

# AAUP

American Association of University Professors  
The New York State Conference

## Minutes

Friday, April 13, 2007 & Saturday, April 14, 2007  
Adelphi University  
Long Island, NY

**Prof. Stephen Z. Goldberg, presiding, convened the meeting at 3:10 PM, April 13, 2007.**

**Present:** Profs. Ellen Banks (Daemen); Lenore Beaky ((LGCC/CUNY); Patricia Bentley (SUNY/Plattsburgh); Eileen Burchell (Marymount Fordham); Mahesh Chandra (Hofstra); Patrick Cihon (Syracuse); Leo Cooley (Marymount Fordham); Marilynn Fleckenstein (Niagara); Estelle Gellman (Hofstra); Stephen Goldberg (Adelphi); Peter Gomori (St. Francis); Philip Gray (D'Youville); Jeffrey Kraus, (Wagner College); Cecelia McCall (CUNY); John Marino (SUNY/UUP); Thomas Policano (RIT); Ellen Scchrecker (Yeshiva ); Kathleen Maurer Smith (Molloy); Irwin Yellowitz (City College/CUNY) Guest: Michael Mauer (AAUP National Office)

1. The Minutes of the meeting of October 27, 2006 and October 28, 2006 were approved. with corrections.  
Motion to approve: Patricia Bentley; second Kathleen Maurer Smith
2. **President's Report: (Stephen Goldberg)**
  - The New York State Conference formally thanks Frank Higman for his work and offers best wishes to Fran and his wife, Barbara.
  - The New York State Conference expresses its best wishes to David Linton and his family.
  - Time will be allowed for Eileen Burchell and Leo Cooley to update the meeting on the situation at Marymount Fordham later in the session.
3. **Report Vice-President: (Kathleen Maurer Smith ) written report attached**
  - There is still difficulty getting updated and accurate membership information from the national office.
  - The web site will be updated and information corrected.
  - Motion: (Bentley; Cihon)

We are encouraged that progress is being made for membership activities at AAUP's national office.  
We are, however, disappointed that the membership records were not certified and current by the 2007 election cycle.

We are anxious that these records must be verified and in order not later than the certification date for distribution of proportional votes at the meeting of the ASC and CBC.

Therefore, be it resolved that the membership records are complete in order to avoid any challenges to the elections or income to the conference.

Motion approved unanimously.

Motion: (Yellowitz; Gray)

As a matter of organizational integrity, the New York Conference, AAUP, requests that all membership information available to the national office of AAUP for members in New York State be made available to the Executive Director of the New York Conference.

Motion approved unanimously

Motion: (McCall; Policano)

Motion to accept the report of the Vice President.

Motion approved unanimously

4. **Report of the Treasurer (Patrick Cihon written report attached)**
  - The financial report was discussed.
  - The National Office has not been forwarding dues to the State Conference in a timely manner.
  - New York State Conference demands that the dues owed will be paid based on the number of members in the Conference.
  - Conference will recognize the excellent work of Jeannine Plottel as Executive Director. A committee made up of Patty Bentley, Pat Cihon, Irwin Yellowitz, and Eileen Burchell will determine the appropriate recognition.
  
5. **Report of the Nominating Committee (Submitted by Frank Higman)**
  - The following slate was presented and will be voted on tomorrow:
    - Treasurer: Pat Cihon
    - Secretary: Cecelia McCall
    - At-Large: Phil Gray  
John Marino
  
- 6 **Report of the Standing Committees:**
  - a) **Report of Committee "A" ( Irwin Yellowitz – written report attached)**
    - Case at the Fashion Institute still active. The case has been carried to the Supreme Court.

**b) Report of Committee on Chapters, Members, and Dues: (Kathleen Maurer Smith) – see Report of the Vice President above**

**c) Report of the Committee on Government Relations (Patricia Bentley) Written report attached**

- Activity seems to be picking up
- Annual Meeting: Capital Hill Day – hoping for a good turn-out
- Jost Award – do not know who the recipient is this year
- Expressed thanks to UUP staff who helped organize Capital Hill Day last year
- Gov. Spitzer is forming a Commission on Higher Education. Steve Goldberg and Cecelia McCall will draft a letter to the Governor offering AAUP's participation on the Commission

**e) Report on the Committee on Retirement: (Martin Kaplan) –**

- Irwin Yellowitz reported on the problems that retirees are having with TIAA-CREF since it became a Mutual Fund Company.
- The following resolution was put forth:

