On June 24, the CUNY Board of Trustees voted to approve the new labor contract between CUNY and the Professional Staff Congress. Union members had ratified the agreement in a mail ballot the month before, with 93% in favor and 7% opposed. Full funding for the increases in the new agreement was included in the City and State budgets passed in June. The PSC is pressing for retroactive increases to be paid by late summer; the new salary schedule can be found inside on page 7.

NEW SALARY SCHEDULE APPROVED

FINAL O.K. FOR NEW PSC CONTRACT

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Clarion wins labor journalism awards

By CLARION STAFF

The new look and new attitude of Clarion has been widely recognized in the rest of the labor movement. This spring the PSC newspaper got top awards for excellence in labor journalism from three different national organizations: the American Federation of Teachers (AFT), the New York State United Teachers (NYSUT) and the Metro New York Labor Communications Council.

In the AFT’s 2002 Labor Journalism Awards, Clarion won first place for “General Excellence” among the largest AFT newspapers (those with circulation of 10,000 or more). The judges liked the fact that “rather than just a ‘President’s Column,’ as most publications have,” Clarion has a clearly-marked section for opinion pieces, “leading to their being taken seriously.” Clarion also earned the AFT’s first place for “Best Layout or Graphics,” with praise for compelling photos and an “excellent, well-balanced design.”

The Metro New York Labor Communications Council (known to its members and friends as “Metro”) gave Clarion first place awards in four out of seven categories in its circulation class (15,000 to 50,000). In giving Clarion a first-place award for “General Excellence,” Metro’s judges cited the way the paper served as “a voice of the membership,” its clean and professional layout and “great departments,” such as “15-Minute Activist” and poetry selections.

Clarion’s other first-place awards from Metro were for feature writing (Bill Tabib’s analysis of globalization and higher ed), photography (a shot of adjacent organizer Kristina Lawler at the April 2001 rally at a Trustees’ meeting, taken by freelance Edmar-de Hoopelman) and “Unique Performance” (our roundtable on labor’s agenda for rebuilding NYC after September 11). For this last, which featured articles by speakers at the Labor Day rally UFT, TWU Local 100 and SEIU 32BJ, plus the Five Borough Institute and a labor historian, Metro’s judges remarked, “We loved that they reached beyond their own union for opinions and input.”

The judges for NYSUT’s Journalism Contest chose Clarion for “General Excellence” in its circulation class – and also named it “The Best of the Best” out of all NYSUT’s local papers. “The articles are thorough-ly reported, timely and factual, the layout is crisp and easy to read (and) the photographs are clear and action-oriented,” the NYSUT judges wrote.

Clarion won several additional honors from all three organizations, with both Metro and the AFT high-lighting the paper’s high-quality feature story on the Board of Education President Nina Segarra’s absence from her job at CUNY (which, as a Metro judge noted, “starred up a hornet’s nest”). The special issue of Clar-ion on the PSC contract settlement came out too recently to be considered for any of these awards – but it has sparked unsolicited praise from many union activists. “A model of how to present a contract for consideration and how to communicate openly with the membership,” wrote Steve Finner, the AAUW’s Direc-tor of Chapter Services. “I have never seen a finer piece of work.”

“It’s great to be recog-nized when you do things right,” said Clarion Editor Peter Hynes. “Part of what’s enabled Clarion to be a high-quality publication is that our mem-bers are not shy about telling us what we can do. The letter I hope that will continue to be the case.”

On the value of being an union member

It’s amazing how much more res-onance the voice of a faculty mem-ber has when someone other than a professor is speaking. I have found this to be true in my years as a union leader. Our members are just as sad-dened by the events of 9/11 as others are. We are as angry as others at the perpetrators of the carnage. We are just as afraid of future acts of terror. We are just as determined as any-one to protect and defend our fami-lies, our homes and our city from death-dealing lunatics.

We are not, however, willing to sit silently by while ignorant or cynical leaders use the horror of 9/11 to jus-tify attacks on our fundamental rights and liberties. Terrorism and the philosophical, psychological, social, political and economic forces that sow the seeds of terrorism will not be defeated by suspending the rule of law and the Constitution’s guarantees of liberty and freedom that make America a great nation.

I’m proud that our union is willing to stand up and say this.

— Benjamin Franklin Carney
Bronx Community College

Important to speak out

I am proud and thankful that our union has exhibited the wisdom to understand the dangers inherent in the Bush Administration’s so-called War on Terrorism and the courage to take a stand against it.

Our members are just as sad-dened by the events of 9/11 as others are. We are as angry as others at the perpetrators of the carnage. We are just as afraid of future acts of terror. We are just as determined as any-one to protect and defend our fami-lies, our homes and our city from death-dealing lunatics.

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In 1996, Lori was wrongfully con-victed on terrorism charges and sentenced to life in prison, in a mili-tary trial that was internationally condemned for its total lack of due process. I am grateful for the PSC’s donation to help cover our enor-mous legal expenses, a donation that came after Peru’s Supreme Mil-i-tary Council annulled the charges and remanded Lori’s case to a spe-cial civilian court. The donation was unanimously approved by the PSC Delegatce Assembly (including dele-gates from both caucuses), and it fol-lowed the American tradition of pre-suming innocence.

Lori is not a “terrorist.” President Bush and Secretary Powell are try-ing to resolve Lori’s case, and have spoken to Peru’s President Toledo to encourage a humanitarian resolu-tion. Last year, Lori was acquitted of leadership or membership in a ter-rorist organization, but was convict-ed (without evidence) of “collabora-tion” in the September 11 terrorist attacks. This trial, like the military tribunal, failed to meet international stan-dards of fairness and due process. Our Web site – www.freelori.org – documents the numerous violations.

This summer the Inter-American Commission on Human Rights will issue a report. I hope they will ex-pect her to be fully vindicated.

— Mark L. Berenson
Baruch (emeritus)

Write to Clarion
Letters should be no more than 150-200 words in length and are subject to editing.

Clarion’s September 2001 front page won the AFT’s first prize for graphic design.

Clarion won a number of top honors from AFT, NYSUT and NYC labor press for compelling photos and an “excellent, well-balanced design.”
Union contract gets final OK from Board

By PETER HOGNESS

The new contract between the Professional Staff Congress and the City University of New York has now received final approval. The last step came on June 24, when the CUNY Board of Trustees voted unanimously to approve the agreement.

