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## Dates to Remember

(Contract dates may be superseded by Senate guidelines)

- 1/20:** DEC receives and reviews records and notifies 1st year renewal candidates (Aug hires) that they must be evaluated
- 2/1:** DEC chairperson informs 1st year renewal candidates (Aug hires) of the evaluation process; Provost takes required action and informs professional assessment candidates
- 2/10:** 1st year renewal candidates (Aug hires) submit relevant materials for consideration to DEC
- 2/20:** DEC submits evaluations and appropriate recommendations to DEC for 1st year renewal candidates (Aug hires)
- 2/25:** Dean submits recommendations for 1st year renewal candidates (Aug hires)
- 3/1:** Provost takes required action and informs 1st year renewal candidates (Aug hires); DEC receives and reviews records and notifies 2nd or later year renewal candidates that they must be evaluated
- 3/5:** University-wide Promotion and Tenure Committee submits recommendations to the Provost for penultimate year tenure candidates and promotion candidates

## Member Benefits

**Working on your taxes?** For a fixed price, Legal Service Plans is now offering Certified Public Accountant services, including preparation of federal and Connecticut tax returns. It also entitles you to a discount of 25% (from normal professional rates) for meetings and work on other personal tax issues including tax audits and planning. For more information on the CPA services, please call Legal Service Plans at 1-888-764-5532. In addition, for \$99, Legal Service Plans, Inc. will provide legal services for members and their families. Personal legal advice and consultation is just a phone call away. Services include a simple will, legal letters and phone calls, and simple document review for no extra charge and special reduced fees for more extensive representation, including real estate closings.

**Adjunct Advocate**, a bimonthly magazine featuring articles that pertain to part-time faculty, and AdjunctNation.com have recently been combined into the "AdjunctNation.com E-Zine." Please contact your local AAUP office for the username and password for the website ([adjunctnation.com](http://adjunctnation.com)).

### *Union News*

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## Report on the Chancellor's Retention Bonus

There has been much discussion amongst members about the retention bonus offered to Chancellor Carter, as reported in *The Hartford Courant* and *The New Haven Register*. After an investigation of the facts, CSU-AAUP found that:

- The Chancellor was eligible for the Retirement Incentive Program offered to state employees last spring, but he chose not to retire.
- At its October 2009 meeting, the BOT voted to offer the Chancellor a retention bonus of \$82,500 to be budgeted over three fiscal years; the bonus could be deferred compensation paid at the time of the Chancellor's retirement.
- In December, BOT Chairman Karl Krapek announced that the BOT Executive Committee decided, in November, that the retention award was to be paid out "when we experienced better financial times."
- No money was withheld or encumbered for the Chancellor's retention bonus this fiscal year; the BOT will revisit this issue in June.
- Chairman Krapek also noted that the Chancellor and the presidents did not receive performance-based increases in 2009 and will not receive them in fiscal year 2010.
- In 2004, the BOT reduced the Performance Recognition Awards from ten percent of the total compensation of the four presidents and chancellor to specific amounts (approximately \$13,000 maximum); in March 2009 at Chancellor Carter's initiation, the Performance Recognition Award "percentage range" was reduced given the current state of the economy.
- Approximately 13.2% of universities with doctoral programs have executive retention bonuses; the practice has grown more popular with the increase of business executives on college Board of Trustees.

The CSU-AAUP Council discussed these facts and CSU System centralization at its last meeting.

Following the discussion, they voted unanimously to approve the following resolution:

*Resolved, That at its December 17, 2009 meeting, the CSU-AAUP Council voted to convey the following concerns to the Connecticut State University Board of Trustees and Chancellor David Carter:*

- *The questionable decision making of the Board of Trustees in granting a retention bonus to the Chancellor;*
- *The recent changes in policy for the non-continuation of campus presidents; and the*
- *Emerging trend away from shared governance toward System centralization and overbearing System involvement in hiring University administrators and faculty.*

*The CSU-AAUP requests a meeting with the Chancellor and other administrators to address these concerns.*

CSU-AAUP President David Walsh and a representative from each chapter were invited to meet with Chancellor Carter and David Trainor, Vice Chancellor for Human Resources and Labor Relations, on January 6. Chancellor Carter spent more than two hours answering any and all questions asked by the union representatives and pledged to continue meeting with union officials throughout the spring semester in order to keep them up-to-date on the status of the fiscal crisis.

