

Clarion

NEWSPAPER OF THE PROFESSIONAL STAFF CONGRESS / CITY UNIVERSITY OF NEW YORK



DECEMBER 2012



OPEN ACCESS

Gaining ground

Discussions at CUNY on launching an institutional repository.

PAGE 4



Dave Sanders

RELIEF & RECOVERY AFTER SANDY

Superstorm Sandy left its mark on CUNY and the city we serve. Several campuses were flooded, evacuation shelters were opened at 10 others, and no classes were held for nearly a week. CUNY faculty, staff and students have aided their fellow

New Yorkers in countless ways. Above, Assistant Professor Eric Metcalf, who has been working 12 hours a day with his neighbors in the Rockaways to protect their flood-damaged apartment building from being ruined by mold. **PAGES 2-3, 8, 10-11**

CLIMATE CHANGE

Keeping the ocean at bay

Hunter professor William Solecki, co-chair of the NYC Panel on Climate Change, says New York must adopt a mix of responses to the challenge of rising sea waters. **PAGE 11**

ELECTIONS

Labor brings out the vote

PSC-backed candidates won big in New York, while a heavy turnout of union voters in the key swing state of Ohio sealed President Obama's re-election. **PAGE 5**

BLIND JUSTICE

Ignoring our racial history

The Supreme Court could soon rule against affirmative action in college admissions. Our national discussion has lost sight of why such programs were created. **PAGE 9**



PATHWAYS

Conflict flares on new fronts

Calls for implementing a Pathways moratorium win support, while QCC's president ends her effort to block the election of a Pathways critic as a department chair. **PAGES 6-7**

Shelter from the storm at CUNY

By GARY SCHOICHT

When Superstorm Sandy pushed a record storm surge into New York harbor, thousands of people were evacuated from sea-level neighborhoods. Many ended up in shelters on CUNY college campuses, including York College in Jamaica, Queens. A week after the storm hit, 630 people were still housed in York's academic building, while 175 in need of medical care were in the gymnasium just across Guy R. Brewer Boulevard.

Inside the main building, army cots with New York City blue blankets lined the hallways and open floors. Some people brought their own blankets and quilts for double warmth and maybe a feeling of home. During the day, most of the 630 evacuees were out: at work, at their ruined or powerless homes, or just to take a break. Some people slept, as kids ran around trying not to make too much noise. Some watched *Kung Fu Panda 2* in the auditorium where films were being shown 24 hours a day.

PEACE & PUBLIC SAFETY

York College employees, City workers, FEMA workers and volunteers kept the intake process moving smoothly, the floors and toilets clean, and interactions peaceful.

With so many people in distress and living in frustration, anxious to return to their homes (if they still had one) and their pre-Sandy lives, the college's public safety officers were charged with keeping the peace. "The

guys here have been doing a great job," said Stephen Barrera, HEO delegate for public safety. "They're working 12-hour shifts and sleeping on campus. Last year it was Hurricane Irene for three to five days; it was a blur. The college is doing a great thing."

Rishi Nath, associate professor of mathematics and director of the Queens Community College (QCC) Office of Undergraduate Research, had been either at York or in the Rockaways since the storm's arrival a week before. Nath got dispatches from the college and sent out e-mails to keep PSC members informed. "The teaching staff has had to step down while this other function has to be served," he told *Clarion*. "It's interesting how important the public safety officers have become. It's important and illuminating for all of the faculty to see this. They've done an amazing job."

York student Harry Velasquez works part-time at the college as an ET (Education Technician). He's 42 years old, majoring in psychology and sociology. "I've been here every day. I haven't gone home once," he said on November 5. Velasquez was responsible for the movies being shown. "People have to have a place to relax," he explained. Velasquez also worked on getting the school's media equipment out, for evacuees to use, and ran a charging station for cell phones and computers. "I'll be here to the end," he said.

Stephanie, one of the evacuees at York, spoke with *Clarion* while an-



Education Technician and student Harry Velasquez volunteered at the York campus shelter every day until classes resumed on November 8.

other evacuee, Marie, braided her hair. Her home in the Rockaways was without electricity or heat. "Otherwise," she said, "it's fine." With two daughters, one a toddler and the other an infant, Stephanie has her hands full in the shelter. While happy to be warm and indoors, she was anxious to get home to see the damage and to begin getting her life back together.

Anna Johnson, 24, a recent college grad from Minnesota, came to New York City as a volunteer with the Conservation Corps of Minne-

sota and Iowa. "I've always wanted to help with disaster relief. I went to New Orleans after Katrina, moving debris and cleaning," she said. "It makes me happy to help people." In the beginning she worked in a large room at the college where piles of clothes were sorted by gender and size; now she guards the hallway that leads to one of the family sections. "Everything helps," she said. "I'll stay as long as they need us."

Walking through York College with Rishi Nath was like touring

a small town with the mayor. He knew everyone; everyone knew him. "York College provided the citizens of our neighboring community with a safe, hygienic, welcoming place in a turbulent time and has treated evacuees with respect and the dignity they deserve," Nath told *Clarion*. "As a faculty member, it's a bright moment in an otherwise dark time." Of the ten CUNY colleges that hosted shelters after the storm, York's was the largest.

MOVING FORWARD

On Wednesday, November 7, most evacuees at York who had not found other housing were moved to shelters in Manhattan and the Bronx. While medical evacuees remained in York's Health and Physical Education Building, the Academic Core Building was returned to student use. After a 20-person crew from FEMA thoroughly cleaned the academic building, classes resumed the following day – six days after most CUNY campuses had reopened their doors.

Okwudiri Nlemadim, Supervising Public Health Advisor for the NYC Department of Health, acknowledged that the move was hard for the evacuees, but said it was necessary. "I really do feel remorse for all these people who have nowhere to go, but York is not a shelter, it's a college, and at some point students have to return to school," Nlemadim told a reporter for the school's student newspaper, *Pandora's Box*. "You look around and you know these people don't want to leave, but I love their demeanor. They know that the staff here has been really good to them and they really appreciate it."

Post-Sandy bank for annual leave

By PETER HOGNESS

In response to the impact of Superstorm Sandy on many of its employees, CUNY has announced a policy permitting each college to set up an emergency Annual Leave Bank to which full-time salaried CUNY employees (both instructional and classified staff) who accrue annual leave (not full-time teaching or counseling faculty who have a designated annual leave period) can donate up to 5 days of their accrued annual leave.

Full-time and part-time/hourly CUNY employees who do not have sufficient paid leave to permit them to stay on payroll and deal with emergency conditions resulting from Hurricane Sandy are eligible to apply for up to 5 days of paid leave from this emergency Annual Leave Bank, including employees in adjunct and CET titles who do not normally accrue annual leave. Leave from this Annual Leave Bank can be used from November 1, 2012, through February 28, 2013.

Go to your HR Office or to tinyurl.com/CUNY-temp-ALbank for more details and for forms to donate or to apply for leave.



LETTERS TO THE EDITOR

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

The real threat is austerity, not deficits

● According to popular rumors, the ancient Mayan calendar says that the world will come to an end on December 21, 2012. Meanwhile, the media tells us that our government could go over a "fiscal cliff" on January 1.

In 2011, Republican legislative blackmail over an increase in the debt ceiling, previously treated as a routine accounting matter, led to the Budget Control Act, which requires savage spending cuts this January if Congress has not adopted a plan to reduce the deficit by \$1.2 trillion over the next 10 years.

At a time of stubborn unemployment and impoverishment of millions, Washington's obsession with deficits is alarming. Slashing Social Security, Medicare, Medicaid and other necessary social programs will only sink us into a deeper recession. Instead, we need more economic stimulus – yes, we need more deficit spending. This would increase consumer purchasing power and allow us to maintain and enhance the safety net – growing the economy and expanding our tax base as a result, and allowing defi-

cit reduction in the longer run. But economic reality has been turned on its head with this constant bipartisan drumbeat for deficit reduction.

The long-term federal budget deficit does not threaten our economic stability. Calls for austerity and cuts to our social safety net, on the other hand, pose a threat that is very real, and could plunge us into a deeper recession.

Many Congressional Democrats have said they would be willing to cut social safety net programs in return for increased tax rates on higher incomes. But such cuts are not only unnecessary, they would be profoundly harmful – to seniors, the poor, the middle class and to our economy as a whole. Union members must mobilize to defeat these "Grand Bargain" proposals.

Joel Berger,
together with other members of the
PSC Social Safety Net Working Group

Editor's note: To help oppose cuts to the social safety net, contact PSC Social Safety Net Working Group co-chairs, John Hyland (LagSoc@aol.com) or Steve Leberstein (sleberstein@pscmail.org).

aol.com) or Steve Leberstein (sleberstein@pscmail.org).

Coca-Cola at CUNY: a bad deal

● Sarah Jaffe's article, "CUNY beverage deal: Activists insist that 'Coke is not it,'" highlights many reasons why CUNY should not agree to an exclusive beverage contract with The Coca-Cola Company. Coke's labor and human rights abuses and racial discrimination are all good reasons to reject such a contract.

These abuses, including murders of union leaders, have been well-documented in recent books such as Michael Blanding's *The Coke Machine*, Mark Thomas's *Belching Out the Devil*, documentary films such as the National Film Board of Canada's *The Coca-Cola Case* and Mark Thomas on *Coca-Cola* by the UK's Channel 4, and websites such as KillerCoke.org and StopCokeDiscrimination.org.

Another reason to oppose any further contracts with Coke is the high prices it charges on the CUNY cam-

pus where it currently has vending machines. At Brooklyn College, for example, Dasani water or unhealthy Coca-Cola cost \$1.75 in Coke's vending machines, while these beverages can be purchased off-campus for a dollar or less. These excessive costs serve as a tax on CUNY students, many of whom are low-income.

Too much of the money CUNY might receive from Coca-Cola would come out of overcharges to our students, faculty and staff. A contract with Coke would also make a mockery of CUNY's Campaign Against Diabetes.

The Coca-Cola Company is not a "responsive and responsible offeror" and should not be allowed to participate in the bidding process.

