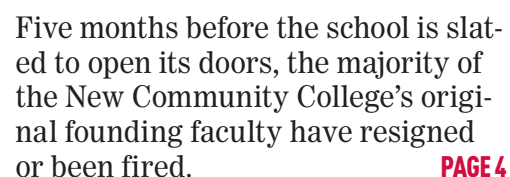


APRIL 2012**Details on page 7.**

The American Legislative Exchange Council works behind the scenes for right-wing state legislation. Few know that the academic publishing company Elsevier is a leading member. **PAGE 11**



Opposition to Pathways has mushroomed across CUNY this semester. As Clarion went to press, a petition calling for Pathways to be repealed and replaced had drawn more than 4,100 signatures – and the number was still climbing. On March 8, nearly 350 faculty, staff and students gathered for a Town Hall Meeting on Pathways organized by the PSC. Shown above (clockwise from top left) are Nicole Falade, City Tech; Alex Wolf, BCC; Stephen Jablonsky, CCNY; Amir Khafagy, student at LaGuardia; Nivedita Majumdar, John Jay; Hollis Glaser, BMCC; Glenn Petersen, Baruch; Kelly Anderson, Hunter.

Harsh new pension law approved

By PETER HOGNESS

The final text of Gov. Andrew Cuomo's bill to slash public worker pensions was posted online on March 15 – at 3:00 in the morning. Around 5:30 am, the voting began. More than two hours later, after enough arms were twisted, the bill passed by a vote of 93 to 45.

"All of this, of course, happened in the dead of night while most people were fast asleep," wrote Rick Karlin of the Albany *Times Union*. "This is, ironically, Sunshine Week, which is supposed to be a celebration of openness in government."

"The passage of Tier 6 had everything to do with political ambition and an ideological agenda of protecting the rich," said PSC President Barbara Bowen. "It had nothing to do with solving New York State's immediate budget shortfall." No significant savings will occur for more than a decade. Like other unions, the PSC pointed out more money could have been raised, and far sooner, through progressive tax reform.

"Women and people of color have long relied on public employment when employment in the private sector was closed to them," Bowen said. "As an attack on the pay and retirement security of public employees, Tier 6 is racist and sexist."

"Those who chose this path are requiring the 99% to pay for the sins of the 1%," said Richard Iannuzzi, president of New York State United Teachers (NYSUT), the PSC's state affiliate. Danny Donohue, head of the Civil Service Employees Association (CSEA), agreed: "This deal is about politicians standing with...the wealthiest New Yorkers to give them a better break while telling nurses, bus drivers, teachers, secretaries and

Tier 6 slams future workers

laborers to put up and shut up."

Corporate interests, on the other hand, were very pleased. "The business community is encouraged that New York State is acting responsibly," said Kathryn Wyld, head of the Partnership for New York City, which describes itself as "a select group of 200 CEOs from New York City's top corporate, investment and entrepreneurial firms." Multi-million-dollar pensions are common among the Partnership's members.

IMPACT ON CUNY

"Tier 6 will hit CUNY especially hard," said Bowen. "It's disastrous for part-timers, and will make it harder for the University to attract the best full-time faculty and staff in national searches."

Under New York's constitution, pension benefits for current retir-

ees or current members of a pension plan cannot be reduced. Full-time employees at CUNY are required to join a pension system within 30 days of being hired, so current full-timers at CUNY will not have their benefits cut. Full-time CUNY employees hired after April 1 will fall under the new, inferior terms of Tier 6.

Cutting pensions for new hires "will hurt CUNY's ability to rebuild the full-time faculty, a project that was just gaining momentum," noted Bowen.

For adjuncts, membership in a pension plan is optional. Since many survive on low pay, it's common for adjuncts to put off joining the Teachers Retirement System (TRS), which is adjuncts' sole pension option. With Tier 6 set to take effect April 1, the PSC quickly launched a

campaign to urge adjunct members to sign up before April 1.

The union first sounded the alarm for adjuncts last fall, with articles on Gov. Cuomo's proposed pension reductions. "If you are not already a TRS member, sign up immediately so you can lock in current pension terms," an article in the November *Clarion* advised adjunct members.

Adjuncts will be especially hard-hit.

When Tier 6 was approved in mid-March, the PSC spread the word with renewed urgency. By postcard, by e-mail and in person, union staff and adjunct activists put out alerts. The goal was to encourage as many unenrolled members as possible to fill out the necessary forms before April 1, and hand-deliver them to TRS headquarters on Water Street, to ensure timely processing. "It was well worth the trip," said Shirley Frank, an adjunct assistant professor of English who has worked at

If you've just joined TRS...

Adjuncts who signed up to join TRS shortly before April 1, but who have not yet submitted a beneficiary form, proof of date of birth (copy of birth certificate or passport), and their letter of appointment, must not miss the April 30 deadline for those documents. If you do, your TRS enrollment will not take effect. (See psc-cuny.org/TRS-April-30-documents for more.)

CUNY for over a dozen years. "I got my stamped receipt on the spot, proof of the date of my enrollment."

Perhaps the worst thing about Tier 6 for CUNY adjuncts is that it increases the vesting period – the period needed to qualify for a pension – from five to ten years of total credited service. Since it takes adjuncts longer to build up a full year of credited service, CUNY adjuncts who want to join TRS in the future will not qualify for benefits until they have worked for CUNY for 20 years or more. "This effectively means an end to new pensions for CUNY adjuncts," said PSC First Vice President Steve London. "To shut down new pensions for the faculty who teach half of all CUNY classes is outrageous – but that's what Albany has done."

CONSEQUENCES

London noted that few legislators had read the final text of the bill before voting at dawn on March 15. "It's hard to believe that the governor and legislature would be so heartless that they intended this to happen," he said. "We've begun to discuss repairing some of the consequences of this legislation, and we hope that people in Albany will be open to reason."

Among the other key Tier 6 changes for those who join TRS after April 1, are calculating final average salary over the last five years instead of three, and reducing the "pension multiplier" used to calculate the retirement benefit. The latter change reduces the annual retirement benefit for a 30-year employee by close to 10%.

For those covered by Tier 6 in both TRS and TIAA-CREF (the largest plan under the Optional Retirement Program for CUNY full-timers), the new rules raise the basic retirement age to 63 and increase required employee contributions, which now start at 3% for those earning \$45,000 or less, rising to 6% above \$100,000. Employee contributions will continue after 10 years of service credit, instead of being taken over by the employer as is the case for employees in earlier pension tiers.

Public-sector unions across New York said that the Tier 6 vote would have a profound effect on the choices they make in the fall elections. "If anyone is unclear where we stand, they'll get the message on election night," said the state branch of AF-SCME. And there were a few signs that the political impact might extend beyond November. "The PSC's advocacy of direct action by the labor movement is getting new interest," commented London.



From left: David Rozen, legislative counsel to State Sen. Michael Gianaris, meeting with Eileen Moran, Iris DeLutro, Arthurine DeSola and Ron Hayduk of the PSC. Sen. Gianaris opposed the Tier 6 proposal.



LETTERS TO THE EDITOR

WRITE TO: CLARION/PSC, 61 BROADWAY, 15TH FLOOR, NEW YORK, NY 10006.
E-MAIL: PHOGNESS@PSCMAIL.ORG. FAX: (212) 302-7815.

Pathways: 80th Street control of your dept.

● One relatively neglected aspect of Pathways is the administrative takeover of the initial courses for each transfer major. The fifth "resolved" statement of the CUNY trustees' Pathways resolution (tinyurl.com/BoT-Path) says that the chancellor will appoint committees to "recommend for approval to the University Office of Academic Affairs no fewer than three and no more than six courses that will be accepted as entry-level courses for beginning the major, or as prerequisites for such courses, by all colleges offering those majors."

The words "will be" and "all colleges" attempt to eliminate any role for college departments and college senates in course approval.

The CUNY Common Course submission form to the Pathways Course Review Committee includes

the following sentence: "Submission of this form to the Course Review Committee is unrelated to college governance procedures for course approvals."

Disciplinary transfer major committees have already been formed for Biology, Business, Criminal Justice, English, Nursing, Psychology, and Teacher Education. They are to report their recommendations to the Office of Academic Affairs by May 1. If approved by Vice Chancellor Alexandra Logue, the recommendations are to become mandatory on relevant departments and colleges. It is perhaps unnecessary to note that this totally removes any elected faculty voice from the determination of required introductory courses in these majors.

Manfred Philipp
Lehman College

May Day and you

● We can make May Day 2012 something huge! For the first time, it looks as if labor, community, immigrant, Occupy Wall Street and established political groups will coalesce around a single event, a late afternoon march from Union Square to Foley Square, past the African Burial Ground and on down to Wall Street. All participating groups have endorsed the slogan, "Legalize! Organize! Unionize!"

A single march solves nothing and proves little in and of itself, but it's an opportunity for the members of New York's working class in all their diversity to see, to greet, to become aware of one another, and to begin to feel their enormous power.

The PSC has had a significant role in encouraging organized labor to

re-embrace May Day. We've been a visible and a vocal presence at the May Day rallies and marches of 2010 and 2011. Yet, we have never turned out even 1% of our membership.

That should be our minimum turnout goal for 2012. This isn't a staff job; it's a job for us as campus activists, as union members. Please volunteer to work out a mobilization plan for your campus, to talk up May Day, its history and importance, and to get commitments from colleagues and students to show up at Union Square at 4:00 pm on the first day of May.

Jim Perlstein
Chair, Retiree Chapter;
Co-Chair, PSC Solidarity Committee

Editor's note: Those interested can contact Jim Perlstein at jperlstein@pscmail.org.

Fighting for CUNY CC's

By JOHN TARLETON

Mayor Michael Bloomberg's preliminary budget for 2012-13 proposes \$250.5 million in City funding for CUNY. That amount holds community college base aid at the same level as this year – but without the inflationary adjustments requested by CUNY. Bloomberg's budget would also zero out City support for programs like the the Vallone Scholarships, the Murphy Institute for Worker Education and others that the City Council has supported in the past.

"While we are in a better starting place than last year, this would still leave CUNY in a hole," said PSC First Vice President Steve London. "Our students will continue to suffer if we don't increase City funding of CUNY's community colleges."

The mayor's proposal fails to include \$8.2 million for mandatory cost increases. Simply to maintain CUNY's basic functions – for example, to ensure that CUNY's classrooms have heat this winter – more funds are needed. The PSC is also making the case for modest additional support to cover growing enrollment and repair the effects of decades of past disinvestment.

UNDERFUNDING

"We don't accept that CUNY has to be poor," PSC President Barbara Bowen testified at a March 9 City Council hearing. Bowen was joined at the hearing, held by the Council's Higher Education Committee, by faculty from three community colleges.

Other PSC panelists described the accumulated effects of underfunding on CUNY's community colleges – especially on the 46% of students who come from households with annual incomes below \$20,000.

Karla Fuller, an assistant professor of biology, described teaching a class at BMCC with 29 students in a classroom that seated only 15. "With 29 students crammed in – some in desks, some on the floor – I'm usually teaching standing in the doorway," she said. The room they use for lab sessions has only 24 stations, so five students are unable to do their own experiments. "You can't expect them to succeed and be a beacon for CUNY students of the future under these conditions," Fuller told Council members.

STUDENT HARDSHIPS

Fuller is now a member of the faculty at CUNY's New Community College, slated to welcome its first students this Fall. "We know what will help students to graduate on time and at a higher level of academic skill," said Fuller. "But...our colleagues throughout CUNY can't succeed without funding to lower class size."

"Our students come from families who find it hard to put together the money for tuition – not to mention books or the bus fare they need

PSC urges City to boost funds

to get to class on time," said Judy Barbanel, a professor who teaches developmental studies at QCC. "In my department we try to help students who can't afford their textbooks by giving them other options such as renting books or having reading material on reserve. We have to make college accessible."

Joyce Moorman, a professor of music at BMCC, described students who worked, cared for family members and went to school but lacked the money for items like eyeglasses so they could read what she was writing on the blackboard. "My students *have* to work," she said, "many of them at full-time jobs. This means they come to school tired, with family issues, with lots of personal stress."

TUITION INCREASES

CUNY's trend toward higher tuition, and increased reliance on student tuition dollars, has disastrous effects on students who live this close to the economic edge, Bowen testified. "Tuition has grown to 42% of total community college funding – that's double the percentage 20 years ago," she said. CUNY raised tuition twice last year – \$150 last spring and \$300 in the fall. Our community college's tuition and fees are now 130% of the national average – despite the fact that our community college students are among the poorest in the country."

To address those needs – or, as Fuller put it, "to stick up for our students" – the PSC is asking the Council to support the following additional changes to the mayor's proposed budget:

'We don't accept that CUNY has to be poor.'

- Include \$4.6 million, as recommended by CUNY, to hire full-time faculty and expand student services, including academic tutoring, career counseling and mental health services. (In 2007, the PSC found that CUNY community colleges had only one licensed mental health counselor for every 2,236 students. This problem has only grown more acute since then, with soaring enrollment and years of budget cuts.)

- Restore \$11 million to the Vallone Scholarships and \$4 million to the Safety Net financial aid program.

- Provide full funding for programs that the Council has supported in the past, including the Murphy Institute for Worker Education and Labor Studies, the Center for Puerto Rican Studies, Dominican Studies Institute, and Creative Arts Team as well as the Black Male Initiative and the Young Men's Initiative.

- Move toward expanding CUNY's successful Accelerated Study in Associate Programs (ASAP) from the cohort of community college students it currently serves to all 96,000 current com-

munity college students at CUNY.

CUNY launched ASAP in Fall 2007 to provide a full range of support to a select group of students, in an attempt to boost three-year graduation rates at community colleges. ASAP students enjoy smaller class sizes, comprehensive advisement and career development services, as well as financial assistance including tuition waivers (for financial-aid-eligible students), free textbooks and monthly MetroCards. The original cohort of 1,132 students saw a three-year graduation rate of 55%, more than triple the national three-year graduation rate at urban community colleges.

"ASAP has proven what is possible," Bowen told the hearing. "We cannot look at ASAP's results without wanting the same level of attention for all community college students."

FAIR SHARE

Bowen noted that the price tag for a full expansion of ASAP could cost up to \$300 million per year, but said this kind of money could be raised by closing tax loopholes and other measures to make sure the richest 1% pay their fair share. "What incredible rewards for these students, their families, communities and the city at large would be reaped if the city made this investment," Bowen said.

To participate in "CUNY at the Council" on Wednesday May 2, contact Amanda Magalhaes at amagalhaes@psccmail.org or 212-354-1252.

Contract update

By BARBARA BOWEN
PSC President

In the urgency of responding to Pathways, it might be easy to lose sight of another urgent union issue – negotiating a new contract. But the PSC leadership continues to focus intently on contract negotiations.

- There is still no economic offer from CUNY, and the economic offers made to other public-sector unions in New York State and New York City remain punitive: They call for wage freezes, increased health care costs, furloughs and other givebacks. That is not the kind of "offer" we want.

- Working in Albany and City Hall, the PSC is challenging the claim that "New York is broke" and "can't afford" decent contracts. New York is not broke; the shortfall of revenue and the attack on public workers are the result of policy decisions – and policies can be changed.

- The union bargaining team also understands that CUNY faculty and staff cannot wait forever for a new contract. We are prepared to begin economic bargaining the moment it is strategic to do so.