PSC members had overwhelmingly ratified the agreement the month before, by mail ballot. When the American Arbitration Association (AAA) tallied the vote on May 24, the results were 5,542 in favor (93%) and 386 (7%) against. AAA reported that nearly two-thirds of eligible union members (64%) took part in the ratification vote.

The new contract covers the period from August 1, 2000 through October 31 of this year. The new salary schedules can be found on page 7 of this issue of Clarion.

RETRO PAY

The union is pressing CUNY, and CUNY is working with the City and State, to get the increases in retroactive money paid by late summer. This would be consistent with the treatment of other City workers, who received their retroactive pay about two to three months after their contracts got final approval.

The mail vote by PSC members was the last of several stages in the union's ratification process. After negotiations for the PSC and CUNY reached an agreement on March 1, the PSC Executive Council met on March 7 and voted to recommend the settlement to the union's Delegate Assembly (DA). On March 21 the DA voted to approve the proposed contract and recommend it to the membership.

An important step toward making the agreement a reality came on April 17, when Mayor Bloomberg released an Executive Budget that included funds to cover the City's share of the contract's costs. This was a significant shift in policy, as former Mayor Giuliani had refused to pay the City's share of CUNY's contractual increases since 1996. With Council support, a City budget with funding for CUNY collective bargaining increases was approved June 21 (see p. 4)

New York State officials had indicated for some time that labor reserves had been set aside to cover the State's portion of the contract's costs. However, the State Legislature's end-of-session logjam meant that passage of a pay bill could not be taken for granted. PSC officers made several trips to Albany and remained in close touch with PSC and NYSUT lobbyists right up to the end of the session, when the pay bill was approved and then signed by the Governor.

“We want to thank every person who made this contract happen,” said PSC President Barbara Bowen. “The union negotiating team, the PSC staff and most of the activist members and supporters, who were the key element in our being able to break new ground.”

93% of PSC members vote ‘yes’

PSC and immigrant groups win on tuition

Undocumented immigrant students can pay in-state rates

By PENNY LEWIS

In the final hours of its 2001-2002 session, the New York State Legislature passed a bill that ends CUNY’s recent tuition hike for undocumented immigrant students, enabling thousands to continue their CUNY education at in-state rates.

The new law, which Gov. Pataki is expected to sign, also allows undocumented immigrants to qualify for in-state tuition at SUNY, thereby widening access to public higher education in New York State.

The new legislation came after seven months of activism by students, CUNY faculty and staff, immigrants’ rights groups and the Professional Staff Congress and other trade unions. The PSC took the lead in organizing a coalition to fight for the legislation last fall. “We should be very proud that this bill passed as quickly as it did,” said PSC Secretary Cecelia McCull, head of the union’s Legislative Committee.

“Nothing ever happens that fast in Albany,” she said.

AFTER SEPT. 11

“This is an exciting victory,” said Brooklyn College student Delano Aaron, a member of the New York Public Interest Research Group. “All New Yorkers should be entitled to college. If we single out people who are undocumented, where will we stop?”

Since 1989, CUNY had charged its lowest in-state tuition rate to all New Yorkers, regardless of their immigration status. But in the wake of the September 11 attacks, the University announced that undocumented immigrants would have to pay the higher out-of-state rate, no matter how long they had lived in New York. For those at senior colleges, this meant their tuition was more than doubled – often with less than four weeks’ notice.

CUNY’s said that the change was required to conform to the 1996 Immigration Reform and Immigrant Responsibility Act, which prohibits giving non-citizens higher education benefits unless the same benefit is available to citizens from all 50 states.

COALITION MOBILIZES

Advocates criticized CUNY’s change as hasty and premature. The federal law contained no penalties for non-compliance, and for years CUNY had continued to follow the New York City policy of equal treatment of the undocumented, without sanction.

The coalition argued that a full discussion with the broader CUNY community could have resulted in alternative routes towards compliance, such as a coordinated campaign for the kind of legislation that New York has now adopted. But 80th Street refused to reverse the tuition hike – though after some delay it did join in supporting a legislative remedy.

New York’s new law follows the example of California and Texas, which addressed the federal statute by tying in-state tuition to criteria other than residency. Undocumented immigrant students can be now charged the in-state tuition rate if they graduate from a New York high school after two or more years of attendance; or if they attend an accredited New York GED program and attain their GED; or if they were enrolled at CUNY during the 2001-2002 school year. Students must apply to SUNY or CUNY within five years of graduation or GED certification. In addition, they must file affidavit stating that they will seek to legalize their immigration status.

Aspects of the legislation have raised some concerns for advocates. “The law isn’t perfect,” said Bill Crain, City College Professor and Chair of the CUNY Professional Staff Congress and other trade unions. The PSC took the lead in organizing a coalition to fight for the legislation last fall. “We should be very proud that this bill passed as quickly as it did,” said PSC Secretary Cecelia McCull, head of the union’s Legislative Committee.

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What do you think of the new contract?

Our Roving Reporter asks PSC members what’s on their minds

By EILEEN MORAN
Queens College (retired)

Basic agreement was reached early in the summer on both New York State and New York City budgets. Serious reinvestment in CUNY is still being deferred, but in a generally grim budget year the PSC made gains in some areas.

Both State and City budgets, however, rely on optimistic revenue projections and one-time-only cash infusions or fund transfers. This sets the stage for more budget battles in the not-too-distant future.

The 2002-2003 State budget provides a bit of money for new full-time faculty lines at CUNY’s senior colleges, just $1.06 million. State Base Aid for community colleges went up by $50 per full-time-equivalent student, a total increase of $2.7 million.

Money restored to SEEK ($2.76M) and the College Discovery Programs ($190,000) only returns these programs to their 2000-2001 funding levels, before the damage caused by last year’s “bare-bones” budget.

Childcare funding is also restored to 2000-2001 funding levels with a modest $1.44 million appropriation drawn not from State aid to CUNY but from the Department of Family Services. This reflects a transfer of funds the State received through federal welfare reform.