Nancy Romer
Brooklyn College

Write to Clarion

Letters may be on any topic, but should be less than 200 words and are subject to editing. E-mail your letter to Clarion editor Peter Hogness (phogness@pscmail.org) or fax it to 212-302-7815.

CUNY responds to Sandy

By JOHN TARLETON

Borough of Manhattan Community College (BMCC) Associate Professor of Music Joyce Moorman couldn't believe her eyes when she opened an e-mail from the college early on the evening of October 29.

"I was shocked when I read that the water had crossed the West Side Highway," Moorman told *Clarion*. "I thought this hurricane wouldn't amount to anything, just like all the other ones that come to the Northeast."

But even though Sandy no longer had hurricane-force winds when it reached New York, its impact was devastating. BMCC was one of the hardest-hit CUNY campuses, but the storm's effects were felt across the University. Faculty, staff, students and administrators have struggled, along with millions of others, to return to something resembling normal amid power outages, fuel shortages, a crippled subway system and, for some, the loss of their homes.

At least five people with close CUNY ties were among the more than 40 New Yorkers killed as a result of Sandy. They included Lauren (Lola) Abraham, a recent transfer from Lehman to LaGuardia, who was killed by a downed electrical wire, and College of Staten Island student John Filipowicz, Jr., who drowned alongside his father in the basement of their home. Jacob Vogelman, an MFA student at Brooklyn College and his friend Jessie Streich-Kest, a recent graduate of Hunter, were both killed by a falling tree while walking Streich-Kest's dog before the height of the storm. Former York Provost Lewis Bodi was killed by a fire from a kerosene lamp in his home in Glen Cove, Long Island, in use because of the town's extended loss of electrical power.

At least a dozen PSC members lost their homes to the storm.

Classes at most CUNY colleges resumed November 2, after a four-day hiatus. However, attendance was much lower than usual due to continuing problems with mass transit. Classes did not start up again until November 6 at BMCC and Kingsborough Community College (KCC), both hard-hit by flooding. Courses at York did not resume until November 8, due to the campus serving as an evacuation shelter for close to 1,000 residents of the Rockaways (see page 2).

FLOODED CAMPUSES

Hunter's Brookdale campus at 25th Street and the FDR Drive sustained serious flood damage to laboratories, classrooms, phone lines and fire safety systems, and it remained closed at *Clarion* press time, with classes relocated to Hunter's buildings uptown.

BMCC faced both water and salt damage to flooded electrical and heating systems. "When the water started to recede, our folks jumped right in. Many had slept here. We had people pushing water, pumping

Suffering spurs solidarity



York College provided shelter for close to 1,000 evacuees from the Rockaways.

water, scooping water," said BMCC Vice President Scott Anderson. "The laborers had their waders on, the custodial staff pulled out the squeegee brooms. Our college was kept alive by people you can never thank enough – the people who wear the gray collar, the blue collar, the green collar. They worked a minor miracle."

BMCC's classes resumed when the college's main building still had no heat. "My thought was that they should not have opened so soon," Moorman said, noting that temperatures dropped into the 30s at night that week. "No one could get warm." Though heat was restored to most of the college a few days later, Moorman said some areas remained cold two weeks after the storm.

BACK TO CLASS

While flood waters packed Sandy's biggest punch, high sustained winds also caused destruction on some CUNY campuses. At Queens College, part of the Kissena Hall roof blew off and a cooling unit and a fan were ripped away from the roof of the Fitzgerald Gymnasium.

CUNY colleges drew up different plans for making up lost hours of instruction before the scheduled end of the semester. At KCC, daytime classes will run an extra five minutes, while weekend classes will add an extra half hour to the end of classes. At Brooklyn College (BC), two lost days will be made up around finals. For the other two days, faculty members are to meet later with classes or conduct field trips. "That's showing flexibility," commented BC Acting Chapter Chair Alex Vitale.

At the College of Staten Island (CSI), Professor of Performing Arts George Sanchez said the college has done an outstanding job of aiding students in crisis, providing counseling services, emergency relief grants and other support. Faculty want to

be attentive to students' needs, Sanchez said. "When a student calls to say, 'Professor, I'm sorry I haven't turned in the assignment, I lost my home; you've got to try to work something out,'" he told *Clarion*.

PSC members join relief and recovery efforts.

Using procedures developed after 9/11, CSI worked with students who concluded they had to withdraw from classes altogether and seek a tuition refund, even though the normal withdrawal deadline had already passed.

At KCC, 2,300 faculty, staff and students were living in the Zone A evacuation area, making it the college with the largest number of affected people of any CUNY school. "We're encouraging faculty to be as flexible as possible, and to use online options for students who can't make it to class," spokesperson Ruby Ryles told *Clarion*. About 1,400 people used KCC's on-campus resource centers to obtain food, with about 1,100 using other emergency services.

From Staten Island to Red Hook to Far Rockaway, Sandy has left a humanitarian disaster across many communities. In turn, it has sparked

a massive response from ordinary New Yorkers, and PSC members and CUNY students have been heavily involved.

Yoko Inagi, a library faculty member at City College, had trained to run in this year's New York City Marathon. With the race canceled, Inagi joined hundreds of other marathoners who set out to help storm victims on what would have been the morning of the big race. They combined running with relief work, aiming to provide some concrete assistance and focus public attention on residents' unmet needs. Inagi ran six to seven miles, carrying a backpack full of supplies to a community center in Midland Beach. She then went to work with a team of volunteers, gutting the flooded first floor of an elderly couple's home.

ELDER CARE

"I could see how nicely they took care of their house," Inagi said. "But it smelled so musty. It was just overwhelming."

In Brooklyn, Daniel Felsenfeld responded to calls for volunteers, circulated by a Park Slope parents group, to assist a group of 400 to 600 nursing home residents who had been evacuated to the Park Slope Armory. Felsenfeld, a composer and an adjunct assistant professor of music at City College, has been regularly volunteering overnight, the only time the armory doesn't have a full roster of 60 to 70 volunteers. During his shift, Felsenfeld walks a row to monitor the elderly evacuees. He helps them into their wheelchairs, runs errands for them and engages in long conversations.

"It's an amazing experience," Felsenfeld told *Clarion*. "Everyone is working there because they genuinely want to help."

On the day after the storm, CUNY graduate assistants Conor Tomás Reed, Marissa McCleave Maharawal, Zoltán Glück, Daniel Schneider and Brooklyn College student Julieta Salgado – all experienced organizers who knew each other through Occupy Wall Street – were among a small group of volunteers who set out to deliver emergency supplies to elderly residents of high-

Continued to page 4

Fighting to save his home

Eric Metcalf, an assistant professor at York College, fled his home in the Rockaways before Superstorm Sandy came ashore. In the three days that followed, Metcalf and his wife and a friend slept on cots in his office in York's Department of Performing and Fine Arts. Outside, the hallways were filled with evacuees. The people from Breezy Point, Metcalf recalls, smelled of smoke from the fires that had consumed a large swath of their neighborhood.

When Metcalf returned home to the Rockaways, he found a dramatically altered landscape where flooded homes lined sand-covered streets strewn with dead cars. There was no electrical power, no running water and no other public services. At night, it was darker than he'd ever seen it before.

'NIGHTMARE'

"This is like something out of a nightmare," Metcalf told *Clarion* two weeks after the storm. "You can't imagine how bad it is."

Metcalf's third-story condominium apartment on Beach 92nd Street was not directly damaged by the rising seas or the storm's high winds, but his building's basement sustained eight feet of flooding. He and his neighbors have worked 12 hours a day to pump water out of their buildings and gut the sections that are at risk, hoping to stop mold from taking hold and getting a grip on their building.

"The psychological toll has been high," Metcalf said. "Neighbors you've known for a long time have been acting irrationally because they can't come to grips with the toll of their losses."

SHORTAGES

Rockaways residents have had to drive to the mainland for all basics, even as fuel shortages have become a fact of life, Metcalf said. National Guard troops, stationed at Floyd Bennett Field, patrol the streets in response to reports of overnight looting. Otherwise, the presence of government and major relief agencies has been minimal.

Metcalf is taking junior faculty release time this semester and is teaching only one class week. He was slated to return to the classroom on November 15. Meanwhile, he says, his life as an academic seems very remote.

"It's very hard to imagine going back to the classroom," he said. "There are so many people in need here."

— JT

For information on how to get involved or donate to relief and recovery work, visit:

- interoccupy.net/occupysandy
- tinyurl.com/NYSUTFund
- tinyurl.com/AFTfund
- tinyurl.com/AFL-CIOresources

Help for PSC members

New York-area unions have stepped up to provide help in Sandy's wake. On November 10, volunteers and staff from the American Federation of Teachers (AFT) and New York State United Teachers (NYSUT) distributed relief supplies to union members in the Rockaways, Coney Island, Staten Island and elsewhere.

"Looking out for one another is what being in a union is all about," said Executive Director Deborah Bell. "Our members have been very active in volunteering to help others, and we also want to help PSC mem-

bers get the help that they need."

PSC members who have suffered severe losses may be eligible for grants of up to \$500 from the NYSUT Storm Relief Fund to help with some expenses not covered by insurance or other aid. Details on how to apply (and how to donate) are on the PSC website at psc-cuny.org/storm-relief-fund-union-members, along with information about other resources for those affected by the storm. Help in connecting to emergency resources may also be available from NYSUT Social Services, at 800-342-9810 x6206.

Sandy

Continued from page 3

rises in Red Hook. These buildings were without power, running water or functioning elevators; the Occupy team walked up many flights of stairs to deliver flashlights, batteries and bottled water they had collected by going door-to-door in the adjacent neighborhood of Carroll Gardens, which was not hard hit by the storm.

Working with the Red Hook Initiative (RHI), a community group with strong neighborhood roots, they helped transform RHI's offices into a relief center, where they served their first meal to those in need on the night of October 30.

Word spread quickly through Occupy networks, and the homegrown relief effort quickly burgeoned into Occupy Sandy, a massive grassroots network that has now engaged thousands of volunteers. As the *New York Times* reported November 9, Occupy Sandy has in many ways outperformed "larger, more established charity groups, which seemed slow to deliver aid and turned away potential volunteers in droves during the early days of the disaster (see page 11).