- The union continues to make progress in noneconomic talks with CUNY management. Among the issues under discussion is the formation of a "bank" of sick days, to which members could contribute and on which they could draw in times of serious and protracted illness.

- *Clarion* will provide updates on the contract as talks develop. And as always, the bargaining team will need your support when we enter into intense economic negotiations.

Inside the State Capitol for higher education



CUNY and SUNY supporters rally inside the State Capitol on March 14, exerting grassroots pressure for a funding increase.

As *Clarion* went to press, the New York Senate and Assembly were moving toward passage of an on-time budget, expected to include some additional support for CUNY. The final budget was likely to provide for an increase in State base aid for CUNY community colleges of \$150 per full-time equivalent (FTE) student, bringing the total to \$2,272 per FTE.

The PSC welcomed the anticipated increase, though it fell short of the union's request to restore community college base aid to its 2008-09 level, adjusted for inflation, an increase of \$685 per FTE.

The governor's budget proposal had maintained current levels of State support for CUNY without cuts for the first time in three years, and included funding for mandatory cost increases. That included funding for health insurance for eligible adjuncts, and this is maintained in the current budget agreement. For updates on the budget's final passage, check psc-cuny.org.

– CLARION STAFF

'Fear & intimidation' at NCC

By JOHN TARLETON & PETER HOGNESS

Five months before CUNY's New Community College (NCC) is scheduled to welcome its first class of students, the school has been demoralized by deep conflicts between faculty and administration. Of the college's seven original founding faculty members, three have resigned, one was abruptly fired, and most were given disciplinary letters due to opinions they expressed in a report on curriculum development.

The PSC has filed three class-action grievances on behalf of NCC instructional staff. One seeks removal of the disciplinary letters and reinstatement of the faculty member who was fired. The second charges the college with creating an excessive workload, in violation of the contract. The third challenges the NCC's refusal to hold a labor-management meeting, as the contract requires.

Planning for the NCC began in 2008 (see sidebar), and accelerated in 2010 when its first faculty members were hired. Both current and former NCC faculty told *Clarion* they were excited by the prospect of building a new school from scratch, using innovative practices to help community college students achieve greater academic success.

That promise, they now say, is not being fulfilled. "The rhetoric around a new educational model has been used as a means for the administration to usurp traditional faculty roles and responsibilities," said Emily Schnee, an assistant professor of English who resigned from the school in November and returned to her former position at Kingsborough Community College.

Bill Rosenthal, an associate professor of mathematics, says that for him, "the dream became a nightmare." Hired in September 2010, Rosenthal was fired from the NCC last December 2. He was given two hours to clean out his desk.

In reporting for this article, *Clarion* spoke with more than half of all current or former faculty at the NCC. All current NCC employees asked not to be identified, citing fears of retaliation.

UNILATERAL

"These are people who fell in love with the idea of the New Community College, and they arrived with an extraordinary level of commitment," said PSC President Barbara Bowen. "CUNY should be honoring them, not crushing them."

"The NCC administration has acted in a high-handed manner, attempting to set policy unilaterally," PSC First Vice President Steve London told *Clarion*. "They emphasize what they call a 'collaborative and collegial' approach – which sounds good, but unfortunately they interpret it to mean that they can tell faculty members to do whatever the administration wants." The NCC's lack of departments and lack of a tenured faculty, London added, create problems for effective governance.

Heavy hand of admin at New Comm. College



Emily Schnee, an assistant professor of English, resigned from the New Community College in November and returned to her former position at Kingsborough Community College. Above, Schnee works with a student in her class at KCC.

"These are the roots of the contract violations we've seen at the NCC," London said. "We believe these problems can be resolved – if there is a will to do so." But as *Clarion* went to press at the end of March, a resolution did not appear to be close at hand.

PUNISHED FOR VIEWS

Several of management's hostile actions towards faculty came in response to a report that original founding NCC faculty submitted on September 2 to CUNY's Office of Academic Affairs (OAA), a status report on curriculum development.

Building an interdisciplinary curriculum, the report emphasized, requires time. "Even at a progressive and innovative institution such as the NCC, there seems to be a tendency to view the need for substantial, dedicated faculty time for curriculum development as subordinate to other aspects of the work," it stated. "As 2011 proceeded, this dedicated time was subject to steady, significant erosion."

It was unclear, the report said, whether this was "a one-time consequence of having only seven faculty members on hand to do the work of at least twice that many" – or whether it instead reflected "an institutional culture that will continue to treat the time we know we need as a negotiable commodity. The next few months should tell."

The report also posed questions about where responsibility should lie for the development of curriculum. Inclusion of staff beyond the faculty is important, it said, but so is recognition of faculty members' particular roles. "Most faculty see the benefit of sharing ideas, drawing on different perspectives and

even co-creation of knowledge, but are concerned about the pedagogical impacts of numerous non-faculty voices." Clarifying these issues is essential to further progress, the report concluded.

"That was viewed as dissent," Schnee told *Clarion*. In fact, it was viewed as a punishable offense. On November 21, NCC President Scott Evenbeck wrote disciplinary letters for the personnel files of most of the faculty members who signed the report. The letters specifically criticized them for the views expressed in the report, asserting that this reflected poor professional judgment. Like all faculty hired to work full-time at the NCC, those who received the letters are untenured.

"How else can you turn a concept into a reality unless you can ask questions about details that come up along the way?" asked Steve Cosares, who received a letter and was shocked by the administration's reaction. Cosares left the NCC project to take an associate professor position in the math department at LaGuardia CC in the Spring semester.

WORKLOAD

Other issues at the NCC included how the school's Group Workspace, conceived as a regular base for academic support, should function, and how much time should be devoted to developing students' academic literacy skills. But open discussion was not encouraged. "Differing opinions over how to achieve student success became, 'Oh, you don't support the collaborative model,'" said Schnee.

The disciplinary letters were preceded by a November 9 memo from Evenbeck titled "Expectations for the

Work Ahead," with which many faculty strongly disagreed. The union says that this directive violates the contract; for example, the memo's imposition of "mandatory assignments during annual leave period [in] 2012" creates an excessive workload, a PSC grievance contends.

As elsewhere at CUNY, junior faculty at the NCC are contractually entitled to reassigned time for scholarly work. But they were told that this year, the only time they can take for that purpose is on Mondays – even when that time falls on a legal holiday.

Workload has been a sore point for NCC faculty in many ways. "There's a persistent lack of respect for the expertise and time it takes to organize this school in a different way," said one current faculty member. "This college is supposed to be based on a really innovative way of teaching, and that's why I'm working there. But they want to support it even less than they do traditional teaching."

Many NCC faculty thought Evenbeck's workload memo was off-base, and Bill Rosenthal was among the most outspoken. On December 2, the NCC president gave his response. He called Rosenthal into his office, fired him for "insubordination" and other offenses, and gave him until 5:00 pm to hand in his keys. "It was surreal," Rosenthal recalled. "I couldn't believe it was happening."

Minutes later, Evenbeck e-mailed a message to the entire NCC community announcing the firing and denouncing Rosenthal's work. He accused Rosenthal of "acts of insubordination and conduct inconsistent with the collaborative model," "a lack of professional judgment

How the NCC began

CUNY's New Community College began taking shape in 2008, when CUNY administrators developed a "concept paper" for the NCC. It was to be "a new institution – one that is singularly focused on the need to dramatically increase graduation rates." Toward that end, the NCC would offer "a tightly designed and highly structured associate degree pathway," with a limited choice of majors. Students would be required to attend full-time, at least for the first year; remedial work would be integrated with the rest of an interdisciplinary curriculum; student peer advisors would play key roles. Less time would be spent in "introductory courses designed to provide broad introductions to the liberal arts and sciences."

Dozens of faculty members volunteered to get involved, seeing the NCC as a chance to help CUNY students solve difficult, persistent problems. "Among young women of color at BMCC...there is only one sophomore for every five freshmen," one said in 2009. "CUNY needs to serve these students better, and this new college gives us the opportunity to try new ways of doing that." (See tinyurl.com/NCCdebate.)

GOVERNANCE PLAN?

Other CUNY faculty were critical of the NCC project, starting with the failure to involve elected faculty bodies, such as the University Faculty Senate or the PSC, in its design. (See tinyurl.com/NCCcritique.) They questioned whether the NCC's curriculum would be too narrowly "vocational," and voiced concern about faculty authority in a school without a department structure or a clear governance plan.

The range of faculty opinions that greeted the plans for the NCC was captured in a *Clarion* feature in 2009, available online at tinyurl.com/NCCdebate. – PH

ment around issues of importance to the college," and acting "inappropriately and unprofessionally at NCC meetings." Among Rosenthal's transgressions, Evenbeck explained, was that the professor had written a "vitriolic memorandum" criticizing the president's workload memo of November 9.

"It was terrifying," said an NCC faculty member. "It was done in a way that is completely unthinkable in almost any corporate or non-profit setting. He was publicly humiliated and thrown out."

"It's a huge blow," said another person who works at the NCC. "People are still trying to pick up the pieces."

"In an academic environment," asked Cosares, "what does it mean to be 'insubordinate'? And what does it mean to be subordinate?"

A few hours after Rosenthal's dismissal, PSC President Barbara Bowen sent her own e-mail to faculty and staff at the NCC. "There is

CONTINUED ON PAGE 12

Petition for equity at City Tech

By JOHN TARLETON

When the New York City College of Technology became a senior college in 1980, Ronald Reagan was running for his first term as president and Soviet forces had just arrived in Afghanistan. The Internet lay in the future, and if you wanted to turn off your television set, you had to get up off the couch.

While the world has changed a great deal since then, one constant has been City Tech's requirement that its faculty teach more credit-hours per year – currently 24 – than the faculty at other CUNY senior colleges, where the teaching load is 21 hours.

INEQUITY

Before 1980, City Tech was a community college. It has now been granting bachelor's degrees for more than 30 years, and the number of its graduates earning BA or BS degrees has steadily climbed. In the last decade, the teaching load at City Tech has been reduced from 27 credit-hours through collective bargaining, reaching 24 hours in 2006. But since then, CUNY management has said it can't afford to eliminate the remaining inequity.

Carole Harris, an assistant professor of English at the college, says that's unacceptable. "It's the most burning issue on our campus," says Harris, who has spearheaded a petition drive by the PSC chapter in support of reform. The petition

Profs: Three extra credit-hours unfair



Members of the City Tech chapter plan the next phase of a petition drive to reduce their teaching load.

urges City Tech President Russell Hotzler to put an item in next year's budget request that would provide the funds to bring the City Tech faculty workload into line with other senior colleges.

The goal, says PSC Chapter Chair Bob Cermele, is to get as many of City Tech's approximately 400 full-time faculty as possible to sign the petition and present it to Hotzler by the end of

the semester. The union chapter is organizing methodically to do this:

Reaching out to colleagues in other departments

Harris and other members of the chapter's executive committee are working with teams of four people each. They have fanned out through the college's 30 departments, gathering signatures while discussing union issues.

One of the most active participants in the campaign is Reneta Lansiquot,

an assistant professor of English who has garnered more than 60 signatures, mostly from departments outside her own.

In her visits to other departments, from Nursing to Hospitality Management, Lansiquot says she has found that other faculty members are willing to help. "I say, 'Have you signed this?' and I don't have to persuade them. They always offer to take me around." And with someone to introduce her

to the rest of the department, the work goes quickly. "Within 20 minutes, you get all these signatures," Lansiquot says.

Harris, who with her team has gotten signatures from all the full-time faculty in her own department, follows a similar approach. She told *Clarion* she e-mails department chairs to ask permission to come by department events. She also urges the department chair to send around an e-mail letting people in the department know she will be on hand to gather signatures.

PERSISTENCE PAYS

"A lot of it is keeping on people through e-mail," says Harris who also takes care of contacting faculty members who are on sabbatical and arranging to meet them when they are on campus.

Most of the petition activists, like Harris and Lansiquot, are newer faculty members who came to City Tech within the past decade as the school moved aggressively to bolster the ranks of its full-time faculty. They say workload equity would allow them to spend more time helping their students as well as give them the additional time they need to sustain their scholarship. They are determined to not have their careers at City Tech plagued by the double standard on faculty teaching load that has existed there for so long.

"It's a question of justice," says Harris.

Security guards at teach-ins?

By JOHN TARLETON

Hunter College faculty, staff and students are criticizing the campus administration for its use of campus security at a pair of union-sponsored teach-ins on the future of higher education.

Security personnel were stationed outside union teach-ins on November 17 and March 1, and a uniformed security officer was stationed inside the room during the November event.

OPEN SPACE

"It was strange, unusual and uncalled for," said Tom Angotti, vice chair of the Hunter PSC chapter. Angotti noted that there was no prior communication by campus officials with the event's organizers. "If there were truly a security problem, we would want to know about it," Angotti said. "Since I can't think of any good security reason for doing this, it becomes intimidating for them to be there."

At the campus Visitors Center, some people interested in attending the March teach-in were told they could not because they were not affiliated with Hunter. PSC

Hunter chapter speaks out

President Barbara Bowen was admitted without a problem, but a security guard told her that he had been instructed by his supervisor not to let people from off-campus attend the event.

Though those who had trouble getting in were eventually admitted, PSC members said the initial exclusion was troubling. "A university is supposed to be a place where we have open discussions," said Michael Lewis, associate professor at the Hunter Silberman School of Social Work, who spoke at the teach-in. "People from outside [the college] have things to contribute."

Lewis noted that since the Silberman School of Social Work moved into its new building on 119th Street last year, it has opened the space to the community. "We try to teach and learn and be partners with the people of East Harlem," he said.

Angotti told *Clarion* that 60 to 80 people attended the three-hour teach-in, where topics included the effects of budget cuts, tuition increases, deteriorating working conditions and university struggles abroad.

John Rose, a Hunter dean, insisted there was no policy of excluding off-campus attendance at the forum. "The teach-in was treated as any other such event," Rose said. "We followed our normal protocol with respect to people who do not have [Hunter ID], which is to enquire as to who they are and what their purpose is."

On the use of security guards, Rose said, "It is not uncommon at Hunter when there is a large event to post a member of Public Safety in proximity to the event, but outside the meeting room."

STUDENTS SPEAK OUT

"Hunter College is no longer an open campus," commented Jenady Garshofsky, who spoke at the teach-in and who is the editor of *The Envoy*, the Hunter student newspaper. Garshofsky and *Envoy* writer Tiffany Huan criticized the growth of a "security culture" on campus. Huan cited increased – and in her view unnecessary – patrols by campus security officers in Hunter's hall-

ways and at the elevated bridge between campus buildings. Along with restrictions on campus access and headlines about NYPD surveillance of Muslim students, she said, this contributes to a lockdown atmosphere that harms the college.

On March 7, the Hunter PSC Chapter unanimously approved a resolution objecting to the administration's handling of the November and March teach-ins. Assigning security guards to union events "serves to chill free speech," it said, "as well as interfere with the life of our union."

Sándor John, a member of the Hunter PSC executive committee, told *Clarion* that the chapter will pursue Freedom of Information requests on communications between the college administration and Visitors Center personnel, as well as to find out more about NYPD surveillance of Muslim student groups or other student clubs at Hunter.

Overuse of campus security "is an interference with the rights of our union chapter," John said of the administration's actions. "If it's not stopped, it will have a chilling effect."

