance of winning Albany's approval.

## NYU grad assistants represent



Geek chic was on display at NYU when graduate workers set up picket lines after they began a strike November 9. See article, page 6.

## NYC LABOR IN BRIEF

### Staten Island says 'no' to Wal-Mart

Wal-Mart is continuing efforts to open its first store in New York City. The company is currently considering two sites in Staten Island, one in Mariner's Harbor and the other in Richmond Valley. But union members, politicians, and community activists rallied against the idea in an October 25 forum at Staten Island's Petrides School.

The mega-chain has become notorious for paying poverty-level wages, pressuring workers to labor off the clock, and offering no health insurance to most of its workers.

Lately Wal-Mart has devoted more resources to public relations, in an effort to improve its image, but Patrick Purcell of the Wal-Mart Free NYC coalition warned the crowd not to be fooled. "You can put a tuxedo on a pig, but it's still a pig," said Purcell.

State Sen. Diane Savino, a long-time union activist recently elected to represent a district that spans Staten Island and Brooklyn, said that the \$1,000 deductible in Wal-Mart's health plan made it of little use to employees whose annual pay averages less than \$20,000. Savino said the plan was about as helpful as offering "ice in winter."

### Radio City

Local 802 of the American Federation of Musicians filed a complaint with the National Labor Relations Board on November 4, charging Radio City Music Hall's owner, Ca-

blevision Systems Corp., with extortion. Cablevision locked out musicians in Radio City's Christmas spectacular after they staged a one-day strike, and the lockout continued at *Clarion* press time.

According to Local 802 President David Lennon, Cablevision President James Dolan said he would not agree to a contract unless the union signed a letter stating it had "lied and misled the public, the press, and patrons" about Radio City's position in contract talks, charges which the union denies.

The Radio City Rockettes performed without live musicians for the first time on November 3.

## Correction

Due to an editing error the October 2005 *Clarion* misstated the top salary under the previous UFT contract. The correct figure is \$81,232.

# Student leader convicted

By PETER HOGNESS

On October 24, student leader Miguel Malo was convicted of assault against a CUNY security officer, in charges that stem from a 2001 protest at Hostos Community College.

Malo and his attorney said the verdict would be appealed. "I am innocent," said Malo. "My conscience is clear."

"A terrible wrong has been committed against a very decent guy," said Gerald Meyer, professor emeritus of social science, at a press conference held the next day. "I know Miguel very well. He's a father, a very gentle man, and someone who never did anyone any harm." Meyer said the conviction was "a disgrace" for CUNY, and a troubling attempt to criminalize free speech.

Malo was arrested while leafletting students lined up at registration, urging them to speak out against cuts in bilingual classes and a policy change that made English writing workshops

## Free speech at issue

more expensive. The court complaint stated that police first moved to arrest him when he "began to hold up a sign and protest against the college administration." Another Hostos student, Pedro Rivera, was arrested after he held up a sign that said, "Stop Arresting Our Students!" Charges against Rivera were later dropped, and the PSC and University Faculty Senate both urged that charges against Malo be dropped as well.

Then vice president of the Hostos Student Senate, Malo said it was in fact CUNY security officers who had assaulted him, and post-arrest photos showed that he sustained several bruises. Malo said he had declined a plea deal that would have avoided any penalty, because it required him to plead guilty to something he did not do. "I was brought up to always tell the truth," he told *Clarion*.

"There are at least two or three issues that I believe would be the basis for an appeal," said Malo's attorney Karen Funk. Supporters said that the judge in the case had not allowed testimony on several relevant points, such as the history of the protest site as a traditional "free speech area" for student groups.

More than 50 people have written to the judge in the case urging that Malo not be given any jail time, including the college's grants officer and a priest who serves as the Catholic Church's campus minister.

Malo will be sentenced on Tuesday, December 13, at 9:30 am, in Bronx Supreme Court Part 21. The proceedings will be held on the lower main floor of the Criminal Court building at 215 East 161st Street, and Malo's supporters have urged the public to attend.



Miguel Malo speaks to a reporter for NY1 the day after the verdict.

# Campus Equity Week: analysis and protest

By LETICIA TAYLOR

During Campus Equity Week, CUNY adjunct faculty spoke out about the challenges that face them as contingent workers and discussed how to organize for change. The PSC-sponsored events were among more than 100 that were held across North America.

The week at CUNY combined analysis and protest. "PSC has been participating in CEW since it began in 2001," said VP for part-time affairs Marcia Newfield. "This is the first time we've taken it to the streets."

On October 28, Joe Berry, chair of the Chicago Coalition of Contingent Academic Labor, spoke about his recently published book, *Reclaiming the Ivory Tower*. In keeping with the book's subtitle – *Organizing Adjuncts to Change Higher Education* – Berry emphasized the need for adjuncts to build solidarity and think about how the contingent faculty struggle for justice fits within the broader society.

## THE MAJORITY

"If the entire enterprise of higher education is de-funded or turned over to profit-seeking corporations," he warned, "adjunct faculty equity would be a hollow victory." Both for their own sake and for the future of the university, said Berry, part-time faculty must organize.