Along with these modest gains for CUNY, the State budget included an $8.7 million cut, representing the cost of administering financial aid at the senior colleges. These costs will now be picked up by federal funds through the Higher Education Services Corporation (HESC), so this is not costing CUNY money. But it does mean that the State has scaled back its aid to CUNY’s operating budget.

CONTRACT INCREASES

In the meantime, the PSC scored some legislative successes in Albany, including approval of funds for the increases in the new union contract, and the defeat of Governor Pataki’s attempt to cut the Tuition Assistance Program (TAP) by $155 million (see sidebar).

City support for CUNY’s community colleges went up significantly, reflecting the PSC’s education and lobbying efforts with the new class of Council members and the new Mayor. City operating budget support increased from last year’s $101 million to $123.7 million this year. In a major shift from the Giuliani years, $15.7 million of this went to fund collective bargaining increases (see page 9). When funding of retroactive increases is included, additional City funding for the new contract adds up to $40 million.

Mayor Bloomberg had proposed $12 million in programmatic cuts, $7 million of which were restored by the Council. While the City’s overall capital plan for CUNY is reduced for this year, a much-needed $2.5 million was committed for the new academic building at Medgar Evers College, along with $5 million for community college projects.

While the Council sought some tax increases and a restoration of the commuter tax to avoid cuts in other areas, the Mayor held firm to his position that Albany would not even consider significant revenue increases in an election year. But Bloomberg hinted that taxes would get another look next year, when new revenue will be needed more than ever.

ONE-SHOTS

Both State and City budgets are based on somewhat optimistic revenue projections, and so may not survive intact through the end of the 2002-2003 fiscal year. And if they do, many of the one-shot methods used in both cannot be employed again, so the pressure on next year’s budgets will be intense in any case.

Even with an economic rebound, significant increases in CUNY’s funding are unlikely unless the State and City begin to raise additional revenue. NYSUT is now proposing a temporary, two-year income tax surcharge on those earning over $186,000, which could generate $8 billion for education.

By Kristin Lawler

A mixed bag in State and City budgets

PSC scores legislative wins

The end of the legislative session in Albany brought success on several PSC priorities:

• A pay bill covering PSC collective bargaining increases (see page 9). Together, State and City budgets included $140 million in new funding for the contract.
• Fair tuition for undocumented students. The PSC worked to get a broad coalition that won this uphill battle (see page 3).
• An Early Retirement Initiative in which CUNY will participate (see page 9).
• Defeat of Governor Pataki’s attempted raid on the Tuition Assistance Program.

Pataki had proposed holding back one-third of each student’s TAP grant until after graduation.

• A new law prohibiting purchase or sale of sweatshop-made clothes at SUNY and CUNY.

By Eileen Moran

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Photos: Kristin Lawler
Welfare Fund changes are on the way this fall

If no changes were made, the Fund’s reserves would be gone by 2004.

By Peter Hogness

Starting this October 1, the PSC/CUNY Welfare Fund will require that mail-order be used for the second refill of a drug prescription, and will not cover drugs for which an equivalent can be purchased over the counter. More changes will be coming in the Fall, in response to a long-building crisis in the Fund’s finances.

A series of campus meetings are being planned for Fall semester, at which members can learn about the Fund’s crisis and discuss how they think it should respond. “It’s important that members’ voices be heard as we decide what the next step should be,” said Steve London, PSC Fund’s crisis manager. “We can’t allow that, for the last six years. In 11 of the last 14 years, the WP has run at an operating deficit. The WP has been dipping into its reserves to cover the gap, but those are now getting dangerously low. If nothing were to be done, the Welfare Fund would spend down its reserves to nothing by sometime during the year 2004,” explained Rina Yarmish, Welfare Fund Treasurer and PSC Chapter Chair at KCC. “We can’t allow that, so that means we need to take action now.”

The Welfare Fund Trustees have been examining what kinds of changes could put the Fund on a more solid financial footing. A Strategic Planning Committee first met last November and delivered its report in March, with changes in prescription refills and over-the-counter equivalents among its recommendations.

The change in drug prescription refills will take effect October 1, 2002. It will only affect members in health plans affiliated with the NPA prescription plan: GHI-CBP, Choice Care, HealthNet (formerly PHS) and Blue Choice. Starting with the second refill of a prescription (that is, the third time a drug is ordered), the drug must be obtained by mail-order. “This is basically for maintenance drugs,” said WF General Administrator Norma Frey. “By mail-order you generally get a 90-day supply.” The change will mean a significant savings to the Fund, said Frey, “because every time someone goes to the drug store it costs us a dispensing fee.”

Mail-order has long been available as an option, with order forms available from CUNY personnel offices or the WF office. Instructions on the new policy will be mailed to plan participants, and WF staff will be available to answer members’ questions.

The change on drugs available over the counter (OTC) also will go into effect October 1. “Any drugs for which an equivalent is available without a prescription will no longer be covered,” said Frey. This most often means OTC drugs that are also available in prescription form at a higher dose. “For instance, you can get the antacid Zantac over the counter in a 75 milligram tablet,” said WF Associate Administrator Estelle Giammusso. “Your doctor can give you a prescription for a stronger tablet, with a dose of 150 milligrams, but as of October 1 this will not be covered.” If a doctor recommends that a patient take the higher dose, Giammusso explained, two of the OTC pills can be taken instead.

As the WF makes changes, it will also explore where improvements to coverage may be possible. The WF Trustees’ June 13 meeting adopted one coverage enhancement, removing the plan’s exclusion of oral contraceptives.

REORGANIZING

The Trustees also decided to issue Requests for Proposals or Requests for Information (RFPs or RFIs) in several areas, to see which providers could provide the best value on a reorganized benefit package. Requests are being issued for administration of the prescription drug plan, the dental plan and life insurance. An additional RFP asks for proposals on ways to rationalize the current patchwork of extensions to basic benefits (the GHI optional rider, Cigna Major Medical, Marsh [formerly Wohlers] Catastrophe), for the Fall, the Trustees will inform members about the choices faced by the Fund and hear what they think should be done. Clarion will carry more news about the meetings and the Welfare Fund in the Fall. In the Municipal Labor Committee’s multi-union bargaining over benefits, the PSC pushed hard for a big boost in management’s Welfare Fund contributions. Though a large increase was achieved in the round of bargaining last year, it was not enough to eliminate the program.