Reporting surveillance

By BILL FRIEDHEIM

PSC Academic Freedom Committee

Is big brother watching at CUNY? Is campus surveillance threatening academic inquiry, free speech, free assembly, the right to privacy and/or academic freedom? Three recent incidents raise these questions: surveillance of Muslim student associations at CUNY by the NYPD (tinyurl.com/NYPD-Muslim-students); a case of confiscation of employee hard drives by CUNY investigators (tinyurl.com/computer-Kramer); and the stationing of uniformed security officers at teach-ins sponsored by the Hunter College PSC chapter in November and March (see article at left).

Is a pattern developing? The Academic Freedom Committee of the PSC is collecting information on this subject. If you have witnessed or experienced incidents of surveillance or intimidation on campus, take a few minutes to report it (with confidentiality) to the committee, by e-mail at academicfreedom@pscmail.org, or by postal mail to: Academic Freedom Committee, PSC, 61 Broadway, 15th floor, New York, NY 10006.

Town Hall Meeting draws hundreds

Nearly 350 faculty, staff and students attended the PSC's Town Hall Meeting on Pathways, CUNY's top-down overhaul of general education and transfer. After opening presentations, about 30 people spoke during an hour-long open mic, criticizing Pathways and demanding an alternative.

"The claims of Pathways are false, the method of its imposition on us is a direct attack on faculty governance and its effect on students will be disastrous," said PSC President Barbara Bowen. Pathways "is an austerity education, preparing our students for low expectations," said Bowen – and students as well as faculty and staff find that unacceptable.

NOT JUST A REPEAL

"We are not powerless. That's why we have a union, that's why we're here together," Bowen said to loud applause. "We do not have to say, 'Okay, we hate it, but it's done.'... This is a fight we can win."

The union's campaign for an alternative to Pathways includes a petition drive (see pages 8-9), a lawsuit and a possible protest at an April 30 meeting of the Board of Trustees. "If we haven't seen any movement from CUNY, we may need to be there in person at the Board of Trustees meeting," Bowen told the crowd. "We've seen before that our presence can change the outcomes – and we may need to be there on April 30."

The petition, Bowen emphasized, does not simply call for Pathways to be repealed, but also for it to be replaced with a process that respects both faculty governance and the accumulated knowledge of faculty and staff. "One good thing that's come out of Pathways is a wider recognition of the need to address the facilitation of transfer of credits. We have to address that." But, Bowen added, "it doesn't need to be addressed in a way that tramples faculty knowledge and experience, and violates the principles of faculty governance and academic freedom."

A BETTER ALTERNATIVE

Bowen announced that the PSC lawsuit against Pathways would be filed in a matter of days. The suit, a joint effort with the University Faculty Senate (UFS), was filed on March 20. (See page 7 and tinyurl.com/PathwaysLawsuit.) "I can't think of a better use of [union] resources than standing up for the academic integrity of a CUNY education," Bowen remarked.

UFS Chair Sandi Cooper spoke next at the March 8 event, describing how the administration had consistently rejected UFS efforts to work out a different approach. "The UFS proposed at least five different modes of proceeding forward," said Cooper – including alternatives based on past experience at SUNY and in the California State University system.

Call to repeal Pathways



Judy Barbanel (front left), PSC chapter chair at QCC, applauds during the Town Hall Meeting on Pathways on March 8.

At SUNY and CSU, she explained, "small groups of faculty from senior and community colleges, who have the largest transfer rates amongst and between them, [met] in their discipline groups and interdisciplinary groups to come up with an understanding of what range of courses would be acceptable for general education."

'NO' TO LOW EXPECTATIONS

Instead, said Cooper, the top-down process imposed at CUNY "has become a 'pathway' for creating struggles between and amongst groups of people" over a scarce number of credits. General education according to the Pathways prescription, she said, "will give students only a vague taste of something outside their majors."

Terrence Martell, vice chair of the UFS, spoke in personal terms about the decision to go to court. "A lawsuit is not an easy thing," said Martell. "This is not going to be fun. I don't look forward to it." The reason he decided to "put my name, my reputation on this lawsuit," said Martell, was the damage that Pathways will do to CUNY students. Its watered-down curriculum, he said, represents "the subtle racism of low expectations."

"This is a fundamental issue of the kind of society that we are going to live in," argued Martell. "I do not want our students to have less of an opportunity because of some ill-conceived, poorly thought-through and poorly executed plan. Pathways consigns future generations of CUNY students to a grim future in our globalized, competitive world."

The new limits on general education will have the biggest impact on the students from the weakest high schools, noted Martell. "They're the

students who need that fourth credit of English that they're not going to get; they're the students who need the college algebra course that is reasonably rigorous that they haven't gotten in high school," he told the crowd. "I think it's a fundamental, ultimate educational disaster and I stand against it."

Jamell Henderson, a student government senator at BMCC who will

enroll at Brooklyn College this fall, argued that Pathways sells CUNY students short. "The path to success is difficult, full of obstacles, full of challenges, the toughest terrain and dangerous situations," Henderson declared. "But it's how you'll become victorious, versus a path that has no obstacles, no challenges, no situations that test the ability of the self."

STUDENT SUPPORT

Many students enter CUNY without enough preparation for college, said Henderson – and like him, many have taken remedial classes to close those gaps. In the face of "violence and crime, police brutality, and economic turmoil," he said, "it is our eagerness to learn that keeps us strong." But Pathways, he said, "is something that will hurt us. It will not give us the value of education that we need in order to deal with the real world."

Henderson thanked CUNY faculty and staff for demanding a higher-quality alternative to Pathways. "As long as I am a student here in the CUNY system, I will stand alongside you." Together, Henderson declared, "we will be such an insurmountable force that the chancellor will have to stand and listen."

Manfred Philipp, professor of chemistry and PSC chapter chair at Lehman, spoke after Henderson. The response to the PSC petition for repeal of Pathways "is a game-changer for this university," Philipp said. "The chancellor, up till now, has been saying that...the great

majority of the faculty are in favor of Pathways and in favor of what it stands for. This petition drive shows that that is not true."

Saavik Ford, associate professor of astronomy at BMCC, spoke from the perspective of the classroom. "Pathways, with its three-credit, three-hour science requirement, cannot provide anything but a sub-standard education," said Ford. Under Pathways, "we are given only three hours with our students" – and that is simply not enough time. Lab sessions "are really a form of supervised practice, [and] the time

Seeking an alternative on transfer problems

they take cannot be shortened," Ford explained. "Nor can we cut regular class hours, which are used to introduce, process and decipher the findings that our students make in the lab." To stunt the role of lab classes, said Ford, "is to leave our students disenfranchised as citizens of the future."

During the hour-long open mic, close to 30 people took the floor (see below). It was a chance for CUNY faculty, staff and students to speak with each other about the impact of Pathways, and how to put an alternative in its place. When the meeting adjourned, the large room buzzed with conversation. As faculty, staff and students headed out the door, they picked up hundreds of copies of the petition to take back to their campuses. By *Clarion* press time, the number of signers had passed 4,100 and was still on the rise.

– PH

Perspectives on Pathways

Voices from Town Hall

A sampling of comments at the PSC's March 8 Town Hall Meeting:

STEPHEN JABLONSKY, chair of the music department at City College, recalled that he and Chancellor Goldstein had been students together at CCNY: "The core curriculum at that time...prepared us for a life as citizens of the city of New York. It also prepared me to go to Harvard University and be on equal footing with anybody from anywhere in the country. It prepared me to be a professor at the greatest college in the city of New York and in the country. And I am very proud of our school, and any diminution of what we do is a crime."

HOLLIS GLASER, professor of speech at BMCC: "Something that's been bothering me has been how bad [Pathways] is for faculty collegiality and morale. We are pitted against each other in this process, fighting for turf and fighting for student credits.... This has been a horrible process."

GAIL AUGUST, associate professor of English, ESL and linguistics at Hostos Community College: "I would like to speak to the myth of faculty input. On October 1, we received the plan. By October 15, fifteen days later, the whole college was supposed to respond to the plan. As a member of the College Senate, I went crazy trying to organize a Senate meeting in those fifteen days. It was not possible. The possibility for input was just non-existent."

AMIR KHAFAFY, student at LaGuardia Community College and a member of Students United for a Free CUNY: "Pathways is nothing more than a cop-out, an excuse to give students a cheaper, poor quality education. New York students have already been through a Pathways program, and that was the City's high schools.... CUNY is a school predominantly of color, of poor,

working-class folks. And to give us the lowest standard of education, to say you're not good enough...to learn more, is completely racist and undermines the integrity of the school."

NIVEDITA MAJUMDAR, associate professor of English, John Jay College: "Last week I was having a conversation with a colleague from another CUNY campus about Pathways. After hearing me out, she said, 'But surely the Chancellor and the Board of Trustees, they must believe that it's good for our students?' I answered that, 'Yes, I do think that they believe it's good for our students.' But this is also a group that believes in a stratified, hierarchical society. They believe that our students are going to occupy a certain stratum of the job market – and that to do so, they do not need a well-rounded liberal arts education."

Pathways under fire

By PETER HOGNESS

"I had no idea the vote would be so overwhelming." That's what Glenn Petersen, chair of the sociology department at Baruch, said after the faculty of Baruch's Weissman School of Arts and Sciences voted 125 to 5 in favor of suspending work on Pathways, CUNY's controversial overhaul of general education.

"We worked really hard to create a good proposal under Pathways, but we didn't like the result. We held our nose and we did it, but no one had a good word to say about our proposal – or about Pathways," said Petersen. "The problem was, everyone was so afraid. Everyone said, 'We detest this, but we're afraid of what will happen to us if we don't comply.'"

That's why Petersen put forward a motion calling for an alternative. "I just couldn't bear to put up with that," he explained. "Now it's utterly clear that when people see they can stand together and say what they think, they'll say that this is not to be borne."

The Baruch resolution, approved at a March 22 meeting of arts and sciences faculty, declares that they have "been unable to find sufficient pedagogical merit in curriculum guidelines established by the University's Pathways program to warrant the substantial cuts the program requires in the College's current general education requirements."

Therefore, the resolution "recommends that Baruch College discontinue the process of revising the College's general education curriculum until a University-wide summit meeting of campus faculty, students, and administrators" can convene to discuss alternatives with CUNY central administration. The body also voted to reject a detailed proposal on how to implement Pathways at Baruch, a proposal that many of those same faculty members had helped to develop.

Opposition to Pathways is on the rise. Beyond Baruch, faculty governance bodies at other CUNY colleges have called for Pathways to be put on hold and reassessed. A petition for the repeal and replacement of Pathways has drawn 4,189 signatures so far, and the number continues to grow (see pages 8-9). And on March 20, the PSC and the University Faculty Senate filed a lawsuit to halt the Pathways initiative, arguing that it violates a 1997 court settlement on the role of CUNY faculty in curriculum decisions.

CUNY administration describes Pathways as an effort to simplify the University's transfer requirements, which many students have found difficult to negotiate. Pathways proponents blame most of the problems in student transfer on general education rules and current practices of accepting credits; Pathways sharply reduces the number of credits that a college's general education framework can require. It calls for a Common Core of 30 credits at all CUNY

Opposition spreads, calls for a halt grow



Peter Kwong, a distinguished professor at Hunter College, signs the Pathways petition. At left is PSC Chapter Chair Tami Gold.

colleges, with an additional College Option of up to 12 credits at senior colleges. (Past *Clarion* coverage at tinyurl.com/ClarionPW.)

These credit limits make it difficult for colleges to maintain elements of general education that many faculty view as fundamental – for example, foreign language requirements, or time for lab work in a science class.

PSC leaders say that faculty have been working to conform to the new policy, fearful that their courses will be marginalized otherwise. The union, they say, is seeking ways to help faculty express their collective voice on Pathways as a whole.

The PSC petition emphasizes that there is a "genuine and important" need to facilitate student transfer within CUNY. But this can be done, it says, without destroying years of faculty work on curriculum and putting educational quality at risk.

"More than 500 people signed the petition in the first hour," said PSC President Barbara Bowen. "That is an unprecedented response." Signers to date include 50 distinguished professors, 155 department chairs, and 51 members of CUNY's own Pathways committee, the Common Core Review Committee.

MORE SCIENCE

In a February 17 statement, CUNY's discipline council for natural sciences warned that the "Pathways general education curriculum dramatically decreases the amount of science taught to [non-science] majors in the senior colleges, and diminishes the quality of education and value of a CUNY degree." (The council is made up of the elected chairs of biology, biochemistry, chemistry and physics departments across CUNY.)

The science chairs warned that, under Pathways, general education science classes will not have

adequate time for laboratory work, which they argue is fundamental to real science education. They urged that the basic Pathways science requirement be changed from three credits to four or four-and-a-half, and said faculty must retain the right to require additional hours for lab work. (Full text at tinyurl.com/PW-Sci-Disc.)

DECADE OF SCIENCE?

"We are astonished at the reduction of the role of science education in Pathways at any time, but especially during the Chancellor's declaration that 2005-2015 is the Decade of Science at CUNY," the statement said. "With this general education initiative, what will be left of science at CUNY by 2015?"

Not providing for lab sessions means that Pathways "fails to meet the nationwide norm for general education science courses," warned the chairs. This in turn "eliminates transferability of CUNY general education courses to other colleges and universities."

When *Chronicle of Higher Education* covered the Pathways debate in March, online comments included this observation: "[A]fter creating this curriculum that allows for the elimination of a science laboratory requirement, CUNY created a 12-page PR booklet praising the high standards of this curriculum. Guess what the cover picture of the booklet is? A student doing work in a laboratory."

On March 13, Queensborough Community College's Academic Senate urged that "the 'Pathways' Initiative be suspended by CUNY and fundamentally rethought." It described the credit limits imposed by Pathways as "inadequate, arbitrary and capricious," and ultimately harmful to QCC's academic reputation and the career prospects of its graduates. The resolution also ob-

jects to the exclusion of elected governance bodies from the decisions that shaped Pathways, and linked this to the poor quality of the result.

In place of Pathways, the QCC Senate called for CUNY "to establish more dual-joint degree programs, enhanced articulation agreements" and to improve academic advisement. These measures, it says, would be more effective in helping resolve the problems with student transfer without compromising academic quality.

At Baruch, the day before anti-Pathways resolutions were approved by faculty at the Weissman School of Arts and Sciences, a college-wide General Faculty meeting took advisory votes with near-unanimous backing for the same position.

As *Clarion* went to press, BMCC's Academic Senate and the Executive Committee of the Faculty Senate at Medgar Evers College both passed resolutions against Pathways.

At a Brooklyn College Faculty

Council meeting on March 13, a call for the repeal and replacement of Pathways was supported by about a four-to-one margin, but fell short on procedural grounds. Supporters expect to pass the measure in April.

At CCNY, arts and sciences faculty made clear that their Pathways plan was not an endorsement. "The City College CLAS Faculty Council needs 45 rather than 42 credits to design a general education curriculum that meets the educational needs of its students," a resolution declared. "If these three additional credits are not granted, it will precipitate a governance and educational crisis."

At CSI on March 22, the Faculty Senate voted to reject a proposed Pathways plan as inadequate. It also told 80th Street that it would be unable to formulate an acceptable plan before the April 1 deadline – a target that faculty bodies at several other colleges also looked likely to miss.

