



# 5,676 CALL FOR REPEAL OF PATHWAYS

Nearly 6,000 CUNY faculty, staff and retirees signed the PSC's petition calling for repeal of Pathways, CUNY's top-down overhaul of general education and transfer. Those signing included a majority of the University's Distinguished Professors and most of its department chairs. College governance bodies across CUNY have

also registered strong opposition. Critics say they don't just want to stop Pathways – they want an alternative that won't dilute the quality of a CUNY education. On May 16 the University Faculty Senate, supported by the PSC, announced that it was launching a faculty-driven effort to create such a plan. **PAGES 6-7, 10**

## IN ARIZONA Critical race theory is target

In Arizona, politicians have passed a law that's being used to ban books and close classes for asking the wrong kind of questions about race. **PAGE 11**

## IN BROOKLYN Defending the right to protest

An aggressive security crackdown against a non-violent student protest at Brooklyn College sparks a large turnout at a silent vigil two weeks later. **PAGE 8**

## MAY DAY Occupy Wall St. bounces back

Thousands of labor unionists, students and immigrants took to New York City's streets on May 1 to celebrate the strength that solidarity provides. **PAGE 8**



## IN JUNE Pre-retirement conferences

On June 8 at Queens College and June 18 at Lehman College, CUNY is holding pre-retirement seminars. Come find out what you need to know. **PAGE 9**

## CUNY IN BRIEF

### Press may pass

In the Fall 2011 semester, CUNY adopted a new policy for media access to public meetings of the Board of Trustees, requiring an NYPD press pass for admission as press. The new policy resulted in exclusion of a *Clarion* reporter and a videographer for the PSC website from the board's November meeting.

The PSC urged that the new requirement be dropped (see [tinyurl.com/CUNYpressNYPD](http://tinyurl.com/CUNYpressNYPD)), and this semester CUNY issued a revised media access policy in which an NYPD press pass is not required if other credentials are presented. "These common-sense guidelines worked well at the trustees' April meeting," said *Clarion* editor Peter Hogness, "and we're glad the policy has been revised."

### New Caucus wins re-election

New Caucus candidates won the PSC's April elections for union-wide office, running largely unopposed. One unaffiliated candidate lost his bid for election as a delegate to NYSUT and the AFT; all other candidates ran on the New Caucus slate and were elected. In the fourth union-wide voting since the New Caucus first won in 2000, most members of the union's 27-member Executive Council (EC) ran for re-election. Names of those elected to the EC appear in the staff box on page 11; more details next issue.

### Write to Clarion

Letters may be on any topic, but must be less than 200 words and are subject to editing. Send by e-mail to [phogness@pscmail.org](mailto:phogness@pscmail.org).



## LETTERS TO THE EDITOR

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

# Public knowledge & private profit

● I appreciated the article "Reed Elsevier and ALEC," which appeared in the April *Clarion*.

However, I do think that the readers deserve to know that the co-sponsor of the Research Works Act was none other than Representative Carolyn Maloney of Manhattan.

As *The New York Times* reported, the Research Works Act would have "prohibit[ed] federal agencies from requiring open access to research, even if it is financed by taxpayers." Its goal was to protect private publishing companies' profits.

While the Research Works Act has been dropped by its sponsors, its proponents have not gone away – they are simply regrouping. Elsevier has said that it still supports the goal of the Act: opposing any requirement for open access to the results of publicly funded research.

A giant publishing company like Elsevier has many resources, as Rep. Maloney must know. But the passage of this act, or a similar measure, would be a real setback to open access; thus the marshaling of resources against it. Scientific societies and libraries especially have been almost uniformly opposed to the Research Works Act, and their opposition forced Elsevier and its supporters to back down – for now.

This issue deserves much more attention, and it is hoped that *Clarion* will expose exactly what it means to access scientific information, both nationally and at CUNY.

Susan Vaughn  
Brooklyn College

### Unions are our voice

● I am in "shock and awe" after reading the April *Clarion*. Regarding the imposition of Pathways on CUNY, your report cited Nivedita Majumdar's description of a colleague who said that "surely the Chancellor and the Board of Trustees must believe that it is good for the students." I think what the Board really believes is that Pathways is "good enough" for our students.

Of course, after the many egregious actions by the CUNY Board and administrators, such as the Board's initial rejection of Tony Kushner as John Jay's graduation speaker; the attempted intimidation of a Muslim professor at Brooklyn College for a book he wrote; and using a Hunter College course to promote corporate products, nothing surprises me. But the most recent actions of the New Community College in humiliating, intimidating and firing its faculty put me into orbit.

Actions like these are great illustrations of why we must make our union, and unions all over the United States, as strong as we can. That is one important reason (though not the only one) that I believe that the American Federation of Teachers is right to endorse Obama for president. Without unions, workers have no voice, no power, nothing with which to fight right-wing administrations, whether at the corporate or the college level.

Serena Nanda  
John Jay College (emerita)

### Tuition free-for-all?

● PSC leaders have been attacking CUNY tuition increases, using the national explosion of college student debt as one of their supporting arguments, despite the fact that 60% of full-time CUNY students have no out-of-pocket expenses for tuition. Are the tuition-paying 40% of CUNY students facing the specter of an exploding student debt from the loans they will be "forced" to take out? I doubt more than a miniscule percentage of the tuition-paying CUNY undergraduates have more than a few thousand dollars of student debt.

When services are free, they are not used wisely and this is why in almost all situations everyone should be charged something. My own view is that every student who attends CUNY should be responsible for a modest portion – say 20% – of their tuition and that low-interest student loans to cover this cost should be available.

This imposition will not force students to drop out, but will create a more serious approach to college education. Today, a very large share of CUNY students do not expect to be penalized for missing classes, missing exams and missing deadlines for assignments. Maybe if they had to take on some of their tuition they would take their education more seriously.

Robert Cherry  
Brooklyn College

*get very little TAP for a variety of reasons, including going to school part-time or being undocumented immigrants (even if they have grown up in New York City).*

*When tuition goes up and financial aid gets harder to come by, students need to work more to make up the difference. If they carry a full load (as required to maintain their TAP eligibility), school and work often clash. For too many CUNY students, academic performance suffers because they work too many hours.*

*Graduates of Brooklyn College from the years when it was free would be amused by Professor Cherry's assertion, "When services are free, they are not used wisely..." The volumes of testimonials about the importance of a free CUNY to student success over many generations speak to both the wisdom of the free tuition policy and the ability of students to use this resource wisely.*

### For true collaboration

● How ironic: a "new" community college that asserts its innovativeness and difference falls back on traditional and closed-minded administration. A "new" community college that pretends to be collaborative resorts to dictatorial and authoritarian administration. A "new" community college that asserts it will be supportive of its students turns out to be punishing to and disciplining of its faculty. All this culminates in the thuggish firing of a faculty member for daring to disagree with a "new" administration. (Was he escorted out of the building after being humiliated?)

Our community college students need more than what they are getting, but this "new" community college isn't it. Perhaps CUNY Central and the "new" college president will recognize that academic institutions function best in an environment that supports the academic freedom of faculty and shared governance in a real, not pretended, atmosphere of actual collaboration and openness to the give-and-take of different ideas and approaches.

Lenore Beaky  
LaGuardia Community College  
(emerita)

### On target

● Kudos on the opinion piece, "No' to Payroll Tax Holiday" in *Clarion's* March issue. Joel Berger's piece was on target, concise and illuminating. He and the members of the PSC Social Safety Net Working Group deserve a lot of credit for producing something too seldom found: smart analysis, succinctly expressed. Terrific work.

Bill Duncan  
Kingsborough CC (retired)

## Restaurant workers demand sick days



Capital Grille workers and members of ROC-NY rallied March 27 to demand paid sick days – from the Capital Grille's owner, Darden Restaurant Group, and/or through a bill now before the City Council. The bill would provide five to nine paid sick days per year to many of the 1 million workers in the city who lack them. Councilmember James Sanders, Jr., is at center.

Ron Hayduk of the PSC Legislative Committee responds: *According to the Project on Student Debt, 61% of New York students graduating in 2010 had loans, and the average debt level was \$25,250. The level of debt carried by CUNY students is greater than Prof. Cherry seems to think. For example, Brooklyn College reported that 48% of its graduates had financed their education with student loans and the average debt was \$16,500. Queens College reported that 45% of its graduates had student loans with an average debt load of \$17,700. (Community colleges were not included in this survey data – but CUNY community college tuition is far above the national average.)*

*Among CUNY undergraduates surveyed in Fall 2010, 46% of senior college students and 63% at community colleges came from families with a household income of \$30,000 or less. In a 2010 survey of CUNY students, 42% had experienced housing insecurity and 39% had experienced food insecurity, during the previous year. For students this poor, a few hundred dollars more is often money they just don't have.*

*Many students with very low incomes receive no aid from NY's Tuition Assistance Program (TAP) or*

# Protection vs. bullying at work

By JOHN TARLETON

Public concern about school bullying has increased greatly in recent years. No longer seen as an inevitable part of growing up, school bullying is now understood as an important social problem that can affect both health and learning, and as a problem that school districts have a responsibility to solve.

Now a coalition of unions and worker advocacy groups in New York State is taking aim at another venue where bullying is widespread but little acknowledged – the workplace. The PSC and its coalition allies aim to win passage of the Healthy Workplace Bill (S4289/A4258), a measure that would provide remedies to workers whose employers allow them to be subjected to a pattern of abusive conduct on the job.

## ADULT VICTIMS

“Bullying happens on many levels,” says Paul Washington, vice chair of the PSC’s Higher Education Officer (HEO) Chapter. “Just because we are adults doesn’t mean that we don’t get disrespected or demeaned.” When HEO chapter leaders visit CUNY campuses, Washington told *Clarion*, “We always have people pulling us aside and telling us they have been bullied but are afraid to speak out about it.”

While victims of bullying often remain silent, when they do speak out the revelations can be shocking. Court papers in personal lawsuit by two HEO-series employees a few

## Healthy Workplace Bill

years ago provide a clear illustration of what bullying can be like.

Emelise Aleandri and Gloria Salerno charged that the director of CUNY’s John D. Calandra Italian American Institute, Joseph Scelsa, had relentlessly targeted them for more than a decade after he learned they were organizing a women’s support group for female employees who were chafing under Scelsa’s management. Considering this an act of disloyalty, Scelsa ordered the group to disband, they said – and then went after them.

Scelsa waged “a campaign of obsessive control and bureaucratic maneuvers designed to humiliate and slowly choke them out of their jobs,” the two women told *Clarion* (see [tinyurl.com/calandra-suit](http://tinyurl.com/calandra-suit)). Salerno, for example, was stripped of her duties and instructed to sit quietly at an empty makeshift desk constructed from a plank of wood placed atop two filing cabinets – with no access to a computer and no assignments to complete.

Aleandri, who was a producer, writer and host for a CUNY-TV show, saw her job responsibilities whittled away while subordinates were promoted over her. Relegated for nine years to an office without a telephone, Aleandri said she was forced to route all her professional communications through her boss’s office so that he could monitor everything she said. On a day-to-day basis, she told *Clarion*, there were

“a million little things” that created a hostile work environment.