A NATIONAL PROBLEM

“The only long-range solution, Yellowow said, is a national program. Otherwise skyrocketing prices will just outrun the ability to keep up, whether a program is financed by the employer or employees.”

“This is a nationwide problem,” commented the WF’s Giammusso. “Why can other countries get the same drugs at one-third of the price? Because they have price controls, and national health plans that beg-“The consensus at the RF is that the union’s actions and their office are insulting,” says Dion Brown, RF Chapter Secretary and member of the negotiating team. “Reverting to the option of two months ago, with no movement on their side, is no way to reach an agreement.”

Management says it cannot afford higher salary increases. “Their cry of poverty is ludicrous,” says Brown. “Members are patient in their resolve. They know that we’ve waited this long and we can wait a little longer.”

RF negotiations stall on salaries

Negotiations for workers at the CUNY Research Foundation are currently stalled, with RF management offering a package similar to one they proposed in May.

Management’s proposal includes a five-year agreement with salary increases of 2½, 2½, 3½ and 4½ per cent. RF staff say this doesn’t make up for the low pay at the Foundation.

“When you’ve been working somewhere for nine years, you expect to get a [salary] increase,” says Antoinette Morizio, RF Chapter Vice Chair. “I’ve seen little in nine years.”

“The consensus at the RF is that management’s actions and their office are insulting,” says Dion Brown, RF Chapter Secretary and member of the negotiating team. “Reverting to their offer of two months ago, with no movement on their side, is no way to reach an agreement.”

Management says it cannot afford higher salary increases. “Their cry of poverty is ludicrous,” says Brown. “Members are patient in their resolve. They know that we’ve waited this long and we can wait a little longer.”

IN BRIEF

Close on the heels of Gov. Pataki’s appointment of John Bonnici to the CUNY Board of Trustees, the trustees appointed four new members. Deputy Mayor for Legal Affairs Carol Roberts-Roman, a former lawyer in the State Civil Service department, was appointed by Mayor Bloom-berg and took her seat in June. Rataki appointed Dr. Hugo Morales, a psychiatrist and former medical director of the Bronx Men-tal Health Center, also began his term in June. The Board’s first Dominican member, Morales was a member of Hostos Community College’s Advisory Board. Investment banker Valerie Lancaster Beal, a Georgetown University regent and a regular speaker for the COPP, was appointed by Mayor Bloom-berg and took her seat in June. Pataki appointed Dr. Hugo Morales, a psychiatrist and former medical director of the Bronx Mental Health Center, also began his term in June. The Board’s first Dominican member, Morales was a member of Hostos Community College’s Advisory Board. Investment banker Valerie Lancaster Beal, a Georgetown University regent and a regular speaker for the COPP, was appointed by Mayor Bloomberg and took her seat in June. Pataki appointed Dr. Hugo Morales, a psychiatrist and former medical director of the Bronx Mental Health Center, also began his term in June. The Board’s first Dominican member, Morales was a member of Hostos Community College’s Advisory Board. Investment banker Valerie Lancaster Beal, a Georgetown University regent and a regular speaker for the COPP, was appointed by Mayor Bloomberg and took her seat in June.

Adjunct health care talks

New York City officials met with the PSC in June to discuss the PSC’s proposal to include eligible adjuncts in the City health plan. While the City was non-committal, it agreed to a confidential review of the union proposal; the City and CUNY are collecting additional data to finalize cost projections. The PSC raised the adjunct health care issue during final City budget talks in mid-June, while the City was negotiating with the Municipal Labor Committee, a coalition of City worker unions that includes the PSC. The PSC has been discussing the adjunct health care issue with other worker unions that includes the PSC. The PSC has been discussing an expansion of City funding for pension costs. The City agreed to expedite review of the Fiscal Budget Committee, a coalition of City worker unions that includes the PSC. The PSC has been discussing an expansion of City funding for pension costs. The City agreed to expedite review of the Fiscal Budget Committee, a coalition of City worker unions that includes the PSC. The PSC has been discussing
Downgrading CUNY?

By TOMIO GERON

For faculty and professional staff at CUNY’s four Educational Opportunity Centers (EOCs), bargaining for a new contract has become a battle over the future of the institutions themselves. EOC faculty and staff in the Bronx, Manhattan, Brooklyn and Queens want to continue their 36-year tradition of providing academic and skills training for disadvantaged communities. Without a contract since July 2000, they say management’s demands to cut salaries and benefits are part of a broader effort to distance the centers from the rest of CUNY and transform them into purely vocational training centers.

The focus on workforce development would be a major shift for the EOCs, which have historically had a balance between job skills courses and a preparatory curriculum for college.

Many EOC faculty are Lecturers, but management wants to stop using this title and bring new hires into a new lower-paid “Teacher” title with a higher workload. Instead of annual salary increments, management has proposed that annual evaluations determine whether any increases are given at all. These changes would result in a lower-paid, less-skilled faculty for the Centers.

Downgraded EOCs would be especially unfair to the city’s communities of immigrants and people of color, say PSC members at the EOCs. “We’re able to reach people who are difficult to reach,” says Gene Plunkett, a member of the union negotiating team and Manhattan EOC chapter chair. “We’re able to deal with people who have nothing. And we’re able to make them begin to believe in themselves, not only to qualify for jobs but also to go on to get a B.A. When you help individuals like this, you help the community.”

NUMBERS GAME

The EOCs, which are operated by CUNY but funded by SUNY, also run New York State “Bridge” welfare-to-work programs. The EOCs now appear intent on accelerating students into workforce training programs, to show higher numbers for getting people off welfare, EOC faculty say. This shift would demphasize the track towards a B.A., which takes longer to move large numbers into paying jobs. Many welfare-to-work programs have been criticized for pushing individuals into low-paid service sector jobs with little room for advancement. “The EOCs always thought of themselves as preparing students not for low-level jobs they’ll just lose, but for a real career path,” says Amy Nicholas, Brooklyn EOC chapter chair. Management says they’re simply responding to the demands of students. But when the PSC has asked for proof of this, management has provided none.