FLASH POINT

As the details of Pathways become clearer, student opposition has begun to grow. The Queens College student paper chose "Pathways to Ignorance" as the headline for its report on the program. "CUNY's Pathways Initiative leads students away from science," was the choice of the student paper at Baruch.

Student government leaders at four CUNY campuses were already on record with criticism of Pathways by this semester, and several student activists spoke against Pathways at the PSC's Town Hall Meeting (see page 6).

The next flash point with Pathways is likely to be its attempt to exert control over what courses can be required for a department's major. By May 1, new committees appointed by the chancellor are to recommend three to six courses that can be accepted as entry-level courses for the highest-transfer majors. The final decisions will not be made by departments, but by CUNY's Office of Academic Affairs. UFS Chair Sandi Cooper called the plan "a veritable coup in higher education."

As criticism of Pathways mounts, voices across CUNY are calling for a time-out. "There is no justification for rushing a curriculum revision of this magnitude," said the Bowen. "It's time for 80th Street to slow down, start again, and respect the role of our elected faculty bodies."

PSC suit vs. Pathways

On March 20, the PSC filed a lawsuit to stop CUNY's Pathways initiative. Plaintiffs in the suit include Barbara Bowen as head of the PSC, University Faculty Senate Chair Sandi Cooper and UFS Vice Chair Terrence Martell. The lawsuit's legal team includes PSC Director of Legal Affairs Peter Zwiebach and the law firms of Meyer, Suozzi, English, & Klein, and Emery Celli Brinckerhoff & Abady.

The suit charges that Pathways violates a settlement agreement reached in 1997 between CUNY, on the one hand, and the PSC and University Faculty Senate leaders on the other. That agreement reaffirms that the CUNY faculty, through the UFS and the college faculty senates

and councils, are responsible for the formulation of policy relating to curriculum, the awarding of college credit, the granting of degrees and other academic matters.

The lawsuit argues that the CUNY administration exceeded its authority in matters of curriculum and failed to follow university bylaws and faculty governance procedures in the development of Pathways.

Court papers may be viewed online at tinyurl.com/Pathways-PSC-court-papers.

The PSC "will also support a lawsuit to be brought by students at a later date," said Bowen, "focused on the harm Pathways will do to their education at CUNY."

— PH

Petition to repeal & replace

WE, THE UNDERSIGNED faculty and professional staff of the City University of New York, call for the repeal of the Pathways resolution adopted by the Board of Trustees and for the development of an alternative approach to facilitating student transfer.

- Despite months of diligent efforts to make Pathways work, faculty across the University have concluded that it is impossible to design a curriculum within the Pathways parameters without undermining the quality of education at CUNY.
- The need Pathways claims to address – to facilitate student transfer – is genuine and important, but it can be addressed without destroying years of faculty work on curriculum, violating the principles of shared governance and academic freedom, and mandating

4,189 have signed so far

a general education program that devalues the CUNY degree.

- Far from assisting CUNY students, Pathways will disadvantage them. It underestimates CUNY students and shortchanges them both intellectually and professionally. Pathways fails to uphold academic integrity as defined by the faculty; it fails to achieve the goal of creating seamless transfer within CUNY, as it negates existing articulation agreements; and it marginalizes CUNY students by making transfer of credits outside of the CUNY system impossible in certain subject areas.
- The intellectual unsoundness of Pathways

is a direct result of the manner in which it was imposed. The Pathways resolution was passed by the Board of Trustees in violation of its own Bylaws, and has been implemented through a process that continues to bypass every elected faculty body. The imposition of Pathways directly attacks shared governance and academic freedom, bedrock principles of a university.

- The CUNY central administration has refused to repeal Pathways despite an outpouring of opposition from elected faculty bodies such as the University Faculty Senate, college senates, academic discipline councils, academic departments and learned societies. While

CUNY representatives have offered partial remedies for aspects of Pathways, its failures of conception and design are so fundamental that Pathways must be entirely rethought.

We therefore call on the Board of Trustees to repeal the “Pathways” resolution (“Creating an Efficient Transfer System”) at its next meeting – on April 30, 2012; and further,

We call on the Board of Trustees and its representatives to initiate a new planning and implementation process to address the issue of student transfer. The process must conform to the University Bylaws, uphold the principles and practices of shared governance and academic freedom, and produce a curriculum worthy of CUNY’s mission to educate “the children of the people, the children of the whole people.”

BARUCH COLLEGE
Ron Aaron
Ervand Abrahamian
Gabriel Alon
Tuziyane Allan
Esther Allen
Stan Altman
Angela Anselmo
Fran Antmann
Frank Antonucci
Miriam Applebaum
Nancy Aries
Timothy Aubry
David Bahr
Isolina Ballesteros
Stefan Bathe
Kapil Bawa
Leo Benardo
Paula Berggren
Terry Berkowitz
Jason Bryslawskij
Ken Bertino
Ellen Block
Louis Bolce
Alvin Boice
Ann Brandwein
Harold Brent
Joel Brind
Charlotte Brooks
Jason Bryslawskij
Robert Butler
Donal Byard
Olga Casanova-Burgess
Sultan Catto
Christina Chala
Shau-Yueh J. Chao
Carole Charles
Deborah Charney
Rosemarie Chatterton
Keridiana Chez
William Chien
Christina Christoforatu
Isabel Cid Sirgado
Jody Clark Vaisman
Brent Cody
Jacob Cohen
Yochi Cohen-Charash
Vaughn H. Columbine
David Cruz De Jesus
Sorin Cucu
Gerard Daligish
Antonietta D’Amelio
Masako Darrowgh
Bridgett Davis
Gerald De Maio
John Deming
Robert Denker
Melissa Denny
Allison Deuteromann
Alan Digatenco
Vincent DiGirolamo
Lauren Donaldson
Bernard Donofrio
Martin Dumas
Adrian Dumitru
Rebekka Eckhaus
Matthew Edwards
Helene Eisenman
Nicole Eitmann
Lawrence Elcock
Lisa Ellis
Mindy Engle-Friedman
Shelly Eversley
Hanani Eytan
Nermin Eyyuboglu
Carole Fabre
Amanda Favia
Johanna Fernandez
William Ferns
Scott Ferlin
Juliet Folks
Benedetto Fontana
Stephen Francoeur
Kevin Frank
Robert Freedman
John Fuller
Andrew Gabor
Naomi Gabor
Elizabeth Garis
Michael Garrel
Stephen Garvin
Thomas Garrett
Jim Gatheral
Charles Gengler
Emil Gernert, Jr.
Andria Ghent
Donna Gitter
Barbara Gluck
Stephen Golob
Michael Goodman
Gail Graves
Carol-Leisa Gray
Alison Griffiths
David Gruber
Joanne Grumet
Kenneth Guest
Christopher Hallowell
Bert Hansen
Thomas Harbison
Arie Harel
Giora Harpaz
Bryant Hayes
Sonali Hazarika
Frank Heiland
Thomas Heinrich
Leigh Henderson
Wendy Heyman
Debra Hilborn
George R. Hill
Peter Hitchcock
David Hoffman
Phillip Hogue
Gary Hoko
Armen Hovakimian

C. Douglas Howard
Sarah Ruth Jacobs
Radhika Jain
Jamal Jallilian-Marian
Roy Johnson
Sam Johnson
Carmel Jordan
Theodore Joyce
Gayana Jurkevich
Nicholas Juszcak
Erica Kaufman
Elaine Kavvar
Ramzi Khuri
Norman Kleinberg
Louise Klusek
Alan Koenig
Elena Kosyгина
Bakchun Kotung
Nancy Koutaris
Sandra Kraskin
Karl Kronebusch
Chandrika Kulatilake
Nanda Kumar
Philip Lambert
Jessica Lang
Kirby Laurence
Kathleen Lawrence
Max Lee
Cory Legon
Allison Leub Samuels
Gail Levin
Alice Levitus
Seth Lipner
Susan Locke
Linda Lopez
Kenneth Lowstetter
Meir Lubetkin
Bradley Lubin
Joyce Mandell
Jennifer Mangels
Terrence Martell
Elena Martinez
Anita Mayo
Mary McGlynn
Mark McGovern
Cory Mead
Douglas Medina
Susan Mekrany
Donald Mengay
Elizabeth Merrick
Rachel Michaels
Hillary Miller
Joshua Mills
Richard Mintes
Kaiko Miyajima
Kannan Mohan
Sandra Mullings
Jason Munishi-South
Brian Murphy
Frances Murphy
Sourial Naoko
Ali Nemattollahy
Bogdan Niculescu
Hugo Nurnberg
David O’Brien
Shoshana Ohlbaum
Jana O’Keeffe Bazzoni
Veena Oldenburg
June O’Neill
Peter Orland
Elita Ormsby
Sean O’Toole
Patricia Oupourlian
Jennifer Ozbilgin
Gloria Paulus
Alan Pearlman
Jeanne Pearson-Gray
Aisha Pena
Katherine Pence
Scott Perlin
Glenn Petersen
Marjo Picardaro
Jared Pickens
Thomas Pison
Michael Plekon
Bobbie Pollard
Fatemeh Poyari-Mehr
Debra Popkin
Alfonso Quiroz
Harold Ramdass
Keith Ramies
Sara Remedios
Sana (Oksana) Reynolds
Sharon Ricks
Hala Riham-Bonner
Charles Riley
Evelyn Roberts
Barbara Gluck
Stephen Golob
Michael Goodman
Gail Graves
Carol-Leisa Gray
Alison Griffiths
David Gruber
Joanne Grumet
Kenneth Guest
Christopher Hallowell
Bert Hansen
Thomas Harbison
Arie Harel
Giora Harpaz
Bryant Hayes
Sonali Hazarika
Frank Heiland
Thomas Heinrich
Leigh Henderson
Wendy Heyman
Debra Hilborn
George R. Hill
Peter Hitchcock
David Hoffman
Phillip Hogue
Gary Hoko
Armen Hovakimian

Jacqueline Hollander
William Hornsby
C. Huffman
Denise Illupps
Libby Black
Amy Van Natter
Leonard Branch
Patricia Brown
Rex Butt
Cheryl Byrd
Joanne Caceres
Grace Campagna
Hollis Glaser
Charles Post
James Carroll
Benjamin Powell
Connett Powell
Brian Prager
Nidia Pulles-Linares
Lauren Goodwyn
Admer Goughy
Carole Gregory
Ansony Gronowicz
Alyse Hackey
Rosemarie Reed
Joanne Reese
Frederick Reese
Lesley Rennis
Jun Rice
Janet Haynes
Stanley Wine
Elizabeth Wollman
Luren Wu
Clifford Wymbs
Jian Xiao
Jianming Ye
Nancy Yousef
John Yu
Yue Yuest
Cherest Zarnoch

BMCC
Marina Adams
Mohammad
Ahmeduzzaman
Sophia Aidinoui
Akhkar Akhtaruzzaman
Matthew Ally
Rami Alalouch
Carlos Alva
Andres Amador
Douglas Anderson
Rigoberto Andino
April Andres
Jacqueline Andrews
Sheldon Applewhite
Heide Arbutnot
Barbara Ashton
Dennis Baker
Samantha Bankston
Angie Beaman
Rachid Bekralas
Philip Belcastro
Joshua Belknap
Colven Benjamin
Roy Benish
Bettina Berch
Alexander Bettton-Haynes
Sangeeta Bishop
Joe Bisz
Helen Elzi Blackley-Coly
Susie Boydston-White
Elena Brunn
Vasconcelos
Thomas Burgess
Troy Burris
Mehmet Ozbilgin
Eurita Butler
Catherine Cammilleri
Simon Carr
Lloyd Carr
Margaret Carson
Lisa-Alfredo Cartagena
Lynda Caspe
Julie Cassidy
Jennifer Chancellor
John Clark
Marc Littlefield
Doug Machovic
Michael Makdisi
Steven Mandelkorn
Hassan El Housari
Nicholas Martin
Carmen L. Martinez-Lopez
Robert Masterson
Catarina Mata
Fritz Mathurin, Jr.
Md Delwar Mazumder
Stephanie Mazur
Chris McCarthy
Shelvin Wells
Barry McKernan
Dolores Deluise
Leticia Dinkins
Diane Dowling
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Cecilia B.
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Patricia
Triaktria
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Peter C.
Regina C.
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Anna Williams
Dora Wolosin
T. C. Wu
Beian Young
Xiaodan Zhang

Have you signed?

AS OF MARCH 23, the PSC's petition for the repeal and replacement of Pathways had been signed by 4,189 CUNY faculty, staff and retirees. That's just the total so far – by the time you read this, the number will certainly be higher.

If you haven't signed the petition yet, it's not too late. You can sign online at tinyurl.com/PSC-PW-petition – or print a paper copy at tinyurl.com/PSC-PW-petition-PDF and gather signatures from your colleagues, too. (It's all right if people sign both the paper petition and online. We're being careful to weed out any duplicates.)

The petition will be presented to CUNY's trustees in the last week of April. If you haven't signed already and want to make sure your name is included, please sign the petition by April 20. Again, you can sign online at tinyurl.com/PSC-PW-petition. (And you can post this page in your department.)

For publication in this issue of *Clarion*, we've made every effort to include all signatures that could be verified by press time. If you signed the petition by March 23 but your name is not listed here, we apologize — e-mail Doug Ferrari (dferrari@pscmail.org) and we'll make sure your name is included.

QUEENSBOROUGH CC
Melissa Adeyeye
Leslie Akst

On this page Clarion reprints information from the PSC’s audited financial statement for the year ending August 31, 2011. The full statement, which also includes figures for the year ending August 31, 2010, is available on the PSC website at psc-cuny.org/PSC-budget-FY2011. Due to limited space, only the 2011 figures are included here.

PROFESSIONAL STAFF CONGRESS/CUNY

FINANCIAL STATEMENTS AND AUDITOR’S REPORT

AUGUST 31, 2011 AND 2010*

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Independent Auditor’s Report

Board of Directors

Professional Staff Congress/CUNY

We have audited the accompanying balance sheet of Professional Staff Congress/CUNY as of August 31, 2011 and 2010,* and the related statements of revenues, expenses and changes in net assets, and cash flows for the years then ended. These financial statements are the responsibility of Professional Staff Congress/CUNY’s management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes consideration of internal control over financial reporting as a basis for designing audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of Professional Staff Congress/CUNY’s internal control over financial reporting. Accordingly, we express no such opinion. An audit also includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements, assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of Professional Staff Congress/CUNY as of August 31, 2011 and 2010,* and the changes in its net assets and its cash flows for the years then ended in conformity with accounting principles generally accepted in the United States of America.

January 4, 2012

LOEB & TROPER, LLP

655 Third Avenue, 12th Floor, New York, NY 10017

NOTES TO FINANCIAL STATEMENTS

AUGUST 31, 2011 AND 2010

NOTE 1 – NATURE OF ORGANIZATION

Professional Staff Congress/CUNY (“PSC/CUNY”) was created by a merger of the Legislative Conference of The City University of New York and the United Federation of College Teachers. It was created to be the collective bargaining representative of the instructional staff of the City University of New York.

PSC/CUNY is a not-for-profit organization exempt from federal income tax under Section 501(c)(5) of the Internal Revenue Code. PSC/CUNY’s primary sources of revenues are membership dues and agency fees.

NOTE 2 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Basis of accounting – The financial statements are prepared on the accrual basis of accounting.