When Aleandri and Salerno sued for gender discrimination, their case was dismissed. A state judge found that Scelsa did indeed abuse and humiliate the institute’s employees – but that he directed such treatment toward men as well as women. Under current law, harassment of employees that would be illegal if used to discriminate becomes legal if not directed against a particular group. And that, in a nutshell, is the case for legislation against bullying in the workplace: to establish in law that abusive treatment of workers is always wrong.

(Aleandri and Salerno did reach a financial settlement with CUNY, after the judge supported their claim ruling that they had been subject to retaliation for filing a discrimination complaint. Civil rights law bans such retaliation, regardless of whether the complaint is sustained.)

## WIDESPREAD

A 2010 Zogby survey found that 53.5 million Americans (or about one-third of the US workforce) have experienced workplace bullying, while 23 million more have witnessed it. According to the poll, 62% of workplace bullies are men while 58% of targets are women. A follow-up survey by Zogby found public support running strongly in favor of legislation to protect workers from

**Remedies include right to sue abusive bosses.**



PSC Cross-Campus Officer Andrea Vásquez (right) discusses the Healthy Workplace Bill during a May 9 meeting of HEOs & CLTs at City College. On her left is HEO Chapter Chair and Cross-Campus VP Iris DeLutro.

“abusive conduct” by a margin of 64% to 24%.

The HEO Chapter has taken an active role in pressing this issue, says Chapter Chair Iris DeLutro, because HEOs are vulnerable to bullying at CUNY. They have fewer job protections than full-time faculty and are increasingly pushed by management to do more work to compensate for budget cuts and the departure of colleagues who took early retirement. These pressures create fertile soil for bullying of employees. “More is expected for less, and too often people are treated badly,” said DeLutro, who has working to change state law on workplace bullying since 2004.

The Healthy Workplace Bill now under consideration in Albany is based on a simple idea: people should be able to do their jobs without being harassed and abused. The legislation would enable workers to sue if they can prove that their employer allowed them to become the target of this kind of sustained mistreatment. Actions could be brought for medical expenses, lost wages, compensation for emotional suffering and punitive damages.

## DIVIDED LEGISLATURE

In 2010, the New York State Senate passed the Healthy Workplace Bill with broad bipartisan support, only to have the legislation buried in committee in the State Assembly. This year, the bill has 85 co-sponsors in the State Assembly, a sizable majority of that body’s 150 members. However, the bill does not currently have the support of a majority of the members of the Republican-led State Senate.

“We’ve got to put the pressure on and give State legislators the support they need to pass this,” De-

Lutro said. DeLutro and other PSC members traveled to Albany on May 22 to lobby for the Healthy Workplace Bill and other union legislative priorities. The grassroots lobbying effort was organized with the PSC’s state affiliate, New York State United Teachers (NYSUT), which has long supported the Healthy Workplace Bill.

Employer associations claim that the Healthy Workplace Bill would be a “job-killer.” But those who study workplace psychology insist that ensuring emotionally healthy workplaces will be a boon to the economy.

## \$300 BILLION

“I think it’s important to have a healthy work environment so that we can perform at our optimum levels,” said Clara Wajngurt, a Queensborough Community College professor who is studying bullying and the academic workplace. “I’ve seen people leave jobs who were very good workers when the situation could have been handled differently.”

According to the New York State Psychological Association, which supports the legislation, job stress costs the US economy \$300 billion a year in absenteeism, diminished productivity, employee turnover and direct medical, legal and insurance fees.

“Because society and the media have projected the idea that a boss is supposed to be yelling and screaming and demeaning to their employees, we think this is how it’s supposed to be,” Washington told *Clarion*. “We are going to have greater worker productivity once people are able to come out of the shadows and confront this.”

And in the end, he said, “It’s just the right thing to do.”

## What is workplace bullying?

Workplace bullying is *repeated*, unreasonable actions aimed at intimidating, humiliating, degrading or undermining an employee or group of employees. Bullying may create a risk to employee health and safety.

Workplace bullying often involves abuse or misuse of power. Bullying behavior creates feelings of defenselessness and injustice in the target and undermines an individual’s right to dignity at work.

Bullying is different from aggression, which may involve only a single act. Bullying involves repeated attacks, creating an *ongoing pattern* of abusive behavior.

Bosses who are tough or demanding or who set high standards are not necessarily bullies, so long as they are respectful and fair and their expectations are reasonable.

## EXAMPLES OF WORKPLACE BULLYING

- use of abusive, insulting or offensive language
- excluding, isolating or marginalizing an employee

- constant and unwarranted criticism, without factual justification
- frightening or intimidating behavior
- tampering with someone else’s work, work equipment, or personal belongings
- deliberately withholding information or resources necessary for effective work performance
- excessive monitoring or micromanaging
- being targeted for impossible assignments or deadlines

## PHYSICAL & MENTAL HEALTH ISSUES THAT CAN RESULT

- anxiety
- sleep deprivation
- gastrointestinal disorders
- musculoskeletal disorders
- hypertension
- increased risk of cardiovascular illness
- reduced self-esteem

## WHAT EMPLOYEES CAN DO

- *Regain control:*
- Recognize that you are being bullied.

- Realize that you are not the source of the problem.
- Understand that bullying is about control and not about your performance.

## Take action:

- Speak directly to the bully. Calmly state that his/her behavior is unacceptable and must stop. Ask that any discussions be constructive and professional.
- Avoid being alone with the bully.
- Create a paper or digital train of evidence. Document incidents and witnesses. Save harassing e-mails or memos.
- Seek support from trusted colleagues.
- Consult with a grievance counselor at the PSC Central Office about what options may be available to you.
- Work for the enactment of legislation against workplace bullying (see page 12).

(Adapted from a New York Committee for Occupational Safety & Health resource paper.)

# Faculty discontent spreading at Medgar Evers College

By JOHN TARLETON

Medgar Evers College (MEC) faculty and professional staff approved a vote of no confidence in the school's President William Pollard and Provost Howard Johnson by a vote of 136-13 in a referendum held on the campus April 18 and 19. The vote was organized by the MEC Faculty Senate, which subsequently called on Chancellor Matthew Goldstein to ask for the resignation of the college's top leaders.

Sallie Cuffee, who was elected president of the MEC Faculty Senate in March, said it was an "overwhelming vote of no confidence" in Pollard's leadership.

## FACULTY COMPLAINTS

"It's a message that people are disaffected and the leadership we have has to be removed," added PSC Chapter Chair Clinton Crawford.

Since Pollard and Johnson took the helm of the college nearly three years ago, discontent among the college's instructional staff has been on the rise. Critics say the administration has reduced student support services while padding

## No-confidence vote of 136-13

the ranks of upper-level administrators; taken an antagonistic approach to relations with faculty and staff; interfered in the selection of department chairs; and eroded the historic ties between the school and the Central Brooklyn community it was founded to serve in 1970.

In December 2010, a mass meeting of Medgar Evers College faculty endorsed a similar declaration of no confidence with a smaller vote total of 59-6. It was an action Pollard dismissed at the time because it lacked the imprimatur of the school's Faculty Senate.

The MEC Faculty Senate was then inactive and elections that should have been held in 2011 did not take place. After almost a year of delay, Faculty Senate elections were finally held this year in March, bringing administration critics like Cuffee into office.

## PRESS CONFERENCE

The newly elected Faculty Sen-

ate held a public hearing on April 2 to allow faculty to voice their concerns about the direction of the college. On April 4, the Senate authorized the no-confidence vote that was carried out later that month by secret ballot.

## Gender bias charged at Medgar Evers College.

At a May 3 press conference at City Hall, Cuffee and Faculty Senate Vice Chair Evelyn Maggio said that the Pollard-Johnson administration's antagonism toward faculty has been accompanied by a hostility toward women in positions of authority. They pointed to the removal of four female department chairs, as well as the departure of two female deans and the female provost who preceded Johnson. City Councilmembers Letitia James and Charles Barron and retired Brooklyn Congressman Major Owens (currently a Distinguished Lecturer at MEC) voiced support for dissident faculty members at the college and for the community-based Medgar Evers

College Coalition for Academic Excellence and Mission Integrity ([www.meforthethecommunity.org](http://www.meforthethecommunity.org)).

Cuffee herself was removed by the provost as chair of the social and behavioral sciences department April 5, shortly after being elected president of the Faculty Senate. "They are getting rid of female chairs who are vocal in criticizing the Pollard administration for its abuses," said Maggio.

After Cuffee's removal, the provost appointed the associate provost as her replacement – though the associate provost's faculty appointment is in the education department, not social and behavioral science. "This is in direct violation of governance [procedures] and the Bylaws," Cuffee told *Clarion*. "The department is in free fall."

The outgoing head of MEC's Faculty Senate, Jean Gumbs, defended Pollard in a press release issued by the administration. "As a department chair of one of our biggest programs, nursing, I have not witnessed or experienced any of the harassment or gender discrimination that has been discussed," said Gumbs. The press release included similar statements from two other department chairs and two administrators who report to Pollard.

Pollard declared that an "unfortunate campaign of miscommunication by a few faculty members" was the real problem at MEC: "I am confident that we are complying with University protocols for hiring decisions and budget allocations in all of our actions." The female deans who left MEC "resigned voluntarily," he insisted, and "actions taken to remove chairs" were based on performance, not sexism.

## GOLDSTEIN'S SILENCE

Following the April vote of no confidence, the MEC Faculty Senate released a statement urging Chancellor Goldstein to ask for the resignation of Pollard and Johnson.

Goldstein's response has been a studied silence. At the April 30 CUNY trustees' meeting, the Chancellor spoke out strongly in support of College of Staten Island (CSI) President Tomás Morales, who had been recently targeted for a no-confidence vote by faculty members at CSI (see sidebar). But he made no mention of Pollard or the no-confidence vote at MEC.

*Clarion* contacted CUNY's communications department, noted the contrast, and asked if Chancellor Goldstein had any comment on the faculty vote at Medgar Evers. In response, a CUNY spokesperson provided a copy of the press release issued by the MEC administration – but offered no other comment.

## CSI President Morales announces departure

By PETER HOGNESS

College of Staten Island President Tomás Morales announced on May 10 that he is leaving CSI after five years in office to become the next president of California State University, San Bernardino. Morales said in a statement that his decision was "guided by family."

The announcement came just ten days after CUNY Chancellor Matthew Goldstein gave an impassioned endorsement of Morales at the conclusion of his report at the April 30 meeting of the CUNY Board of Trustees. The chancellor credited Morales with, among other achievements, recruiting talented faculty and promoting new campus facilities, including a first-ever residence hall and a high-performance computing center.

## RECENT PRAISE

"I want the board to know that I support Tomás Morales without exception," Goldstein declared. Five members of the board followed Goldstein's report with their own prepared statements of support.

The strong statements by trustees and the chancellor came in response to a resolution of no confidence in President Morales and CSI Provost William Fritz that won support at the CSI Faculty Senate meeting on March 22.

The resolution, backed by 31 of 54 senators, said that Morales and Fritz had "proven themselves incapable of effectively leading the College of Staten Island." It criticized the choice and evaluation of administrators, the rejection of elected chairs of academic departments, and a failure to "provide responsible and effective leadership during the Pathways initiative."