The union bargaining team sees such a shift towards workforce development as part of a significant shift in state policy to reduce access to higher education. The Pataki administration has proposed cuts to New York’s Tuition Assistance Program, and recently argued in court that the State is obliged to provide children only with an eighth-grade education.

SALARY PARITY

“If SUNY and CUNY management want to fundamentally change the EOCs, they need to hold open, public dialogue,” says PSC President and lead negotiator Barbara Bowen. “Contract negotiations are not the place to impose a new, downgraded model on these Centers.”

EOC members aren’t about to roll over to EOC demands. “We have a clear management’s positions,” says Plunkett. “Negotiations have been tough, but I think management has understood that we cannot agree to demands that would undermine the EOCs,” says Bowen. “I’m hopeful that we’ll be able to make progress in the next few weeks.”

The Educational Opportunity Centers

By AMY NICHOLAS

Brooklyn EOC Chapter Chair

What are the Educational Opportunity Centers? Since many PSC members know little about the EOCs, I have been asked to provide some information about what we do – to provide a map of our terrain.

Originally created as the “Urban Centers” of SUNY in 1966, the EOCs were the brainchild of the late Governor Nelson Rockefeller and a group of state legislators from Brooklyn and upstate, led by Assemblyman Arthur Eve of Buffalo. Their thought was to create a series of educational institutions throughout New York that would offer an opportunity like nothing then on the landscape. The Urban Centers’ mission was to give the educationally disadvantaged, the marginally skilled and the displaced employees an opportunity to acquire skills in a wide range of educational and technical/vocational areas, with support from counseling, job-placement and college-placement professionals. The idea was both to improve students’ job prospects and broaden their educational horizons. The Urban Centers were renamed the Educational Opportunity Centers in the mid-1970s.

FIGHTING POVERTY

In the last 36 years, the EOCs have helped countless students reach goals that others were unwilling or unable to help them tackle.

In the last 36 years, we have helped countless students reach goals that others were unwilling or unable to help them tackle. When we look back we see our students who became college professors, computer technology specialists and business owners. One became director of an EOC, while another became a Regent of the State University of New York. We believe this is what the formulators of the EOC concept had in mind in 1966, when they forged this affiliation between the City University of New York and ourselves.

The first lecturers at the Brooklyn EOC were employees of New York City Technical College and members of the United Federation of College Teachers (UFCT). When the UFCT merged with the Legislative Conference to form the PSC in 1972, the Public Employees Relations Board ruled that EOC faculty and staff in New York City should be included in the PSC.

MISSION QUEST

The union contract for the CUNY-affiliated EOCs is now being negotiated, well after the negotiations for CUNY as a whole. Management negotiators are seeking to decrease workloads, de-professionalize job titles and drastically alter the structure of the EOCs. EOC faculty and staff members are finding that the PSC leadership are fighting these attempts to downgrade the EOCs. We hope we are successful in our quest – because what is at stake is the survival of our original mission.
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**Notes:**

- **Salary Schedule:** The salary schedule for each position is determined based on the number of credits earned by the employee.
- **Salary Increase:** Employees receive a salary increase of 3% per year.
- **Salary Cap:** The maximum salary for each position is $150,000.

**Scheduling:***

Scheduling is available for all positions and can be obtained by contacting the Human Resources Department. For more information, contact the HR Department at (212) 995-1234.
Edison schools on the edge

Investor confidence shaken by SEC probe

By TOMIO GERON and PETER HOGNESS

When Edison Schools Inc. made its pitch to the cash-strapped, under-performing Philadelphia schools, it stressed the investments it would make in students. Edison’s flashiest promise was that students at its schools would get free computers. But to investors, the nation’s largest for-profit school company was singing a different tune. In a June conference call, CEO H. Christopher Whittle assured stock market analysts that at Edison, “a trend is decreased capital spending per student.” A new focus will be pulling out of schools which are hurting Edison financially. “We will be ending some with poor economic performance,” Whittle said coolly.

The conference call was an attempt to quell rising Wall Street anxiety about Edison. The company’s stock price has been dropping steadily since January, losing 45% of its value and falling to less than a dollar per share in early July—below the minimum required to stay listed on the NASDAQ.

ALIVE & WELL?

“We’ve very disappointed with the pace of events,” said site spokesperson Adam Tucker told Clarion. “But companies don’t go out of business because the stock price is low. Edison remains alive and well.”

More and more investors, however, think that Edison is badly injured, especially since the May 14 announcement of a Securities and Exchange Commission (SEC) investigation of Edison’s accounting practices. The SEC said that Edison had greatly overstated its revenues, and that $154 million of $376 million reported for 2001 was actually not revenue for $10 million for example, this figure included money that was paid directly by school districts to teachers and was never handled by Edison in any way.

The SEC said that Edison was in “technical compliance” with accounting regulations, and reached a settlement without imposing penalties. But it was Edison’s reported revenue growth that had made its stock such a rising star. The SEC probe was thus a severe blow to investor confidence, but only the most recent: the company’s stock had already been hurt by a string of revelations about its for-profit education business. The SEC report was on, for example, the low salaries and benefits paid to teachers, the lack of legal safeguards for student data, and the company’s failure to meet its promises to improve test scores.

Edison has won over many school districts with the claim that private management can deliver better education for less. The company outsources its 10-point program, which includes a longer school year, longer school days and keeping students with the same teacher for two years. There is increasing evidence, however, that Edison has often failed to deliver in three key ways: a growing number of districts say that costs have gone up, test scores have not, and some educators are concerned that Edison may try to ease out high-cost students.

BALLOONING COSTS

In May the Boston Renaissance School, one of Edison’s original charter schools, said it was terminating its contract three years early due in part to test scores below city averages. In January, the Wichita school district terminated Edison at two elementary schools after five years, in part due to poor test scores. And in one of Edison’s biggest “clusters” in Dallas, the school board will decide in August whether to continue its came at a steep price, with interest rates reportedly in the teens.

While Edison is struggling, some of its executives have not done too badly. CEO Whittle paid himself $22.3 million in compensation and fees from 1995 to 1999. Edison paid additional money—$1.07 million over the same period—for services to WSI Inc., a company whose sole stockholder is Whittle. In the year after Edison’s November 1999 IPO, Whittle got rid of 5.8 million Edison “A” shares, which means he may have pocketed $100 million or more when Edison’s stock was riding high.

