

UUP Albany Chapter Labor Management Meeting Notes February 24, 2015

Attendees:

Labor: B Benjamin, B Trachtenberg, T Hoey, E Briere, J Harton, M Seidel

Management: J Stellar, B Hedberg, J Mancuso, C Trethaway, JD Hyde, C Cleary

1. UUP welcomed Provost Stellar and is looking forward to working with him.
2. UUP welcomed UAlbany's new **Title IX Coordinator**, Chantelle Cleary, who joins the university after nine years with the Albany County DA office where she gained considerable experience with sex crimes. She is looking forward to focusing on prevention and education, rather than solely on the prosecution of crimes already committed. She has been working with University Legal Counsel and the Chief of Staff to define her role and has been meeting with university offices, as well as the SUNY Board of Trustees to ensure that UAlbany is in line with SUNY policy. Her responsibilities include 1) ensuring compliance related to Title IX and the Campus SaVE Act (while the university is mostly in compliance, the standards keep changing), 2) coordinating education and training for the university community, including rights and responsibilities (this is the area that UAlbany needs to do more to meet the federal standards), and 3) investigating and coordinating the institution's response to sexual misconduct (including needs for culture-change and prevention). Title IX and the Campus SaVE Act are federal statutes, and hence apply to all US institutions of higher education. The new SUNY regulations standardize practices across all 64 campuses to ensure compliance with federal law and to establish specific procedures for the range of issues that fall under Title IX. Campuses have no leeway to revise SUNY standards—campuses must adopt all the policies, but can add to them and work to improve local compliance, education and training.

Consent now requires students have a conversation in which assent to sexual activity is provided. In order for this standard to be met, students cannot be incapacitated, intoxicated, threatened or forced. Victims of sexual assault are required meet with Cleary, who will explain their rights and share what the University can do. The student can share the victimization, but is not required to. Cleary will try to honor the victim's wishes, but if not acting would result in harm to the community, the U must go forward even against the wishes of a victim. After meeting with Cleary, victims are referred to the Advocacy and Counseling Centers for assistance (including counseling, changes in courses and housing, management of grades should the student need time away, withdrawal without penalty, etc.). Faculty assaults are also handled by her office. If a faculty is accused of assault she would work closely with HR to ensure due process. Other offices on campus share reporting and coordinate with Cleary's office. UPD manages criminal investigation, ODI is involved in gender issues and the Advocacy Center assists in sexual violence issues.

Responsible employees (all faculty and staff) are required to report information regarding sexual misconduct to the Title IX coordinator. The university is on notice from the time an employee learns of it and has 60 days from that date to investigate and adjudicate. Employees should listen to what happened and send the information to her, but not investigate themselves. If it is deemed that victims of sexual assault/misconduct are in a hostile environment, campuses must remedy uniformly, equitably and quickly. Seidel clarified that there are a range of contractual obligations that must be met regarding any disciplinary action taken against an employee in UUP's bargaining unit. Trethaway agreed that UUP, HR, and Cleary's office would need to work together to ensure that all due-process protections were met.

Cleary has been working to proactively add to the student code of conduct, including an amnesty policy (if a student reports and s/he has been doing something s/he should not have, such as drug or

alcohol use, there will be no conduct charges). Six current faculty/staff are being trained and certified as voluntary Title IX coordinators and will help Cleary to provide trainings in fall. She is planning a website with online training and reporting. She is also planning to begin doing in-person trainings and educational sessions with audiences across the university, both employees and students. It is the training and education pieces where UAlbany has the most work to do in order to be fully in compliance with the Title IX standards, and Cleary will soon begin to prioritize this work.

Benjamin invited Cleary to present at a UUP Executive Committee meeting and asked her to let the chapter know how UUP can help with information dissemination. She greeted these invitations eagerly and indicated that she looks forward to working with the chapter.

3. Regarding **SUNY Excels and Governor's Executive Budget Proposal**, Benjamin indicated that he has concerns about both. Stellar stated that the Governor's performance measure includes two components, first the plan, then funds for plans with successful outcomes. Hedberg said that this item in the Governor's the State of the State address surprised the University, that there had not been a campus group working on criteria, metrics or performance plans. Benjamin stated the Chancellor testified recently to the Higher Education Committees that SUNY campuses had working on these plans for the past two years. Hedberg indicated that UAlbany had not been preparing such plans. Benjamin shared the specific language about performance funding from the Executive Budget. Item 1 has categories that could be reasonable (access, completion, research public engagement), depending on how the various criteria are established. However the idea of "post-graduation success" raises red flags. Item 2 is concerning in that it calls for experiential learning as a graduation requirement; this is an overreach into the realm of faculty governance. Faculty are responsible for establishing and maintaining curricular standards, so any graduation requirements should be university driven. UUP is not opposed to compensating members for excellent research (item 3), but how will "research" be defined here? Is it only about getting grants and work on commercial projects? There are many other "master" researchers at the university. Campuses must push against any narrow interpretation. Item 4 is wholly objectionable, amounting to a direct financial payout to campus Presidents who attract industry to campuses. The SUNY NY process is rife with real and apparent conflicts of interest. Providing bonuses to campus presidents to bring industry to campus would be disastrous with devastating PR consequences to SUNY.