The no-confidence vote was later challenged on procedural grounds and the matter was debated at the April 19 meeting of the CSI Faculty Senate without resolution.

## COAST TO COAST

This is not the first time that Morales has left CUNY for a California State campus. He previously served as Vice President of Student Affairs and Dean of Students at City College from 1994 to 2001, leaving to accept an administrative post at Cal Poly Pomona, where he worked until coming to CSI in 2007.

Morales is only the third president in the college's history, following Edmond Volpe (1976-1994) and Marlene Springer (1994-2007). CSI was established in 1976 when Staten Island Community College and Richmond College merged.

## CUNY at the Council



BMCC Associate Professor of Astronomy Katherine Saavik Ford (third from left) makes a point to City Council Higher Education Committee Chair Ydani Rodriguez (far right) about CUNY funding. Councilmembers' offices were full of CUNY faculty, staff and students on May 2 at the PSC's annual "CUNY at the Council" grassroots lobby day, organized in coalition with NYPIRG and CUNY University Student Senate. To press the case for increased CUNY funding, a total of 120 people took part in 36 meetings, covering more than 70% of the Council's 51 districts.

Dave Sanders

# TWU demands a raise

By ARI PAUL

Contract talks between Transport Workers Union (TWU) Local 100 and the Metropolitan Transportation Authority (MTA) were back in the headlines in recent weeks. Members of the PSC and other public-sector unions in New York City should be paying close attention, as the results of transit bargaining could have a significant impact on their own negotiations.

The State Legislature's Black, Puerto Rican, Hispanic and Asian Legislative Caucus sent a letter to Governor Andrew Cuomo on April 25, urging pressure on the MTA to grant at least some raises. "Many of us believe that there is money in their current budget...to grant a modest cost-of-living wage increase for TWU Local 100's 40,000 members," the letter stated.

## MTA MISMANAGEMENT

At this year's May Day march (see p.8), union president John Samuelson told thousands of union members and Occupy Wall Street supporters that the MTA was mismanaging its budget, failing to prioritize service and the basic needs of employees. "Samuelson denounced the MTA's April 25 vote to relinquish its \$1-a-year lease on its building at 370 Jay St. in Brooklyn," reported the civil-service weekly *The Chief*. Samuelson told the crowd that the author-

## Pushing back against givebacks

ity's decision to instead rent office space in Manhattan, at 2 Broadway, meant "flushing \$63 million down the toilet that could restore every ounce of service [cut in 2010] for New York's working families."

The debt-saddled MTA is demanding draconian measures, including a wage freeze, a giveback of five vacation days, more part-time bus operators, and upping the employee health-care contribution, in addition to increasing health insurance co-pays. Management also wants workers to get overtime only for working

more than 40 hours in a single week, rather than after eight hours worked in a day.

In the May Day march, a large contingent of Local 100 members carried signs saying "We are the 99%, we're worth more than 0%," and "We deserve more than three zeroes." Earlier this year, the TWU reportedly countered the wage-freeze demand with a proposal for 1% annual raises in the first three years, and 2% annual wage hikes in the last two years of the agreement.

## Outcome will affect other public employees.

The MTA could meet that, but it has said that any raises must be funded through givebacks in work rules and other benefits. The April 25 legislators' letter suggested an alternative: tapping part of a special fund for future retiree health-care costs, which has grown rapidly since it was created six years ago. As a public agency, the MTA is not required to pre-fund these benefits; some experts say the current level of the fund is more than generous, while others disagree.

The MTA's demands are based in part on the concessionary wage

pacts the two largest State unions – the Civil Service Employees Association (CSEA) and the Public Employees Federation (PEF) – settled with the Cuomo administration last year in order to avert layoffs. Whether the TWU wins a wage increase, and how it is paid for, will either help or hurt other New York public-worker unions, whose contracts are under negotiation.

Joshua Freeman, a historian at the Graduate Center and author of a TWU history, *In Transit*, observed earlier this year that some sort of pay increase for transit workers was likely. Freeman noted that while the union didn't have a lot of leverage over a cash-strapped agency, neither did the MTA have a lot of leverage over the union. The CSEA and PEF agreements, he explained, came in response to Cuomo's threats of severe layoffs. "I don't think the MTA can lay off a large number of its workers and still operate the system," Freeman said.

Few predict the union will strike, as it did for three days in Dec. 2005. Though the TWU has won clout in negotiations by being one of the few public-sector unions willing to strike in the last generation, it also paid a price for doing so. The union suffered financial penalties under the Taylor Law which forbids public workers in New York from striking, and was barred for more than a year from collecting dues directly from members' paychecks. In the current fiscal and political environment, Local 100 leaders opted not to walk out when their last contract expired in January.



Members of Transport Workers Union Local 100 marching with other unions & Occupy Wall Street activists on May Day.

## SEEKING THE PRESIDENCY

# Shirley Chisholm, CUNY and U.S. history

By BARBARA WINSLOW

One of Brooklyn College's most famous alumni, Shirley Chisholm, is again in the news – 2012 marks the 40th anniversary of her historic campaign for the Democratic Party nomination for president. The first African American woman elected to Congress, Chisholm was fearless. Her bold stances were not what was expected of a member of Congress, much less a candidate for president. But for Chisholm, political courage was not an obstacle to practical achievement: it was how she got things done.

The first African American woman elected to Congress, Chisholm was fearless. Her bold stances were not what was expected of a member of Congress, much less a candidate for president. But for Chisholm, political courage was not an obstacle to practical achievement: it was how she got things done.

## BARBADOS TO BROOKLYN

Chisholm was born in Brooklyn in 1924, the daughter of Caribbean immigrants. She spent her formative years in Barbados living with her maternal aunt and grandmother.

Chisholm's roots in politics developed during early childhood. She was a young girl in Barbados at the beginning of the Barbados workers' and anti-colonial independence movements. Her father was an ardent Garveyite and supporter of trade union rights. Her adored grandmother, aunt and mother worked in the homes of wealthy white families; Chisholm never forget their stories, and as an elected official always fought for legislation on domestic workers' rights.

Returning to Brooklyn in 1934, she graduated from the prestigious Girls' High School and then *magna cum laude* from Brooklyn College in 1946. A college activist, she was member

of the Harriet Tubman Society which fought for integration of the troops during the end of World War II, for courses in African American history and for greater women's participation in student government.

Chisholm got her master's degree in early childhood education, then joined in local politics. During her time in the Brooklyn Democratic Clubs she challenged the all-white and all-male power structure, transforming the 17th District Club into one which brought in more people of color into local politics. (It was no accident that her 1970 memoir bore the title *Unbought and Unbossed*.)

In 1964, she became the first African American woman from Brooklyn elected to the New York State Assembly. She believed her greatest achievement in Albany was passing the Search for Education, Elevation and Knowledge program, SEEK. Now named after Percy Sutton, prominent civil rights attorney and Chisholm's colleague in Albany, SEEK paved the way for open admissions at CUNY, giving opportunities to low-income students to enroll in higher education and provide academic support to ensure their success.

## VITAL ROLE OF SEEK

The program became vital to making CUNY more representative of New York City, bringing in African American, Latino, working-class and immigrant students and supporting them in college studies – a role it continues today. Former New York Mayor David Dinkins, who worked with Chisholm in Albany on the SEEK legislation, credits Ch-

isholm and Sutton with pushing it through.

The SEEK legislation was not Chisholm's only accomplishment in Albany. She also worked for the legalization of abortion, access to childcare, maternity rights for teachers and legislation for domestic workers' rights. When elected to Congress in 1968, from Brooklyn's 12th District, she was more outspoken in her opposition to the Vietnam War and her support for women's rights. She was one of the founders of the Congressional Black Caucus, The National Women's Political Caucus, as well as the National Abortion Rights Action League, serving as its honorary chair.

She used her presidential campaign as a platform for her issues, particularly childcare and ending the Vietnam War. She voiced support for lesbian and gay rights as well as Puerto Rico's right to independence. Instead of stepping to the side for a more "winnable" (white and male) candidate, Chisholm pushed across the country to engage voters in thinking about the kinds of change that their country needed. She came to the Miami convention with 151 delegate votes, more than any other woman in history. After the election she continued her work in Congress for another ten years.

At the time of her death in 2005, the Shirley Chisholm Project of Brooklyn Women's

Activism ([chisholmproject.com](http://chisholmproject.com)) was established with the mission of bringing Chisholm's life and legacy to the general public through collecting archival materials, holding educational public forums, and making materials publicly available on a website that also provides K-12 curricula.

In interviews for the Shirley Chisholm Project, her impact has been clear. Professor Anita Hill, last November at the Shirley Chisholm Day celebration at Brooklyn College, remembered how thrilling it was for her, a young black adolescent girl, to see Chisholm running for president. "Those things matter," Hill said. "Having that face, that strong voice, that someone who looked like me who sounded like me."

Donna Brazile, political strategist and a lifelong friend, stressed to interviewers that if Chisholm were alive today, she would be fighting to defend the gains that she worked so hard to win. At a time when access to higher education, access to birth control, and the social safety net are all under attack, Chisholm's voice and passion are as relevant today as they were 40 years ago – when she threw her hat in the ring.

Barbara Winslow is an associate professor of secondary education and director of the Shirley Chisholm Project of Brooklyn Women's Activism at Brooklyn College.



# Q & A: What is Pathways?

Pathways is CUNY's new General Education Framework, scheduled to begin Fall 2013,<sup>1</sup> ostensibly created to facilitate student transfer throughout CUNY.

**"Pathways is austerity education."**

—Barbara Bowen, President, Professional Staff Congress

## HOW WOULD PATHWAYS WORK?

- Pathways mandates a uniform, university-wide General Education curriculum.
- Establishes a 30-credit "Common Core" for all CUNY colleges, consisting of a 12-credit "Required Core" and an 18-credit "Flexible Core" with courses chosen from five areas of study.<sup>2</sup>
- Mandates that all Common Core courses fulfill learning outcomes approved by the Chancellor's Office.
- Provides for an additional 12-credit "College Option," designed by each four-year college, that baccalaureate students must complete.
- Limits courses in the Common Core to three credits.
- Makes General Education courses of all types transferable among all CUNY colleges and requires that all courses taken for credit at one undergraduate CUNY college be accepted for credit at every other CUNY undergraduate college.
- Requires an approved set of entry-level courses for the majors with the highest transfer rates, courses that will be accepted for the major in the relevant department at each college.<sup>3</sup>

## HOW WAS PATHWAYS DEVELOPED?

- Originated with a Board of Trustees resolution passed in June 2011 over the objections of the University Faculty Senate and the Professional Staff Congress.
- Developed without regard for the faculty's role in governance, bypassing elected faculty bodies. Faculty "participation" in the process has been limited to faculty appointed by the central administration.
- The central administration has insisted on very tight deadlines for comment and review, sharply limiting opportunities for discussion across the University.
- The central administration has ignored opposition from the University Faculty Senate, the PSC, college senates, academic discipline councils, academic departments and learned societies, and the five thousand instructional staff who signed the union's petition.