"We're the majority of faculty now," said Jason Blank, an adjunct math lecturer at BMCC and City Tech. "We have to fight to put job security, seniority, and equity on the table." Blank held one end of a huge banner that declared "Adjuncts Unite!" during a November 1 protest outside the CUNY Graduate

## Adjuncts take it to the street

Center. "We're 10,000 strong," he told *Clarion*, "and we need equity and respect."

Blank said his greatest challenge as an adjunct is "not knowing whether I'll be hired back for another semester." To dramatize the unfairness of adjuncts' contingent status, protesters unfurled a giant "Seniority Scroll." It listed the names and years of service of dozens of long-serving CUNY adjuncts, some of whom have worked for the University for as long as 30 years.

Speakers stood on a soapbox and addressed homeward-bound commuters while other adjunct activists

handed out fliers decrying part-timers' working conditions. Those who stopped to listen were often surprised to learn of the hard realities of part-time faculty pay. Adding up all the hours that it really takes to teach a class, said Geoffrey Blank, Jason's brother, "I got paid more working as a lifeguard over the summer – and I didn't have to go to school for that."

## THE FUTURE

After a couple of hours of street protest, adjunct activists went inside for a panel discussion on the future of academic labor.

The panel brought analytical perspectives on academic labor together with the direct experience of organizing. Brenda Carter, a PhD candidate and organizer at Yale since 1997, said that over the last 15 years the Yale contingent faculty union has forced improvements in working conditions, even though it has yet to win a contract or formal recognition from Yale management. Carter attributed the union's success to its rank-and-file-based organizing structure and pride in its members' roles as public intellectuals. The union connects bread-and-butter issues to a broader vision for changing the whole academy, she said, and this link is the source of much of its activist ener-

gy. Carter added that for her union, publishing critical reports on Yale's investment practices is as natural a part of union work as demanding higher wages.

Kathleen Barker, a professor at Medgar Evers, discussed the social psychology of contingent academic labor, describing how the current structure of part-time faculty work is linked to "exclusion from organizational and social opportunities" at work. Editor of and a contributor to *Contingent Work: American Employment Relations in Transition*, Barker argued that to change adjuncts' conditions, unions must craft a strong message that can win public support.

## ALTERNATIVE

PSC Executive Council member Stanley Aronowitz suggested unions reconsider organizing strategies in what he called an "era of systematic disinvestment in the university" by national governments worldwide. "We need a vision for the university," he emphasized, "and the union must be prefigurative of our vision for the university." Broader trends in higher education make it essential that unions think in terms of an "organizing drive that is not just defensive and ameliorative but presents an alternative," Aronowitz said.

At the week's first event, Joe Berry had argued that adjuncts have a lot to contribute to exactly that kind of project, organizing for a more democratic balance of power in higher education and society. "We can be a model of bridge-building among students, other unions, and all working people," he suggested. "Do we have any choice but to try?"



Members of the PSC Committee on Part-time Personnel, a.k.a. the "First Fridays" group, making the "Seniority Scroll." In the foreground are David Hatchett, Marcia Newfield, and Shirley Rausher.

# New School settles, NYU on strike

## Academic labor action

By LETICIA TAYLOR and PETER HOGNESS

Days after New School adjuncts settled their first union contract, graduate assistants at NYU began a strike to win their second.

The New School agreement came on October 31, just hours before the strike deadline set by the part-time faculty union, Academics Come Together. "We have negotiated a very strong first contract," said a statement from ACT, affiliated with the United Auto Workers. "We are very proud of what we have accomplished."

Key features of the agreement include:

- Job security based on seniority: After adjunct faculty have taught at the New School for 10 semesters, they will be guaranteed a minimum course load based on their past average. If they lose a course due to curriculum change or insufficient enrollment, the university must find them a replacement course or pay them up to 50% of the semester's wages.

- Opportunity for academic leave: Senior part-time faculty who meet certain academic criteria can apply for a semester of paid academic leave. The number of such leaves to be granted rises from 25 next year to 50 in 2008-2009.

- Health and pension benefits were extended to faculty who teach continuing education and non-credit classes. While medical and drug co-pays for all part-time faculty were increased, limits were placed on how much their monthly health insurance premiums can go up in the future.

- Pay per course will increase by an average of 24% in the first year, and by an average of 55% over the next four years. This is achieved through a combination of dollar-amount and percentage increases, starting with a \$10 per hour across-the-board increase in the first year. The contract gives two additional longevity increases to those with more than 10 years of service.

### 80% READY TO STRIKE

"A strong and unified membership" made these gains possible, said ACT negotiators. Bargaining team member Gregory Tewksbury said that a strike authorization vote had strengthened the union's hand: "When management saw that more than 80% were prepared to strike, that sent them a message."

Meanwhile on November 9, NYU graduate assistants went out on strike after management refused to negotiate a second contract with their union, the Graduate Student Organizing Committee (GSOC).

NYU refused to negotiate with GSOC after the Republican-domi-

nated National Labor Relations Board reversed an earlier decision and ruled that graduate assistants at private universities have no federally protected right to organize. The NLRB held that graduate students paid to do teaching or research are not really workers, but only students serving a kind of apprenticeship. (The ruling does not apply to public universities like CUNY, where graduate assistants' right to union representation has long been recognized.)