Edison Chairman Schmidt, who is also interim head of the CUNY Board of Trustees, sold 60,000 of his shares between September 2001 and March 2002, according to Insider Form 4 SEC filings and Vickers Stock Research. Most were sold before Edison’s stock started declining in January; they went for about $1 million altogether, or an average share price of around $15. Like Whittle, Schmidt has received large personal loans from Edison. In late May, for example, they were $25.3 million in compensation and fees.

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An independent evaluation of Miami-Dade County Edison schools, commissioned jointly by local officials and Edison, found that after four years, “the project failed to comparatively improve the students’ academic achievement.” Overall, the report concluded, “the evaluation failed to produce any evidence that the Edison model represents a superior educational program.”

Other studies sponsored by the AFT and the National Education Association have found similar results, frequently due to high teacher turnover and inexperienced teachers.

At the same time, Edison’s claim that it can increase efficiencies and spend less has produced a growing number of skeptics. During the 2000-2002 school years, schools in San Antonio, Wichita and Hamden, CT cancelled Edison school contracts because of high costs. In many schools, Edison’s costs exceeded what school districts were prepared to pay: provisions in Edison contracts can cause the costs to school districts to balloon unexpectedly.

Philadelphia activists are concerned that Edison’s focus on the bottom line will not produce adequate support to a population that is more than 80% students of color, or to the almost 20% of Philadelphia students with “special needs” (a definition that includes ESL students). “There are concerns about the mission of this company and addressing these needs,” Helen Gym of Philadelphians United to Support Public Schools told Clarion.

SHUNNING?

Critics in San Francisco say that in their city, Edison has shunned immigrants, people of color, students with special needs and pupils likely to score lower on standardized tests protest from a wide range of community groups, parents, students and the Philadelphia Federation of Teachers (PPT). In the end the School Reform Commission gave Edison only 20 schools for this fall, instead of the 45 that had been expected.

Much about Edison’s plans for Philadelphia remains uncertain. Many teachers at the 20 Edison schools are terminally bored with the idea that subjects they will be asked to teach. Edison has removed some principals; a number of teachers are transferring out; and the PPT has filed legal challenges, alleging violations of its collective bargaining agreement.

“I look up the Edison stock almost every day,” an eighth grader told The New York Times. “I feel like they’re going to take us down.” Edison will not go bust before September. But its medium-term future is murky, and Philadelphia officials have now turned to the idea of for-profit management of public schools, a sort of “privatization lite.” Now the viability of that idea, too, is being put to the test.

Edison’s original business plan was to launch a nationwide chain of schools that would be privately owned. When that proved unrealistic, it turned to the idea of for-profit management of public schools, a sort of “privatization lite.” Now the viability of that idea, too, is being put to the test. So far have led many—both educators and investors— to ask: is public education really a good way to make a buck?

Some districts give it a failing grade

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Good rates on insurance – and roller coasters

PSC brings you a wide range of services

By TOMIO GERON

Your union membership opens the door to a wide variety of services from the PSC, its affiliates (New York State United Teachers, the American Federation of Teachers and the AFL-CIO) and the PSC/CUNY Union Fund. Mortgages, lawyers and theater tickets are all there for you at low cost – so take advantage of these benefits.

LEGAL SERVICE PLAN
NYCUT’s Legal Service Plan offers unlimited access to toll-free legal advice on weekdays from 9 am to 5 pm, or e-mail them at Benefits at 800-626-8101, weekdays from Oct. 31, 2002 to Jan. 28, 2003.

HEAT USA
Join with 27,000 homeowners who are members of HEAT USA to receive substantial discounts on heating oil, free service calls, and free annual cleaning and tune-ups from top-rated heating oil suppliers. HEAT members save $200-$300 per year through their combined purchasing power. For more information log on to http://www.heatusa.com. To join, call 888-HEAT-USA and mention you’re from the PSC: you’ll pay only $25 for the first year and your second year is free.

HOME MORTGAGE AND FINANCING
The AFT offers services for buying, selling or refinancing your home. Competitive mortgage rates, with down payments as low as five percent for first-time buyers, are available. Other benefits include pre-approval by-phone for first-time buyers, quick decisions on loan applications and financial assistance for those who become disabled. Not sure which way to go? The AFT also offers real estate advice from program counselors. For more information, call 800-981-3783.

THEATER MANIA
Theater Mania’s Gold Club annual membership entitles you to a year’s worth of complimentary tickets and substantial discounts to Broadway, Off-Broadway, Off-Off Broadway and Long Island theater, comedy, dance, music and family events. PSC members can obtain a membership for $59 – a 40 percent discount. For further details visit http://www.theatermania.com or call the PSC membership department at 212-354-1235. To join, log on to http://www.theatermania.com/psc.

Your Benefits

YOUR BENEFITS

about the AFL-CIO program, call toll-free to 866-HIT-HOME; for the Credit Union call 212-354-2338.

AMUSEMENT PARK TICKETS
The PSC has discount ticket offers for various theme parks, including: Six Flags Great Adventure (NJ), The Great Escape & Splashwater Kingdom, Busch Gardens, Sea World, Sea Island, Sea World, Busch Gardens and Sesame Place. Call the PSC/Alamo, use ID number: 93643 and get exclusive member rates! You’ll pay only $25 for the first year and mention you’re from the PSC: members. For more information, call the PSC member department at 212-354-1252.

Buying Plan

By Clarion Staff

On June 24, the CUNY Board of Trustees voted to participate in the 2002 Early Retirement Incentive. The state legislature has two parts. Open enrollment period for both is from Oct. 31, 2002 to Jan. 28, 2003.

A is for instructional staff at least 50 years of age with 10 years of service at the time of retirement. TRS/ERS members receive one month credit for each year of service up to a maximum of 36 months, and TIAA/CREF members receive a percentage of salary up to a maximum of 45 percent, distributed in a lump sum to their pension or IRA.

B is for instructional staff who are in TRS or ERS in Tier II, III or IV, are at least 55 years old and have 25 years of service. This incentive will temporarily eliminate the onerous benefit reduction for individuals who retire after age 62.

For updates, check the PSC website (www.psc-cuny.org). Clarion will carry more details in September.