## WHAT'S THE AGENDA BEHIND PATHWAYS?

- Pathways is austerity education: it will save the University money and it will prepare CUNY students for low expectations in the austerity economy.
- Pathways is aligned with a national "reform" agenda, funded by the Bill & Melinda Gates and Lumina foundations, among others, that stresses "college completion" above

all other measures of a university's quality.

- Pathways accommodates to, rather than challenges, the historic underfunding of CUNY.
- Pathways will result in an impoverished curriculum, and is being imposed on a student body that is largely working class and three-quarters people of color.
- Pathways also directly assaults faculty power and governance; it is related to other centralizing efforts by the CUNY central administration and college administrations nationwide.

## WHAT DOES PATHWAYS MEAN FOR FACULTY?

Pathways represents:

- Disrespect for the centuries-old role of faculty as experts in their fields.
- An attack on the principles of shared governance and academic freedom.
- Negation of years of work on curriculum and articulation agreements.
- Violation of academic integrity as faculty are forced to teach science courses without labs and as other courses are squeezed into the Pathways framework.
- Potential elimination of diverse course offerings from departments not in the Common Core.
- An attempt to assert that the central administration, not the faculty, is responsible for academic matters.
- Potentially fewer available courses and fewer job opportunities for part-time faculty.

## WHAT DOES PATHWAYS MEAN FOR PROFESSIONAL STAFF?

- Negation of their long experience advising students on articulation between colleges.

- Increased pressure of advising students during the complex transition to Pathways without adequate support.

## WHAT DOES PATHWAYS MEAN FOR OUR STUDENTS?

- A flawed solution to the problem of transfer.
- Impoverished versions of science courses, language study and writing. Transfer of credits outside of CUNY may be impossible for science courses without labs.
- Students will receive less individual attention from faculty as four-credit courses are sped up to fit into three hours.
- A decline in value of the CUNY degree.

## WHY HAS THE UNION FILED A LAWSUIT TO STOP PATHWAYS?

- To defend our rights and our university.
- To have Pathways revoked because it was passed in violation of the CUNY Bylaws, which make faculty primarily responsible for formulating policy on academic matters.
- To uphold the legal agreement reached in 1997 that reaffirms that CUNY's faculty, through its elected governance bodies, is responsible for the formulation of policy on academic matters.

1 See <http://bit.ly/PathwaysBoTResolution>.

2 The Required Core includes six English Composition credits, three Math credits and three Science credits. Areas of study in the Flexible Core: World Cultures and Global Issues, US Experience in Diversity, Creative Expression, Individual and Society, and Scientific World.

3 The seven majors with the highest transfer rates are: biology, business, criminal justice, English, nursing, psychology and teacher education. See <http://bit.ly/TransferMajors>.

By JOHN TARLETON

At right, Nicole Falade, an adjunct lecturer in French at City Tech and KCC, encourages her students as they prepare to order dinner in French at Les Sans Culottes, a traditional French restaurant located in Midtown. The end-of-semester outing drew about 35 students from Falade's three French classes. "You cannot separate language from culture," says Falade, who considers learning another language an essential skill in an increasingly globalized world.

Under Pathways, steep reductions in the number of credits for general education make it harder for colleges to retain a foreign language requirement. "With no requirement, fewer students will study a new language," says Falade. "But this is something everyone should be exposed to."

Pierina Guevara, a student at KCC, told *Clarion* that she decided to use these required credits to learn a third language in addition to English and Spanish. "It will help me as a marine biologist because I will travel to other countries and it will enable me to communicate with more people," Guevara said. "Not everybody speaks English."

# 5,676 petition

By PETER HOGNESS

"Nearly 6,000 have spoken, Pathways is broken!" That was the message PSC members brought to the CUNY Board of Trustees after delivering petitions signed by 5,676 faculty, staff and retirees. The thousands of signers urged the trustees to repeal and replace the "Pathways initiative," CUNY's controversial overhaul of general education and transfer.

Signers of the statement included 75 of CUNY's 131 Distinguished Professors and a majority of the University's department chairs. Half the members of the administration-appointed Pathways Common Course Review Committee signed as well, calling for an end to a process in which they have been actively involved.

As the text of the petition says, "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."

## ADDING UP ACTIVISM

PSC members opposed to Pathways made up three-quarters of the audience at the trustees' April 30 meeting. With many wearing academic robes, they carried signs about the strong support for the petition throughout CUNY. One sign said, "464 from BMCC Say Repeal Pathways," with similar declarations from other colleges and constituencies: "446 from Queens College," "3,166 Current Full-Time Faculty," "Majority of Department

Chairs," or simply stating the grand total, "5,676 Say Repeal Pathways." Other union members carried posters with the text of the petition and (in very small type) the full list of names of those who had signed (see [tinyurl.com/PSCpathways](http://tinyurl.com/PSCpathways)).

"It's important to make the petition palpable so that it can't be ignored," said James Davis, an associate professor of English at Brooklyn College where 356 faculty and staff had signed. "It's an opportunity to make a statement."

## 2/5 TOO SHORT

"CUNY students deserve more than 3/5 of a science course," said a sign held by Saavik Ford, associate professor of astronomy at BMCC. Under Pathways, she explained, no general education course can require more than three hours per week – compared to the five hours a week, including two hours of laboratory experiments, that is currently the norm in her introductory science classes. "Do you want your nurses, doctors and respiratory therapists to have less practice per week?" Ford asked in a letter that was published in the *New York Post*. (See "What is Pathways?" to the left.)

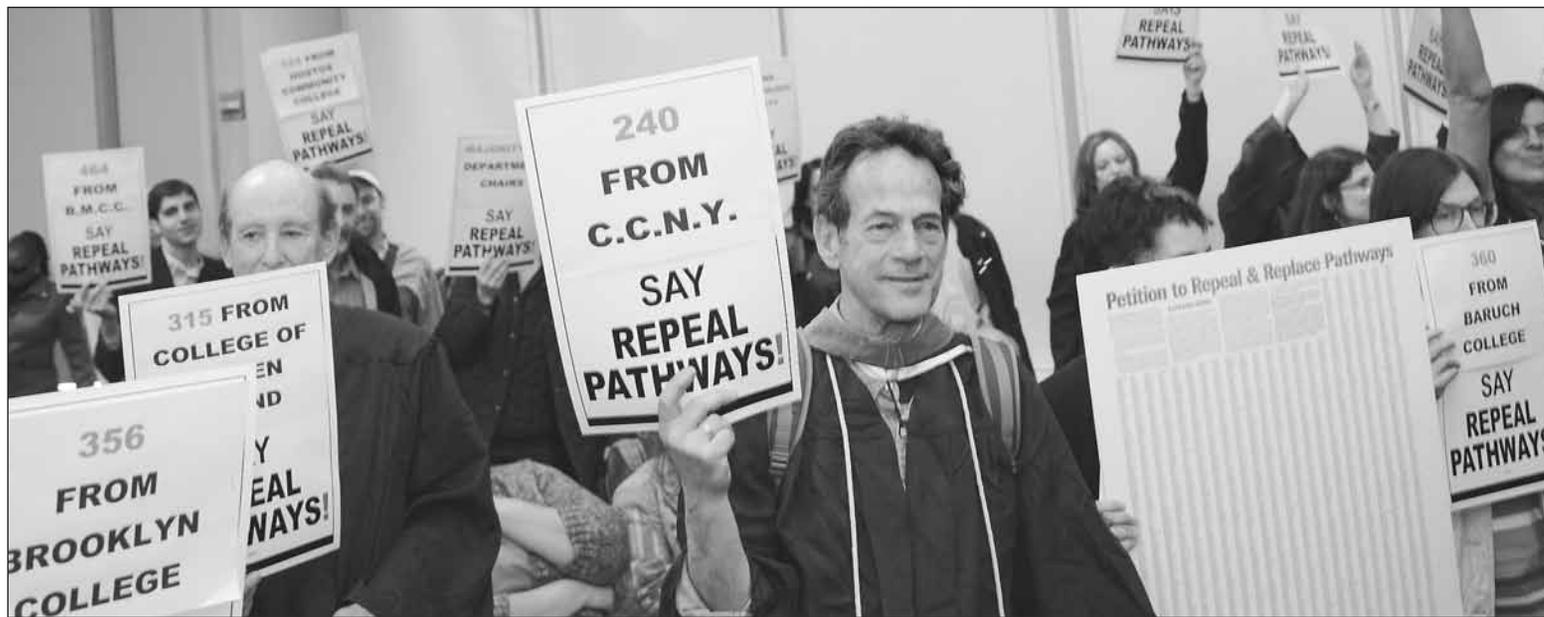
"Among the signers are sculptors, scientists, mathematicians, novelists, historians, philosophers, anthropologists and others," PSC President Barbara Bowen wrote in an accompanying letter to the trustees. "Every name on the petition you have received has been checked for accuracy, primarily using CUNY's own personnel data," she noted. "Opposition on this level

## A taste of language and culture



Gary Schoichet

# n for Pathways repeal



Alan Feigenberg (center), professor of architecture and PSC chapter chair at CCNY, with other faculty & staff at the April 30 meeting of the Board of Trustees.

to a Board academic policy has not been seen in a generation.”

PSC First Vice President Steve London told the May PSC Delegate Assembly that the organizing around the petition had shifted the terms of debate. “The petition made it clear that CUNY’s attempt to marginalize critics of Pathways has failed,” said London. “Remember, it was only a few months ago that CUNY was trying to say that Pathways had firm support from CUNY faculty, that it was only a few who were discontented. We no longer hear those claims.”

## RESOUNDING RESOLUTIONS

In addition to the petition, CUNY faculty have voiced their opposition to Pathways through a growing number of resolutions adopted by college senates and discipline councils, the latter made up of CUNY’s elected department chairs within a given field. In April, new statements against Pathways came from the Brooklyn College Faculty Council, City College’s CLAS Faculty Council, City Tech’s College Council, John Jay’s Faculty Senate and the College Senate at York. Faculty governance bodies at 12 of CUNY’s 17 undergraduate colleges have now adopted resolutions rejecting Pathways. And in a resolution adopted in early May, the Council of Faculty Governance Leaders, representatives of faculty senates across the University, declared that it “recommends that the Pathways program be scrapped.” The statement was signed by faculty representatives from all but one of CUNY’s undergraduate schools.

“It makes no sense to press forward on such a major change in curriculum when so many faculty are strongly opposed,” Bowen told *Clarion*. “Pathways is a plan for education on the cheap and CUNY students deserve better. They need a plan that will address transfer problems without diluting their education.”

CUNY discipline councils have also spoken out, most recently in psychology and English. In a reso-

lution adopted in mid-April, the Psychology Discipline Council said that it “calls on the Board of Trustees and the Chancellor to terminate the Pathways initiative” so that faculty across CUNY can “formulate a more reasonable and effective plan to ease student transfer within the University.”