Use of estimates – The preparation of financial statements in conformity with accounting principles generally accepted in the United States of America requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements. Estimates also affect the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Cash and cash equivalents – For financial statement purposes, the organization counts all liquid instruments with maturities at the time of purchase of three months or less to be cash equivalents. Included in cash is \$229,554 at August 31, 2011 and 2010,* which is security for the lease (Note 5), which will be held as security until the termination of such lease in 2022.

Certificates of deposit – Certificates of deposit have maturity dates of more than three months and are considered investments for purposes of cash flow reporting.

Investments – Investments are recorded at fair value. PSC/CUNY invests in various securities. Investment securities, in general, are exposed to various risks such as interest rate, credit, and overall market volatility. Due to the level of risk associated with certain investment securities, it is reasonably possible that changes in the values of investment securities will occur in the near term, based on the markets’ fluctuations, and that such changes could materially affect the amounts reported in the financial statements.

Accounts and dues receivable – Receivables are recorded as revenues are recognized. PSC/CUNY does not charge or accrue interest on outstanding receivables.

Allowance for doubtful accounts – Receivables are charged to bad debt expense when they are determined to be uncollectible based upon a periodic review of the accounts by management. Factors used to determine whether an allowance should be recorded include the age of the receivable and a review of payments subsequent to year end. PSC/CUNY has determined that no allowance for doubtful accounts for receivables is necessary as of August 31, 2011 and 2010.*

Fixed assets – Fixed assets are recorded at cost. Items with a cost in excess of \$500 and an estimated

useful life of more than one year are capitalized. Depreciation is recorded on the straight-line method over the estimated useful life of the asset. Leasehold improvements are amortized on the straight-line method over the lesser of the life of the lease or the estimated useful life of the improvements.

Deferred rent – Operating leases are straight-lined over the term of the lease. Deferred rent has been recorded for the difference between the fixed payment and the rent expense.

Unrestricted net assets – Unrestricted net assets include funds having no restriction as to use or purpose imposed by donors.

Membership dues – Membership dues are recognized as revenue over the membership period. Dues come directly from members through payroll deductions and direct payments.

Subsidies from affiliates – Subsidies from affiliates are reimbursements of certain costs agreed

to benefit PSC-CUNY and the affiliates. Revenue is recognized as expenses are incurred.

Functional allocation of expenses – The costs of providing services have been summarized on a functional basis. Accordingly, certain costs have been allocated between the program and supporting services benefited.

Fair Value Measurements and Disclosures

Fair Value Measurements and Disclosures, ASC Topic 820, establishes a framework for measuring fair value. The framework provides a fair value hierarchy that prioritizes the inputs to valuation techniques used to measure fair value. The hierarchy gives the highest priority to unadjusted quoted prices in active markets for identical assets or liabilities (Level 1 measurements) and the lowest priority to unobservable inputs (Level 3 measurements). The three levels of the fair value hierarchy are described below. Level 1 inputs to the valuation methodology are unadjusted quoted prices for identical assets or liabilities in active markets that PSC/CUNY has the ability to access. Level 2 inputs to the valuation methodology include:

- Quoted prices for similar assets or liabilities in active markets;
- Quoted prices for identical or similar assets or liabilities in inactive markets;
- Inputs other than quoted prices that are observable for the asset or liability;
- Inputs that are derived principally from or corroborated by observable market data by correlation or other means.

If the asset or liability has a specified (contractual) term, the Level 2 input must be observable for substantially the full term of the asset or liability. Level 3 inputs to the valuation methodology are unobservable and significant to the fair value measurement. The asset or liability’s fair value measurement level within the fair value hierarchy is based on the lowest level of any input that is significant to the fair value measurement. Valuation techniques used need to maximize the use of observable inputs and minimize the use of unobservable inputs.

The following is a description of the valuation methodologies used for assets measured at fair value. There have been no changes in the methodologies used at August 31, 2011 and 2010.*

Money market funds – Valued at the closing price reported on the active market on which the individual securities are traded.

Equity and bond mutual funds – Valued at the net asset value (NAV) of shares held at year end.

Cash and cash equivalents, equities, fixed-income securities and corporate bonds – Valued at the closing price reported on the active market on which the individual securities are traded.

The methods described above may produce a fair value calculation that may not be indicative of net realizable value or reflective of future fair values. Furthermore, while PSC/CUNY believes its valuation methods are appropriate and consistent with other market participants, the use of different methodologies or assumptions to determine the fair value of certain financial instruments could result in a different fair value measurement at the reporting date.

See Note 3 for table which sets forth by level within the fair value hierarchy, the assets and liabilities of fair value at August 31, 2011 and 2010.*

Uncertainty in income taxes – PSC/CUNY has determined that there are no material uncertain tax positions that require recognition or disclosure in the financial statements. Periods ending August 31, 2008 and subsequent remain subject to examination by applicable taxing authorities.

Subsequent events – Subsequent events have been evaluated through January 4, 2012, which is the date the financial statements were available to be released.

NOTE 3 – INVESTMENTS AND FAIR VALUE HIERARCHIES

The following table sets forth by level, within the fair value hierarchy, the assets at fair value as of August 31, 2011...*:

	2011 Level 1	2010 Level 1
Money market funds	\$203	\$ 258
Equity mutual funds	852,606	864,451
Bond mutual funds	4,446,190	4,038,484
	<u>\$ 5,298,999</u>	<u>4,903,193</u>

NOTE 4 – FIXED ASSETS

	2011	2010	Useful Lives
Equipment	\$ 441,446	\$ 425,511	5 years
Leasehold improvements	374,725	374,725	15 years
Furniture and fixtures	280,806	280,806	5-7 years
	<u>1,096,977</u>	<u>1,081,042</u>	
Accumulated depreciation and amortization	<u>(771,781)</u>	<u>(712,570)</u>	
	<u>\$ 325,196</u>	<u>\$ 368,472</u>	

NOTE 5 – LEASE COMMITMENTS

PSC/CUNY rents space for its administrative office. The lease includes provisions for escalations and utility charges. The lease expires August 31, 2022. Rent is being expensed on the straight-line method over the term of the lease.

Rent expense for the years ended August 31, 2011 and 2010 was \$928,319 and \$752,749, respectively.

Minimum payments required under the lease are as follows:

2012	\$ 856,071
2013	880,992
2014	898,765
2015	924,186
2016	944,243
Thereafter	<u>6,371,161</u>
	<u>\$ 10,875,418</u>

PSC/CUNY rents out a portion of its premises to an affiliated organization. Total rental income for the years ended August 31, 2011 and 2010 was \$173,853 and \$168,933, respectively. The sublease is effective through August 31, 2022. The affiliated organization shall pay PSC/CUNY a sum equal to 23.90% of the 15th-floor rent due from PSC/CUNY to the owner of the premises.

Rental income over the term of the lease is as follows:

2012	\$ 171,845
2013	175,282
2014	178,788
2015	182,361
2016	187,824
Thereafter	<u>1,228,630</u>
	<u>\$ 2,124,730</u>

NOTE 6 – PENSION PLANS

Clerical and support staff are covered by a noncontributory defined contribution pension plan administered by Local 153 - OPEIU. Contributions to this plan amounted to \$55,945 for the year ended August 31, 2011 and \$54,198 for the year ended August 31, 2010.

PSC/CUNY also sponsors a defined benefit pension plan covering all professional (non-clerical/support) employees who are over the age of twenty-one and have completed one year of service, except those covered above and temporary professional employees. All contributions are made by PSC/CUNY.

The following table summarizes the benefit obligations, fair value of assets, funded status and accrued benefit costs as of August 31, 2011...* and employer contributions, benefits paid and net periodic pension costs for the years then ended:

	2011	2010
Benefit obligation	\$(2,458,978)	\$(2,716,304)
Fair value of plan assets	<u>1,425,912</u>	<u>1,873,913</u>
Funded status	\$(1,033,066)	\$ (842,391)
Accrued pension payable		
benefit cost recognized		
in the balance sheet	<u>\$(1,033,066)</u>	<u>\$ (842,391)</u>
Benefits paid	<u>\$ 910,021</u>	<u>\$ 10,831</u>
Contributions	<u>\$ 206,374</u>	<u>\$ 174,898</u>
Net periodic pension cost	<u>\$ 350,419</u>	<u>\$ 254,809</u>

Weighted average assumptions as of August 31, 2011,*:		
	2011	2010
Discount rate	5.0%	5.5%
Expected return on plan assets	7.0%	7.0%
Rate of compensation increase	4.0%	4.0%

PSC/CUNY’s pension plan asset allocations by asset category are as follows:

Asset Category	2011 Level 1	2010 Level 1
Cash and cash equivalents	\$ 61,845	\$ 132,958
Equities		
Common stock - domestic	723,867	890,784
Common stock -American depository receipts	69,232	96,421
Fixed-income securities		
U.S. Treasury notes		379,968
Government agencies	89,711	190,648
Mutual funds		
Equity funds	481,257	177,911
Corporate bonds		5,223
Total	<u>\$ 1,425,912</u>	<u>\$ 1,873,913</u>

PSC/CUNY’s investment policies are designed to ensure that adequate plan assets are available to provide future payments of pension benefits to eligible participants. Taking into account the expected long-term rate of return on plan assets, PSC/CUNY formulates the investment portfolio composed of the optimal combination of cash and cash equivalents, equities and fixed income.

Cash Flows

PSC/CUNY does not expect to contribute to its pension plan in 2012.

The following benefit payments, which reflect expected future service, are expected to be paid as follows:

2012	\$ -
2013	-
2014	551,709
2015	-
2016	-
2017-2021	2,720,339

In 2011 and 2010, PSC/CUNY has recorded an adjustment of \$46,631 and \$483,366, respectively, to its net assets for the additional change in prepaid pension asset/accrued pension liability beyond the current-year pension expense.

NOTE 7 – FUNCTIONAL EXPENSES

PSC/CUNY provides collective bargaining and other union-related services to its members. Expenses related to these programs are:

	2011	2010
Union activities	\$ 12,101,201	\$ 12,016,488
Management and general	3,528,904	3,384,752
Total expenses	<u>\$ 15,630,105</u>	<u>\$ 15,401,240</u>

NOTE 8 – CONCENTRATIONS

Financial instruments which potentially subject PSC/CUNY to a concentration of credit risk are cash and cash equivalents with major financial institutions in excess of FDIC insurance limits. Management believes that credit risk related to these accounts is minimal.

EXHIBIT A	EXHIBIT B	EXHIBIT C
PROFESSIONAL STAFF CONGRESS/CUNY	PROFESSIONAL STAFF CONGRESS/CUNY	PROFESSIONAL STAFF CONGRESS/CUNY
BALANCE SHEET	STATEMENT OF REVENUES, EXPENSES AND CHANGE IN NET ASSETS	STATEMENT OF CASH FLOWS
AUGUST 31, 2011	AUGUST 31, 2011	AUGUST 31, 2011
2011	2011	2011
ASSETS	Revenues	Cash flows from operating activities
Cash and cash equivalents	Membership dues and agency fees	Change in net assets (Exhibit B)
Certificates of deposit	Subsidies from affiliates – NYS United Teachers, Inc.	
Investments (Note 3)	and American Federation of Teachers	
Accounts receivable	Interest and dividends (net of \$15,744 in investment fees for 2011)	Adjustments to reconcile change in net assets to net cash used by operating activities
Dues receivable	Gain on investments	Depreciation and amortization
Prepaid expenses	Rental income (Note 5)	Gain on investments
Fixed assets - net (Note 4)	Total revenues	Decrease (increase) in assets
	Expenses	Accounts receivable
	Salaries	Dues receivable
	Fringe benefits	Increase (decrease) in liabilities
	Depreciation and amortization	Due to NYS United Teachers, Inc.
	Dues to affiliated organizations	and American Federation of Teachers
	Conferences and meetings	Accounts payable
	Occupancy (Note 5)	Accrued expenses
	Repairs and maintenance	Deferred rent
	Office supplies, printing and publishing	Accrued pension payable
	Postage and delivery	Accrued compensated absences
	Professional fees	Net cash used by operating activities
	Contract and budget campaigns	
	Insurance	Cash flows from investing activities
	Stipends and reassigned time	Purchase of fixed assets
	Mobilization and outreach	Purchase of certificate of deposits
	Community relations	Liquidation of certificate of deposits
	Elections	Proceeds from sale of investments
	Committees	Purchase of investments
	Cultural activities	Net cash used by investing activities
	Other expenses	
	Total expenses	Net decrease in cash and cash equivalents
	Change in unrestricted net assets before other changes	Cash and cash equivalents – beginning of year
	Pension adjustment (Note 6)	Cash and cash equivalents – end of year
	Change in unrestricted net assets (Exhibit C)	See independent auditor’s report.
	Net assets – unrestricted – beginning of year	The accompanying notes are an integral part of these statements.
	Net assets – unrestricted – end of year (Exhibit A)	
	See independent auditor’s report.	
	The accompanying notes are an integral part of these statements.	

* Due to limited space, only figures for the year ending Aug. 31, 2011, are included here. Figures for the year ending Aug. 31, 2010, are available at psc-cuny.org/PSC-budget-FY2011.

Reed Elsevier and ALEC

By PETER HOGNESS
& JAKE BLUMGART

Academic journals & corporate interests

What do prestigious scientific journals like *Cell* and *The Lancet* have to do with privatizing public services, union-busting, or cutting corporate taxes?

The publishing company that owns these journals, Reed Elsevier, has supported all of these goals through its contributions to the American Legislative Exchange Council (ALEC).

ALEC is a corporate-funded, politically conservative “bill mill,” which develops legislative templates for state-level laws that serve its political goals. The group holds networking conferences for politically sympathetic state legislators – such as Wisconsin Gov. Scott Walker, when he was a State Assembly member – where ideas are shared and its model bills are circulated (see sidebar).

Reed Elsevier is a leading member of ALEC – and also the parent company of Elsevier, one of the largest academic publishing companies in the world. It owns about 2,000 academic journals, primarily scientific and medical, and a diverse array of other information-related businesses, including LexisNexis.

ALEC has more than 250 corporate members (the exact number is uncertain, as the organization refuses to release a full list), but Reed

Elsevier is one of just 23 that sit on ALEC’s national Private Enterprise Board. Reed-Elsevier lobbyist Teresa Jennings represents the company on this board, serving alongside better-known corporations such as Wal-Mart and ExxonMobil.

As its active membership in ALEC illustrates, Reed Elsevier’s interests are more similar to those of other corporations than many would assume. The company’s academic journal division, Elsevier, had an impressive 36% profit rate in 2010, on revenues of \$3.2 billion. Reed Elsevier’s CEO, Erik Engstrom, was paid \$2.93 million in total compensation in 2009, the most recent year for which public figures are available.

Like other corporations, Reed Elsevier’s legislative interests are in the first place concerned with keeping those profit numbers high – even when this conflicts with the central purpose of academic journals, the dissemination of knowledge.

OWNERSHIP

For example, the company has been a vocal supporter of the Research Works Act. As *The New York Times* reported in February, this bill “would prohibit federal agencies from requiring open access to research, even if it is financed by

taxpayers,” in order to protect the proprietary interests of publishing companies. Reed Elsevier also supported the Protect Intellectual Property Act (PIPA) and the Stop Online Piracy Act (SOPA), a pair of bills that ran into a firestorm of grassroots opposition for the limits they would have placed on Internet free speech.