EMPOWERMENT

Occupy Sandy organizers say they hope to use their relief work as a starting point for empowering the communities they are working with.

"It's really inspiring that many of our students and adjuncts who are impoverished are in leadership positions in this relief effort," said Jocelyn Wills, a professor of American history at Brooklyn College.

At its November 8 meeting, the Brooklyn College PSC chapter voted unanimously to support a request from the Brooklyn College Student Union to participate in a Sandy Solidarity Caravan to the Rockaways and Staten Island on November 25 and 30. Participants will pitch in with the relief and recovery efforts, which, Wills says, offer excellent opportunities for service learning. The PSC chapter will contribute \$500 to help defray transportation costs and many union members are planning to join the effort.

BMCC STUDENTS

Students at other CUNY campuses are stepping up to help those most affected. At BMCC, for example, the Student Government Association voted November 7 to contribute \$5,000 toward relief efforts in Far Rockaway.

Brooklyn College sociology professor Carolina Bank Muñoz and her husband have alternated volunteering on weekends – she has delivered supplies to Coney Island for Occupy Sandy, while he has worked with Doctors Without Borders in Far Rockaway. While one volunteers, the other stays behind to look after their five-year-old son. It's a demanding schedule, but Bank Muñoz wouldn't have it any other way.

"There are people who are completely abandoned and have nowhere to go," she told *Clarion*. "How can you turn your back on them, no matter how crazy your life?"

Open access comes to CUNY

By NANCY SCOLA

Scholarly publishing, a growing number of academics say, is broken. As authors and reviewers, academics work for free for commercial publishers, and online publication is far less expensive than paper-based printing and distribution. Yet, universities are saddled with rising and increasingly unaffordable costs for the journals that result. In response, open-access publication of scholarship and research, in which those materials are freely available to the general public without subscription fees or paywalls, is gaining ground.

Harvard's Faculty Advisory Council caused a stir last spring when it said that, in the long run, even this endowment-rich school would be unable to afford rising subscription fees for academic journals, currently costing Harvard nearly \$4 million a year. With publishing companies like Elsevier posting profit margins of around 35 percent, the Harvard statement suggests that universities are paying far more than the true costs of publishing. The council urged Harvard faculty to choose to share their work in open-access journals, both as a good idea in itself and to help "move prestige to open access."

GAINING GROUND

There are signs that this shift is already underway, and not only among specialists. Studies published in *PLoS ONE*, the largest open-access and peer-reviewed journal of the Public Library of Science, are now routinely cited in news reports in *The New York Times*, *The Economist*, and *BBC News*.

In recent years, another form of open-access to scholarly work known as an institutional repository (IR), has been established at a number of universities. An institutional repository is a free, searchable, online resource where scholars can self-archive their work with an emphasis on long-term accessibility. In addition to published articles, IRs often contain a range of other academic work: entire data sets, lectures and presentations, video and audio, event transcripts, scores for musical compositions and more.

At many universities, IRs have been up and running for several years. Harvard has DASH (Digital Access to Scholarship at Harvard). The University of Kansas has ScholarWorks. The University of California has eScholarship. Some universities, such as Harvard, require that faculty participate in their institutional repositories (though a waiver can be requested). At others, participation is entirely optional.

Some of the better known open-access archives in academia are subject-specific repositories with scholarship from many institutions. These include SSRN (Social Science Research Network),

Plan for institutional repository



Maura Smale, information literacy librarian and associate professor at City Tech, speaking on open access and authors' rights at the October 26 forum.

PubMed Central for biomedical and life sciences research, and arXiv.org for mathematics, physics, and related fields. (Boston's Simmons College maintains a list of subject-specific repositories at oad.simmons.edu/oadwiki/Disciplinary_repositories.)

Advocates for institutional repositories note that not every discipline has a well-established archive of its own. They add that a university's IR can add to its academic left, increasing the visibility and accessibility of its faculty's work.

Last November, CUNY's University Faculty Senate (UFS) approved a resolution that supported the creation of an institutional repository at City University of New York, with faculty "encourage[d] but not require[d]" to participate. To move toward the new goal, the UFS then formed an Open Access Advisory Group, led by Polly Thistlethwaite, chief librarian at the Graduate Center. Other members include Curtis Kendrick, University Dean for Libraries and Information Resources, other university librarians, and supporters of open-access policies from across the university.

RIGHTS

Faculty who prefer traditional scholarly journals to their open-access counterparts might have questions about whether submitting their work to an institutional repository would conflict with their publishers' terms. But at an October 26 panel at the Graduate Center, part of Open Access Week at CUNY, Jill Cirasella, a reference and instruction librarian at Brooklyn College, told attendees they might be surprised at the breadth of the rights they already have for posting their publications on open-access repositories. Even Elsevier, a publishing giant that

has been criticized for its hostility to open access, generally allows self-archiving of pre-publication versions of the work that appears in its journals.

Cirasella recommends an online tool called SHERPA/RoMEO (www.sherpa.ac.uk/romeo) as an easy-to-use, accurate summary of publishers' rules as they apply to institutional repositories. "You probably have more rights than you realize," Cirasella advises academics, noting that 87 percent of academic journals listed in SHERPA/RoMEO's vast database allow for immediate open-access self-archiving. That number climbs to more than 90 percent when you allow for an embargo period after publication.

Advocates list a number of advantages they say accrue to university faculty with the creation of a university-wide IR. In addition to simply promoting greater visibility for faculty work, IRs can be set up to allow researchers to see digital analytics that help them better understand who is engaging with it, or what elements have drawn the most interest. A repository can ease compliance with the requirements of funders, such as the Bill & Melinda Gates Foundation, MacArthur Foundation, Wellcome Trust and an increasing number of government funding agencies that can require open-access distribution of research and scholarship that they support. An IR also gives faculty stable URLs for access to their research product, freeing them from having to maintain lists of their works on personal web pages.

Getting broad participation in open-access archives can be a challenge. PubMed Central struggled as a voluntary resource until Congress directed researchers funded

by the National Institutes of Health to participate in it. While CUNY's advisory group recognizes that building participation can be its own organizing challenge, Cirasella said that the ultimate objective is to make CUNY's IR a sufficiently vibrant, easy-to-use resource that faculty find in their interest to participate in.

TECHNICAL CHALLENGES

Currently, the advisory group is exploring the technical challenges of getting it up and running, including such details as to how CUNY's IR might handle embargo periods and tagging. The group, says Cirasella, has concluded that, while building a software solution from scratch might be the best fit for CUNY's somewhat unique structure, it would also be slow going. The group is investigating the merits and drawbacks of existing software packages like Digital Commons, EPrints and Fedora Commons. Because broader visibility is one of the main advantages of an IR, "it's really, really important to our faculty and students that the repository plays well with Google and Google Scholar," Cirasella said at the October panel.

Michael Eisen, a biologist at the University of California, Berkeley, and co-founder of the Public Library of Science, says that while there is much to like about institutional repositories, they are not an effective means for fundamentally changing the current model of subscription-based, for-profit, scholarly publications and its attendant high costs. Eisen predicts that as growth of open-access journals increasingly undermines the business models of for-profit publishers like Elsevier – currently the target of a scholars' boycott for its pricing practices and support for anti-open-access legislation – publishers will become less willing to tolerate their authors' self-archiving. The fact that institutional archives rely upon the "good will of subscription publishers," Eisen warns, is their Achilles' heel.

But universities, CUNY among them, seem to be growing more willing to put their weight behind open-access academics.

In its budget request for library services in 2013-14, CUNY's library arm said that a push toward open access "offers the promise of eventually reducing the cost of high-quality information resources." University officials advocate making slow and steady progress in its own institutional participation. "We want to do this right," George Otte, University Director of Academic Technology for CUNY, wrote in a discussion of a CUNY institutional repository this fall.

According to Cirasella, if the university opts to adopt an off-the-shelf solution, CUNY's institutional repository could be up and running within the next year.

Unions see election gains

By JOHN TARLETON

The 2012 election saw President Barack Obama re-elected by a solid margin and a string of victories for progressive candidates across the nation. Similar trends prevailed in New York, where Democrats made gains in both the State Legislature and the Federal House of Representatives.

In the battle for the State Senate, PSC activists helped shift control to the Democrats. State Senator Joseph Addabbo Jr., an incumbent from Queens endorsed by NY State United Teachers (NYSUT) and the PSC, beat back a GOP push to retain his seat. George Latimer, a PSC/NYSUT-endorsed challenger, won his race for a State Senate seat in Westchester. Both Addabbo and Latimer have long track records of support for working families and full funding for CUNY.

UNDECIDED RACES

As *Clarion* went to press, two upstate Senate races remained undecided. In the 46th District, which includes parts of Albany, Democrat Cecilia Tkaczyk went into a recount holding a 139-vote lead over her challenger, Republican George Amedore. In the other race, Democratic challenger Terry Gipson leads incumbent Republican Stephen Saland of Poughkeepsie by 1,600 votes, with 10,000 absentee votes still to be counted. If Tkaczyk and Gipson prevail, the Democrats will hold a 33-32 majority in the Senate. Final control of the State Senate, however, may still be decided by a more conservative caucus of four "independent Democrat" state senators, who have sought to make their own deals with Republicans in the past.

Labor's ground game trumps GOP money



Sean Mackell (left) of the NYC Central Labor Council and Joel Kuszai of the PSC Legislative Committee make plans for getting out the vote in this year's elections.

"The PSC's strategy in this election was to contribute to the reelection of the president, increase Democratic control of the House and Senate, and help the Democrats retake the New York State Senate," said PSC First Vice President Steve London. "Our goals were to protect the federal social safety net programs and to deny Governor Cuomo a partner – the Republican Senate leadership – in advancing anti-labor legislation. The results look promising and we have made important gains, but we will have to continue the pressure to achieve our goals."

In federal contests in New York, labor-backed challengers Grace Meng,

Sean Patrick Maloney and incumbent Tim Bishop won their elections for seats in the House of Representatives. Democrats posted a net gain of one House seat in New York State, as Democrats nationally trimmed the Republican majority in the House.