Later that month, the English Discipline Council urged the trustees to abandon the Pathways plan, which the council argued will not in fact help students. In an April 27 letter, the council noted that most composition courses at CUNY meet for four hours per week and earn three credits, a system that it called “both a current and a best practice” that is vital to student success, thanks to the one-on-one assistance that it makes possible. Yet a directive from CUNY central administration in February stated that under Pathways, “all courses in the Common Core must be three credits and three hours.” Limited exceptions were to be allowed, but only for some science classes and

some classes in associate’s degree programs.

“When the council made its case for a universal fourth contact hour for composition courses to Executive Vice Chancellor [Alexandra] Logue, she said the Pathways initiative ‘does not limit [campuses] from scheduling such an hour,’” the English Discipline Council reported, citing correspondence in March. “Yet Chief Academic Officers (CAOs) at several colleges have overturned their college committees’ approval of four-contact-hour composition classes and submitted proposals to the CUNY-wide Composition Course Approval Committee with only three contact hours.”

The English Discipline Council expressed deep concern about this outcome, in terms of both education and the fate of shared governance: “The failure of CAOs to follow the practice of faculty governance in these curricular matters, not only exacerbates the problem[s] of Pathways...but also proves that transferability is not the real issue.”

Critics of Pathways have emphasized that they want more than a halt to Pathways – they want to be involved in developing an alternative. As the petition states, “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 a general education program that devalues the CUNY degree.”

## ALTERNATIVES

Faculty statements in opposition to Pathways have sometimes suggested other approaches to easing student transfer within CUNY, possible alternatives to the Procrustean bed of Pathways and its sharply reduced limits on general education credits. Often these ideas are labor-intensive, but proponents argue that

they would provide more effective solutions. The QCC Academic Senate, for example, urged CUNY to “assist the colleges of CUNY to establish more dual-joint degree programs, enhanced articulation agreements and website assistance with transfer advisement...”

On May 16, a joint statement from University Faculty Senate Chair Sandi Cooper and PSC President Bowen went a step further. “The UFS, supported by the PSC, has begun a major effort to develop an alternative to Pathways,” it announced. By the end of the Fall 2012 semester, the result will be a new plan “for facilitating student transfer while upholding the quality of a CUNY degree.”

## ELECTED

“The UFS will bring together college faculty governance bodies, department chairs, discipline councils and other elected representatives to develop a proposal with academic integrity for facilitating student transfer,” while the PSC provides organizing support. Involvement of other CUNY faculty “who have developed special knowledge of the issue during the past year of discussions” will also be sought.

“Our discussion will also include the question of additional resources for CUNY,” Cooper and Bowen added. “We believe that a meaningful solution to the student transfer problem will require more funding, not less.”

“There are genuine problems in CUNY’s current transfer policies and practices, and we are committed to solving them,” the two leaders wrote. “We are confident that the elected faculty representatives can produce an approach to student transfer that strengthens, rather than weakens, this great university.” (Full statement at [tinyurl.com/Transfer-Alternative](http://tinyurl.com/Transfer-Alternative).)

Student opposition to Pathways has grown this semester. On May 9, BMCC’s Student Government Association declared that it “strongly opposes, does not support, and fur-

thermore has no confidence in the CUNY Pathways Program.” Noting that CUNY has emphasized endorsements of Pathways “by non-CUNY executives and private college presidents who do not have any idea how the CUNY system operates,” the student resolution expressed concern that Pathways would lead to cutbacks in lab time in science classes and a “low-quality curriculum” overall.

The student government at College of Staten Island also concluded last fall that Pathways “limits the knowledge and skill level expected of students and does not reflect the high standards for education which the institutions of CUNY strive to provide.”

Brandon Clarke, vice president of the student government at LaGuardia Community College, attended the April 30 meeting of the Board of Trustees holding a sign that called Pathways “a step in the right direction.” But he acknowledged that students were divided on its merits. “I can appreciate the concerns that faculty have expressed, and the concerns of students who support them,” Clarke told *Clarion*. “If there are elements of Pathways that devalue a CUNY degree, then it’s appropriate for Pathways to be reworked. But I don’t want to throw the baby out with the bathwater – if Pathways doesn’t go forward, then today’s students will be left in a worse situation.”

Students opposed to Pathways are considering a lawsuit against it; meanwhile the suit jointly filed by the PSC and the UFS is proceeding in court (see page 10). The union has also filed a grievance against Pathways, charging that it violates provisions of the contract that require adherence to CUNY’s Bylaws.

“We have also filed a number of FOIL [Freedom of Information Law] requests,” London told the Delegate Assembly in May. “For example, we want to find out how much money they have spent on their propaganda campaign in support of Pathways.”

CUNY’s slick public relations effort has drawn faculty attention, but not necessarily in a positive way. In an April 30 resolution, CCNY’s Faculty Senate urged 80th Street “to avoid any future extravagances” similar to the “glossy Pathways brochure presenting its own view...that was undoubtedly expensive to produce.”

The PSC is encouraging members to speak out at the next public hearing of Board of Trustees to be held at Hostos Community College on June 18. Speakers have only three minutes and must sign up in advance; if you are interested, contact Fran Clark at [fclark@psccmail.org](mailto:fclark@psccmail.org)

## PATHWAYS WATCH

To stay informed about Pathways and the resistance to it, sign up to receive “Pathways Watch,” a regular update by e-mail that the PSC launched this Spring. (Sign up at [tinyurl.com/PathwaysWatch](http://tinyurl.com/PathwaysWatch).) Opposition to Pathways has grown rapidly this semester and that trend is likely to continue in the Fall.

“We’re taking the long view,” London told union delegates. “This is going to be a continuing struggle. It won’t be over quickly, but we think we’re going to win.”



PSC President Barbara Bowen presented the petition to the trustees.

# Speaking out in Brooklyn

By PETER HOGNESS

## Students & PSC defend right to protest

A Brooklyn College (BC) student demonstration on May 2 was met with force by CUNY security personnel – and that response became the target of another campus protest. On May 16, hundreds of people joined in a silent vigil to protest the crackdown against the May 2 action.

On May 2, as part of a “CUNY-Wide Day of Action,” eight Brooklyn College students sat down outside the office of BC President Karen Gould, demanding to meet with her about tuition increases and inadequate student resources on campus. Instead, the students were forcibly ejected by CUNY security personnel from Boylan Hall, where Gould’s office is located. Two were arrested and handed over to the NYPD.

### ‘SHOCK & DISMAY’

In a letter to Gould, the Brooklyn College Student Union expressed “profound shock and dismay at the overwhelming security response” and “physical intimidation and assaults” against demonstrators.

“We did not sit in front of your door for light or transient reasons,” the students wrote. Earlier this semester, they said, the Student Union had gathered about a thousand signatures on a petition that Gould had never acknowledged, asking for college-level measures to help students cope with rising costs. (Gould maintains that she never received the petition; student activists say they delivered it to her office on April 16.)

The executive committee of the college’s PSC chapter wrote that its members “witnessed excessive use of force by CUNY security



More than 200 faculty and students lined up outside BC President Karen Gould’s office May 16 to silently deliver letters of protest.

staff” against a peaceful protest on May 2, and that the “demonstration was handled in an unnecessarily aggressive and intolerant way.” The chapter asked for “a college-wide conversation about demonstration policies on campus” and urged Gould to meet with Student Union members as they had asked.

Both the union chapter and the Student Union said that charges against the two students arrested should be dropped. One student was charged with assault after a security guard fell to the floor and was injured. Both student and faculty witnesses say the assault charge is false, that the student only tried to shield an injured student walking with a cane from security personnel. The other arrested student was taken into custody after she lay down in the corridor outside Gould’s

office; her account of the rough treatment she received is online at [tinyurl.com/Salgado-Arrest](http://tinyurl.com/Salgado-Arrest).

The PSC chapter’s letter argued that it was a mistake for security personnel to prioritize clearing the hallway as quickly as possible over resolving the situation as peacefully as possible. “There is a long and very valuable history of student activism and protest on college campuses, in the United States and around the world. We honor that history by making sure that our campus is a space where students can express their concerns in a non-violent way – even in a manner that may be loud and make some of us uncomfortable – without fear of physical assault.”

The union letter voiced particular concern about “the aggressive

posture of non-uniform security personnel dispatched by CUNY Central. These personnel appeared to be at the center of the decision to deal hastily and violently with those sitting in.” Accordingly, the letter asked that security staff from CUNY Central be kept off campus in the future.

A resolution approved at the May meeting of the PSC’s Delegate Assembly expressed support from the union as a whole for the Brooklyn College chapter’s stand. In addition to criticizing the use of force against a peaceful protest and asking that charges against those arrested be dropped, it proposed an independent investigation of the incident by a third party agreed to by both the PSC and the college administration.

In a May 10 reply to the mounting criticism, President Gould gave no ground. She wrote that she was “confident that our peace officers took ap-

propriate action to ensure the safety of our campus, including the safety of those involved in the demonstration.”

Dismayed at this response, the Student Union and the PSC chapter jointly organized a silent protest on May 16 that drew 250 people. After gathering in front of Boylan Hall, they filed slowly inside. Carrying individual letters to Gould and a signed group statement, protesters lined up along the edge of the hallways outside her office and sat down. One by one they rose, deposited a letter in front of Gould’s office, and then returned to their spot on the floor, silent all the while. Once the last letter was delivered, they filed back out again, closing with a rally on the Brooklyn College quad.

News that the Brooklyn DA had dropped the felony assault charges initially filed against one student drew loud and joyful cheers. The union chapter pledged its support for defense efforts against remaining lesser charges.

As the PSC chapter requested, security officers from CUNY Central were kept off campus during the demonstration. With a minimal security presence, the event remained peaceful.

### SUPPORT

“It was an amazing turnout,” said Julieta Salgado, who had been arrested on May 2 after lying down in the hall. “It can be hard to be a student activist. But when you get this kind of direct, local support, it makes such a difference!”

“We needed to send a clear signal that our campus life must have room for active, non-violent dissent,” said PSC First VP Steve London, an associate professor of political science at BC. “Public protest has long been a central part of the academy, and of democratic life – and we are not going to allow the space for it become closed off.”

# OWS reoccupies May Day

By JOHN TARLETON

Since Occupy Wall Street (OWS) was evicted from its home in Zuccotti Park last November, observers have speculated about whether the movement would bounce back this spring. On May 1, the movement delivered its answer, launching actions across the city culminating in a mass march through Lower Manhattan of well over ten thousand labor unionists, students and community activists.

Though May Day as a day of labor action was born in this country in the 1880s during the struggle for the eight-hour day, it nearly disappeared from the United States during the Cold War. But May Day protests were revived by immigrant rights groups in 2006; and since then, more and more unions in New York City have marked the day. This year unions, immigrant groups and Occupy Wall Street all came together to march from Union Square down to the Financial District, and hundreds of PSC

## Return of the 99% movement

members took part.

“I’m here because I believe in student rights, and affordable higher education is under attack,” said Jaimie Weida, a faculty member in BMCC’s English department. “The money we’re spending in overseas military operations, the cost of tax cuts for the rich – all this is being paid for by the poor and the middle class. It’s being paid for by people like my students who tell me they’re not sure whether they’ll be able to afford a Metro card this month, or that they need to get a second job.”