WHEREAS there have been major problems with TIAA-CREF service in recent years, including but not limited to the following:

- TIAA-CREF delays in providing participants with required minimum distribution payments, which may subject participants to significant penalties;
- Problems with TIAA-CREF reporting to the State of New York the status of distribution to participants, which has resulted in participants being subjected to audits of their tax returns by the State of New York;
- Late payments to participants of their scheduled distributions;
- Delays in participants being able to make withdrawals from TIAA-CREF accounts;
- Transfers requested by participants that are either not made or are made incorrectly;
- Errors on TIAA-CREF's account statements mailed to participants on the TIAA-CREF internet site and on TIAA-CREF's automated telephone response system;
- Delays by TIAA-CREF in resolving reported problems;
- Advice given by TIAA-CREF representatives that is either inaccurate or incomplete, and perhaps to the benefit to TIAA-CREF while not necessarily beneficial to the participant;
- Long delays in reaching representatives by phone.

Therefore, be it RESOLVED:

- That the NYS/AAUP hereby joins with efforts by the PSC Retiree Executive Committee and the PSC in its efforts to press TIAA to redress these grievances for all participants in TIAA-CREF; and be it further
- RESOLVED that we call upon our AAUP national offices and all appropriate affiliates and other interested parties to join us in pressing TIAA to address these concerns; and be it further

- RESOLVED that we direct the President of NYS/AAUP to communicate our position to the national leadership and other appropriate bodies and individuals.

Resolution approved unanimously.

Motion to accept report (McCall, Gray) Approved

## 7. Report of the Councils:

### a) CUNY – (McCall)

- There has been an increase in funding for CUNY in the NY State budget
- It is not known if there will be additional funding in the Mayor's budget.

### b) UUP (Bentley)

- Negotiations are taking place now.
- Benefits for part-time faculty, pay equity and job security are issues for negotiations.
- Elections are coming up.

### c) CBC (Gellman)

- A letter is being sent to CBC chapters requesting accurate membership information.
- A new membership director ought to be in place at the National office soon.
- Estelle Gellman announced that she will not run again for CBC Council and urged that another NY Conference person from a private institution run.
- The issue of the reorganization of the National office will be discussed at the June meeting.
  - National will move from one 501c3 to:
    - 501c3 – the fundraising agency or foundation;
    - 501c6 – the professional organization;
    - 501c5 – the labor organization;
    - Dues will be impacted but it is not known how yet.

## 8. Report on Marymount College of Fordham University (Leo Cooley)

- Closure of the college was announced October 6, 2005.
- A new contract was negotiated for the last two years that the college would be open.
- The faculty had asked for tenure to Fordham which was denied.
- A request for a two-year buy-out which was also denied.
- It is clear now that no Marymount faculty will get positions at Fordham
- Resolution:

Whereas, the consolidation of Marymount College with Fordham University was announced in 2000 as a benign transition, to have little impact on the terms or conditions of employment for the faculty, who have been organized for 30 years as a

unit of AAUP, one of the earliest collective bargaining units in higher education in the United States and

Whereas, this commitment has been violated by the stunning announcement that the faculty's contract employment is terminated as of May 31, 2007, and

Whereas, Fordham University has made little effort or commitment of employment for the displaced faculty and,

Whereas, this represents the termination of tenure and contractual bargaining and,

Whereas, these colleagues of significant experience, credentials and stature in the academic community have been abandoned by their "parent" institution, therefore

It is resolved,

The New York State Conference of AAUP deplores and condemns the actions of Fordham University as a violation of a civil and intellectual community and is in stark contrast to Fordham University's stated commitment to "Conscience, Competence and Compassion" and further,

the New York State Conference of AAUP demands that this event, an egregious affront to academic freedom and shared governance, be reviewed by the Fordham Administration and its Board of Trustees and by the American Association of University Professors and,

The New York State Conference of AAUP expresses its outrage at this action and stands in solidarity and support of our colleagues at Marymount College and finally,

The NYS Conference of AAUP demands that Fordham University's management reconsider these actions and act in accordance with the principles of academic governance as set forth in the "Red Book" and which Fordham University says it espouses.