SENATE GAINS

In the United States Senate, Democrats gained two seats and saw their majority increase to 55-45. With Sen. Kirsten Gillibrand's re-election a foregone conclusion, PSC members helped secure two important progressive victories in other states: Elizabeth Warren's win over GOP Sen. Scott Brown in Massachusetts,

and Chris Murphy's win over Republican wrestling magnate Linda McMahon in Connecticut.

PSC members made hundreds of get-out-the vote calls in both races, and teamed up with members of the United Federation of Teachers (UFT) and other unions on a bus trip to Connecticut for a door-to-door labor walk to get out the vote for Murphy.

Warren, a former law professor, author and consumer advocate, emerged as a forceful critic of Wall Street in her role as chair of a congressional committee monitoring the bailout of big banks after the 2008 financial col-

lapse. Working in the Obama administration, she played a leading role in the creation of the Consumer Financial Protection Bureau, but was denied a position as its first head in the face of determined opposition from Senate Republicans. Murphy takes over the seat of retiring Connecticut Senator Joseph Lieberman, defeating McMahon, a right-wing businesswoman who had put \$97 million of her own fortune into two successive campaigns to win a Senate seat.

CLINCHER

Polling by Hart Research showed 65 percent of union members nationwide voting for Obama with that number increasing to 70 percent in Ohio – the state where Obama's victory clinched the election.

According to the AFL-CIO, union members and their community partners contacted 800,000 voters in Ohio in the last four days of the campaign and made 10.7 million door knocks and phone calls nationwide. PSC members did their part, phone-banking union households to mobilize support for Obama in New Hampshire, a state the president won by a 52-46 margin.

If it had not been for the unions' efforts, including those of PSC members, the election's outcome would have been very different, PSC leaders said. "I was on the ground in Ohio in the final days of the campaign and I saw first-hand how an army of labor organizers and volunteers got Obama supporters to the polls," said London. "Without that effort, many important federal, state and local races would have been lost, and President Obama would not have been reelected. Now, we have to continue to mobilize our forces so the politicians we elected advance our interests."

Labor wins key ballot measures

By MATTHEW CUNNINGHAM-COOK

The union movement was heavily involved in campaigns over ballot initiatives in the 2012 elections, and labor's post-election scorecard showed good results. By far, the biggest win for labor was in California, where a series of tax increases (mostly on the wealthy) passed, preventing \$6 billion worth of cuts to education and public services.

LEFT COAST

California Federation of Teachers President Josh Pechthalt pointed out in a statement that "the people have spoken: the best way to build a better education system is to properly fund it by asking those who can most afford it, the wealthy, to pay their fair share in taxes."

California thus follows the example set by Oregon in early 2010: if the issue is successfully framed

Taxing the rich in California

and accompanied by effective organizing, the public is willing to vote to raise taxes on the wealthy to fund essential public services.

Unions were also able to beat back a budget bill in California that would have allowed the governor to unilaterally cut expenditures, and soundly defeated Prop 32, which would have severely limited their ability to engage in politics by banning paycheck deductions to support political action funds. This measure was packaged in an especially deceitful way, worded so that it appeared to apply equally to unions and corporations – aside from the fact that billionaires have no need for a paycheck deduction when they want to contribute to a campaign. But a very broad labor alliance was able to cut through the

fog and convince California voters to reject this anti-union plan.

In several other states, unions were able to score key gains. In Idaho, the Idaho Education Association (the state's largest education union) soundly defeated Props 1, 2, and 3, which would have eliminated teacher tenure, instituted merit pay, and made the completion of (often for-profit) online coursework mandatory for Idaho students in order to graduate from high school. Wealthy education "reformers" from around the country spent hundreds of thousands of dollars in an attempt to get the propositions passed. In South Dakota, voters soundly defeated a similar bill that would have eliminated teacher tenure. But pro-public-education forces suffered a losses on

charter schools in votes in Georgia and Washington State.

In Michigan, proposals to enshrine collective bargaining into the state constitution and to expand collective bargaining to homecare workers failed. The former may have been labor's biggest loss this year on the initiative front, as it represented an effort to go beyond the defensive fights over union rights that have flared in Wisconsin, Ohio and elsewhere. However, Michigan

Governor Rick Snyder's widely despised emergency manager law, which allows him to autocratically appoint managers that run roughshod over local democracy (and union contracts), was defeated by a close margin at the ballot box. A coalition of unions led by American Federation of State, County and Municipal Employees Council

25 had mobilized to defeat the bill.

In Oregon, unions mobilized to defeat an initiative that would have eliminated inheritance taxes, and were successful. They also were able to eliminate a corporate tax loophole to provide \$60 million more annually to public schools.

ALLIANCE

In Alabama, a sneaky constitutional amendment that could have potentially lead to the elimination of the constitutional guarantee to a right to a public education was defeated after the Alabama Education Association and black political leaders mobilized opposition. An amendment that further restricts unions' ability to organize, however, passed.

Overall, labor's referendum results in 2012 left the movement in a stronger position than before. With another year of national and state fights over budgetary austerity already taking shape, the union movement will need all the additional muscle it can muster.

An earlier version of this article appeared on The Nation's website.

Pathways conflict flares on new fronts

By PETER HOGNESS

At the midpoint of the semester, the conflict over Pathways flared on new fronts across CUNY. A college president tried to block the election of a Pathways critic as a department chair, but was forced to back down. Calls for a moratorium on Pathways implementation won new support. And at a hearing on a union grievance, the PSC argued that the administration's imposition of Pathways has violated governance procedures and the contract.

Pathways, the CUNY administration's overhaul of policies on general education and transfer, has been deeply unpopular with CUNY faculty. Described as an effort to "streamline" course requirements, it would cut the number of credits that colleges can require under rules on general education. For most CUNY colleges, these centrally imposed limits would mean less time for instruction in English composition courses, an end to lab sections within introductory science classes, and would make it harder to require foreign language study.

'AUSTERITY EDUCATION'

The PSC has characterized Pathways as "austerity education," a cost-cutting measure that is designed to raise CUNY's graduation rates on the cheap, by requiring less of students and thus diluting the quality of their education.

"We're the ones on the ground, and we know what our students need," said Fred Bilenkis, an adjunct lecturer who has taught history at John Jay College for more than 16 years. "They need to know more, not less. Pathways is not going to help anyone who wants to go to graduate school - [grad schools] will look at this and say, 'You haven't been well educated.' This is not doing our students any favors."

At Queensborough Community College, faculty concern over what Pathways would do to the school's curriculum led to a face-off between the English department and the college administration over faculty members' right to elect their own department chair.

For years QCC's English department, like those at about three-quarters of CUNY colleges, has based its freshman composition classes on four hours of instruction per week. QCC faculty felt that this amount of instruction was especially important at their college, where so many students are non-native speakers of English. So at the start of the semester, the department refused to approve a proposal for Pathways-compliant composition courses that would meet for only three hours weekly. "It's hard to understand how teaching less English...could be good for students," David Humphries, then the department's deputy chair, told *The New York Times* in mid-September.

In response to the department's vote, QCC Vice President Karen

CSI Senate backs moratorium

Steele told the department that if they did not approve the three-hour Pathways plan, the department's composition courses would be shut down and most of its faculty would lose their jobs.

Steele's threat provoked outrage across CUNY, and within days she had issued an apology (though not a retraction). For their part, English department faculty continued to insist on the need for four hours for composition classes.

The episode led a number of English faculty to propose a vote on the recall of their department chair, who they felt had not taken a forceful stand against the administration's intimidation. When a vote on the recall was held on October 24, three-quarters of the department voted in favor of a change in leadership, with Humphries elected as the department's new chair.

The day after the vote, Interim President Diane Call invited Humphries to a meeting, which occurred on October 26. But Call issued no statement on whether she would follow normal practice and accept the election of Humphries as department chair.

On November 6, a meeting of the English department was held at Call's behest. She told the department's faculty that she rejected their choice of Humphries as their new chair and would impose her own candidate instead. Call said this was necessary because the department was deeply divided; that it had fallen under the influence of "outside forces"; and that the department needed "to heal."

OPEN LETTER

The department was unconvinced. Faculty members told *Clarion* that none of those who had voted for Humphries as chair changed their minds; in fact, he gained some new support. Department members drew up an open letter to Call, appealing to her to change her mind. Far from being helplessly split, the letter said, "it speaks to our unity that Professor Humphries received the votes of 22 of the 30 full-time faculty eligible to vote," despite the inherently "contentious" nature of a recall vote. The open letter also asked Call to clarify her remark about "outside forces" influencing the department.

In an e-mail to colleagues, Associate Professor Susan Jacobowitz said that faculty members wondered whether this might refer to their consultations with the union on academic freedom issues in the wake of Steele's threats. But it was unclear, she said, why this would be considered improper.

In October, the English department at LaGuardia Community College had invited Humphries to speak with them about Pathways and curricular decisions at QCC, to

inform their own decision-making at LaGuardia. "I understand that the QCC administration was upset with Prof. Humphries over this," said Sigmund Shen, an associate professor at LaGuardia. "That makes no sense. If we're going to make sound decisions, if we want to have smoothly working policies on transfer or other matters, faculty at different campuses need to talk with each other more, not less."

Other parts of Call's decision were also troubling to QCC faculty. One was Call's announcement that although she was appointing a former English department head to serve as an "interim chairperson," she planned

to conduct a national search for a new chair. "A whole generation of dedicated faculty who have devoted their careers to Queensborough and to CUNY are not considered eligible to either be chair or to elect a chair," wrote Jacobowitz. "The 'why' of this was never explained to us."

The other point that drew particularly sharp dissent was the vital departmental decision-making role that Call assigned to VP Steele. Under Call's plan, it would be Steele, not the interim chair, who would present department recommendations on personnel issues to the college's Personnel & Budget Committee. Several English department members were incredulous that the very person who had threatened their jobs would now be in charge of presenting recommendations on their future employment.