### ON BROADWAY

“This is a powerful movement,” said Franky Laude, looking around as the crowd filled Broadway. “The voice of the people is in the streets!” Unions and the Occupy movement have the same concerns for economic justice, Laude said: “Student debt piling up, corporations taking over politics – we’re challenging these

things, and it’s the civil rights movement of our time.”

Members of the New York Taxi Workers Alliance in their yellow cabs led off the march from Union Square to Wall Street. Transport Workers Union Local 100, SEIU 1199, the PSC and other unions brought out sizable contingents. After the end of the march, members of Musicians Local 802 regrouped in Washington Square Park and marched through the West Village, stopping to play outside jazz clubs as a part of their Justice for Jazz Artists campaign. Jazz musicians often end up impoverished in old age and the union is demanding that the clubs agree to regular pension plan contributions for each gig that musicians play.

Agitation for worker rights took many different forms throughout the day. An effort dubbed “99 Picket Lines” (for the 99%) brought ro-

ing protests to corporate offices in Midtown. Some pickets targeted big banks and corporate media, while others supported workers in ongoing labor disputes – from postal employees to Strand Book Store workers to immigrants in the restaurant and laundry industries.

Student loan debt and soaring tuition costs helped spark Occupy Wall Street last fall. On May Day, OWS organizers held a free university in Madison Square Park that featured nearly 100 classes, many of which were facilitated by CUNY faculty or students.

### Unions, students, immigrants march together.

Frances Fox Piven, a distinguished professor of sociology at the Graduate Center, lectured on the role of social movements in 20th-century America and how they won victories for working people while expanding the rights of individuals. The tide began to turn in the 1970s, she said, as the corporate class mobilized to “take it all back.”

“Every protest movement has won what they won because it refused to cooperate with business as usual,” said Piven. “They raise the issues and make the price of governability paying attention to

those issues.”

Describing the teach-ins as “preparatory,” Piven said that the future of the Occupy movement lies in direct-action campaigns around home foreclosures, student debt, worker rights and other issues that directly affect the lives of millions of people.

### ‘CORPORATE GREED’

On the following night, the spirit of May Day echoes outside Sotheby’s, when Occupiers protested alongside art handlers from Teamsters Local 814. The upscale auction house has locked out its employees for the last nine months in a contract dispute over Sotheby’s demands for deep concessions – despite its large profits. Inside, Edvard Munch’s painting “The Scream” sold for a record \$119.9 million, of which Sotheby’s receiving \$12.9 million in commission fees.

“The same kind of corporate greed you’re seeing at Sotheby’s is what’s destroying the economy,” Julian Tysh, one of the locked-out art handlers, told the Huffington Post. The small union local has credited Occupy activists with helping to sustain its long-running struggle – and on the day after May Day, the union was ready to continue the fight.

# Health reform's first steps

By LARRY MORGAN

Executive Director, PSC-CUNY Welfare Fund

As the Supreme Court ponders the legal fate of the 2010 health-care reform, implementation of the first parts of the Affordable Care Act continue to move forward. For the PSC-CUNY Welfare Fund, these initial changes have meant some improvements in member benefits, and some challenges for the Fund.

A positive feature of the new law has been an improvement of Part D drug coverage for Medicare recipients, along with changes that allow groups like the Welfare Fund to pass the Part D improvements on to Medicare-eligible members as part of their own plan. What this means for retirees who are Medicare-eligible is that they no longer have to pay an annual deductible for drug coverage, they don't have to pay a premium for Medicare Part D, the Fund's \$10,000 annual cap on drug benefits is eliminated, and after a total annual drug expenditure (by a member and the plan combined) reaches \$8,000, the co-pay is lowered from 20% to 5%.

## CHANGES IN DETAIL

All Medicare-eligible participants in the Welfare Fund Medco prescription drug benefit were enrolled in this new prescription drug plan on January 1, 2012. The plan includes substantial new regulations imposed

## Improvements & challenges

by Medicare, which can be challenging. But as the Fund learns how to best adapt to these new rules, we have been able to make retiree members' experience with the new drug benefit very close indeed to the original Medco drug plan, while saving money for the Fund and our members – and complying with the Affordable Care Act's demands.

The Welfare Fund was able to implement these improvements in Medicare drug coverage because the Act provides new resources through significant cost-sharing between Medicare and entities like the Fund. Other parts of the Act require an expansion of benefits but provide no new resources to make this possible – a less sustainable proposition.

The first major change that the Affordable Care Act brought to the PSC-CUNY Welfare Fund was adding coverage for dependent children up to age 26 (see [tinyurl.com/WPage26](http://tinyurl.com/WPage26)). This change went into effect last July 1, and our rolls were increased by about 800 as a result. Unfortunately, no additional contribution from the employer was required by the new law and none was forthcoming. Fortunately, however, people this age are a low-utilization group for dental, optical

and prescription coverage, so in this case the Fund was able to cope with the resulting rise in costs. Insurance programs for City of New York employees estimated their increase at less than 2% of total costs, and even that estimate may turn out to be high.

A more difficult challenge is posed by another provision of the health reform law, the removal of annual and lifetime caps on essential benefits for all members. Existing plans must remove such caps between 2010 and 2014, including the Welfare Fund's current \$10,000 annual limit on drugs under the Medco program for active full-time employees.

## ANNUAL CAPS

An end to annual caps will mean a more humane health care system, and the Fund supports this as a goal – but unfortunately, the 2010 law does not provide for any additional resources to cover the resulting increase in costs. Since the law provides for no additional funding nor does it require the employer to increase contributions, the only way to pay for lifting this cap – absent new resources – would be to impose cuts elsewhere in the Fund's coverage. For that reason, the Fund applied

for and received waivers that allow it to defer lifting the cap until 2014. Waivers were requested by virtually every other municipal union welfare fund in the City, and together the municipal labor unions are demanding more City contributions to cover increasing union welfare fund costs.

## 'A STARTING POINT'

Caps on coverage are one of many problems in the US health-care system that the Affordable Care Act takes up but does not really solve. The Act is far from a full answer to the US health-care crisis – at best, it is a starting point. The many problems it leaves unresolved can be expected to create pressure for further reform.

Many ideas debated in 2010 might provide ways to close some of the gaps in the Affordable Care Act – employer mandates, a public option, single-payer plans (which Vermont may enact). Policy solutions are available, and Congress has time to act.

It is to be hoped that further legislative action will address some of the Affordable Care Act's problems before it takes full force in 2014. The biggest question mark about the future of the Act, of course, is the pending Supreme Court decision. But whatever the legislative landscape, the Welfare Fund will do its best to navigate the currents of health-care reform in ways that serve all members as well as possible.

## Retirement planning seminars

In June CUNY's University Benefits Office will present two pre-retirement seminars, one at Queens College on June 8, and the other at Lehman College on June 18. Both sessions will run from 10:00 am to 4:00 pm.

The two sessions are designed for those over 55 with 10 or more years of service. Employees within these criteria were sent an invitation by e-mail on May 10 with registration information. Additional pre-retirement seminars for other employees will be scheduled before the end of 2012.

## CHECKLIST

With the overall theme of "What To Think About" in advance of retirement, seminar speakers will include representatives of Social Security and Medicare, TIAA-CREF, Halliday Financial and the 457 Deferred Compensation Plan, as well as CUNY's employee assistance program. A presentation by PSC Coordinator for Pension and Health Benefits Jared Herst will cover the Teachers Retirement System (TRS), Travia Leave and how to prepare a pre-retirement "checklist," during breakout sessions from 3:00 pm to 4:00 pm at both events.

For further information, contact the benefits office at your campus.

– PH

# Union spreads the word

By JOHN TARLETON

When Gov. Andrew Cuomo and the State Legislature approved a new, reduced tier of public-worker pension benefits on March 15, many CUNY adjuncts suddenly faced an urgent deadline of which they were not aware.

Adjuncts, unlike full-time faculty and staff, are not required to join a pension plan when they are first hired at CUNY. They can sign up at that time, or later on, or not at all. But once Albany approved the new "Tier 6" pension plan, which reduced benefits for future pension system members, it meant that any CUNY adjunct who joined after March 31 would be covered by the new, inferior terms.

The PSC swiftly launched a campaign to get as many adjuncts as possible signed up with the Teachers Retirement System (TRS), the only pension they are eligible to join, before the deadline passed. A postcard with key information was quickly prepared and mailed out March 20 to adjuncts at their home addresses. Alerts went out in "This Week in the PSC," in e-mail blasts, and in *Clarion*, which went to press shortly after Tier 6 was approved. Adjunct activists put

## Pension help for adjuncts

out alerts via the PTCUNY listserv and other e-mail lists. PSC Coordinator for Pension and Health Benefits Jared Herst told *Clarion* that he and his assistant, Kim Lashley, fielded close to 300 calls and responded to 400 e-mails during the last ten days of March. "The union really got the word out," said longtime adjunct Shirley Frank, who signed up herself in the final days.

In 2010, the most recent year for which full figures have been published, about 1,200 CUNY adjuncts belonged to TRS. But this year, in the month of March alone, 559 people at CUNY became new members of TRS.

PSC activists also got the word out in person. CCNY Chapter Chair Alan Feigenberg sent out an e-mail to part-time colleagues on March 22, urging them to sign up right away. He also provided information from the union to CCNY's Department of Human Resources; the HR department made its own efforts to spread the word. "They were wonderful about it," Feigenberg recalled. "They didn't respond as bureaucrats, but as really decent human beings."

At Lehman, longtime adjunct Susan DiRaimo made the rounds in the English department, visiting fellow part-timers and helping five of her colleagues to file their papers before the deadline. "I've got a lot to thank her for," one of DiRaimo's colleagues told *Clarion*. "I'd been meaning to do it for a long time, and I got it done this time because Susan stayed in touch with me about [the deadline]."

## HARSH TERMS

Tier 6 requires higher employee contributions and promises a smaller payout upon retirement. Worst of all for CUNY adjuncts, it requires ten years of total credited service to qualify for benefits. Since it takes adjuncts longer to build up a full year of credited service, this means that under Tier 6, many adjuncts will not qualify for a pension until they have worked at CUNY for 20 years or more. Tier 6 is bad for all public employees, but its impact on adjuncts is especially harsh. The PSC has begun discussions with legislators in Albany about a possible repair bill to revise a part of Tier 6 that some observers say was unintended.



Gary Schoichet

## Greening the Bronx

Joan Greenbaum (center), co-coordinator of the PSC Environmental Health and Safety Watchdogs, presents the group's second annual Environmental Justice Award to Harry Bubbins (second from right), director of Friends of Brook Park (FBP) in the South Bronx. FBP has created a garden refuge in a neighborhood plagued by high childhood asthma rates. It also runs a youth kayaking program while advocating for increased shorefront access in the area. Bubbins was nominated for the award by students at BCC. For more, see [friendsofbrookpark.org](http://friendsofbrookpark.org).

## PSC/UFS LAWSUIT

# Defending shared governance

By STEVE LONDON  
PSC First Vice President

In the Spring issue of *CUNY Matters*, CUNY central administration takes a swipe at the lawsuit filed by the Professional Staff Congress (PSC) and the University Faculty Senate (UFS) against Pathways, CUNY's controversial overhaul of general education and transfer (see page 6). It's the latest salvo in the administration's glossy Pathways campaign, and it's an attack that's both misleading and revealing.