### ARRESTS

Private universities like NYU still have the option to bargain with graduate workers' unions, but are no longer legally obliged to do so.

A rally on August 31, the last day of the old agreement, drew more than 1,100 union members and supporters, and 76 people were arrested in a nonviolent sit-in (including the PSC's John Hyland). After NYU still refused to come to the table, 85% of GSOC's members voted to go on strike until the administration agrees to bargain with the union in good faith.

Union recognition is the key issue for graduate assistants. "We just want the right to negotiate about our working conditions like anybody else," said Susan Valentine, a fourth-year Ph.D. student and teaching assistant in history. "The stipends and benefits we secured with the first contract made it possible for us to concentrate on teaching students."

### HEALTH CARE CUT

In its first contract with the university, GSOC achieved increased wages, guaranteed health benefits, and a grievance procedure with neutral arbitration. NYU claimed that it would maintain these improved conditions – but management has already reduced some health benefits and eliminated others. A GSOC statement argued that this shows why collective bargaining is vital: "Without the protection of a union contract, NYU can take our benefits away at any time."

PSC members have joined NYU graduate workers on the picket line. "On the first day of the strike the picket line was huge, spirited, and the PSC had a significant presence," said Jim Perlstein, co-chair of the PSC Solidarity Committee. "The union at NYU is carrying the ball for grad student collective bargaining nationwide, and we want to be there on the line every day."

Perlstein said that members who'd like to help should contact him at [jperlstein@bassmeadow.com](mailto:jperlstein@bassmeadow.com), or call Mary Ann Carlese at 212-354-1252.

# Campus mobilizing

By DANIA RAJENDRA

At the PSC's huge membership meeting on September 29, union leaders outlined three main goals for the contract campaign in October: organizing "loud, angry, but informational" picket lines across the University, one-on-one organizing with fellow members, and outreach to build support among students.

During the two days of action, October 19 and 20, picket lines went up at 15 CUNY campuses, and every union chapter organized mass leaflet distributions to spread the word about what's at stake in the PSC contract fight. Tens of thousands of flyers were handed out to students, colleagues and members of the community, and the response was strong and positive.

"It's been a climate of great support," commented Distinguished Pro-



fessor Rosalind Petchesky at Hunter College. "One lady, who works at a food cart near campus, took flyers back to her neighborhood to pass out to her neighbors."

### Members encouraged by student support

"I found out about the picketing from someone in my department," said Caroline Pari, an associate professor who joined the line at BMCC. "I'm with the union 100%. Management's offer is hideous."

"The best thing about being here today is providing information for the students," said Leanne Ussher, an assistant professor at Queens College. Ussher and others said they were encouraged by the backing students expressed for the PSC's fight.

Evan Clealand, a junior majoring in Latin American studies and psychology at Lehman, was one of many students who joined PSC members on the picket line. "It's about the student-teacher relationship," Clealand said. "If faculty and staff aren't paid enough, they'll look for other jobs, and the quality of our education will suffer."

### REACHING OUT

At Queensborough Community College, students Nataliya Khomyak and Yady Marashizadeh started a petition of support. "Hopefully I'll be a professor one day," said Marashizadeh. "I think it's pretty unfair to those who work so hard and are such a benefit to society." The two told *Clarion* they collected



40 signatures right away, and plan to continue as long as the contract campaign continues. "Our voices count," Khomyak said.

The union website ([www.psc-cuny.org](http://www.psc-cuny.org)) features a student letter of support. Students can sign it and click to send a message to Chancellor Goldstein. A new flyer addressed to students is available from PSC picket captains and chapter chairs. Union leaders have encouraged

# Movement in contract talks

By CLARION STAFF

October saw serious bargaining between the PSC and CUNY management, and in November talks became more frequent and more intense. As *Clarion* went to press, union negotiators said that they had made more progress than in any comparable period so far – but that certain stubborn issues remained.

The October 6 bargaining session was held one week after 1,200 people attended the PSC's mass meeting at Cooper Union. The union negotiating team told management that it sought to expand the potential economic settlement to meet the union's key demands – on salary, the Welfare Fund, and improvements on equity and working conditions.

### TEACHERS' CONTRACT

The two sides discussed the implications of recent contract settlements for the United Federation of Teachers and other unions, which went beyond the bounds of the prior City "pattern."

## Some big issues still unresolved

In relation to the UFT agreement, which granted higher raises than the City pattern partly in return for increased time on the job, the PSC team argued that CUNY faculty and staff have already increased their productivity. "Enrollment has risen and other demands on us have grown," said union President Barbara Bowen. "We believe that our compensation should reflect that increase in productivity, and we offered to work with management to document it."

The PSC made several new proposals in the October 6 session, in an effort to move the talks forward. Union negotiators said they were willing to be flexible about implementation dates for raises within a given contract year. They also offered to propose a narrowed list of demands if management did the same, and management agreed. Talks continued on October 12. In

addition to October's formal contract talks, the PSC also held discussions with the State and with Chancellor Goldstein to try to find a path to an agreement.