UUP is concerned that these performance measures will further restrict access, slow graduation, and instrumentalize education. Regarding experiential learning, Stellar argued that working in an internship can help students with careers and with learning. Nevertheless he hopes to delay the requirement and work with faculty from across campus to consider how this might effectively be incorporated into different disciplines. He expressed a very inclusive notion of what might count as "experiential learning"—beyond just internships—that would benefit students in the humanities and arts as well as those in business or the sciences. Employers want students who think and liberal arts training contributes to that. Benjamin stated we should guard against efforts that reduce education to the question of employability, and worried about several elements in the Executive Budget plan. Stellar stated that experiential learning is a complement to education and noted that industry does not oppose that. Returning to the general issue of performance-based funding, Benjamin noted that states have experimented with such models for decades with disappointing if not harmful results. He cited research showing that educational outcomes are related to students' educational and economic background, institutional resources, but not to performance funding mandates. Benjamin stated it would help if the campus communicated its own reservations about the performance funding measures back to the Chancellor. UAlbany's proximity to SUNY administration and government can influence the Chancellor and Governor, and they need to hear about concerns directly from campus administrations. It is crucial for UAlbany to explain the nature of a comprehensive research university and insist that it has a responsibility its and educational and social mission. Narrowing the

focus of the university undermines its mission. Benjamin asked that the U keep UUP posted on its plans. UUP wants to be part of the discussion. Faculty must manage curricular decisions.

4. Benjamin asked for **contingent employee** updates. Hedberg stated at the committee's first meeting Thursday it will identify a set of topics to study and set a plan with a short and long term agenda, meeting weekly through June. Stellar will chair the panel. Hedberg stated the dashboard is half done, recognizes it is an essential piece and hopes to have it done by end of week for the panel and Benjamin. Benjamin will provide specific questions for Szelest regarding kinds of data that would be helpful to track. There is a contingent forum 2/25/15 on National Adjunct Walkout Day (UUP will not walkout) where results of the contingent survey will be discussed. Benjamin would also like to present the survey results to the university's contingents panel. UUP hopes to have several contingent events this semester and will invite management once UUP has a better sense for what is needed. The UUP Contingents Concerns Committee currently has three de-facto co-chairs, Roberto Vives, Annette Richie and Rebekah Tolley (who is running for Officer for Contingents (Vives' position)).
5. Hedberg discussed the **joint statement on shared governance** memo with Wirkkula. Jones and Mancuso also saw it. Hedberg will get back to Benjamin in the next 24 hours. Hedberg suggested the document be sent out quickly and that there be a follow-up correspondence about it closer to the vote.
6. Regarding **SIRF scores in evaluating faculty** and the concern that despite a memo coming from administration about the limited value of SIRFs, Dean Wulfert continues to use them. Hedlberg stated he did not speak directly to Dean Wulfert, but he was assured SIRFs were used only as a starting point for conversations and were not determinative. Benjamin had asked Hedberg to provide the memo from administration, but Benjamin never saw the final. Hedberg will try to locate it. Given their limitations as a valid measure of performance, Deans should be cautioned against using SIRFs in a disciplinary manner. Chairs, typically, are in a far better position to both evaluate and counsel their faculty, than Deans. Benjamin suggested a follow-up statement to Mulcahy's fall memo, providing examples of better techniques and methods and to be wary of using SIRF scores alone would be helpful. He will work with academic concerns committee on this. Hedberg and Benjamin agreed that the most constructive steps now would be to work together to develop a more responsible policy around substantive teaching evaluations.
7. Benjamin asked if administration had reviewed the UUP advocacy list he provided and was told Wirkkula is interested in common ground and is planning to connect Benjamin with Sheila Seery. President Jones walked through UAlbany's advocacy items last meeting, but it would be helpful to see those in more detail. Benjamin provided copies of UUP's legislative agenda and outlined its principal features, including a higher education endowment (permanent funding for the university—if the state is responsible for public education, it should help fund public education), providing student loan debt-relief for SUNY graduates and adjuncts, restoring EOP funding, a different set of performance measures than the ones discussed above, and ensuring the maintenance of public SUNY hospitals (pressing for UAlbany as we move toward an affiliation with Downstate Medical). Hedberg noted that he thought a number of the proposals were innovative and principled.
8. UUP requested campus communications (such as **snow emergency communications**) be emailed to all faculty, staff and students with sufficient notice and clear instructions. Facebook is not a medium used by all for this type of communication. Mancuso stated there are many new staff on campus coordinating these messages and that this is being addressed. There are issues with the information about parking for snow removal. Those with shifts ending at 5:00pm or extending beyond that time when they are teaching, for example, are unable to comply with the policy as currently written.

9. Follow-ups:
- Trethaway has been working on **employee recognition** and hopes it will be ready the end of the month. The president plans to issue a personal message to each individual. All thanked Hoey and Trethaway for making this important process possible again.
 - Hedberg believes there is a solution to **travel concerns** and plans to meet shortly to finalize this.
 - Hedberg has **associate professor data** which was compiled yesterday. There are 223 associate professors, 99 are women. He is inquiring about ethnic data and tracking the number of years at the university and number of years in rank. Trachtenberg stated there is a small working group coming out of the Drescher event last fall that is exploring issues related to associate professors.
10. UUP asked to invite John Giarrusso or Jason Jones to an upcoming meeting regarding **disruption of parking** related to construction of the E-TEC building and future parking plans.
11. **UUP undergraduate scholarship awards** are given annually, but there haven't been many UAlbany applications in recent years. In the past UUP received a list of eligible students with GPA, credit information, etc. and UUP would send a letter to encourage them to apply. Benjamin asked how UUP can work with UAlbany to get this information again so appropriate UAlbany students can be recognized. Hedberg agreed that this was important, and that we should work towards boosting the number of UAlbany applications. We agreed to add this as an item next December, so that we could plan a UUP/campus communication to eligible students.
12. In the past the chapter requested **MC salaries** as part of the publication of salaries. Members ask and although it is public information, the state website is outdated. Mancuso said-anyone can come to HR to view this public information. Mancuso will provide a copy to the UUP Office for members to view, but not to make copies or put on the website.

Meeting adjourned 12:00pm. Notes submitted by J. Harton.