The lawsuit seeks to uphold the tradition of shared governance at CUNY by defending agreements that CUNY management made in the 1990s, ceding to faculty authority in curriculum decisions. Fundamental to the notion of shared governance is the idea that faculty are ultimately responsible for the quality of the students' education and the meaning of a CUNY degree. Shared governance is inseparable from quality education. Pathways breaks that bond by imposing a new general education curriculum without meaningful faculty involvement, and it is our students who will suffer if Pathways is not stopped.

That is why almost 6,000 faculty and professional staff have signed a petition that calls for Pathways to be repealed – and replaced with a fresh start. Even half of the faculty serving on the Pathways Common Course Review Committee, recruited and paid by CUNY management, have signed a petition that says Pathways must be stopped. Faculty and professional staff signed because they feel so strongly that the ill-conceived Pathways curriculum will inflict real damage on our students (see pages 6-7).

## AUSTERITY EDUCATION

The Pathways process is mainly designed to speed up graduation rates and spend less money, even if the quality of a CUNY degree is sacrificed in the process. Pathways is an attempt to rationalize budgetary austerity by hitting certain numerical targets without increased funding – even if this requires a debased curriculum.

As resistance has grown, the public relations strategy CUNY is using to “sell” Pathways has shifted several times. First, the chancellery tried to say that faculty critics of Pathways were a marginal few. That was abandoned after the massive response to the petition. Then the administration adopted the “teachers are the problem” framework that we have heard so often in K-12 debates, claiming that faculty are “conservative” and don't care enough about their students to change. So, at the same time that the administration advertises that at CUNY, you can “Study with the Best,” they trash its faculty. In the PR business, I think this is called “going off-message.”

Their latest PR strategy is two-fold. First, bring in the academic stars to save Pathways' reputation. The 12-page color brochure “Pathways Ahead: Reform and Rigor,” widely circulated this Spring, mainly features praise from a parade of current or former officials of other institutions. While some heads may be turned by this high-powered prestige assault, a closer look at who is behind the pull-quotes is revealing. For example, Michael M. Crow, president of Arizona State University, is a strong proponent of reducing overall expenditures per student (after decades of budget cuts) and dismantling disciplines. If this

is 80th Street's idea of an educational leader, one wonders what is coming next?

The second part of the chancellery's strategy is to attempt to discredit the PSC/UFS lawsuit. It uses a lie – there is no other word – about the lawsuit to justify abandoning shared governance in favor of a corporate model of governance.

The lawsuit, filed jointly by leaders of the PSC and the UFS, charges that the Pathways process violates both CUNY's Bylaws and an agreement that settled an earlier lawsuit over faculty rights in the 1990s. “[T]he PSC/UFS claim that CUNY breached a 1997 agreement regarding the role of faculty in formulating policy by establishing a new core curriculum,” says the article in *CUNY Matters*. “The lawsuit, however, omits some important language [their emphasis].”

Under the headline “Fair or Frivolous?” (see [tinyurl.com/fair-or-frivolous](http://tinyurl.com/fair-or-frivolous)), *CUNY Matters* quotes three of the lawsuit's 64 paragraphs, passages discussing the Bylaws provision stating that faculty shall be responsible for “the formulation of policy” on curriculum and the awarding of credit. *CUNY Matters* charges that the lawsuit omits another important phrase in that provision, namely that faculty shall exercise this authority “subject to guidelines, if any, established by the Board.”

But there's a problem with this claim: it isn't true.

The phrase about guidelines is not omitted from the PSC/UFS lawsuit at all. It's quoted repeatedly and prominently elsewhere in the brief – three times in the body of the complaint and in two of three attached Exhibits. (See [tinyurl.com/pathways-court-papers](http://tinyurl.com/pathways-court-papers).) Contrary to *CUNY Matters*, the lawsuit does not omit or hide this language in any way.

For example, the lawsuit's central argument – why the Pathways process is in violation of CUNY's Bylaws – begins with the following paragraph:

“Pursuant to the 1997 Resolution and CUNY Bylaws §§ 8.6 and 8.13, the faculty,

through the Faculty Senate and the College Senates, ‘shall be responsible’ for the formulation of academic policy, subject to guidelines, if any, set by the CUNY Board [emphasis added].”

More interesting, perhaps, than CUNY administration's false charge on this point, is what the chancellery thinks this language means. From the way Pathways has been handled, the administration seems to

think that “establishing guidelines” means that the board's power is absolute.

The lawsuit against Pathways does not dispute that the board has policy-making authority at CUNY. Of course the board does, and this is recognized throughout the brief. But the board has delegated some of that authority through its Bylaws to the faculty. This is how shared governance at CUNY has historically taken shape.

The roles of the UFS and the college senates, for example, are specifically delineated in the Bylaws, and the board is not free to ignore this and unilaterally assign their roles to new committees hand-picked by the administration. The board may not substitute itself for the faculty in the formulation of academic policy, then slap the word “guidelines” on the finished product, and declare that it has done what the Bylaws require.

As the lawsuit explains, the 2011 Pathways resolution violates the Bylaws and the 1997 settlement “by establishing a task force to perform duties that are the responsibility of the Faculty Senate, such as the development of a general education framework applicable to all CUNY institutions.” Faced with “overwhelming criticism” of the Pathways proposal, that task force simply “disregarded the majority of the most critical comments and objections as beyond its jurisdiction.”

Thus, the lawsuit contends, the administration's Pathways resolution “was crafted, considered and passed without the benefit of policy formulated by the faculty,” through

its elected institutions. Overall, Pathways was adopted “without properly including faculty in the process,” as the Bylaws and the court settlement require.

In *Through the Looking Glass*, Humpty Dumpty insists that, “When I use a word, it means just what I choose it to mean.” So, can the word “guidelines” mean whatever the CUNY administration wants it to mean? When the Bylaws spell out the role of the UFS and of college senates in formulation of academic policy, is this not a requirement, but just a kind of suggestion? Does the setting of “guidelines” somehow give the board the power to ignore any other part of the Bylaws that it may find inconvenient?

## FACULTY ROLE

For the PSC and the UFS, the answer is no. But the Pathways process suggests that the chancellery and CUNY's trustees think the answer is yes.

This is a direction that would be bad for US universities – and the Pathways process shows why. When administrators formulate academic policy without the democratic participation of university faculty, academic imperatives can too easily take a back seat to administrative convenience or the demands of austerity. As Pathways shows, the result is a weaker, diluted education.

CUNY students face real problems in the transfer of credits, and those problems deserve a solution. But Pathways is not an academically sound response and it takes the University in the wrong direction. Those who teach CUNY's classes and assist CUNY students know this all too well. Pathways drew a critical response from faculty and staff from the start and that criticism has only grown stronger and louder during this academic year. Now the UFS, with support from the PSC, is starting work on an alternative (see page 7).

The CUNY administration does not want to follow the Bylaws' requirements for real faculty involvement for one simple reason: it knows that those who do the work of teaching and scholarship at CUNY do not support the path it wants to take.

The lawsuit is being pursued in defense of shared governance, maintaining CUNY's character as an academic institution, and ensuring a quality education for students. These principles are important to fight for, and they are anything but “frivolous.” In this struggle, it is important for faculty and professional staff to stay strong.

The PSC and UFS are insisting that the faculty's role in curriculum be respected because we care about the quality of our students' education – and we are not ready to sell them short.



A student learning in a lab adorns the cover of CUNY's Pathways brochure. But Pathways would slash lab sessions in gen ed science classes.

## Pathways, propaganda & power

### Clarion JUNE 2012

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## SCHOLARSHIP UNDER ATTACK

# In Arizona, censoring questions about race

By LINDA MARTÍN ALCOFF

Hunter College &amp; The Graduate Center

In recent weeks, the state of Arizona has intensified its attack on an entire branch of study – critical race theory. Books and literature that, in the state's view, meet that definition have been said to violate a provision in the state's law that prohibits lessons “promoting racial resentment.” Officials are currently bringing to bear all their influence in the public school curriculum, going so far as to enter classrooms to confiscate books and other materials and to oversee what can be taught.

I have been teaching critical race theory for almost 20 years. The phrase signifies quite a sophisticated concept for this crowd to wield, coined as it was by a consortium of theorists across several disciplines to signify the new cutting-edge scholarship about race. Why not simply call it “scholarship about race,” you might ask? Because, as the censors might be surprised to find, these theorists want to leave open the question of what race is – if there is such a thing – rather than assuming it as a natural object of inquiry. Far from championing a single-minded program for the purpose of propaganda, the point of critical race theory is to formulate and investigate questions about race.

## “COUNTER-AMERICAN”?

Arizona's House Bill 2281, which was signed into law by Gov. Jan Brewer in May 2010, does not actually mention critical race theory; it restricts ethnic studies classes. But State Superintendent Tom Horne said he devised the bill to put a stop to what he describes as the “racist propaganda” of critical race theory, and now other conservatives are sounding the call against it. The term has gained visibility in the press since Andrew Breitbart's website trumpeted a “damning” video from 1990 of Barack Obama, then a Harvard law school student, hugging the law professor Derrick Bell, one of the field's founders. Breitbart's website calls critical race theory “a counter-American, collectivist idea.”

The Arizona bill may sound reasonable to some. It prohibits courses that “promote resentment toward a race or class of people,” that “advocate ethnic solidarity instead of the treatment of pupils as individuals,” or that are “designed primarily for pupils of a particular ethnic group.” The reality, of course, is that ethnic studies teachers are constantly trying to get students from multiple backgrounds in our classes and many of us have even endeavored to make these courses required for all. But the other two issues raised by the bill, concerning “resentment” and “ethnic solidarity,” are a bit more complicated.

So what is critical race theory in reality? The phrase generally refers to the study of the ways in which racial concepts and ideas may be operating relatively covertly across social institutions and practices – as ideological drones, of a sort. For example, as Michelle Alexander argues in her influential new book, *The New Jim Crow*, to explain the massively disproportional rates of incarceration for African Americans and Latinos we need to consider how what appear to be color-blind drug laws are nonetheless permeated with ideas about race. The level of racial disparity at the end point tells us we need to investigate what is going on at the starting point. Many people think it is plausible,



Arizona has become a flashpoint for conflicts over race, immigration and education.

even obvious, that ideas about race are systematically operating in our criminal justice system, perhaps below the level of conscious intent. Critical race theory is an attempt to develop critical tools for analyzing the racist effects of legal practices, as well as other practices, that can appear neutral, objective and color-blind.

Those who believe that critical race theory aims to produce ethnic or racial “solidarity” may be surprised to find that most critical race theorists have some skepticism about the existence of race. In this they simply follow the anthropology profession, which declared some 50 years ago that the concept of race is an illusion. In a paper published in 1963, S. L. Washburn, the president of the American Anthropological Association, referred to the concept of race as “an antiquated biological notion.” He and others argued that there is simply no global consistency in regard to the concept of race, and that the biological status of the term was a sham produced by suspect scientific methods. Character traits we associate with races are not found but are produced by practices of segregation. Dividing people by race, others explained, was like identifying slides by the box they came in.