Profits from The Lancet are used to block action on climate change.

ALEC’s members are strongly supportive of corporate ownership interests in such debates, and that, plus access to ALEC’s nationwide net-

work of legislators in all 50 states, may be reason enough for Reed Elsevier’s participation. To what extent Reed Elsevier has used ALEC to push pet bills of its own is unknown, because ALEC does not routinely make text of its model legislation public (see sidebar). What is clear, however, is that Reed Elsevier’s participation in ALEC involves the company in a political project that sharply conflicts with academic values.

For example, many scientists who have published in Elsevier-owned journals would be surprised to know that profits from those journals are used to block action against global warming.

ALEC supports efforts to get states to withdraw from regional efforts to counter global warming, like the Western Climate Initiative, in which state, provincial and local authorities work together to reduce their carbon footprint. ALEC’s model legislation on climate change contends that “forcing business, industry, and food producers to reduce carbon emissions through government mandates and cap-and-trade policies under consideration for the regional climate initiative will increase the cost of doing business,” and calls for states to withdraw from regional climate initiatives.

WISCONSIN

Other ALEC model bills attack the rights of public employee unions, including faculty at public universities (see sidebar). When University of Wisconsin historian William Cronon published a blog post on ALEC’s role in anti-union efforts in his state, pro-ALEC activists immediately went on a legal fishing expedition into Cronon’s files and e-mail, in an

unsuccessful search for something to use against him (see tinyurl.com/Clarion-Cronon).

ALEC’s other model bills include a version of David Horowitz’s so-called “Academic Bill of Rights,” which would enable state legislators to monitor the political views of public university faculty – a proposal that has been condemned by the American Historical Association, the Association of American Colleges and Universities, and the American Association of University Professors.

ALEC’s “140 Credit Hour Act” takes one of the most punitive approaches yet to the question of college graduation rates: Students who take more than that number of credits before graduating from a public university would get hit with 25% tuition hikes, and the university could “no longer count those students as enrolled.”

BOYCOTT

Reed Elsevier’s alliance, through ALEC, with such anti-academic legislative efforts, has received little public scrutiny. But the high prices of its journals, its high profits, and the company’s support for policies that restrict the flow of information have recently made Reed Elsevier the target of a scholars’ boycott. “The Research Works Act was the straw that broke the

camel’s back for many people,” Ingrid Daubechies, president of that International Mathematical Union, told the *Times*. More broadly, she said, “we feel that the social compact is broken at present by some publishing houses, of which we feel Elsevier is the most extreme.” Daubechies added that Elsevier is “making much larger profits” than a few years ago, but delivering less to scholars in return.

Reed Elsevier’s membership in ALEC may be more of a symptom than a cause of the way its priorities diverge from those of working academics. But in the past, collective action by scholars and physicians has been able to force changes in the company’s conduct.

CONFLICT OF INTEREST

For example, Reed Elsevier has a division that runs trade shows, such as the London Book Fair. Until 2008, it also organized trade shows for the arms industry, inviting some of the world’s most repressive regimes. After British scholars organized a petition campaign demanding that the company stop making money from the arms trade, a former editor of *British Medical Journal* proposed a boycott of Elsevier by academics and medical professionals, arguing that making money from both the medical profession and the weapons industry represented a profound conflict of interest. Less than six months after the boycott was proposed, the company announced that it would no longer organize arms industry trade shows.

There has been no similar effort targeting Reed-Elsevier’s membership in ALEC – but its role in ALEC has not been widely known.

How ALEC operates

“[The American Legislative Exchange Council] is one of the most influential, unknown bodies in America,” the former head of California’s Republican Party, Shawn Steel, told reporter Olga Khazan. “Now that Republicans are dominating most states, ALEC has become a fabulous idea factory.”

Through their membership in ALEC, corporations participate directly in writing the group’s model bills. Unsurprisingly, many of those bills reflect a standard corporate wish list: lower taxes on corporations and the wealthy; hostility to unions; weakening environmental regulations, etc.

CECI N’EST PAS LÉGISLATION

ALEC is officially a non-profit organization that, as Beau Hodai reported in *In These Times*, “is strictly prohibited by federal tax code from taking part in the formation of legislation.” ALEC insists that its conferences are “educational forums,” and that while it circulates model bills, it is the legislators, not ALEC, who turn those ideas into a law. “As such,” Hodai reports, “ALEC claims it is not engaged in the crafting of actual legislation, nor is it engaged in lobbying.”

ALEC circulates those legislative templates to its members, not the public. The vast majority of ALEC model

bills that have surfaced to date were part of a massive leak last year to the Center for Media and Democracy, which has placed more than 800 of them online (at ALECexposed.org).

State legislators often deny that their bills were inspired by ALEC, even when the language is similar or identical to bills advanced by ALEC members in other states. When Florida State Rep. Chris Dorworth proposed a ban on union dues checkoff for all public employees, GOP legislative officials told the press that Dorworth’s office “did not receive any materials from ALEC relating to this bill or any ‘model’ legislation.” But a public records request turned up three model bills on this subject in Dorworth’s working papers, with “Copyright, ALEC” printed on every one. — PH & JB

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Tenure track? We have your back



Leslie Francis (front right), assistant professor of business at QCC, listens as Michelle Wang, assistant professor of cooperative education at BMCC, asks a question during the Junior Faculty Development Day program held March 23 at the PSC Union Hall.

John Tarleton

NCC conflict

CONTINUED FROM PAGE 4

nothing appropriate, professional or collaborative about denouncing an employee to the entire community of his colleagues,” Bowen wrote. “The PSC stands behind every member, and we will stand behind Professor Rosenthal. We will not tolerate such unprofessional treatment of any member of the faculty or staff.” The union filed grievances on the firing, the disciplinary letters and workload in December, and an initial hearing was held in February.

The first group of NCC faculty were hired through lines assigned to other colleges, as the NCC did not yet officially exist. Rosenthal’s underlying appointment is at LaGuardia, but he is fighting his dismissal from the NCC and aims to return to his position there.

In January, CUNY management canceled a scheduled labor-management meeting on the NCC. When the administration declined to reschedule this meeting, which is contractually required, the union filed another grievance challenging the management’s failure and refusal to abide by this provision of the contract.

As the start date for the NCC’s first classes draws near, faculty describe the school as a place where everyone is working hard but the institution is in disarray. “It’s a very crisis-ridden atmosphere,” said one. “We’re floundering so badly. I can’t imagine how we’ll be ready.”

SELF-CENSORSHIP

NCC faculty interviewed by *Clarion* say it is now harder than ever to disagree openly with the administration, given what one called “the environment of fear and intimidation.” “People are censoring themselves because of what happened to others who were more vocal before,” agreed another.

“If you speak out, you are afraid you are going to lose your job,” said another NCC employee. “Academic freedom is apparently nonexistent at the NCC.”

(NCC officials did not respond to a request for comment on academic freedom at the NCC.)

All faculty working full-time at the NCC are untenured, and the NCC has no tenured faculty of its own. (A handful of tenured faculty from other colleges have part-time duties at the NCC.) “We’re all reporting to the provost,” an NCC faculty member said in March. “Right now, that is the governance plan.”

“It would have a hugely chilling effect for our union rights and faculty governance if this college were held up as the model that all CUNY should follow,” said Schnee. The problems at the NCC, she said, reflect “a systemic issue” that has also emerged in the Pathways process – “reshaping the University to take power away from the faculty and put it into the hands of the administration.”

“I believe you can have an innovative curriculum while still respecting members’ union rights and treating faculty like the professionals we are,” Schnee told *Clarion*. “The two are not incompatible.”

PSC elections – April 2012

Vote for union-wide officers

The PSC is holding union-wide elections this spring. With ballots mailed to eligible members’ homes by the American Arbitration Association (AAA) on April 2. Completed ballots must be received by the AAA by 5:00 pm on Friday, April 27.

PSC elections occur on a three-year cycle. In 2013 there will be elections for chapter-level positions in half of the union’s chapters, and chapter elections in the other half will follow in 2014. The next election for union-wide offices will be held in 2015.

On the following pages are statements from Executive Council candidates and the slate, to which they belong. This year’s election for positions on the PSC’s Executive Council is uncontested: These candidates are all running as candidates of the New Caucus, which won contested union-wide elections in 2000, 2006 and 2009, and an uncontested race in 2003.

In the election for the PSC’s delegates to the American Federation of Teachers (AFT) and New York State United Teachers (NYSUT),

there is a slate of New Caucus candidates and one candidate who is unaffiliated. Election of PSC delegates to the American Association of University Professors (AAUP) is separate; in that voting, a New Caucus slate is uncontested.

PSC election rules provide all candidates for Executive Council positions with access to union publications in order to put their views before the members. Each candidate for an Executive Council position is given a certain number of words for a statement; candi-

dates running on a common slate may pool this amount and devote some of it to a statement from the slate as a whole.

You are eligible to vote if you have been a PSC member in good standing for at least four months when ballots are mailed out on April 2. If you believe you are eligible but have not still received a ballot by April 9, please contact Barbara Gabriel at the PSC office (bgabriel@psccmail.org, or 212-354-1252) for a duplicate ballot or to check your membership status.

New Caucus candidates for delegates to New York State United Teachers and American Federation of Teachers conventions

Alice Baldwin-Jones	City College	Alan Feigenberg	City College	Eileen Moran	Retiree
Judith Barbanel	Queensborough CC	Michelle Fine	Graduate Center	Joyce Moorman	BMCC
Steven Barrera	York College	Shirley Frank	York College	Catherine Mulder	John Jay College
Michael Batson	College of Staten Island	William Friedheim	Retiree	Robert Nelson	Graduate Center
Manette Berlinger	Queensborough CC	Anne Friedman	BMCC	Marcia Newfield	BMCC
Craig Bernardini	Hostos CC	Libby Garland	Kingsborough CC	Anthony O’Brien	Retiree
Stanton Biddle	Retiree	Tami Gold	Hunter College	Costas Panayotakis	New York City Tech
Barbara Bowen	Queens College	Verna Green	Medgar Evers College	Terry Parker	LaGuardia CC
George Brandon	City College	Joan Greenbaum	Retiree	Alan Pearlman	Baruch College
Mary Alice Browne	New York City Tech	Wayne Halliday	Lehman College	Michael Perna	Hunter College
Jonathan Buchsbaum	Queens College	Carol Hartman	College of Staten Island	Sharon Persinger	Bronx CC
Robert Cermele	New York City Tech	David Hatchett	Medgar Evers College	Glenn Petersen	Baruch College
Michael Cesarano	Queensborough CC	John Hyland	Retiree	Vasilios Petratos	College of Staten Island
Holly Clarke	John Jay College	Rebekah Johnson	LaGuardia CC	Felipe Pimentel	Hostos CC
Janice Cline	York College	Glenn Kissack	Retiree	John Pittman	John Jay College
Lorraine Cohen	LaGuardia CC	Geoffrey Kurtz	BMCC	Rubén Rangel	City College
Lizette Colón	Hostos CC	Joel Kuszai	Queensborough CC	Anselma Rodriguez	Brooklyn College
Clinton Crawford	Medgar Evers College	Reneta Lansiquot	New York City Tech	Jacob Segal	Kingsborough CC
Frank Crocco	BMCC	LaRoi Lawton	Bronx CC	Sigmund Shen	LaGuardia CC
Berkis Cruz-Eusebio	Hostos CC	Steven Leberstein	Retiree	Albert Sherman	New York City Tech
James Davis	Brooklyn College	Steven Levine	LaGuardia CC	Michael Spear	Kingsborough CC
Frank Deale	Queens College Law	Antonia Levy	Queens College	Dorothy Staub	York College
Iris DeLutro	Queens College	Penny Lewis	Graduate Center	Andrea Vásquez	Graduate Center
Arthurine DeSola	Queensborough CC	Patrick Lloyd	Kingsborough CC	Blanca Vázquez	Hunter College
Scott Dexter	Brooklyn College	Steven London	Brooklyn College	Alex Vitale	Brooklyn College
Leonard Dick	Bronx CC	John Maerhofer	Bronx CC	George Walters	LaGuardia CC
Susan DiRaimo	City College	Nivedita Majumdar	John Jay College	Paul Washington	Medgar Evers College
Jackie DiSalvo	Retiree	Gerald Markowitz	John Jay College	Vera Weekes	Medgar Evers College
Gregory Dunkel	Central Office	Claudio Mazzatenta	Bronx CC	Steve Weisblatt	York College
Hester Eisenstein	Queens College	Cecelia McCall	Retiree	Stanley Wine	Baruch College
Sharif Elhakem	Lehman College	Nikki McDaniel	Bronx CC	Alex Wolf	Bronx CC
Joseph Entin	Brooklyn College	Lucy McIntyre	Central Office	Lana Zinger	Queensborough CC
Mike Fabricant	Hunter College	Howard Meltzer	BMCC		
Robert Farrell	Lehman College	Diane Menna	Queens College		

Unaffiliated candidate for delegate to New York State United Teachers and American Federation of Teachers conventions

Joel Greenstein	New York City Tech
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New Caucus candidates for American Association of University Professors annual delegates

Barbara Bowen	Queens College	Anne Friedman	Manhattan CC
Steve London	Brooklyn College	Stephen Leberstein	Retiree
Michael Fabricant	Hunter College	Cecelia McCall	Retiree
Arthurine DeSola	Queensborough CC	Bonnie Nelson	John Jay College
Judith Barbanel	Queensborough CC	Marcia Newfield	Manhattan CC
Robert Cermele	New York City Tech	Susan O’Malley	Retiree
James Davis	Brooklyn College	Stanley Wine	Baruch College
Iris DeLutro	Queens College		

THE NEW CAUCUS

What We Stand For

The New Caucus was formed in 1995 when hundreds of faculty and professional staff from across the University came together to dedicate our political lives to the project of making CUNY the great public university it could be. It was a time of financial crisis that had rapidly degraded our working conditions and our students’ learning conditions. CUNY had never fully recovered from the New York City fiscal crisis in 1975, when thousands of faculty positions had been lost; twenty years later, conditions at CUNY had reached a low point.

What united us was the belief that CUNY was worth fighting for and that conditions could be changed if the union became a leader in that fight. We refused to accept the premise that CUNY will always be poor, that second-class conditions are good enough for our students – or for us.

We also understood that the union would be effective in the fight for change only if it became more than a narrowly defined service organization. Attempting to address members’ individual needs while leaving the underlying conditions untouched was a failed strategy. To make real change, the PSC would have to become a serious political force rooted in an active membership.

That is what the union has become. After taking office in 2000, the New Caucus leadership of the PSC has established itself as a power at the bargaining table, on the campuses, in City Hall, in Albany and even in national policy debates. Under our leadership, the erosion in conditions at CUNY has stopped, salaries have risen, health benefits have been preserved and expanded, support for research has increased, adjunct conditions have improved, and the free-fall in CUNY funding has been ended.

Social Unionism is More Effective for Members

The New Caucus approach is known as “social unionism.” The union builds the necessary power to serve members, and as it becomes politically powerful, it promotes a progressive political agenda, fosters solidarity with other unions, builds and works within progressive coalitions, and contributes to the development of progressive mass movements. As the PSC has implemented this strategy of building collective power, the union has also become stronger in defending individual members’ salaries, benefits and rights. The union is more powerful on bread-and-butter issues when it embraces a bolder vision.