Rather than calming the conflict over Pathways, Call's actions only inflamed it. Statements of support for the department streamed in, from the English Discipline Council (or EDC, composed of English department chairs from across CUNY), the PSC, the student association in CUNY's doctoral program in English, the College Senate at Hunter, and others.

"The PSC fully supports the right of CUNY faculty to elect their department chairs, as established in the CUNY bylaws," a union statement said. "When faculty vote to make a change in their department leadership, as happened recently with the English department at QCC, the college president should accept the results of the vote and honor the wishes of the faculty."

The EDC strongly urged Call to reverse herself, calling her rejection of the department's vote "a reprisal" for the department's rejection of Pathways-compliant courses, and a punitive departure from norms of academic freedom and departmental self-governance. By the end of the weekend, more than 900 people had signed an online petition in support of the department's right to elect its own chair.

By Tuesday, November 13, the

growing chorus of criticism had left its mark. In an e-mail to department faculty, Call reversed herself. "It is my decision to accept the recommendation forwarded by the English Department for Dr. David Humphries to serve as its Chairperson," she wrote. The idea of a national search for a new chair from outside the department was dropped.

On November 14, the department held its first meeting with Humphries serving as chair. "We are happy to be moving forward together," Humphries said afterwards. The department, he said, would continue to put students' interests at the center of its decisions on curriculum.

FOUR HOURS

The English department was not alone in seeking to preserve four hours a week of instruction in its introductory classes at QCC. The college's foreign languages department had for many years based its elementary courses on a four-hour structure - but it now found itself under enormous pressure to cut its investment in students to three hours for Pathways' sake.

Last spring QCC's foreign languages department reluctantly agreed to reduce the credits in its introductory courses from four to three, but it kept the number of hours in class at four.

In June, QCC's administration informed the department that this proposal would never be approved, and that there was no alternative to making all general education courses just three hours and three credits. Under protest, the department gave in and agreed to the 3-3 plan.

"When September came, we were very unhappy with the 3-3 option," Associate Professor Aranzazu Borrachero told *Clarion*. "The English department had its vote," sticking with four hours for composition classes, she recalled. "And we started thinking that we should reconsider our position." But intense pressure was brought to bear against any reconsideration. "We were repeatedly told that if we do not accept the 3-credit, 3-hour plan for our elementary courses, we will lose our jobs," Borrachero recalled.

Nonetheless, in late October the department voted by a wide margin to rescind its approval of the 3-3 classes and to support a 3-credit, 4-hour structure instead. "The pressure has been very strong," said a department member. "But it's already difficult for us to teach the content we have in four hours. In three hours it would be impossible." If somehow the administration imposes three-hour intro courses on its own authority, the faculty member said, "we are not going to stop

UFS-PSC working group

By JOHN TARLETON

The CUNY administration's Pathways policy is not grounded in empirical research. It misdiagnoses the cause of excess credits, ignores the constructive role faculty governance bodies can play, and does not comport with established best practices. These were some of the conclusions presented at an October 12 conference at John Jay College,

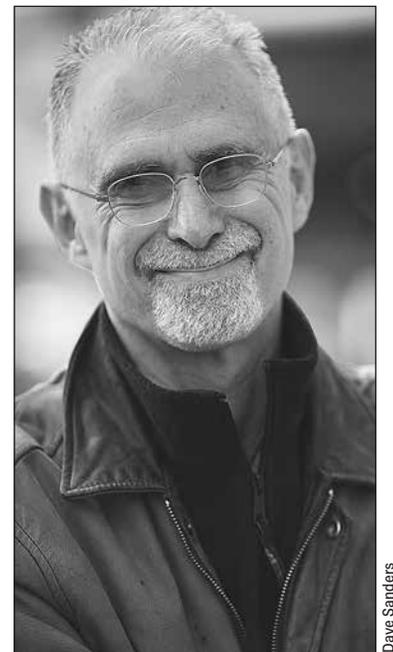
sponsored by the Joint UFS-PSC Faculty Group on Transfer.

Queens College Professor of Sociology Dean Savage and Michael Fabricant, a professor at the Hunter College School of Social Work and the Graduate Center, opened the discussion by taking a closer look at the data behind Pathways.

While the administration insists that Pathways is needed to make it easier for community college stu-



Dean Savage, professor of sociology



Mike Fabricant, prof. of social welfare

coming to work. We won't refuse to teach. But we are saying that this is a terrible idea, and our department is not going to vote for it."

After the October vote, the chair of foreign languages and two other faculty members tried to submit their own proposals for three-hour, Pathways-compliant courses separate from the four-hour courses backed by the department. Though the college's curriculum committee declined to consider any proposals that lacked departmental approval, said Borrachero, "this still shows how Pathways can cause department life to deteriorate."

Administration pressure tactics, and their negative effect on open discussion, have led the PSC to call for a moratorium on Pathways implementation, to allow for full consideration of the best way forward for CUNY. That call was supported by the Faculty Senate of the College of Staten Island on November 8.

MCDONALD'S

John Lawrence, chair of CSI's psychology department, told *Clarion* that the moratorium was a necessary step toward free discussion. The current Pathways process calls for faculty participation, he said, but only if it moves toward a predetermined outcome. "The analogy I use," he said, "is that it's as if they brought you to McDonald's and said, 'You can order anything on the menu.' I don't want to go to McDonald's! But you're not allowed to say that, even though that's how

most faculty feel."

In the CSI Senate discussion, "people spoke about why they teach at a public university – about what our students need and the difference a good curriculum makes," said George Sanchez, professor of performing arts. "Several asked why isn't anything like Pathways being implemented at elite universities?"

Communication and sharing of information among faculty at different campuses is critical, said Sanchez. "The college administration is going to tell you, 'Oh, everyone else is falling in line.' But it's not true! And unless we communicate with

each other, we won't know the facts and we can be manipulated."

"It's very easy to feel isolated," agreed Lawrence. "We need to work on sharing information and developing cross-campus solidarity."

SAY WHAT?

The moratorium vote at CSI was followed the next week by a QCC Senate vote that was surrounded by confusion. "When it was over, a lot of people were asking, 'What did we just vote on?'" said PSC Chapter Chair Judith Barbanel, who attended as an observer.

Earlier this semester, the QCC

Senate had agreed to take no action on Pathways until the college's president formally withdrew the threats by VP Steele in writing. At its November 13 meeting, QCC's Senate voted in favor of a package of Pathways-related courses even though there was no written statement from Interim President Call. Call did make a verbal statement at the meeting, with a general disavowal of pressuring faculty on votes over curriculum, and it was proposed that recording this in the minutes might be accepted. When Call was asked why she would not put her words in writing, however,

she gave no direct answer.

Adding to the confusion, the courses from QCC's English and foreign language departments were approved as-is, with four hours of classroom instruction. This is contrary to the Pathways regulations advanced by CUNY's Office of Academic Affairs, raising the prospect that these courses may be rejected by 80th Street.

"I felt torn," said Borrachero. "Though I'm glad our four-hour courses were approved, they are not the same courses we are teaching now. Our department's first preference this semester was for a moratorium on Pathways – so I'm not sure we should have approved anything."

Meanwhile the moratorium proposal has drawn support from other faculty bodies, with department chairs at Queens College backing the moratorium idea. And in late October, the Faculty Council of Brooklyn College voted by a substantial majority to not take action on courses that could become part of the Pathways curriculum. To date, the Brooklyn College Faculty Council has not approved any Pathways courses.

The November 9 hearing in the union's anti-Pathways grievance is one step in an often long process leading to arbitration. By filing the grievance, the union has opened a new front in the campaign to oppose Pathways, in addition to campus-based organizing efforts, the call for a moratorium on Pathways implementation, and two lawsuits filed jointly with the University Faculty Senate.



Suzan Moss of BCC shows her spirit at a PSC rally outside the November 9 grievance hearing on Pathways.

examines data on transfer problems

dents to have their credits transfer to senior colleges, both Savage and Fabricant argued that the reason students compile excess credits has little to do with the transfer process.

Savage said that a student's transfer status makes little difference in how many excess credits they end up compiling, noting that upon graduation the mean number of credits for those who transfer with 65 to 83 credits is 133 and for those who started with zero to 64 credits graduate with an average of 130 credits.

DOUBLE MAJORS

Savage said students who graduate with more than 150 credits tend to be late transfers, double majors and high credit majors such as geology (150), early childhood education (145) and computer science (144).

Students often declare a double major, Savage said, to be able to take a full load of courses and stay eligible for TAP money while they wait for the courses they need to complete their degree to become available. "The great majority of our students don't have an excess credit problem," Savage said. "So maybe we should concentrate on those who do."

"There's a conflation of excess credit and transfer credit," Fabricant said. "Community college students do not accrue significantly

more excess credits than those who entered a senior college as a first-time freshman."

Fabricant, who is also PSC treasurer, said CUNY failed to do quantitative research into the transfer problem. Instead, he said the administration held focus groups with students and then ignored the findings in which students highlighted unavailability of courses for a major and the need to remain TAP-eligible – not transfer – as the main reason they end up with excess credits.

"Students take courses that aren't necessary in order to retain eligibility," he said.

Fabricant acknowledged that there were localized problems with transferring credits between CUNY colleges but he added, "The question is magnitude and where. We have created...a jackhammer solution to a problem that requires manual tools."

Two "manual tools" that faculty use to smooth the transfer process are articulation agreements and dual joint degrees. Speaking after Savage and Fabricant, Phil Pecorino, Chair of the QCC Curriculum Committee, said more than 188 articulation agreements currently exist across the CUNY system.

Pecorino acknowledged that there are problems with articulation agreements going out of date or not

being honored. He also cited the lack of an appeals process for students denied transfer credits as a problem. Former UFS Chair Sandi Cooper joined Pecorino in expressing support for articulation agreements and dual joint degrees as more focused and effective responses to the transfer problems that do exist. A key factor in the success of articulation agreements, she added, is ensuring regular communication between department chairs at community and senior colleges.

Students struggle to maintain eligibility for TAP.

Cooper added that department chairs have long wanted a computer system that allows them to easily ascertain what courses a student needs to take in order to earn a given major – something that neither TIPPS or CUNY First have been able to do.