The PSC Executive Council had previously voted to assess the level of progress in contract talks at its November 3 meeting, and then decide whether to call for a referendum on a possible job action.

### DISCUSSION

"Enough progress [has] been made to justify continuing intensive negotiations," Bowen announced on November 4. "We have advanced in our discussion of ways to increase the economic package." This, she said, was a sign of how the climate at the bargaining table had changed: "After months of stalemate, management has finally moved to consider our core demands." At the same time, Bowen added, the union would remain

Union negotiators hopeful, frustrated

# campus pickets

## Message from the PSC's President



members to speak with their students about the struggle.

The PSC also got its message out through a full-page ad in the *Chronicle of Higher Education*, signed by close to 2,100 union members. Headlined "Thousands Demand a Fair Contract at CUNY," the ad was published in the *Chronicle* of November 4 and also the November 2 issue of the *Village Voice*. It also appears on page 10 of this issue of *Clarion*.

## talks

ready to conduct a referendum if the talks broke down.

The next few days saw nearly constant negotiations, bargaining team meetings, and informal discussions. Members of the union bargaining team looked increasingly haggard from the long hours and late nights. The following week the pace of talks slowed a bit, with a small number of remaining issues proving difficult to resolve.

### CHALLENGES

Members of the union bargaining team declined to comment in any detail on the current state of negotiations. But in more general descriptions of the talks, they expressed both hope and frustration. "We've come a long way in the last month and have reached tentative agreements on most issues, but it's not over until it's over," said First Vice President Steve London. "We must reach agreement on all outstanding issues."

[For the latest news on the PSC/CUNY contract talks, see [www.psc-cuny.org](http://www.psc-cuny.org).]



Leafleting by Jim Cohen, PSC chapter chair at John Jay, gets students talking about contract issues. Other photos show picket lines at (clockwise from top): Queens, Hunter, Queens, Borough of Manhattan Community College, and John Jay.

Dear Members,

As this issue of *Clarion* goes to press, I am able to report that the union has made substantial progress toward reaching a contract agreement with CUNY management. The bargaining involves interlocking pieces, each dependent on the others, so progress remains tentative until all differences are settled. There are serious issues still unresolved, but we have made advances on both economic and non-economic matters.

What made the difference between the stalemate of many months and the intense activity of recent weeks? Organizing. Whatever the union is able to achieve will be because you have organized. The solidarity you showed in opposition to management's austerity offer of last spring, the unprecedented turnout at the September 29 meeting, and the one-on-one organizing this fall have given the negotiating team power.

The November 3 deadline that I announced at the mass meeting

spurred management, as the date approached, to meet almost daily and to move on key issues. As I reported on November 4, the Executive Council decided that enough progress had been made to continue negotiations – although we would maintain readiness to hold a referendum on job action if negotiations fail.

That readiness remains, even as the bargaining team works long days and nights to reach a settlement. The honeycomb structure of member-organizers you have helped to develop during this contract struggle changes us as a union – it provides strength not just for the current fight but for many fights to come. I will continue to update you as negotiations progress; check the PSC website for the latest information ([www.psc-cuny.org](http://www.psc-cuny.org)). In the meantime I ask you to remain engaged in the effort, to talk to your students about what's happening, and to deepen the culture of organizing in our union.

In solidarity,  
Barbara Bowen



Who you gonna call?

# Your chapter chair

The life of the union begins in its local chapters. You can get the latest news about contract negotiations from the PSC website ([www.psc-cuny.org](http://www.psc-cuny.org)) – but another source is your chapter chair. Below you'll find contact information

for your chapter chair, the first person you should contact if you have a problem at work.

This semester's CUNY contract campaign has focused on building the PSC at the local level. If you'd like to find out some simple ways

that you can get involved, ask your chapter chair.

If you volunteer for just one thing, you can make a real difference – it's this kind of grassroots participation that makes a union strong.



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## Your rights on reappointment & evaluation

By CLARION STAFF

### 1. When do I have to be notified of reappointment to my position?

Article 10 of the contract spells out the dates by which faculty must be notified of reappointment at CUNY. In your first year of service as an Instructor, Lecturer, tenure-track faculty member, or full-time College Lab Technician, you must receive notice of whether you have been reappointed for a second year on or before April 1.

In your second year and later, the notification date for Instructors, tenure-track faculty, and CLTs moves up to December 1. For Lecturers it remains April 1.

Annual reappointments are made until you are reappointed with tenure, or, for Lecturers, receive certification. Faculty in the Lecturer title may earn a "Certificate of Continuous Employment" rather than tenure. Article 12 details the process for receiving certification, after five years of continuous full-time service.

### Frequently asked questions

#### 2. What kind of personnel files are maintained about my work at CUNY and do I have a right to see them?

As Article 19 explains, there are two personnel files for every employee covered by the contract. One, your "personal file," contains information about your professional accomplishments, reports of teaching observations, and other information. The contents of this file are open to you, and you should examine and initial the file at least once a year. Nothing can be placed in this file until you have been provided with an opportunity to read it and attach any comments you wish. You must initial all documents before they are placed in the file as evidence of having seen the document. If you refuse to initial a document, a statement must be affixed to the document stating that you have refused. You have the

right to examine this file at any time. The second file, the "administration file," is open only to the committee and individuals responsible for recommending you for

## YOUR RIGHTS

reappointment, promotion, and tenure. This file may contain only materials requested by the University or supplied by you in connection with your employment, promotion, or tenure.