CUNY OKs retirement incentive

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Our federal agenda

By CECILIA MCCALL

The PSC has become more politically active, and in recent months we have developed a full-scale legislative agenda. It has taken many hours of work by dozens of people on many union committees, but we have taken on this task for a very practical reason. Since federal and state policies affect us, we must do our best to affect them.

We have an impact on federal and state policies through our affiliates, in particular the American Federation of Teachers (AFT) and the New York State United Teachers (NYSUT). The PSC has worked to be involved in the policy decisions of both organizations, and the NYSUT Representative Assembly in April approved several PSC sponsored resolutions (see May 2002 Clarion). We are bringing a number of proposals to the AFT convention in July, which I’ll summarize in this column. Taken together, they add up to the PSC’s views on a national agenda, as defined by the resolutions of our Delegate Assembly. (Full text of all resolutions can be found at www.psc-cuny.org.)

FINANCIAL AID

Several PSC proposals focus on the reauthorization of the Higher Education Act (HEA), the basic law on federal support for higher education. First enacted in 1965, the HEA was designed to make college accessible to all qualified students regardless of ability to pay. But today too many find that cost a barrier. Several PSC Pell grants covered 80% of average public university tuition in 1979, but today cover only about 40%. Yet postsecondary education is now more essential than a high school diploma was in 1960. The PSC therefore urges an increase in the size of Pell grants and a fully-funded program.

Working people must often upgrade their skills to remain employable. Many have to attend college part-time while working full-time, and in New York it is not uncommon for parents and children to be enrolled at CUNY. The HEA must not limit financial aid to a family or household when several members attend college simultaneously. Financial aid eligibility should be proportionate to the number of enrolled credits per semester.

To make a college education truly accessible, federal support for campus-based child care must be expanded. As a recruitment and retention incentive, campus child care should also be available to faculty and staff.

The PSC is seeking support for faculty development, to enhance the recruitment and retention of diverse faculty and graduate students. A number of studies have identified both subtle and blatant patterns in faculty hiring and promotion that perpetuate privilege in spite of the increased diversity of the pool of highly qualified candidates.

The PSC is concerned that immigrant students’ civil rights, including the right to privacy, may be violated in the aftermath of last year’s terrorist attacks. It’s important for the AFT to take a strong stand in support of immigrant rights, including opposition to discrimination in tuition charges for undocumented immigrant students.

The PSC also opposes the Bush Administration’s policies of expanded war and permanent militarization (see below), which threaten both our civil liberties and funding for education and other human needs.

TAXES AND DRUGS

The high cost of prescription drugs is jeopardizing the viability of union health plans. The PSC supports a universal, comprehensive prescription drug benefit through Medicare that would make prescription drugs affordable to senior citizens. The major workplace health and safety issue for our members is indoor air quality, and the PSC wants the federal government to ensure that educational buildings meet national standards for supply of fresh air.

The PSC opposes schemes for the privatization of Social Security. The collapse of Enron is a timely reminder that such plans do not guarantee income at retirement, which is the main goal of Social Security. We also urge federal action on the crisis in affordable housing, which is a serious obstacle to recruiting and retaining teachers at CUNY and other urban public universities.

Finally, the PSC will ask the AFT convention to pass a resolution on tax policy. US taxes have become regressive, with large reductions for the wealthiest corporations and individuals. This has undermined funding for public education. A more progressive tax system is essential to the ability to provide a quality public education, from pre-K through college.

Cecilia McCall is PSC Secretary and Chair of the PSC’s Legislative Committee.

The May Clarion included viewpoints on war and peace, part of a two-month discussion that the PSC’s Delegate Assembly initiated in March. On May 30, PSC delegates adopted a resolution titled “Resolution Opposing Expansion of US Military Campaigns in a Permanent and Unconditional War on Terror”; excerpts are below. Regrettably, space limitations necessitated an edited version; full text can be found on the Web at www.psc-cuny.org/psc-currents.htm. PSC delegates last year’s terrorist attacks. It’s important for the AFT to take a strong stand in support of immigrant rights, including opposition to discrimination in tuition charges for undocumented immigrant students.

The PSC also opposes the Bush Administration’s policies of expanded war and permanent militarization (see below), which threaten both our civil liberties and funding for education and other human needs.

TAXES AND DRUGS

The high cost of prescription drugs is jeopardizing the viability of union health plans. The PSC supports a universal, comprehensive prescription drug benefit through Medicare that would make prescription drugs affordable to senior citizens. The major workplace health and safety issue for our members is indoor air quality, and the PSC wants the federal government to ensure that educational buildings meet national standards for supply of fresh air.

The PSC opposes schemes for the privatization of Social Security. The collapse of Enron is a timely reminder that such plans do not guarantee income at retirement, which is the main goal of Social Security. We also urge federal action on the crisis in affordable housing, which is a serious obstacle to recruiting and retaining teachers at CUNY and other urban public universities.

Finally, the PSC will ask the AFT convention to pass a resolution on tax policy. US taxes have become regressive, with large reductions for the wealthiest corporations and individuals. This has undermined funding for public education. A more progressive tax system is essential to the ability to provide a quality public education, from pre-K through college.

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PSC resolution on war & peace

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Whereas, we write as New Yorkers, as unionists and as people who have dedicated their professional lives to open discussion of complex questions; and

Whereas, our location in New York means that we have felt and continue to feel the effects ranging from minor dislocations to profound grief of the murderous attacks of September 11, and that we take seriously the danger of future attacks; and

Whereas, the members of the PSC were among the many people who responded magnificently to the catastrophe and who suffered terrible loss that day; and

Whereas, public discussion in the United States of the way to create domestic security has been narrowly focused on war, neglecting issues that contribute to domestic insecurity such as US foreign policy, the consequences of globalization, inequities in the distribution of wealth, and others; and

Whereas, modern weapons mean that heavy loss of civilian life is now an intrinsic part of war, not an accidental consequence: according to the United Nations Conference on Children, 90% of war casualties are now civilians, as opposed to 5% during World War I; and

Whereas, [PSC] members expressed many different points of view in [our union’s] discussion, but consistently raised three themes: condemnation of the terrorist attacks, concern about security and the domestic consequences of war, and opposition to expansion of war; therefore