Cooper also called for renewed respect for another "manual tool" that has been ignored by the CUNY administration: the knowledge and the wisdom of the faculty as expressed through its democratically elected governance bodies.

Emily Tai, Chair of the QCC Academic Senate, told the conference that more than 40 states have revised their general education curriculum in recent years.

Curriculum reform has been carried out in many cases at the prompt-

ing of the Lumina Foundation and the Gates Foundation with the stated goals of streamlining the transfer process and saving money.

Tai pointed to a 2009 report by a team of Cal State Sacramento researchers which indicated that general education policies at CUNY community colleges already require fewer credits than community colleges in a number of states.

TALK TO EACH OTHER

In her presentation of national trends, Tai singled out Utah as a model for reform. Tai noted that in addition to a 30 to 39-credit general education core, Utah has mandated 18 to 27 hours gen ed breadth requirements beyond the core. Also, the Utah system's Board of Regents meets annually with the faculty to discuss what is an educated person before implementing any assessment efforts.

While no governance structure is perfect, Tai said, "It does mean that faculty and administrators will talk to each other and learn from one another in and outside the classroom."

On the same panel as Tai was Ken O'Brien, chair of the SUNY Faculty Senate, who described a rushed, top-down approach to revising general education that SUNY trustees launched in 1998. According to O'Brien, the new plan, unpopular with faculty, was never fully implemented across the sprawling 64-campus SUNY system. In 2009 the plan was revised, substantially loosening the restrictions it had imposed.

The PSC has supported the rights of faculty to make decisions about curriculum throughout the battle against Pathways. In her closing remarks at the conference, PSC President Barbara Bowen criticized Pathways as a "sort of academic Taylorism" that "chops up our role into smaller and smaller, less and less professional pieces" while standardizing everything from curriculum to textbooks and tests. This, Bowen warned, could be the precursor to implementing the kind of assessment agenda that has been used to attack K-12 public school teachers across the country.

CRITICAL BATTLE

"I think it's really a critical battle for us to make sure that higher education does not find itself in five years or two years in the place that K-12 education finds itself now," Bowen said.

Bowen said she expected the battle over Pathways to continue for many years. She urged everyone present to support the union's call for a moratorium on the implementation of Pathways until the kind of detailed research on transfer and general education reform that was presented at the conference can be thoroughly reviewed by the University community.

"We are fighting for the soul of public higher education," Bowen told the meeting. "And shame on us if we don't succeed, if we don't make that fight."

After Sandy, mold fears multiply

By JOHN TARLETON

The intense winds and surging sea water are long gone, but Superstorm Sandy's effects could live on at CUNY in the form of mold, which can take hold in buildings that experience flooding or water damage.

Molds are tiny microbes that continually waft through the air in both indoor and outdoor environments. At low levels, they present no danger to human health. However, they can grow rapidly in a moist environment, and at higher concentrations they can endanger health.

ORGANIC MATERIALS

"If organic materials are wet for more than 48 hours, there will be mold," said Jean Grassman, co-chair of the PSC Environmental Health and Safety Watchdogs. Many objects made of porous materials are prone to mold, Grassman explained. These include carpet, dry-wall, upholstered furniture, books, papers and most kinds of ceiling tiles – all in plentiful supply inside university buildings. Items with hard surfaces such as metal filing

Adjunct health care: talks & coverage both continue

On October 26, PSC-CUNY Welfare Fund trustees voted to extend current adjunct health insurance coverage, provided through the PSC-CUNY Welfare Fund, through the month of November. "We had expected the final review of the proposed new coverage to be complete by the end of October, but because of the complexity of the proposal the review is still ongoing," said PSC President Barbara Bowen.

SAME GOAL

Union leaders emphasized that while they are grateful to the Welfare Fund's trustees for voting to continue coverage and to the University for agreeing to support the financial terms of that coverage, this kind of month-to-month extension was never the union's intent. "I know that the lack of certainty has been extraordinarily difficult, especially because it involves something as intimate and fundamental as health care," Bowen said in a message to adjunct members. "I want to thank you for bearing with us as we bring this difficult negotiation to a close."

The union's goal, Bowen said, remains the same: to negotiate adjunct health insurance comparable to the current insurance, with no break in coverage. "We will provide further information as soon as it becomes available," she said.

– PH

cabinets are not hospitable to mold, so these should be fine.

Breathing in molds can potentially cause several types of health problems – though susceptibility varies widely between one person and the next. According to the New York Committee on Occupational Safety and Health (NYCOSH), molds can cause irritation in the form

of burning eyes, congestion, cough and postnasal drip. People who become allergic to molds may develop asthma. A small number of molds can cause serious infections. People

with compromised immune systems are most at risk.

Molds, at least in their initial stages, are not easy for a lay person to identify based on color or other surface appearance. If you can establish a source for the moisture, such as a broken pipe, sometimes you can repair the problem. However, once mold takes root, the material in which it's flourishing generally needs to be removed. Cleaning it will not solve the problem.

Microbes grow quickly in wet environments.

"If somebody puts bleach on the wall, that's not satisfactory. Particle board has to be replaced," Grassman said. "Otherwise, the mold just starts growing again."

Grassman told *Clarion* that campus workers who clean mold are most at danger of being exposed to it. "It's the administration's responsibility to make sure people are cleaning correctly, but we're going to have to nudge them," she said.

If you suspect that your office or classroom has a mold problem, you should contact your campus



Mold in action.

facilities management department to file a complaint. You should also notify the PSC Environmental Health & Safety Watchdogs, at hswatchdogs@pscmail.org or by phone at 212-354-1252 x208.

PROFESSIONAL STAFF CONGRESS/CUNY NOTICE OF NOMINATIONS AND ELECTIONS – SPRING 2013

Chapter Officers, Delegates and Alternates to the PSC Delegate Assembly and PSC-CUNY Welfare Fund Advisory Council

Term of Office: 3 Years

ELECTION SCHEDULE

1. Pre-printed nominating petitions will be available upon request from chapter chairpersons or the PSC office on January 30, 2013.
2. Properly completed nominating petitions must be received at the PSC office, 61 Broadway – Ste. 1500, New York, NY 10006, by 5:00 pm, March 1, 2013.
3. Ballots will be mailed to members' home addresses on April 3, 2013.
4. Ballots in uncontested elections must be received at the PSC office by 5:00 pm on April 29, 2013.
5. Ballots in contested elections must be received at the office of the designated ballot-counting organization by 5:00 pm on April 29, 2013.
6. Ballots will be counted at 10:00 am on April 30, 2013.

OFFICERS TO BE ELECTED

In each of the Chapters listed below, voters will elect the Chapter Chairperson, Vice Chairperson, Secretary, four Officers-at-Large, Delegates to the Delegate Assembly (in addition to the Chapter Chairperson, who shall automatically be the initial delegate to the Delegate Assembly) and Alternates to the Delegate Assembly according to the following listing:

Chapter	Members	Delegates	Alternates	Petition Signatures Required
Bronx EOC	11	Chair	1	3
Brooklyn EOC	29	Chair	1	7
College of S.I.	725	Chair + 6	5	25
Hunter Campus Schools	95	Chair	1	24
HEDs	2390	Chair + 23	8	25
Kingsborough	723	Chair + 6	5	25
Lehman College	525	Chair + 4	4	25
Manhattan CC	990	Chair + 9	6	25
Manhattan EOC	40	Chair	1	10
Medgar Evers	325	Chair + 2	3	25
NYC Tech	910	Chair + 8	5	25
Queens EOC	8	Chair	1	2
Queensborough CC	813	Chair + 7	5	25
Registrars	4	Chair	1	2
Research Foundation	89	Chair	1	22
RF Field Units	124	Chair + 1	2	25
Retirees	2681	Chair + 6	5	25

Relevant portions of the ELECTION RULES are summarized below. The complete rules may be obtained from Barbara Gabriel at the PSC office, or viewed on the PSC website.

Declaration of Candidacy: Candidates must submit a signed declaration of candidacy no later than January 9, 2013, to Barbara Gabriel at the PSC office. The declaration must specify the office(s) being sought, the candidate's name, college and department and, if the candidate intends

to run as part of a slate or caucus, the name of the slate or caucus. Slate or caucus declarations should be submitted through the slate or caucus designee. A sample declaration form is available on the PSC website: psc-cuny.org/declarationofcandidacy or from Barbara Gabriel at the PSC office.

Eligibility for Holding Office: Members shall be permitted to hold chapter-level office who have been members in good standing of the appropriate chapter for at least one (1) year prior to the close of nominations, March 1, 2013.

Voting Eligibility: Members shall be permitted to participate in the nomination process and to vote who have been members in good standing of the appropriate chapter for at least four (4) months prior to the mailing of the ballots on April 3, 2013 (i.e., they must have been a member as of December 3, 2012).

Nominating Procedures: Nominations of an individual or of a slate *must* be by official nominating petition signed by no fewer than twenty-five (25) members of the chapter in good standing, or by no fewer than twenty-five percent (25%) of the members of the chapter in good standing, whichever is less. For *all* candidates, petitions shall include: (a) the printed name, signature, department and college of each petitioner; and (b) the printed name, signature, department and college of the nominee, as well as the office being sought by the nominee. For chapter elections, members may only sign nominating petitions of the chapter to which they belong. **A candidate's signature on a Declaration of Candidacy shall constitute that candidate's acceptance of the slate designation.**

Slate Regulations: A slate of candidates will be recognized if it consists of candidates for twenty-five percent (25%) or more of the officers to be elected, and if it submits, prior to the close of nominations: (1) a listing of caucus officers, all of whom must be members in good standing, including the person designated to authorize nominees for that caucus' slate; and (2) a nominating petition including the printed name, signature, department and college of each petitioner, and the signature for each candidate running on the slate. The candidate's signature on the slate petition shall constitute that candidate's acceptance of the slate designation.