The President of the Conference shall send this resolution with a letter urgently requesting review and remedy to:

The President and Board of Fordham University  
Legislators (State and Federal) and other elected officials for affected areas  
Noted alumnae of Marymount College

Passed unanimously by the spring meeting of the New York State Conference, April 14, 2007

- Other actions to be taken in support of Marymount faculty:
  - Ask National, especially Ernest Benjamin to write and Op Ed piece for newspapers and The Chronicle of Higher Education;
  - Request that the Fordham AAUP chapter take some action
  - Contact government representatives for aid.

**Recess 6 PM**

## **Reconvene 9:10 AM – Adelphi University**

### **9. Report of the Executive Director (Policano) Written report attached**

- A new site for the web page has been secured. The address is nysaaup.com or nysaaup.org.
- Motion: To approve the new site (Gray, Gellman) – approved
- Outreach:
  - Visited Fingerlakes Community College – college affiliated with NYSUT
  - Hilbert College faculty are in the process of forming an AAUP chapter. There are 40 full-time and 100 part-time faculty at Hilbert.
- Motion to accept the report (Gray, Cihon) accepted.

### **10. Report of the Editor of *NY Academe* (Kraus).**

- The June issue will focus on health care
- The Report for New York Academe is as follows:

Since the Fall meeting, two eight page issues have been published. a pdf of the most recent issue will be placed on the website. Major articles planned for future issues are an analysis of the demise of Marymount/Fordham; the erosion of health benefits, and the difficulties of organizing graduate students.

Story ideas and submissions are ALWAYS welcome.

Jeffrey Kraus,  
Editor

- Motion: thank you to Jeff Kraus for his excellent work. (Banks, Bentley)
- Motion approved unanimously

### **11. Motion (Bentley, Smith) The New York State Conference will appropriate up to \$1,000 to support publicity surrounding the faculty issues at Marymount College of Fordham University. Approved unanimously**

### **12. Old Business – none**

### **13. New Business –**

- Conference has funds to send members to attend the Summer Institute and the Leadership Conference
- Those who are supported should attend the conference meeting to give reports on the meetings attended:

### **14. Constitutional Amendment:**

The New York State Conference designates that its delegates to AAUP Annual Meetings and to meetings of the Assembly of State Conferences be as follows:

- (a) The President, Vice-President and the two newly elected members at large of the Conference Executive Committee shall be delegates to the ASC.

- (b) The two continuing members of the Conference Executive Committee shall be delegates to the National Meetings.
- (c) The Secretary and Treasurer of the Conference, in that order, will serve as alternates, if one or more of the designated delegates cannot serve.

- The amendment had been published in the NY Academe – Fall 2006
- Amendment approved unanimously

**15. Supplemental material from the discussion with Mike Mauer below by TPolicano.**

MMauer

- National has had 4 CPA's review financials
- The LM2 report for 2006 has been filed on time
- The LM2 Report for 2005 will be refilled
- No money has been found missing thought financial info has been improperly recorded
- National will hire a CFO by summer/fall
- Core reporting work of the National progressing extremely well
  - 2006 salary survey out
  - retirement policy report out
  - contingent faculty index set up
- New union actions & strong possibility of affiliation with AAUP of institution in Utah
- Encourages attendance at National Summer Institute in Reno
- Since September there have been bi-weeking AAUP e-newsletters... need help from state forwarding to faculty on nys campuses.

TPolicano

Suggest that the e-newsletters be links instead of including entirety in email as faculty may not appreciate getting an unsolicited e-news regularly in their email accounts

SGoldberg

AAUP must implement a system to address specific member inquires.

IYellowitz

In 1990 Ed Durea (sp?) tried to resolve membership issues for over 10 yrs unsuccessfully so we have now gone from a problem to a crisis.

TPolicano

Suggested that dues move to a annual period payment instead of staggered. This should simplify record keeping. New members should pay for partial year and then continue in succeeding years in sync with membership renewals. This was supported by SGoldberg.

Unknown author suggestions

Give sabbaticals to high tech university to get affordable help getting the national office set up.

New AAUP website still contains valuable info but if anything is harder to use

PBentley

Agrees that sharing links in email is preferable to e-newsletters

SGoldberg & EGellman

National should not solicit the active members for donations

TPolicano

Include an opt out for sharing membership info on the dues form otherwise share the info with state conferences as the default

IYellowitz

National and State should function as one organization.

MMauer

Agrees with Irwin absolutely

TPolicano

National should involve/inform state and chapters of individual requests to National for help.

**Adjournment 12 noon**

**Respectfully submitted**

**Marilynn Fleckenstein  
Secretary.**