A Record of Success

The New Caucus is proud of our record, a few highlights of which we offer here. What we are proudest of is that our power derives from involving thousands of CUNY faculty and staff in this work. The accomplishments are ours together.

1. **Under New Caucus leadership, the union has successfully bargained three contracts through two major economic downturns.** When we took office in 2000, CUNY had sabbaticals at 50% pay, no junior faculty research leave, no paid parental leave, no professional development grants for staff or adjuncts, no paid office hours for adjuncts, salaries that lagged far below national norms, and a Welfare Fund on shaky financial ground. Today all of that has changed. We have much still to do on salaries, teaching load and other issues, but we have shown that unleashing the power of the membership is the way to win contract battles. Even in tough economic times, we are determined to make progress, and we have a track record that shows it is possible. We have worked with CUNY management when we share goals, but we have also drawn a line in the sand when our members’ interests are at stake.
2. **Under New Caucus leadership, informal talks with management have produced breakthroughs for our membership – even as we continue to negotiate a new contract.** The victories occurred despite a larger political environment that demands labor givebacks. We secured a management commitment to include part-time faculty health insurance in CUNY’s budget proposal because of the pressure of our organizing campaign. The Governor’s budget reflects that commitment. In addition, paid parental leave was recently

made a permanent entitlement of faculty and professional staff, transitioning from a pilot program. PSC-CUNY Research Grants have been reformed and their funds increased by nearly \$1 million over a three-year period. Talks on other issues, such as the creation of a sick-leave bank, continue, and continue to be fruitful.

3. **Under New Caucus leadership, the union has worked with coalitions of labor, community groups and students to resist economic austerity for the public sector.** In the spring of 2011, the PSC rallied in Albany with other coalition members to demand that the “millionaires’ tax” be continued. Together, we were successful in forcing the Governor to sustain a large part of the tax on New York’s highest earners, a move that substantially reduced the State’s projected deficit. With that deficit reduction, new funds for CUNY and other important services became available. Critically, PSC representatives sit on the decision-making bodies of coalition partners, helping to shape organizing direction and public campaigns.
4. **Under New Caucus leadership, the union has expanded its political apparatus and influence, winning increased funds for CUNY.** The PSC has built its legislative presence in New York City and Albany by establishing member-based borough coordinators and teams. Using “inside” strategies of face-to-face advocacy combined with “outside” strategies of mass demonstrations and civil disobedience, we have built power and pressure. The PSC also works closely with the legislative leaders of NYSUT, the Working Families Party and other New York unions. Political leaders across the state call upon the expertise of New Caucus-PSC leadership when deliberating about initiatives such as increased funding for community colleges, part-time faculty health insurance, pension reform, or workplace bullying.
5. **Under New Caucus leadership, the union won 80% pay for sabbaticals, and 24 contact hours of reassignment time for junior faculty.** We came into office determined to break the grip of the idea that support for research was a luxury, unthinkable at CUNY. In 2004, New Caucus leadership of the PSC organized mass membership support for our contract campaign, and won sabbatical pay at 80%. Mobilizing the pressure of the membership, we made a similar breakthrough for junior faculty. Untenured faculty at every CUNY college are now entitled to the equivalent of a year, on average, of full-paid released time for research before the tenure decision.
6. **Under New Caucus leadership, the union made significant gains for adjuncts, other part-timers and graduate employees.** The New Caucus was founded on the recognition that the labor system in higher education must be changed, and we have worked consistently to bring parity to part-time and hourly faculty and professional staff. The battle is far from over, but drawing on adjunct and graduate employee leadership within the union, the PSC under our leadership has made significant inroads against this system. On health care, we have waged unprecedented campaigns to fund adjunct health insurance and are on course to secure funding for this benefit. We also negotiated health insurance for graduate employees. And we won paid office hours and professional development funds for adjuncts, as well as paid sick leave and other improvements for Continuing Education faculty.
7. **Under New Caucus leadership, the union defended the 35-hour workweek for HEOs and won rights to overtime pay and compensatory time.** For 40 years CUNY had been routinely violating the contract on the workweek for employees in the Higher Education Officer series. Under New Caucus leadership, the PSC challenged this practice, carefully developing both a grievance and a lawsuit. The key was making an individual issue collective – breaking through years of silence by organizing. That’s a hallmark of PSC strategy under the New Caucus: combining meticulous contract enforcement work with bold, energetic organizing. And the results can be transformative. Thousands of

professional staff across the University are now entitled to compensation for work assigned beyond the contractual limit, and a pattern devaluing HEO work has been changed.

8. **Under New Caucus leadership, the union has defended academic freedom, freedom of speech, and faculty governance rights.** An academic union has a special responsibility for maintaining the academic character of the University. New Caucus-PSC leaders have a strong record of taking a stand against CUNY management’s infringement on these freedoms. Currently, we are fighting management’s attempt to impose “Pathways,” completely disregarding faculty governance and the academic freedom of the faculty to control curricular decisions. We have fought and won when management pulled an adjunct from a course because of its content. And when CUNY management tried to deny chapter leaders access to campus e-mail for union communications, we prevailed.
9. **Under New Caucus leadership, the union restored the finances of the Welfare Fund, enhanced retiree benefits, and refused to sell out adjuncts or retirees.** Welfare Fund trustees put into place a new Medicare Part D program that ends the \$50 deductible and lifts the \$10,000 per person annual prescription drug cap. This major advance was made possible because New Caucus leadership fought back against CUNY’s historic failure to provide adequate support for the Welfare Fund. New Caucus leaders took an unpopular stand to use retroactive pay to provide adequate funds for retiree and adjunct benefits in the 2002-07 contract. We refused to compromise on the principle of equal rights to benefits, and we insisted on maintaining adjunct health insurance. Without taking that stand, we would not now be positioned to take advantage of the new provisions of Medicare Part D of the Affordable Health Care Act and be closer to permanently fixing adjunct health insurance.
10. **Under New Caucus leadership, the union is a national force for educational justice and a leader in progressive positions for labor. We were an early and strong supporter of the Occupy Wall Street movement and we continue to provide material and political support.** Questions of fairness for ourselves and our students are inseparable from the larger policy choices that create the conditions in which we work. Under New Caucus leadership, the PSC has gained a national reputation for leadership on issues of educational justice, academic labor policy, antiracism, and opposition to wasteful and unjust wars. We were leaders in the coalition that succeeded in changing the law on access to CUNY and SUNY for undocumented students. We were among the first unions nationally to demand an end to the war in Iraq and were instrumental in shifting the position of our national union. Locally, we are strong partners in coalitions to support quality education and deep believers in solidarity with other unions.

Why We are Running for Re-Election

What motivated us in 1995 to found the New Caucus continues to define us today: to see our members realize their professional aspirations and see CUNY be the university it could be. Our work, however, is not finished. CUNY, like all things public, is imperiled. Mainstream politicians continue to develop austerity budgets that starve CUNY and deny the University the essential elements of a quality education: small classes, a cohort of full-time faculty that keeps pace with the expansion of the student body, proper compensation and adequate time for faculty to teach and do research, part-time faculty afforded a livable wage, and fair, supportive conditions for professional staff. These are but a few of the critical ingredients necessary to guarantee that all CUNY students receive the instruction and support they deserve.

The New Caucus has shown that we have the strategy and the vision to make progress for members and for CUNY even during tough times. And we are prepared to work as hard as it takes in the next three years to stand up for you, for your professional aspirations and for your vision of what the University could be. We ask you not just to vote for us, but to join us. Show your support by voting in the election – and voting New Caucus.

FOR PRESIDENT

Barbara Bowen has been President of the union since 2000, when she led the New Caucus effort to increase the power and vitality of the PSC. Under her leadership, the PSC has gained in stature as a political force, able to win material improvements in members' lives and to articulate a larger vision for public higher education. As that vision comes increasingly under attack, Bowen has emerged as a leader in the fight to maintain quality education at CUNY. As head of the PSC's bargaining team, she has developed the power of the membership to win such advances as sabbaticals at 80% pay, reassigned time for junior faculty, significant salary increases, paid office hours for adjuncts, paid parental leave, and professional development grants for adjuncts, HEOs and CLTs. A fierce opponent of accommodating to economic austerity, Bowen has been an outspoken critic of Albany's failed strategy of disinvestment in CUNY and reliance on increased student tuition. She has gained a national reputation as a principled and articulate labor leader, pressing the City's labor movement to challenge Wall Street and leading the effort within our national union to oppose unjust and wasteful wars. Bowen holds faculty positions at both Queens College and the Graduate Center; she earned her PhD at Yale and is widely published in the field of 17th-century literature.



FOR FIRST VICE PRESIDENT

Steve London has been First Vice President since 2000 and is an associate professor of political science at Brooklyn College. A founder of the New Caucus, he served three terms in the 1990s as Brooklyn College's PSC Chapter Chair and as a University Faculty Senator. As the PSC's Legislative Representative, he has led the union's member-based political action campaigns – winning, e.g., increased employer pension contributions for ORP participants and enhancing CUNY budget advocacy at the City and State levels. He chairs the PSC's Contract Enforcement Committee. Under his leadership in this area, the PSC has won significant arbitration and legal victories, including the 35-hour workweek for HEOs. Serving on the PSC Negotiations Committee since 2000, he has been involved in the detailed decision-making of every contract settlement. Steve is a Welfare Fund Trustee and its Executive Officer, initiating reform of the Fund and preserving benefits. As a NYSUT Board Director, he was instrumental in increasing NYSUT's focus on higher education gaining more resources for the PSC. Co-editor of two books, Steve brings his expertise in political science to the union's work.



FOR SECRETARY

Arthurine DeSola, Higher Education Assistant, is currently PSC Secretary, the first HEO elected to that position. A member of the CUNY community for over 30 years, she was a counselor in the Department of Student Services at Queensborough Community College and a faculty member in the Counseling Department at LaGuardia Community College. Chairperson of the HEO/CLT Professional Development Fund Committee for the past six years, she oversees the process for the professional staff's receiving funds for the advancement of professional development and education. She is a member of the Contract Enforcement, Legislation, and Women's Committees. DeSola has presented testimony before the City and State Higher Education Committees. Her lobbying efforts include frequent visits to Albany with the goal of supporting the CUNY budget request and obtaining additional funding for CUNY's students, faculty and staff.



FOR TREASURER

Michael Fabricant, professor at Hunter College and Executive Officer of the PhD Program in Social Welfare, is involved in every aspect of assembling and reporting on the PSC budget. His focus is the development of an organizing department that evolves membership networks and power for the enhancement of working and learning conditions at CUNY. As an advocate for faculty, staff and students, he works to build coalition relationships with students, labor and community-based organizations within and without the Occupy Wall Street movement. He plays a leadership role in the contract and budget campaigns and represents PSC on the AFT Committee on Organizing, whose focus is new membership organizing and advancement of a national public education agenda. He has authored numerous articles; the most recent of his eight books explores the threat of charter schooling and the restructuring of the American economy that has stimulated the recent intense attacks on public education and teachers. He has been Treasurer of the National Coalition to House the Homeless and for Community Access United, an agency serving the disabled.



FOR UNIVERSITY-WIDE OFFICERS

George Brandon is an associate medical professor in the Department of Community Health and Social Medicine, the Sophie Davis School of Biomedical Education at the City College of New York. His PhD in anthropology is from Rutgers University (1983). He joined the PSC soon after arriving at CCNY in 1989, and has served on that chapter's Executive Committee as Chapter Chairperson and as a member of the Organizing Committee for the last contract. A jazz musician as well as a medical anthropologist, he is a member of the PSC's Executive Council.



Jonathan Buchsbaum, Professor in the Department of Media Studies, Queens College, serves on the PSC Executive Council, chairs the PSC's Labor Goes to the Movies Committee, co-chairs the Anti-Racism Committee and is Chair of the Queens College chapter. He has led the chapter's organizing work on such issues as defense of faculty rights, and advocacy on health and safety. Under his leadership, the chapter filed a successful legal complaint against CUNY for failing to develop and implement a Workplace Violence Protection Policy. Buchsbaum's academic work includes two studies of political filmmaking: *Cinema Engagé: Film in the Popular Front* and *Cinema and the Sandinistas: Filmmaking in Revolutionary Nicaragua*.



Penny Lewis is an assistant professor of labor studies at the Joseph S. Murphy Institute of the School of Professional Studies. She has been a CUNY graduate student, adjunct, Hunter High School teacher and instructor, and assistant professor at Borough of Manhattan Community College where she served on the BMCC chapter's Executive Committee. She has served as an organizer for the PSC, as a representative to Jobs with Justice; a member of the Solidarity and Labor Goes to the Movies Committees, as a DA delegate, and as Executive Council member. Her research interests are labor, social class and social movements.



Costas Panayotakis, associate professor of sociology at New York City College of Technology, is the author of *Remaking Scarcity: From Capitalist Inefficiency to Economic Democracy*. He has become a prominent national commentator on the economic crisis in Greece. Costas has also used performance art to challenge the position that economic austerity is the appropriate response to the current crisis; the



character he has created and sometimes performs as, "Austerity Nut," rides the subways facetiously urging passengers to sacrifice for "our suffering brothers and sisters on Wall Street." A serious scholar of social movements and a current member of the Executive Council, Costas has also worked extensively to build mutual support between full-time and part-time faculty.

Michael Spear is an assistant professor of history at Kingsborough Community College. Elected to the PSC Executive Council to fill a vacancy in 2011, he has been an activist with the union since the mid-1990s and a CUNY student activist before that. A delegate to the NYC Central Labor Council, Michael serves on the PSC Legislation and Contract Campaign Organizing committees. His research is on the US labor movement and post-World War II New York City history. An important article, "In the Shadows of the 1970s Fiscal Crisis: New York City's Municipal Unions in the Twenty-First Century," appeared in the September 2010 issue of *Working USA*. He is a co-coordinator of the New Caucus.



FOR VICE PRESIDENT FOR SENIOR COLLEGES

Robert Cermele, associate professor of mathematics and chapter chair at New York City College of Technology, has served as department chairperson and is active in local college governance, chairing several standing committees of the College Council. He is a representative to the University Faculty Senate, serving on the Status of the Faculty Committee. Elected a PSC Senior College Officer in 2000, he became Vice President for Senior Colleges in 2006. He serves on the Executive Council and is an active member of the Academic Freedom, Finance, and Legislation Committees. Bob is also co-coordinator of the union's Manhattan borough political action committee, and Treasurer of the PSC-CUNY Welfare Fund.



FOR SENIOR COLLEGE OFFICERS

David Hatchett is a lecturer in English at Medgar Evers College. He has been active in the PSC for more than a decade as a part-time faculty organizer at Medgar Evers and Hostos Community College from 2000-05. After joining the Executive Council in 2005, he became the co-coordinator of the adjunct organizing project. He works with the New Caucus leadership at Medgar Evers, is a member of the chapter's Executive Committee and is currently a representative of the chapter to the Delegate Assembly. He is a member of the New Caucus Governing Board.



Blanca Vázquez is adjunct assistant professor in the Film and Media Studies Department at Hunter College. At the Center for Puerto Rican Studies, she was the founding editor of *Centro Journal* and a researcher on the Culture and Oral History Task Forces. Vázquez has been a union delegate, secretary of the Hunter chapter's Executive Committee and liaison for part-timers. In 2009, she received Hunter's Cecile B. Insdorf Award for Excellence in Teaching for Part-Time Faculty. She is a lifelong activist in social movements for civil rights, women's equality and Puerto Rican self-determination.