#### 3. What are evaluation conferences and how often can I be evaluated?

Teaching faculty who are non-tenured are required by the contract (Article 18) to be evaluated at least once each year by the department chair or a member of the departmental Personnel and Budget

Committee assigned by the chair. The annual evaluation conference is one of the most important opportunities you have to discuss frankly with your chair how you are progressing toward tenure or, for Lecturers, certification. The chair is responsible for providing you with guidance. Within ten working days after the annual evaluation, you must be given a written record of the discussion, for inclusion in your personal file.

#### 4. What do I do if I think my rights have been violated or if I'm given information that sounds different from what is provided here?

Contact the PSC chapter chair or grievance counselor on your campus. In any case, it's a good idea to contact the chapter chair and introduce yourself as a new member. If you cannot reach a campus-based union representative, call the PSC office and ask for a grievance counselor. As Article 20 states, there is a time limit of 30 working days for fil-

ing grievances – so it's essential, if you do have a grievance, that you act quickly. A grievance is a claim that there has been a breach or improper application of the contract or an arbitrary, discriminatory, or improper application of the Bylaws. Many times, however, problems can be resolved through an informal procedure, with which the grievance counselor can help you.

#### 5. What happens if I get a notice of non-reappointment?

Contact your local grievance counselor, your chapter chair, or a grievance counselor in the PSC central office immediately. For a description of your rights and how to contest this decision, see "Challenging non-reappointment" on page 8 of the March 2005 *Clarion*, available on the web at [www.psc-cuny.org/communications.htm](http://www.psc-cuny.org/communications.htm). For more information on your contract rights, see [www.psc-cuny.org/contractFAQ.htm](http://www.psc-cuny.org/contractFAQ.htm) and [www.psc-cuny.org/rights.htm](http://www.psc-cuny.org/rights.htm).



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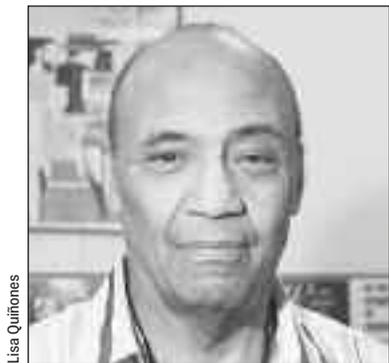
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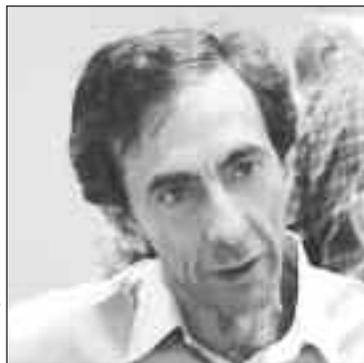
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*LaGuardia: Chapter Chair Joan Greenbaum was on leave last year after being injured in a serious auto accident. She is back on campus and teaching this semester, and will resume her union duties after her healing makes further progress.*

*City College & Grad Center: Both chapters are holding special elections for chapter chair. Jean Anyon is the only candidate at the Graduate Center, while George Brandon is the only candidate at CCNY. Ballots will be counted December 12.*

# Medicare's prescription benefit

## If you have no other coverage...

By **LARRY MORGAN**  
 Executive Director  
 PSC/CUNY Welfare Fund  
 and **PETER HOGNESS**

The decision on the new Medicare prescription drug plan is straightforward for anyone covered under the PSC/CUNY Welfare Fund: don't enroll. You already have a better plan than Medicare Part D.

But CUNY's part-time faculty have no prescription coverage in retirement, and many PSC members have parents who lack drug insurance. If you have no other coverage, does Medicare Part D make sense for you?

Here are some of the numbers you will need to consider:

**Premium Cost:** \$32.50/month. That's down from the \$37 original estimate, but it's still \$390 per year.

**Deductible:** The first \$250 of "covered expenses" is not paid by Medicare.

**Co-Insurance:** The next \$2,000 of covered expenses is paid 75% by Medicare.

**"Donut Hole":** The next \$2,850 is completely not covered by Medicare.

**Catastrophic:** From \$5,100 per year and up, 95% is paid by Medicare.

By the time one uses \$770 worth of medication, the reimbursement [75% x (\$770 - \$250)] is equal to the \$390 annual premium.

A handful of PSC Medicare retirees have HIP VIP or buy an Aetna Rx Rider and receive partial reimbursement. Some retirees get direct reimbursement up to \$400 per year. If that's true for you, do the same kind of cost comparison outlined above, comparing your net premium and projected costs.

### VETERANS

If you are a veteran who has prescription coverage through the Veteran's Administration or TRICARE health plans, the Alliance of Retired

Americans recommends that you stick with that drug coverage, which it calls "at least as good" as Medicare's.