## CBC Regional Meeting

The Collective Bargaining Congress (CBC), an umbrella organization of local AAUP collective bargaining chapters and affiliates, held a regional meeting for its East Coast chapters on January 16. The CBC Executive Committee reported that organizing remains its primary focus. Due to the state of the economy, more faculty across the country are seeking to unionize. The CBC is currently working with faculty from the New Mexico State University System and Oregon State. In addition, the CBC and staff from National AAUP's Department of Organizing and Services (DOS) spend a great deal of time on chapter services, providing assistance and advice.

Held in conjunction with the regional meeting, AAUP's Committee on Governance of Colleges and Universities sponsored a half-day workshop on governance. The workshop featured a discussion on the implication of the *Garcetti v. Ceballos* Supreme Court decision on faculty governance. "In *Garcetti*, the Supreme Court allowed a Los Angeles district attorney's office to discipline a deputy district attorney for having criticized his supervisors' actions; the Court ruled that when public employees speak "pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline." Although the majority expressly left open whether its ruling should apply to "speech related to scholarship and teaching" in public colleges and universities, subsequent decisions in the lower federal courts concerning faculty speech have disregarded this reservation and now threaten to diminish severely the constitutional protection of the academic freedom of professors whose engagement in governance, as well as their teaching and research, is considered part of their "official duties." (Committee A Report, Protecting an Independent Faculty Voice: Academic Freedom after *Garcetti v. Ceballos* (2009))

As a result of the *Garcetti* decision, the AAUP urges its chapters to include statements in their collective bargaining agreements that explicitly incorporate protections for faculty speech on institutional academic matters and governance.

## December Council Minutes

At its December 17, 2009 meeting, the CSU-AAUP Council:

- Heard a legislative report from Betty Gallo, the CSU-AAUP lobbyist. The deficit at that time was projected to be between \$550-600 million (see "Economic Climate in CT" on page 5)
- Heard an update on what is being done to assist members in the Alternate Retirement Program (see "Update on the ARP" on page 4)
- Discussed the retention "bonus" approved by the Board of Trustees for Chancellor Carter and passed a resolution requesting a meeting with the Chancellor to discuss several items (see "Retention Bonus for Chancellor" on page 3)
- CCSU-AAUP announced that there will be a proposal to perform an equity survey, similar to the one performed at CCSU, sent to the other campus
- SCSU-AAUP announced that SCSU President Cheryl Norton is a finalist at Youngstown State University

## SEBAC Concession Agreement

On December 21, Governor Rell announced that her administration reached out to state employee labor unions the previous week to renew discussions to identify additional labor cost savings within the state budget. That was not true. On the same day as the announcement, a representative from Governor Rell's office contacted the attorney for the State Employees Bargaining Agent Coalition (SEBAC) to set up a meeting. A meeting has since been arranged for January 28.

The SEBAC Concession Agreement approved last year contains a provision that requires the two sides to meet, but **SEBAC will not be returning to the bargaining table to negotiate additional concessions. The purpose of the meeting is to discuss how to confront the budget crisis without more cuts to state employees (i.e., suggestions on innovations and reducing waste).**

## **Launch of the CT Mirror**

*Reprinted from [www.ctmirror.org](http://www.ctmirror.org)*

The Connecticut News Project Inc. (CNP) an independent, non-partisan, non-profit organization created to reinvigorate coverage of Connecticut's state government, public policy and politics, is giving Connecticut residents a new source for news and information. CNP has established The Connecticut Mirror, an online news source that will enable readers to become better informed about state government and public policy.

The Connecticut Mirror, set to launch on January 25, will focus on state government, politics, education, healthcare and social services initially. Reporting will be done by a team of experienced journalists and made available on its website, [www.ctmirror.org](http://www.ctmirror.org), and through other channels including email, mobile texts, social media and traditional media partners. The Connecticut Mirror will report, analyze, explain and investigate the activities of state government, provide on-line access to important public documents, and provide a platform for statewide public discourse — reasserting the “watchdog” role of the media.

“No matter who you are, what you do or where you live in Connecticut, the actions of state government matter to you. They can affect the health, safety, education and economic future of you, your family and your community. Our job is to tell you what's happening and what it means to you,” said Michael Regan, editor of the Connecticut Mirror, and former Hartford Courant editor. “Newspapers and other traditional media outlets have been victimized by years of decline in advertising and circulation revenues, causing them to have to significantly reduce coverage in all areas. We hope to supplement and re-energize that coverage.”