Alex Vitale is an associate professor of sociology at Brooklyn College. In addition to serving on the Executive Council, he has been chapter chair at Brooklyn College and co-coordinates the union's political action committee for Brooklyn. He is a nationally known scholar on the policing of demonstrations and other political activities in the US and internationally. His book *City of Disorder: How the Quality of*



Life Campaign Transformed New York Politics studies the rise of neoconservative politics and policing in the 1980s and 1990s. Before coming to CUNY, Alex was a labor/community organizer for the San Francisco Coalition on Homelessness.

FOR VICE PRESIDENT FOR COMMUNITY COLLEGES

Anne Friedman, professor of academic and critical reading at Borough of Manhattan Community College, is PSC Vice President for Community Colleges, also serving on the Contract Negotiating Committee. She is a member of the PSC's Anti-Racism Committee and has been active in open admissions struggles for 40 years, beginning as a student at City College. Anne is also a delegate to NYSUT, AFT and AAUP; she has been appointed to NYSUT's and AFT's community college advisory committees. She is immersed in governance issues, and since 1997, on the Executive Committee of the University Faculty Senate, where she is a liaison to the Status of the Faculty Committee. She is committed to a democratic and collective process in union decision-making.



FOR COMMUNITY COLLEGE OFFICERS

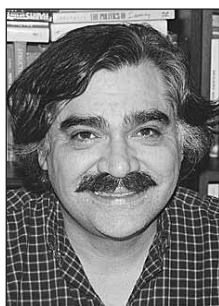
Lorraine Cohen, professor of sociology at LaGuardia Community College, serves on the Executive Council and is a member of the Negotiations Committee. As LaGuardia's Chapter Chair, she organized the struggle against the growing "shadow workload" and mobilized faculty and staff to support the PSC's anti-austerity campaign. In 2007, she led the fight to prevent management from banning the use of college e-mail for union related communication. A sociologist with deep roots at CUNY, Lorraine is an outspoken advocate for CUNY students, working frequently with student coalitions in support of funding for the University. She was NYSUT's 2005 Higher Education Member of the Year.



Sharon Persinger, associate professor in the Department of Mathematics and Computer Science at Bronx Community College, has served as Chair of the PSC chapter at BCC since 2010 and was recently elected to fill a vacant community college officer position on the PSC's Executive Council. With her leadership, the BCC chapter has worked on improving health and safety at the college, winning equity for adjuncts, and restoring adequate funding for CUNY. Born into a union family in West Virginia, Sharon learned about the importance and power of organized labor from the United Mine Workers.



Felipe Pimentel, assistant professor of sociology at Hostos Community College, holds a PhD in sociology from the CUNY Graduate Center. Before accepting his full-time faculty position, he worked as an adjunct at several CUNY colleges, and he brings with him a deep knowledge of the institution. Since 2009, he has been a Community College Officer, a member of the PSC Executive Council and University Faculty Senate. He currently serves as campus grievance counselor. Felipe's research includes a study of the racial and ethnic composition of the full-time faculty at CUNY, and he has participated in Chancellor Goldstein's Latino Faculty Recruitment initiative. A serious bird-watcher and photographer, Felipe is currently doing a sociological investigation of the practice of bird-watching in the New York Metropolitan area.



FOR VICE PRESIDENT FOR CROSS-CAMPUS PERSONNEL

Iris DeLutro, a senior counselor and coordinator of the LEAP to Teacher Programs of the Murphy Institute, is Vice President for Cross-Campus Personnel and chairs the Higher

Education Officer chapter. She serves on the Executive Council, and is a member of the Negotiations, Anti-Racism, HEO Organizing, and Legislation committees; she is co-coordinator of the union's political action committee for Queens. A Director of NYSUT, Iris participates actively in NYSUT, AFT and AAUP. In 2009, she was NYSUT's Higher Education Member of the Year and recipient of a Lifetime Achievement Award from the Organization of New York for Puerto Rican Women. A powerful advocate for professional staff, she has focused on workplace bullying and championed legislation to address it.



FOR CROSS-CAMPUS OFFICERS

Alan Pearlman is a senior college laboratory technician at Baruch College and earned bachelor's and master's degrees there. A member of the PSC Executive Council, he is also the Vice Chair of the College Laboratory Technician (CLT) chapter and a delegate to the Delegate Assembly. As a cross-campus officer, he proudly represents a hard-working and often unseen labor force of the University. He brings to the Executive Council years of experience interacting with students, faculty and management and welcomes the opportunity to be an advocate for the professional staff.



Andrea Ades Vásquez, the associate director of the American Social History Project/Center for Media and Learning, is the managing director of the Graduate Center's New Media Lab, a resource for both students and faculty. She is also the designer of many US history websites and documentaries used in CUNY and other college and high school classrooms. On the Executive Council and the Negotiations Committee, Andrea is active in the HEO chapter and has helped to organize HEOs across CUNY. She has contributed to the union's use of social media and was a leader in planning the conference "Defending Public Higher Education" at the Grad Center last fall.



Paul Washington, Higher Educational Associate, is Vice Chair of the HEO Chapter. He is the coordinator of outreach for the Male Development & Empowerment Center at Medgar Evers College. Serving on the Legislation Committee, he is co-coordinator for the union's political action committee for Brooklyn. Before coming to CUNY, Paul was a counselor and case manager for the homeless and a teacher in New York City schools. He also served as chief of staff to the New York City Council Chair for Higher Education, Charles Barron, where he worked extensively on increasing CUNY funds. He also coordinated the Council's Workforce Initiative, providing education, training and resources to unemployed men of color.



FOR VICE PRESIDENT FOR PART-TIME PERSONNEL

Marcia Newfield, PSC Vice President for Part-Time Personnel and author of children's books, has been an adjunct lecturer in English since 1988. She is a grievance counselor for part-timers, a member of the Executive Council and Negotiations Committee and is an active participant in union committees from Finance to Academic Freedom. A fierce advocate for part-time personnel, Newfield initiated "First Friday" meetings for adjuncts and has helped to organize the campaign for adjunct health insurance. Newfield was also part of the international planning committee for this year's meeting of COCAL (Coalition of Contingent



Academic Labor) to be held in Mexico City. This year she was named NYSUT's Higher Education Member of the Year.

FOR OFFICERS FOR PART-TIME PERSONNEL

Michael Batson, adjunct lecturer, teaches history and women's studies at the College of Staten Island and Kingsborough Community College. He is an officer for part-time personnel and a current member of the PSC Executive Council. A respected teacher and tireless advocate, Michael is a member of the Legislation Committee, where he participates in establishing and promoting the legislative agenda by advocating at the City and State levels for issues such as more CUNY funding and unemployment insurance for adjuncts. He is most energized, however, by his campus activities, including the CSI chapter's petitioning and securing a resolution from the faculty senate in support of adjunct health care.



Susan DiRaimo, an adjunct in English as a Second Language at City College and Lehman and coauthor of *Life, Language and the Urban Experience*, was elected to represent part-time personnel in 2003. She lobbies Albany for unemployment insurance for adjuncts and works for a seniority system for part-timers. She testifies regularly at the Board of Trustees, especially against tuition increases. Susan is the volunteer director of the Northwest Support Committee for the Homeless, which feeds the subway homeless and runs an overnight shelter. She received an award from Community Board 10 for her work with the homeless.

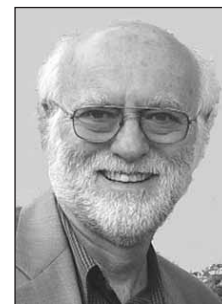


Steven Weisblatt, a continuing education teacher in the CUNY Language Immersion Program at York College, is currently serving as Chapter Chair at York – the first contingent faculty member to hold the position. As Chapter Chair, he has focused on improving physical conditions at the college. Steve is a delegate to the Delegate Assembly and a member of the Committee for Part-Time Affairs. He gained prior experience in union work as a shop steward with the Communication Workers of America, Local 9410.



FOR RETIREE EXECUTIVE COUNCIL OFFICERS

William Friedheim was Chapter Chair at Borough of Manhattan Community College in the sixties, seventies and nineties. A former labor editor, he is the PSC's award-winning webmaster. He is an activist with the PSC and retiree chapter, a delegate to AFT and NYSUT conventions and played a key role in revising the union's constitution, resulting in an amendment that gave retirees elected representation on the PSC Executive Council. In 2011, he helped initiate a PSC campaign to "Defend the Safety Net." His publications include books on the Civil War/Reconstruction period and the intersection of pedagogy and new-media technology in the teaching of history.



Eileen Geil Moran currently serves on the Executive Committee of the Retiree Chapter and the PSC Executive Council. A longtime political activist, Eileen is a leader on the Legislation Committee and co-coordinator of the union's political action committee for Queens. Recently, she has worked on the PSC's Social Safety Net Project, alerting members to the national attack on employee benefits and organizing members to ensure that their pension, health and retirement benefits are enhanced, rather than diminished. Moran was active with the Queens College chapter and served on the Welfare Fund Advisory Committee. A research associate at Queens College's Michael Harrington Center, she also taught in the sociology department.





15-MINUTE ACTIVIST

The Pathways petition & you

Have you signed the petition for the repeal and replacement of Pathways? That's great! Now you can ask a couple of colleagues to do the same. (See pages 8-9.)

If they – or you – haven't signed yet, it's not too late. CUNY faculty and staff can sign online at tinyurl.com/PSC-PWpetition.

You can post the center page of this issue of Clarion in your department. Paper copies of the petition can be printed at tinyurl.com/PSC-PWpetition.

[com/PSC-PW-petition-PDF](http://tinyurl.com/PSC-PWpetition). (It's all right if people sign both the paper petition and online. We're being careful to weed out any duplicates.) There are lots of ways to spread the word; find the one that works for you.

People should sign by April 20 to make sure their names are included when the petition is presented to CUNY's trustees. Again, you can sign online at [tinyurl.com/PSC-PW-petition](http://tinyurl.com/PSC-PWpetition).

Professional Staff Congress/CUNY
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New York, New York 10006

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PROFILE

Clarion | April 2012

Rethinking the machine

By JOHN TARLETON

Samir Chopra
BA in Mathematical Statistics,
Delhi University
MS in Computer Science,
NJ Institute of Technology
PhD in Philosophy,
CUNY Graduate Center

Two decades ago, Samir Chopra was a recent college graduate working at AT&T's Bell Labs, where he wrote computer programs for electronic voice and data switches. Then Chopra made a different kind of switch – leaving the corporate world for the CUNY Graduate Center, where he studied the philosophy of science. Now an associate professor of philosophy at Brooklyn College and the Graduate Center, Chopra is coauthor of three books, including *Decoding Liberation: The Promise of Free and Open Source Software* (Routledge, 2007) and *A Legal Theory for Autonomous Artificial Agents* (University of Michigan Press, 2011), which explores how the legal status of robots could evolve in the 21st century.

Why did you switch from working at Bell Labs to academia?

It was good work but I was finding the 9 to 5 grind a bit dispiriting. I thought, "Maybe I don't have to be stuck in this job for the rest of my life." I had always been interested in the philosophy of science, and I decided if I was going to make a career change I might as well make it a big one. So, I chucked my job, moved to Manhattan and started at the Grad Center.

What was the significance of *Decoding Liberation: The Promise of Free and Open Source Software*, the book you coauthored with Scott Dexter?

We unpacked the philosophical significance of free and open-source software. It's not just about software being free in price but free in the sense of not restricted – in how one has access to the software, how it is

BC prof mulls robot laws



Dave Sanders

Samir Chopra – and how he looks to his iPad.

controlled, how it is distributed, how it could be modified. This has interesting implications for the political economy, for intellectual property and for the nature of our society in the coming century.

How has the open-source software movement affected our larger culture?

It has prompted a very broad-ranging discussion about these legal doctrines that go by the name of intellectual property. If economics is concerned with the allocation of scarce resources, why import the same old legal regimes and economic principles to regulate digital products when they aren't scarce? Open-source software licenses have given us a very strong, impor-

tant ethical message that sharing trumps an enclosure method.

How do you think creators should be compensated?

People are talking about modes of direct payment to artists that don't require intermediaries like record companies. This will require accurate tracking, micropayments perhaps, payments for tangible, live performances, movements away from private collections of music to cloud services; a whole bunch of different things will fall into place. The whole infrastructure will have to change.

Do you see any connection between the free software movement and 21st

century social movements like Occupy Wall Street?

The software giants like Oracle and Microsoft have sewn up the technical and economic landscape of software with a very clever deployment of intellectual property regimes. There is a kind of 99% to 1% balance that the free and open-source software phenomenon aims to redress. If there's a broad historical narrative of computer science, I think it would revolve around the tension between the economic significance of computing and the compulsion to play with it, to do more things with it, to fully unleash its potential, to share it with as many people as you want.

What do you see as the trajectory for robotics and artificial intelligence in the coming decades?

More and more things will become automated and this will become more mundane. Digital personal assistants will organize our work for us in ways that would require human thought today. As machines replicate more of our capacities, we might lose some of our sense of uniqueness. It might help us think about exactly what we believe distinguishes us from machines or animals.

What do you think distinguishes us?

The flexibility and richness of our relationships with each other and with the environment, our use of language, our rich use of symbols.

Why do you propose to recast robots as legal entities in your latest book?

When you go to Amazon.com and buy a book, you don't interact with a human clerk, you interact with a program. But these kinds of programs are not like vending machines. They are more like quasi-autonomous or quasi-intelligent machines that are capable of making up the terms of a contract. They can arrive at conclusions like, "Oh, it turns out that you're a 35-year-old

man who lives in Kings County and I've noticed something about your buying patterns and can now offer you special discounts."

Rather than being thought of as a mere tool like a hammer, these programs should be considered legal agents of the principals. They needn't be fully independent legal persons, but once you understand them as legal agents it would resolve some doctrinal puzzles in the law.

In what ways?

Think about something like Gmail's e-mail scanning program, which reads our e-mail and shows us advertisements based on it. Google says, "Don't worry, people aren't reading your e-mail. It's only programs that are reading it." But it's not relevant whether humans are reading my e-mail. What matters are the abilities of the thing that is reading my e-mail. If you recognize these kinds of entities as the legal agents of Google, then the knowledge they have becomes the knowledge Google has – which is in fact the case. Recognizing this, by the way, would put Gmail in violation of the US Wiretap Act.

What are some other examples?

Google has developed a self-driving car. And while there are some things it can't yet do, it can safely drive in traffic, get on or off a highway, park and so on. So in assessing liability for robotic vehicles, what else can we compare this to in the law? We have pets, which are in many ways autonomous, but for which we are legally responsible. Should we compare robotic vehicles more to animals, to children, to a bulldozer parked overnight by the side of the road? Such choices give different answers in fixing how much liability you have, and what kind of duty of care you have with respect to that situation.

It's not a question of whether there is human liability, but how it is shaped. For example, if you are using a robot car, is it ever reasonable to take your eyes off the road? Defining the car as a legal agent, in given situations, helps answer such questions.

Ultimately it's about how much control we have over them, and how much control they have over themselves.

A 21st-century conundrum