When deciding whether to sign up for Part D, think about your future costs. AARP reported in August 2005 that the costs of drugs most used by seniors are increasing at twice the rate of inflation, rising \$866 in the past five years.

Medicare Part D is designed to encourage you to sign up now. Those who delay enrolling beyond May 15 and don't have "creditable coverage" elsewhere (that is, a legally equivalent plan like the PSC/CUNY Welfare Fund), will find that until they do enroll, the premium cost increases 1% per month.

If you want to sign up, how should you choose among the dozens and dozens of competing plans?

**First rule for this flawed program: buyer beware.**

Make sure you ask what drugs are included. Formularies - the list of covered medications - may be restricted. Choose a provider carefully, and make sure that they cover any medications you must take regularly.

Those with low incomes may qualify for financial assistance, with the government paying the monthly premium cost. But beware: the current edition of *Medicare and You*, a government publication, contains an important error. It lists every plan as free to the low-income, while in reality it is only the lower-cost plans (about one-third of the total) that are covered in this way. If low-income seniors pick the wrong plan, they'll pay full price.

### SNAFU

Incredibly, the Bush administration is refusing to mail out a corrected list. It says the correct information will be available from 1-800-MEDICARE or on the Medicare website. (A recent poll found that only a quarter of Medicare beneficiaries have ever used the internet.)

If you use the internet, you can compare plans with the Medicare Personal Plan Finder, at [www.medicare.gov](http://www.medicare.gov).

gov. But again, beware: when a reporter for National Public Radio asked for the best plan for a hypothetical Iowa widow with diabetes and high blood pressure, the plan recommended by the Medicare website did not cover her diabetes medication.

### WHERE TO GET HELP

So use the Plan Finder as a starting point (or another tool available soon at [www.carxe.org](http://www.carxe.org)), but be sure you ask the right questions before you make your final choice. You can get help figuring out what to ask, and how to choose a plan, from the following sources - over the web or on the phone:

- New York State United Teachers Social Services: 212-533-6300 x113

- NY Health Insurance Information, Counseling & Assistance Program: 212-869-3850 or 800-333-4114

- [www.medicarerights.org](http://www.medicarerights.org)
- [www.consumersunion.org](http://www.consumersunion.org)
- [www.retiredamericans.org](http://www.retiredamericans.org)
- [www.hiicap.state.ny.us](http://www.hiicap.state.ny.us)



## THE CONTRACT

# If you respect our work, give us decent pay

By **MARIYA GLUZMAN**  
Brooklyn College

I am ashamed for CUNY – my alma mater. How can the chancellor ever hope to project a welcoming and attractive image of the University when almost half of its instructional staff is struggling to make ends meet?

Who would have thought the path of an educator would be so like the path of a starving artist? But the impoverished artist works in hope of future recognition. Good luck getting recognition if you're an adjunct! You'll be lucky if you get reappointed.

I began teaching in 2001 in order to combine what I love (teaching) with what I need (an income). But I soon found that my graduate studies had to be relegated to the last spot on my list of priorities. First came my students, then came the rent – which meant I needed to get yet another job, then came my other bills and my health, and only after all that could I think about my studies.

## BREAD AND SOY MILK

During my third year at the Graduate Center I had to take a leave in order to find a means of supporting myself. I got a full-time job in addition to teaching two night courses at CUNY twice a week. I started to eat better, paid off some of my debts – even got some new clothes, which I had not been able to do since I began my graduate education.

But the following year I had to go back to school, which meant stretching myself over two or even three jobs and my studies. With some marketable skills from my previous life, I landed a great part-time job at the Graduate Center. It helped to pay the rent and some of my other bills, but that's it. I still had no savings, no means of improving my livelihood, and no way to pay off my ever-mounting debt. I was also teaching three courses now rather than two, which meant triple the time spent on preparation and grading.

After two years, however, the budget ran out and today I no longer have that nice job at the GC. I have to rely entirely on my adjuncting – which just covers my rent and utilities. And because I spent so many hours working, I did not get very far in my studies. As a result, in addition to all my other expenses, I now have to pay the recently increased matriculation fee of \$750. How am I supposed to do that when some days I survive on bread and soy milk?

## CUNY MUST PAY

I hear that CUNY bosses are entitled to free courses at any campus. That's a nice perk in addition to the raise they gave themselves a little while ago. Since I began teaching, hundreds of students have benefited from my knowledge and support. Upon seeing me in the hallway or around campus my old students often come over to thank me, either for teaching a very useful course or for being helpful and understanding. Some even told me that I inspired them to pursue philosophy as their major. Satisfied students improve the im-

age of the University – and successes like these are the result of hard work by CUNY's faculty and staff.

So, Mr. Chancellor, how about picking up my matriculation fee because I provide such a valuable service to the University? Why stop there: why not pick up my student loans while you're at it? After all, if CUNY had paid me a living wage I wouldn't have incurred so many loans. Oh, and by the way, I am not eligible for any financial assistance – not even a loan – to cover my matriculation.