Balloting: All voting must be on the official PSC ballot. Write-in votes are permitted. A write-in vote shall be valid if the intent of the voter is clear; written, printed and typed names are acceptable. A write-in candidate must meet the same eligibility requirements as a regular candidate. In chapter elections, any nominated or write-in candidate must receive at least ten (10) votes or ten percent (10%) of the votes cast for that office, whichever is less, in order to be elected. Write-in candidates who are elected must submit written acceptance of office to the Elections Committee within ten calendar days of notification that their election has been certified.

Campaigning: Declared candidates may mail literature at their own expense, either directly or through the PSC mailing house (Century Direct, 30-00 47th Avenue, Long Island City, NY 11101). At the request of the candidate and at cost, the PSC will provide Century Direct with a home-addressed electronic download of the membership, or will provide candidates with college-addressed list, labels and/or electronic download of the membership. Candidates must notify the PSC five business days in advance of the mailing to allow sufficient time for the ordering of labels. Please see Barbara Gabriel at the PSC for further information and to file the required forms.

Election Tally: Each candidate, or a representative of the candidate, is entitled to be present at the counting of the ballots.

PSC-CUNY WELFARE FUND ADVISORY COUNCIL

At each of the colleges listed below, voters will elect the designated number of members of the PSC-CUNY Welfare Fund Advisory Council, in accordance with the above schedule and rules and the by-laws of the PSC-CUNY Welfare Fund:

Colleges	Council Members
Bronx EOC	1
Brooklyn EOC	1
College of S.I.	2
Hunter Campus Schools	1
Kingsborough	2
Lehman College	2
Manhattan CC	2
Manhattan EOC	1
Medgar Evers	2
NYC Tech	2
Queens EOC	1
Queensborough	2
Retirees	1

Voting Eligibility: All members in good standing of the PSC at the above colleges, who have been members in good standing for at least four (4) months, including Higher Education Officers, Registrars and College Laboratory Technicians, as well as faculty, will elect the PSC-CUNY Welfare Fund Advisory Council members running at their respective colleges.

Eligibility for Holding Office: PSC-CUNY Welfare Fund Advisory Council members must be CUNY instructional staff members who have been members in good standing of the PSC for **two (2) years** prior to the close of nominations, March 1, 2013.

Nominations: Advisory Council members shall be nominated by written petition signed by no fewer than twenty-five (25) or twenty-five percent (25%) whichever is less of the CUNY instructional staff members at each unit who are also PSC members. Slate nominations will be permitted.

Clarion DECEMBER 2012

Newspaper of the Professional Staff Congress/City University of New York, collective bargaining representative of the CUNY instructional staff. Vol. 41, No. 7. PSC/CUNY is affiliated with the American Association of University Professors, National Education Association, the American Federation of Teachers (Local 2334), AFL-CIO, the New York City Central Labor Council, and New York State United Teachers. Published by PSC/CUNY, 61 Broadway, 15th floor, New York, NY 10006. Telephone: (212) 354-1252. Website: www.psc-cuny.org. E-mail: plogness@pscmail.org. All opinions expressed in these pages are not necessarily those of the PSC.

PSC OFFICERS: Barbara Bowen, President; Steven London, First Vice President; Arthurine DeSola, Secretary; Michael Fabricant, Treasurer; George Brandon, Jonathan Buchsbaum, Penny Lewis, Costas Panayotakis, Michael Spear, University-Wide Officers; Robert Cermele, Vice President, Senior Colleges; David Hatchett, Blanca Vásquez, Alex Vitale, Senior College Officers; Anne Friedman, Vice President, Community Colleges; Lorraine Cohen, Sharon Persinger, Felipe Pimentel, Community College Officers; Iris DeLutro, Vice President, Cross Campus Units; Alan Pearlman, Andrea Ades Vásquez, Paul Washington, Cross Campus Officers; Marcia Newfield, Vice President, Part-Time Personnel; Michael Batson, Susan DiRaimo, Steve Weisblatt, Part-Time Personnel Officers; Bill Freidheim, Eileen Moran, Retiree Officers; Irwin H. Polishook, President Emeritus; Peter I. Hoberman, Vice President Emeritus, Cross Campus Units

STAFF: Deborah Bell, Executive Director; Naomi Zauderer, Associate Executive Director; Faye H. Alladin, Coordinator, Financial Services; Debra L. Bergen, Director, Contract Administration & University-Wide Grievance Officer; Dierdre Brill, Director, Organizing; Francis Clark, Coordinator, Communications; Barbara Gabriel, Coordinator, Office Services and Human Resources; Jared Herst, Coordinator, Pension & Health Benefits; Kate Pfordresher, Director, Research & Public Policy; Diana Rosato, Coordinator, Membership Department; Peter Zwiebach, Director of Legal Affairs

Editor: Peter Hogness / Associate Editor: John Tarleton / Designer: Margarita Aguilar / Proofreader: Teri Duerr

© 2012 Professional Staff Congress/CUNY

DENYING DIVERSITY

Affirmative action in peril

By VICTOR GOODE
CUNY School of Law

Last month the Supreme Court heard oral arguments in *Fisher v. University of Texas*, a case many court-watchers believe could lead to the functional end of affirmative action in college admissions. It is unusual that the issue is before the Court at all. It has only been nine years since the justices decided *Grutter v. Bollinger*, which many thought would govern admissions policies for at least 25 years. But the fact that we are revisiting the issue so soon is a testament to the relentless conservative legal campaign against affirmative action and related changes in the makeup of the Court.

While City University does not have an affirmative action admissions program, this case should still be of great concern to the CUNY community. Many observers believe that CUNY's student body is becoming less rather than more racially diverse, a change they link to increased reliance on the SAT for admissions and effects of the recession. After a recent report by the Community Service Society (CSS) of New York noted the decline in black and Latino enrollment in CUNY's senior colleges, CSS President David Jones remarked, "It's astounding that Texas, a state not known for its progressive politics, recognizes the need to diversify its top educational institutions, but the City University of New York does not." So while CUNY's current policies are unlikely to be affected by the *Fisher* case, its future very well may be.

LEGAL CROSSROADS

Abigail Fisher is a white applicant who was denied admission to the University of Texas at Austin. Her lawsuit argues that she would have been admitted but for her race, because Texas maintains an admissions program that considers race as one factor for at least some of its applicants, and that this practice violates the Equal Protection Clause of the 14th Amendment.

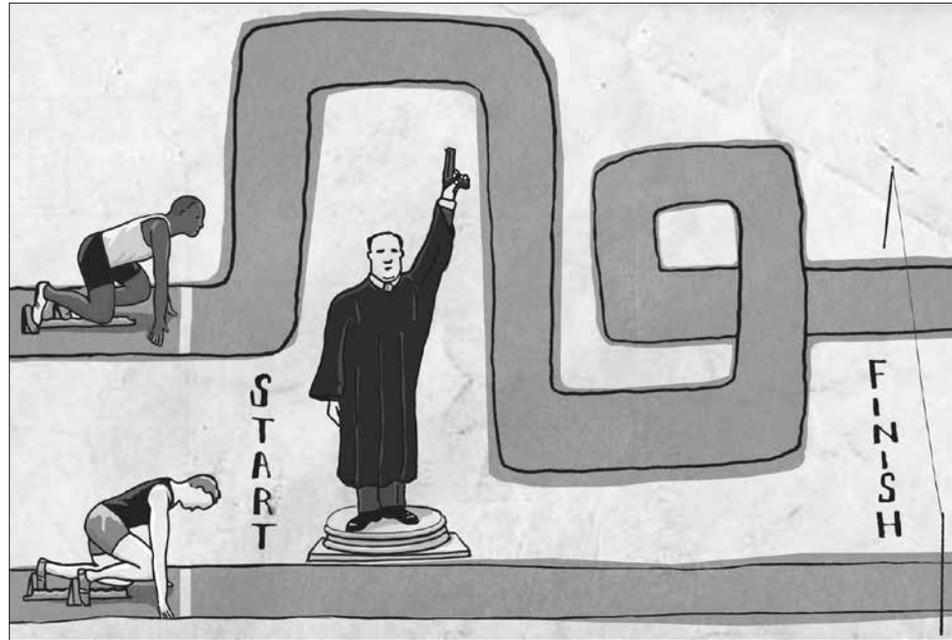
To understand how we got to this legal crossroads, we need to look back to the origins of affirmative action and some of the cases that have shaped this policy since.

In June of 1965, President Lyndon Johnson outlined the purpose of affirmative action in a speech at Howard University. In that famous address he declared:

You do not take a person who, for years, has been hobbled by chains and liberate him, bring him up to the starting line of a race and then say, "You are free to compete with all the others," and still justly believe that you have been completely fair.

When that speech was delivered, African Americans had endured 246 years of chattel slavery and 90 years of racial subordination, rigidly enforced by Jim Crow laws in the South and willful neglect in the North. In 1965, only 11 years had passed since *Brown v. Board of Education*, and the end of legal segregation was still being bitterly opposed. Johnson, a Southerner, knew segregation. But by the time he had ascended to the presidency, his views on race had changed. In that speech, Johnson went on to say,

This is the next and the more profound stage of the battle for civil rights. We seek not just freedom, but opportunity. We seek



not just legal equity, but human ability, not just equality as a right and a theory, but equality as a fact and equality as a result.

This last line, with its focus on results, became the cornerstone for affirmative action policies.

Johnson understood that America had an obligation to help repair the untold damage that had been done by institutional racism. While government programs alone could never accomplish this, he understood government had a key role to play. The 1964 Civil Rights Act and other new laws would prevent a return to legal apartheid, but *affirmative* steps beyond these laws were needed to undo the effects of over 300 years of racial oppression. While affirmative action policies drew immediate praise from the black community, there was equally swift opposition from many in the white community – including the academy.

THE LONG RETREAT

In 1978, in *University of California at Davis vs. Bakke*, the Supreme Court began a slow but steady retreat from the original purpose of affirmative action programs. In this seminal case, four justices held that setting aside seats for students of color was a violation of Title VI of the Civil Rights Act. Justice Lewis Powell agreed, and added that the Davis plan was an unconstitutional racial quota that also violated the 14th Amendment.