Be it resolved, that the PSC reaffirm the resolutions it passed unanimously on September 20, 2001, which condemned the terrorist attacks of September 11, extended sympathy to those grieving for people they loved, and offered solidarity with fellow workers in a time of mourning; and

...that the PSC oppose the unconditional expansion of military campaigns by the United States as a substitute for a strategy in response to September 11th that would genuinely protect collective security and individual freedom, in a manner consistent with our Constitutional principles; and

...that the PSC call for public education and a broad public discussion of how to create real and lasting security that goes beyond war as the only solution, considering such issues as US foreign policy, the consequences of globalization, and inequities in the distribution of wealth; and

...that the PSC oppose the federal funding priorities that cannot be separated from a commitment to expanded war and permanent militarization: austerity for labor and disinvestment in education, health care, environmental safety and other human needs; and

...that the PSC oppose the curtailing of civil, human and immigrant rights and of academic freedom for both students and faculty that is also directly related to expansion of war and permanent militarization; and

...that the PSC continue the union discussion begun this spring on war and related issues at AFT and university-wide meetings during the 2002-03 academic year, for such a discussion will strengthen us as a union, deepening our practice of democracy and participating in the richest tradition of unionism; and

Be it further resolved, that the PSC [join with others] in proposing an agenda that frees all people from terror and promotes peace through justice.
Union summer

By BARBARA BOWEN
PSC President

Taking stock

Union summer

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TAKING STOCK

Union summer

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e thing that makes union work different from academic work is that it lacks the graceful rhythm of the academic year. There’s no equivalent to that true New Year of the first day of classes in September (“The only holiday I celebrate,” as one of my colleagues says), or the double sense of ending and beginning that comes in June. Even for those who are not in the classroom, I suspect, the academic rhythm asserts itself, as labs and libraries become quieter in the summer and the focus of work shifts inward. If union work did have a regular rhythm, right now might be considered the end of a very long semester. Negotiations on our contract have finished, members have ratified the contract and the approvals of City, State and Board are finally in place. This may be our best chance to claim a moment for reflection.

What has the union accomplished, besides the contract, in the last two years? Has there been any kind of transformation we hoped for? What strength have we built for the tough years ahead? How will we, as we are made to feel the constriction of the economy after 9/11, the budget cuts that will follow an election year, and the pressure put on unions by a war economy? I asked the Executive Council to help me assemble a short-hand answer to those questions. Summer (even for unionists) is the season of the list, and I thought a list would be a good way to measure where we’ve gone together and where we can hope to travel.

Enjoy the summer.

Barbara Bowen, PSC President
The novel law professor

By RUTHANN ROBSON
CUNY School of Law

Do you aren’t going to believe this,” one of my students stopped me in the hall to tell me. “There’s a novelist who has the same name as you do.”

“It could be me,” I laughed. “No, I don’t think so. You’re just my constitutional law professor.”

To many, the idea that professors have lives apart from their appearance in class or on campus can be unsettling. I remember only too well in my own student years when I was shocked to see one of my law professors driving down the road with a fishing boat atop his car. Of course, I knew he existed outside of the law school, but more than I like to admit I thoughtlessly assumed he spent all of his free time perusing arcane regulations. I mean, really, could someone who taught Tax actually bait a hook?

So I understand that some of my students find it odd that I have published several novels, volumes of short fiction and other creative works. If I were an English professor, my students might not find this curious at all and I would have been able to use these creative works to support my application for tenure and promotion. But given my role in academia as a professor of law, my creative work is most often viewed as an anomaly.

Assumptions about aberrance run both ways. At a writers’ reception, I become involved in a conversation about a controversial United States Supreme Court case and mention that I have just written an article about it. Another writer protests, “What makes you think you’re qualified to do that?” When I confess to being an attorney and law professor, I’m met with a dismissive response: “Oh, I thought you were a real writer.”

The law professor/novelist combination is not without its boosters, however. My agent thinks this would be a perfect combination for the mysterious and legal thrillers that have become so popular in recent years. I’ve even had interviewers suggest to me that I might combine my knowledge of law with my writing, as if the idea had never occurred to me. Unfortunately, I’m more interested in what is often disparagingly called “literary fiction” than in courtroom dramas, much to my agent’s continuing disappointment.

Which is not to say that I avoid legal and academic themes and settings in my creative work. The characters in my fiction have included several lawyers, a law student, an English professor who sues her university over an environmental illness, and—most fun—an actor playing the role of a lawyer on a soap opera.

But my characters have also been nuclear power plant inspectors, ballet dancers and exotic dancers, a clerk at the DMV, fortune tellers, guitar players and the unemployed. They have lived in places I have lived or visited. They have done some things I’ve done other than be a law professor and many things I haven’t: they’ve driven across the country, gone snorkeling, had sex in a grocery store, endured medical procedures, fallen in love, had children and mourned a child’s death, rescued wolves, kicked drug habits and had numerous dogs, cats, meals, shoes, ex-lovers, almost-lovers, friends, brothers and co-workers.

While there are links between my life as a law professor and as a writer, the connections may be less than obvious when the plot revolves around a pool-maintenance worker in Florida. But I write fiction for the same reason that I write scholarship, which is the same reason I went to law school, and the same reason that I teach at CUNY. Articulating that reason can be difficult: it smacks of a naiveté that I would quickly edit from the first draft of a fictional scene or a scholarly analysis. Yet even as I have critiqued postmodernist and feminist theories that privilege language over material conditions, I continue to believe in the power of language to foment progressive change.

The specific arena for progressive change in which I have been most interested has been justice for sexual minorities, especially lesbians. The characters in my fiction have been overwhelmingly lesbian: the lawyers, academics and law students as well as the dancers and snorkers. The impetus behind much of this writing has been to write about lesbians who are more likely to believe in “me” based upon reading my novels. The idea that I had simply invented an affair, an accident, or even childhood traumas may seem startling in a profession that purports to value truth. And then there was the reading at a women’s bookstore at which one of my retired male colleagues appeared; I don’t think I’ve ever read aloud a sex scene with less passion than I did that evening.

Yet I have long known that for me, writing fiction, writing theory and teaching all spring from the same commitment to what might broadly be called social justice. I am lucky because at CUNY, there is nothing novel about that.