## CUNY'S SHAME

I know that my situation is not unique. But does the chancellor know? Do the trustees? If they really knew how worthless, unappreciated, and dehumanized all this

quibbling about a couple of percentage points makes us feel, they would be ashamed for CUNY, too.

If you are saddened by my story – don't be. Instead, be outraged. Be angry that in one of the richest countries in the world, in one of the most important cities in the world, so many wonderful scholars and educators are being exploited. And we are exploited not by some sinister multinational corporation, but by a public university. After four frustrating years of being a part-timer at this Wal-Mart of higher education, I decided to become a part-time organizer on my campus.

In sharing my story with you, my aim is not to elicit pity. I am writing to ask you to add your voice to mine and demand a fair contract, for part-timers and full-timers alike.

## Even those who live the life of the mind have stomachs to feed.

## Clarion NOVEMBER 2005

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## POEM

## Poverty and Poetry

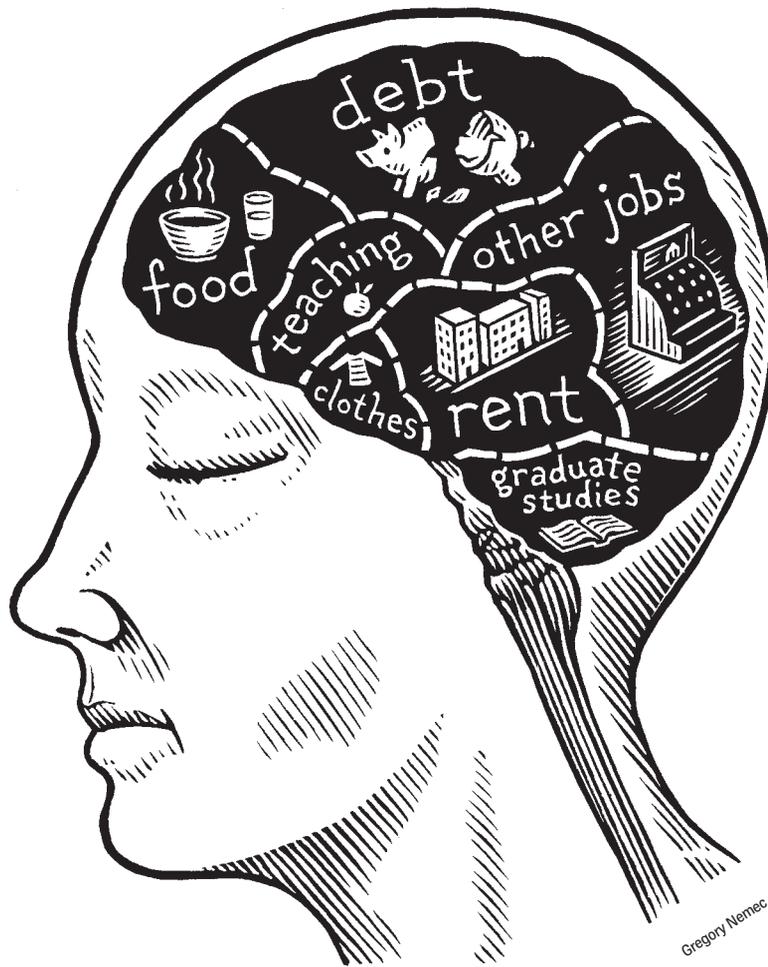
By George Guida

Two sharp letters separate the two.  
One labiodental fricative.  
One palatal liquid.  
One funnel to catch rare rain.  
One springboard run through a bar.

When a politician reminds me,  
You're a poet, he says,  
you're only  
a poet, a professor.  
Don't forget,  
we have you by the day job.  
Don't try to wriggle, boy,  
for poet, poor you shall remain.  
With your vest and tie-clip,  
you could have joined us  
here on the verandah.  
Instead you chose to work the fields.  
You put the extra letter there,  
you forced the r behind the t yourself.  
If you want to talk about  
that seven-character word  
with the children it consumes,  
then starve,  
or if you want a letter lifted,  
stare at us.  
We'll look you in the eye  
and say you wrote  
that sideways less-than sign,  
the abandoned arch, yourself.

With my friends around  
this wing-typed fire pit of sound,  
stranded on this platform of displaced  
resonance  
the politician's threatened to demolish,  
I think now he was only saying None,  
the answer to his silent question,  
How much poetry do people like you need?

*George Guida, assistant professor of English at NYC College of Technology, is author of Low Italian and The Peasant and the Pen.*



# Action on Higher Ed Act uncertain

By DANIA RAJENDRA

House and Senate committees have been slowly moving forward with reauthorization of the Higher Education Act, the main source of federal dollars for colleges and universities nationwide. But as *Clarion* went to press, the odds were rising that Congress would not approve the legislation this year – and education advocates say that might be a good thing.

Student and faculty organizations say that education funding bills that were reported out of committee, H.R. 609 and S. 1614, are rife with problems, including funding cuts for student loans, special favors for for-profit colleges, and threats to academic freedom. There are differences between the two bills, some significant, but Gabriella Gomez of the American Federation of Teachers (AFT) called it a distinction between “bad and really bad.”