## A SOCIAL CONSTRUCT

The resounding consensus among scientists today is that there is no genetic basis for the social categories of race. Human beings share over 99% of our genes across racial groups. If siblings – who share the largest amount of DNA – can be identified as being of different races because of the way they look (as is common in Latin America and in my own family), how can race be biological?

Socially recognized attributes that divide people into racial groups are based on phenotypes, but our phenotype is the product of our genotype in combination with our environment. So even the predilection to certain diseases cannot be laid directly at the door of genes, given that the ways in which those genes are expressed, and the ways in which an actual organism develops, has to do with its specific environment, what it eats, what toxins it is exposed to and so on. And disease-related genes associated with

a racial group still don't have a direct connection to racial status: genes associated with sickle-cell anemia, for example, are not found among most African Americans but are common in parts of India.

In short, there just is no clear-cut way to map our social classifications of race onto a meaningful biological category. (For recent work on this area, see Joshua Glasgow at [tinyurl.com/GlasgowNBR](http://tinyurl.com/GlasgowNBR), and Philip Kitcher at [tinyurl.com/KitcherFuture](http://tinyurl.com/KitcherFuture).)

So how did this skepticism about race produce a ground for censorship in Arizona?

If questions about the scientific status of race reveal the disconnect between reality, on the one hand, and common ideas and practices on the other, then we need to train our attention on the latter. Race is a socially constructed category with a resultant set of very real experiences. In an important sense, after all, races exist absolutely as social and historical entities. Biologists and social scientists may have rejected the concept, and many may declare that we are now post-racial, but one's apparent racial identity continues to determine job prospects, career options, available places to live, potential friends and lovers, reactions from police, credence from jurors and whether one can walk around safely at night wearing a hoodie. Scholarly debates have not changed these facts, as the tragic case of Trayvon Martin reminds us.

Race may not be in our DNA, but it is all over the history of Western literature, in Melville as much as in Mark Twain, Charles Dickens as well as Conrad. The white imaginary – in Toni Morrison's evocative phrase – constructs “Americanness” in racial terms while undertaking what she calls “elaborate strategies” to erase its own influence from view.

## RENDERING RACE VISIBLE

The operations of race are thus complex and can take some work – critical work – to render visible. Everyday racial identities raise a host of questions. For example, how should mixed-race identities be classified? Are Latinos a race? Is race so distinct from ethnicity when categories like “African American” bring both to mind, distinguishing this group

from Afro-Caribbeans and Africans? Letting people ascribe their own identities cannot settle all of these questions given that how we are seen and interpreted by others affects how we see ourselves. Serious scholarship in the area of race is really just beginning.

In truth, the Arizona legislature was not motivated to confiscate textbooks because it opposed complicating students' understanding of what race is or how race works. Their real concern, as stated in the bill, was about “solidarity” and “resentment.” They are scared of a curriculum that might lead impoverished populations of Mexican and Central American kids to question and challenge the barriers of racism they confront in their daily lives. Superintendent Horne, now Arizona's attorney general, was incensed when students walked out of an assembly in 2006, protesting English-only policies and calling out anti-Latino racism among Republican elected officials. Horne does not want politically active Latinos in his state. He wants them to shut up and keep mowing the lawns.

It may remind one of the Southern slave owners who began to nervously sense, shortly before the Civil War, that “the natives” were getting restless. This was especially worrisome when those “natives” were right out in their front lawns, or even inside their homes, tending their children and cleaning their kitchens, doing the same work that Mexicans and Central Americans do today. House Bill 2281 is an attempt to stem the tide of Latino political integration as full participants, a development that may well change the color of “Americanness.”

## CHANGING VIEWS

The concept of “anti-white” is interesting. Teaching the unvarnished truth about preferential land distributions that favored whites, or recounting the endless broken treaties including the Treaty of Guadalupe-Hidalgo, which promised that Mexican nationals would not lose their land after the 1848 annexation of Mexico, might just make somebody, somewhere, a little ticked off. But telling the whole truth of that chapter of American history might make white kids feel a little ticked off as well at the ugly racism that has been white-washed, so to speak, in their textbooks. Recent polls show that the gap between whites and non-whites who believe that racism continues to be an important problem in United States society has dropped significantly, at least in the younger generation. So perhaps it will not be only Chicano children who demand change, but their white allies as well. That is the sort of solidarity the Arizona Republicans may be most worried about.

Critical race theory is an open-ended project of inquiry, a set of new questions rather than predetermined answers. It involves a history lesson, to be sure, but more than that, it is a set of questions about how this history continues to impact us all in ways we have yet to uncover. But even asking questions on these topics is dangerous to some.

*Linda Martín Alcoff is professor of philosophy at Hunter College and The Graduate Center, author of Visible Identities: Race, Gender and the Self (Oxford 2006), and president-elect of the American Philosophical Association, Eastern Division. A longer version of this article appeared on The Stone, a New York Times blog that features contemporary philosophers.*

## Critical race theory becomes a target.



## 15-MINUTE ACTIVIST

### Stop workplace bullying now

Let's put a stop to workplace bullying. Nearly half of American workers have experienced workplace bullying either as a victim or as a witness. Workers who are bullied are more likely to experience physical and emotional ailments. Employers who allow such inappropriate and unnecessary behavior risk higher employee turnover and absenteeism, higher costs and lower productivity.

The PSC is working in coalition to pass legislation that would grant employees the right to sue their employers if they have been harmed psychologically, physically or economically by workplace bullying. Go to [tinyurl.com/psc-healthy-workplace](http://tinyurl.com/psc-healthy-workplace) and send a letter to your state representatives urging them to support the Healthy Workplace Bill (S4289/A4258).

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# The many roles of Ms. Russell

By JOHN TARLETON

**Catherine Russell**  
Adjunct Lecturer, English, Baruch  
BA in English and Theater, Cornell  
MA in Educational Theater, NYU

Catherine Russell loves her work – whether it's as the leading lady in an off-Broadway play, a business-woman who runs her own theater or as an adjunct in her 32nd year of teaching English composition at Baruch.

"I have three different lives. I spend my early mornings in class. I spend my days dealing with numbers and then I spend my evenings shooting people. It's great!" Russell says.

Russell stars in "Perfect Crime," the longest-running play in New York City history. She plays a psychiatrist, Margaret Thorne Brent, who falls under suspicion when her husband is killed. The play is a classic whodunit that keeps audiences guessing about the killer, and even whether or not a murder has taken place. On April 18, Russell marked a quarter century in the leading role. During that time, she has given more than 10,000 performances, missing only four shows for family weddings. *Clarion* caught up with Russell on the day after her big anniversary back at work in the theater she founded in 2005.

#### My First Leading Role

When I was 14 years old, I was in "The Diary of Anne Frank." It's a pivotal moment for me because I remember walking on stage and saying my first line, and it felt very right. I stopped being scared. I've held onto that feeling ever since.

#### Get networked

Join hundreds of union members connecting with the PSC on Facebook ([facebook.com/PSC.CUNY](http://facebook.com/PSC.CUNY)) and Twitter @PSC\_CUNY. Keep up with the latest news from the PSC and the world of higher education.

## Baruch adjunct steals the show

#### Good Acting Is...

If I believe the words coming out of your mouth then you're a good actor. As an actor, you take all your life experiences, what you look like, how smart you are, how you speak, your vocal pattern, your physical pattern – you take all of that and you mix it up a little bit to play a character. A lot of actors forget they have a persona. The trick to good acting is taking your persona and making it work believably with the character you're playing.

#### 10,000-plus Consecutive Shows

I find it a challenge to come on the stage for each performance and make it a little different. People say, "Oh, this woman has been doing it for so long, I bet she's phoning it in." But actually I'm not and, I think if people see the show on a few different nights, they'll see that. If I felt I was doing the show by rote, I would stop doing it.

#### My Favorite Playwright Is...

Chekhov. And my favorite play is "The Three Sisters." I find the things his characters talk about in Russia in 1898 are still very relevant today – having dreams and not being able to act on them, being married to the wrong person and being unhappy but afraid to leave. Done right, Chekhov is very funny. He simultaneously captures the humorous and the sad aspects of any experience and he does so with beautiful language.

#### Drama at Rikers Island

In the 1980s and early 1990s, I worked with male adolescent inmates at Rikers. Theater is the great equalizer and they started working together better once they got engaged. Guys who had killed people were directing each other. The goals of the program were for them to not only be entertained, but to learn to work together, to

think about problem-solving on their feet without using any kind of violence. For people in the drama program, the recidivism rate went down from 75% or more to around 15%.

#### Theater Is Special Because...

There is something about being in front of people that is terrific. Every performance is different. Every performance is moment to moment. You see it for two hours and then it's gone. It's a shared experience between the actors and the audience that you don't get in a movie.

#### How I Came to CUNY

I was a "tutor in the classroom" at Baruch when I was a graduate student at NYU right out of college, and I had the opportunity to observe several amazing professors teaching there – one of whom, Paula Berggren, is still here at Baruch. She is still a terrific mentor and role model for me. I think CUNY is a very effective institution – often a lot more effective than NYU, where I also teach today!

#### On Teaching

I teach freshmen and a lot of the focus is on critical thinking skills. It's challenging and exciting to encourage people at that age to really think for themselves, to develop opinions and articulate how they feel. I teach at 8:15 am. I go in there wide awake with a cup of coffee and I have a great time. My students will start out half asleep and kind of grumpy and by the end of the two hours, they're bouncing out of the room and ready for the rest of their day. We do a lot of discussing, arguing and thinking, and that tends to wake people up quickly and keep them engaged.



Catherine Russell plays a suspect psychiatrist in the long-running off-Broadway whodunit "Perfect Crime."

#### Critical Thinking

You need to ask the right questions and then give students time to answer. Don't let them off the hook and answer the question for them.

Let them think about it, and when you see that little light bulb go off, it's really gratifying.

#### Classroom Discussion

One assignment I frequently give is for each student to bring in an article from any newspaper. We move our chairs in a circle and the students have to summarize the articles they have chosen and give their opinions. It's fascinating to see what people think, how they argue with each other, what their perspectives are – in person and then in writing. There are so many different races, so many different religions in class and I find it really exciting to see the interactions between people. It's fascinating to see the different worldviews that come together in one classroom.

#### What I Tell My Students

I ask my students how many people sitting on the subway around you look like they're happy to go to work. And I ask, "What work can you do that's going to make you happy, and how can you get a job like that?"

#### Job Search

In my English basic writing class, I require all my students to figure out a job that they think they would like to have in ten years, and then find somebody who has that job, interview him/her and then write up the interview. Often for the first time, they're thinking about what they really want to do and what their lives would be like if they had that job.

#### Working Life

I'm happy and proud to be a member of four different unions – Actors' Equity, the Screen Actors' Guild/AFTRA, the PSC at CUNY, and the UAW at NYU – and I'm really grateful for the protection and support that unions provide. In a way, all four are unions in the performing arts! I think people learn better if you can be entertaining.

**"Morning in class...evenings shooting people. It's great!"**