## **Economic Climate in CT**

**By Andy Nilsson, ECSU-AAUP**

CSU-AAUP and other campus unions were invited to hear Senate President Don Williams address the CSUS Council of Presidents on January 12 regarding the state budget. Senator Williams emphasized supporting three areas: higher education (avoid the California model), transportation (rail improvements), and quality of life (jobs and economic growth).

The budget deficit faced by the 2009 biennial budget was the largest ever for Connecticut. It was somewhat resolved by using federal stimulus funds and the state's rainy day fund. Both were one-time fixes – money spent and gone forever. And there remains a \$300-500 million deficit for the current year.

The 2011 budget faces even greater problems. Senator Williams spoke of needing to re-make Connecticut or we will not be able to maintain the contract between the state and its citizens. The only concrete fix he mentioned was agency consolidation. When asked about the impact of consolidation on higher education, he responded that consolidating the Department of Higher Education with the State Department of Education had been considered last year but rejected. He didn't say, but it may be back under consideration. Senator Williams stressed the importance of taking action now. Agency consolidation does not provide immediate gains so we need to begin now if we want the savings in time for the 2011 budget.

Chancellor Carter followed Senator Williams. He said that he saw storm clouds ahead but sun on the other side. He said that we need to do what we need to do or someone else will do it for us. We have a chance to decide our own destiny – a window of opportunity for which we must collectively agree to engage in conversations. He promised regular meetings between the administration and union leadership to work out details of facing the crisis. His only allusion to a cure was building enrollment. Ten percent of the state's most promising students do not go on to college; 15% drop out without graduating from high school. He pointed to the cost of imprisonment and implied that we need to prove that building the university can reduce the prison population. He mentioned a program at ECSU that is effectively reaching out to otherwise underserved students.

We were warned of the impending crisis and apprised that immediate action is needed, but there was little discussion of action other than Chancellor Carter's promise to meet regularly.

## ARP Interim Report

At its December meeting, the CSU-AAUP Council discussed the progress that has taken place to assist our members in the Alternate Retirement Program (ARP). As previously reported in the newsletter, there are several avenues that CSU-AAUP and the State Employees Bargaining Agent Coalition (SEBAC) are exploring.

SEBAC has filed a grievance on behalf of members who believe they were steered into the ARP. The attorneys are still working on establishing “template fact patterns” (which in layman terms means the various versions of steering that occurred), and as previously noted, the unions will be seeking different remedies for each of the fact patterns. A preliminary hearing on the grievance will be held on February 2.

A retainer agreement has been reached with the firm of Moukawsher & Walsh, and a meeting will soon be scheduled between a client from each affected union and the attorney, who will give his recommendations after analyzing documents and issues regarding possible breaches of duties associated with state retirement enrollment. The attorney will issue a written report of his analysis and recommendations and then union leaders will be invited to meet with the attorney to ask questions.

CSU-AAUP and SEBAC are also moving ahead with hiring an actuarial firm to perform an actuarial study to determine the impact of allowing individuals from ARP to “buy into” the State Employees Retirement System (SERS). The union’s actuary on the State

Retirement Commission, who has over twenty years experience, is helping the union draft the specifications of the requested actuarial study. Once the letter has been finalized, it will be sent to the actuarial firm that is familiar with the State of Connecticut retirement plans.

CSU-AAUP will continue to update its members by email and newsletter of progress on this issue.

## AAUP Journal of Academic Freedom

*Reprinted in part from [www.academicfreedomjournal.org](http://www.academicfreedomjournal.org)*

AAUP introduces a new online project—the AAUP Journal of Academic Freedom ([www.academicfreedomjournal.org](http://www.academicfreedomjournal.org)). Scholarship on academic freedom—and on its relation to shared governance, tenure, and collective bargaining—is typically scattered across a wide range of disciplines. People who want to keep up with the field thus face a difficult task. Moreover, there is no one place to track the developing international discussion about academic freedom and its collateral issues. Edited collections and special issues of journals have helped fill the need for many years, but there has been no single journal devoted to the subject. Now there is.

We invite people to submit essays for our next issue. Whether the journal is published as an annual volume or twice a year will depend in part on the number of quality submissions we receive.

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