As a result of the Iraq war, costs of Katrina reconstruction, and – most of all – tax cuts that mainly benefit the wealthy, the federal deficit is at a record level. In response, Republican leaders in Congress decided to look for deep cuts in the rest of the federal budget. Among the programs on the chopping block is financial aid to college students, which was targeted for billions of dollars in spending reductions.

## RAID ON AID

Under the slogan, “Stop the raid on student aid,” a coalition called the Student Aid Alliance urged Congress not to make “America’s college students the primary contributors to deficit reduction.” The coalition, which includes the AFT and the American Association of University Professors (AAUP), got 203 members of the House to sign on to a letter opposing “the single largest cut in the student aid program’s history.”

Republicans said the criticism was unfair, contending that most of the spending reduction came from scaling back subsidies paid to lending institutions. Student and faculty groups countered that the Republican bills directly raised fees, interest, and taxes for student borrowers. Citing a study by the Congressional Budget Office, they said that \$8 bil-

## AFT, AAUP oppose cuts to aid



Rep. John Boehner, chair of the House education committee, in a hearing on the Higher Education Act

lion in new charges would boost the cost of a typical student’s college loans by \$5,800. Some important aid measures, such as new funds for Perkins Loans for low-income students, would be eliminated.

More broadly, education advocates and Congressional Democrats argued that any savings from lower subsidies to lenders should be devoted to financial aid, not used to pay for tax cuts. The Senate panel took a partial step in this direction by putting more than half of the savings in its bill into additional funding for Pell Grants.

## HOUSE DIVIDED

In contrast, every penny of the House bill’s reductions went to deficit reduction. “The money we’re here to cut today is going to go somewhere else, and those funds will never come back to education,” objected House committee member Rep. David Wu. He failed to sway the panel’s majority, which approved \$15 billion in cuts at the end of October.

But in mid-November, House leaders had to withdraw the \$54 billion budget-cutting measure that included the student aid changes. “In-

ternecine warfare is occurring...between House Republican conservatives and moderates, leaving their leadership without the votes needed to pass a budget measure,” reported the AFT. Congressional leaders pledged to try again the following week. At press time the outcome was uncertain.

For-profit higher education companies hailed both House and Senate committees for lifting or weakening two rules that restrict their eligibility for federal funding. The first, called the “90/10 rule,” requires for-profit institutions to prove that 10% of their revenue comes from a source other than federal student aid. The AFT and AAUP both oppose changing this provision, pointing to the widespread fraud in for-profit education that existed before 1992, when the rule was put in place.

The second, called the “50% rule,” protects students and the government from fraud by mandating that federally assisted undergraduate colleges offer at least half of all courses on-campus and enroll 50% of students in such courses. Student and faculty groups warned

that lifting this rule would lead to a resurgence of internet-based diploma mills.

The House committee takes subsidizing for-profit education even further by including for-profit colleges in the definition of higher education institutions that can compete for federal assistance other than student aid. For non-profit universities, and for faculty working on grant-funded research, this so-called “single definition” would mean more competition for already-scarce federal dollars.

“At a time when the overall pool of federal money is limited,” said Mark Smith of the AAUP, “to open it up to institutions that are in business to make money is an inappropriate use of federal funds. It continues a pattern of favoring the more corporate-oriented sector of our society.”

On non-budgetary issues, faculty organizations are strongly opposed to elements of HEA legislation that threaten academic freedom. House lawmakers are seeking an oversight board that would monitor the politics of scholars at federally funded international area studies centers.

The AFT’s stand against this bill stems from a PSC-sponsored resolution adopted at the last AFT convention. (See the February 2004 *Clarion*, p.10, at [www.psc-cuny.org/communications](http://www.psc-cuny.org/communications).) Conservative legislators want the board to ensure that the centers promote US foreign policy objectives and avoid perspectives deemed to be “anti-American.”

The AAUP’s Smith said that Senate legislation does not include the oversight board, but it would impose new reporting requirements that the AAUP views with concern. “Political considerations should be kept out of academic review,” Smith said.

House and Senate bills both include language derived from the so-called “Academic Bill of Rights” (ABOR) developed by right-wing political activist David Horowitz. While couched in mild-sounding language about ensuring a balance of opinion, the aim of ABOR is to open the door to government surveillance of faculty’s political views. (See the September 2005 *Clarion*, p. 10.)

Faculty organizations see the House version as the worse of two bad bills, but strongly oppose both versions. With these alternatives on the table, it is perhaps not surprising that many faculty and student activists would not be upset if HEA reauthorization does not move forward any time soon. What happens next depends largely on the battle over the federal budget.

## NEXT ELECTION

Unlike the House, the Senate has taken up the Higher Education Act as part of its overall budget legislation. This increased the odds that the HEA would be approved this year, since the need to reach agreement on the budget would put pressure on the House to drop its narrower focus and fast-track its own HEA legislation.

But if the budget bill remains bogged down by divisions in the House, rapid Congressional action on HEA becomes less likely. “It’s not on anyone’s top 10 things to do at this point,” said the AFT’s Gomez. Meanwhile the AFT is working with student groups to make sure lawmakers know that constituents are watching their votes on student aid – and will hold them accountable in the next election.

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