The Court ignored the compensatory arguments that President Johnson had articulated and characterized affirmative action in increasingly limited terms. Still, *Bakke* did provide some hope for the continuation of affirmative action. Justice Powell wrote approvingly of the "Harvard plan" in which admissions officers considered race, but only as a small part of a holistic process in which other characteristics of the individual were considered. This holistic system became the model that most universities would follow.

In 1989 the court continued to narrow the ways that race could be considered. In *Richmond v. J.A. Croson Co.* Justice Sandra Day O'Connor, writing for the majority, held that all state programs that consider race would have to survive strict judicial review. It didn't matter whether their purpose was inclusion – as with affirmative action – or exclusion – as with Jim Crow laws. The Court further held

that the state was barred from using race to address the effects of societal discrimination. That concept, she claimed, was too amorphous. Any use of race in a compensatory sense must be limited to specific, identifiable, individual victims of present discrimination, not those affected by its historical patterns.

The *Crosan* ruling simply ignored the fact that quality of life indicators showed (and continue to show) racial disparities almost everywhere. Unemployment rates, contracting, health care, access to credit, housing, even projected mortality rates, all revealed stark disparities drawn along racial lines. Education was not immune from these disparities. Urban schools, most of which by then were overwhelmingly black and Latino, were underfunded, had higher teacher turnover and tragically high dropout rates.

In 2003, with the case of *Grutter v. Bollinger*, what little remained of affirmative action was again called into question. In a bitterly contested 5-4 decision, the Court held that the University of Michigan Law School had demonstrated that diversity in the classroom benefited all students and had an important impact on shaping the cultural understanding of future leaders. They found the program to be sufficiently narrowly tailored, because the university used several factors to evaluate applicants: while race was used, it was not given decisive weight. The University of Texas became one of many schools to use *Grutter* as a legal blueprint for their affirmative action program

UNCERTAIN FUTURE

With Fisher's suit, conservative activists have mounted a legal challenge to even this limited form of affirmative action. University of Texas admissions efforts, however, tracked the *Grutter* opinion so closely that the 5th Circuit held in their favor, saying that until the Supreme Court said otherwise, *Grutter* was good law, Texas was following the law, and Fisher did not have a case. But at least four Supreme Court justices, the number needed for the Court to accept a case for full review, felt otherwise.

Fisher represents a frontal assault on *Grutter*. Texas is unique in that most students of color are actually admitted under its "Top Ten Percent Plan," enacted by the legislature in 1997. This race-neutral program fills

75 percent of the first-year seats by guaranteeing admission to any Texas resident who is in the top 10 percent of their high school graduating class. Ironically, the pool of students of color admitted under this plan is due in part to the continuing segregation in Texas public schools. Fisher's lawsuit bypassed the Ten Percent Plan and focused its attack on the remaining 25 percent of admissions slots, where race can be a factor.

Fisher's lawyers maintain that the 14th Amendment bars all racial classifications. This is their primary argument, and if the Court agrees, *Grutter* will be overturned. Their second line of attack is to argue that even if there is some benefit from racially diverse classrooms, Texas enrolls enough students of color through the 10 Percent Program, so there is no need for any race-based admissions to augment that number. Finally, they claim that assembling a critical mass of non-white students to further diversity is simply racial engineering. Even if there is some value to ensuring diversity, they contend that this is outweighed by the potential harm from considering race in any form.

SOCIAL SCIENCE DATA

The University of Texas, supported by over 70 amicus briefs, has stood firm behind the social science data that was the critical point in *Grutter*, showing how students of all backgrounds benefit from racially diverse classrooms. While affirmative action began as a program to correct the effects of racism in society, if it survives it will be because data shows that its benefits extend beyond the students of color who are most affected by racial injustice.

Justice Anthony Kennedy will likely be the key vote on this question. Justice Elena Kagan recused herself because of her work when she was solicitor general, creating the potential for a 5-3 conservative majority – unless Kennedy sides with the liberal wing. This would create a 4-4 split, in which case Texas's victory in the 5th Circuit will be preserved. The other conservatives, Justices Antonin Scalia, John Roberts, Samuel Alito and Clarence Thomas have previously expressed their emphatic opposition to affirmative action and their views have not changed.

Whatever the outcome, the Court's approach to issues of race has been increasingly out of step with US reality. While scholars in history, sociology, psychology and anthropology have broadened our understanding of race, this court has moved in the opposite direction. Even though UT Austin has vigorously defended its program, it has never acknowledged that the most important reason to admit a critical mass of students of color is because of the myriad forms of racism in society that people of color from all socioeconomic strata continue to face. Despite racial progress, students of color know this all too well.

Most elected officials, however, even if they agree that racism in America is a continuing problem, have responded to conservative attacks on affirmative action in limited and defensive terms. Few candidates for office are willing to adopt the direct language and clear analysis of Johnson's 1965 speech at Howard. Until this changes, any legal victories for affirmative action will rest on thin cultural and political ice.

If the Supreme Court ends or significantly reduces affirmative action at UT Austin, students of color will still enroll through the Top Ten Percent Plan. But the vast majority of colleges and universities in the country have no Ten Percent Plan to fall back on. If Fisher prevails, these institutions and the students they serve will wake up next year to campuses that are whiter and less diverse than at any time in the last 40 years – and the Roberts Court will declare this to be our new equality.

Court ignores the reality of racism.

CLIMATE CHANGE & NYC

Storm surges & sea levels

By MALCOLM BOWMAN, DOUGLAS HILL, FRANK BUONAIUTO, BRIAN COLLE, ROGER FLOOD, ROBERT WILSON, ROBERT HUNTER & JINDONG WANG

Editor's note: Years before Sandy and its record-level storm surge, scientists warned that the New York metro area faces a rising threat from severe storms, as climate change leads to rising sea levels and shifting weather patterns. In September of this year, six weeks before Sandy arrived, a New York Times headline summed up the response to date: "New York Is Lagging as Seas and Risks Rise, Critics Warn."

New York City "is second only to New Orleans in the number of people living less than four feet above high tide," the Times reported. But despite some positive initiatives, experts interviewed by the Times in September said the city's response lags far behind the scale of what is required.

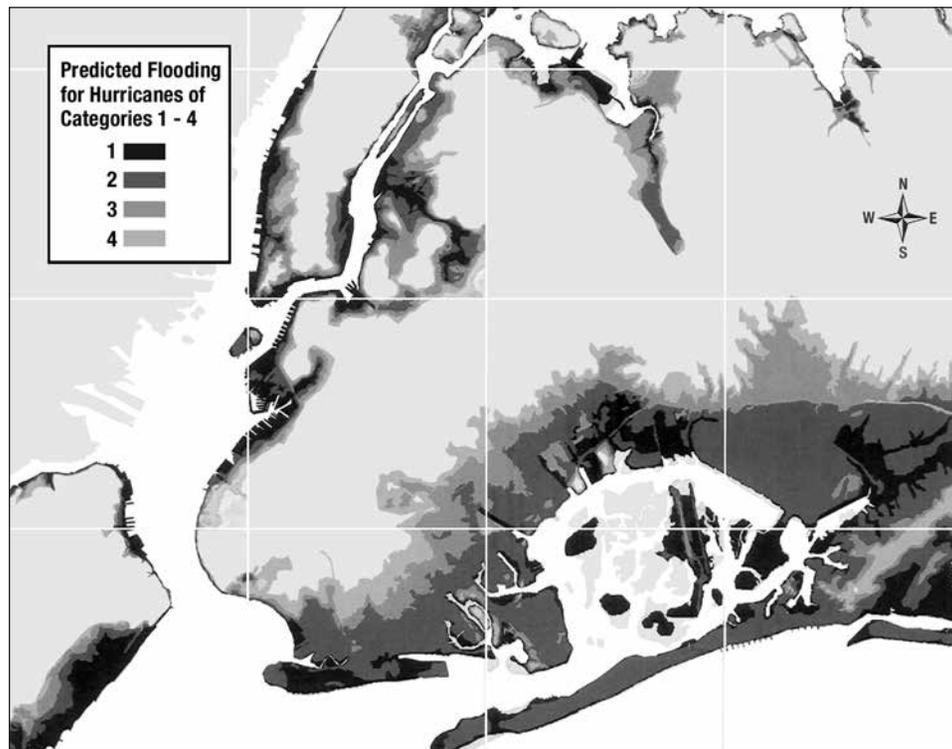
Below is an excerpt from a 2005 study, "Threats and Responses Associated with Rapid Climate Change in Metropolitan New York," that is now getting renewed attention. Its authors include Frank Buonaiuto, associate professor of earth and environmental sciences at Hunter College, and other members of the Storm Surge Research Group at SUNY-Stony Brook, led by Malcolm Bowman, professor of oceanography at Stony Brook.

Though this study was written seven years ago, today it reads like a news report. Published as one chapter of Sudden and Disruptive Climate Change, from the Climate Institute, its full text, including references, is available at www.imagineindore.org/resource/29.pdf. The excerpt below describes the scope of the problem; the rest of the article examines different sea barriers around the world and recommends such an effort in metropolitan New York.

Metropolitan New York is vulnerable to coastal flooding and widespread damage to urban infrastructure, commercial structures and residential neighborhoods from both seasonal hurricanes and extra-tropical storms. A significant portion of the metropolitan area lies less than 3 m above mean sea level.

Many types of structures are located within this low-lying region, including commercial properties and financial institutions, apartment buildings and private dwellings, hospitals, police and fire stations, marine transportation terminals, three major airports, heliports, numerous underground railroad and subway lines (with associated station entrances and ventilation shafts), highways, bridge access roads, tunnels, power plants, the underground steam district heating system, electrical and communication networks, landfills, 14 waste water treatment facilities and 770 combined sewer overflows with their tide gate regulators discharging near or at sea level.

Recent storms have already revealed the intrinsic potential for disaster in this region. For example, the nor'easter of December 1992 flooded the entrance of the Hoboken train station with seawater, short-circuiting the electric trains and city subways and shutting down the underground public transportation system for up to ten days. The Brooklyn-Battery tunnel experienced serious flooding, as did the FDR Highway on Manhattan's East Side. Fortunately, no lives were lost, but there would have been fatalities if the sea had risen another 30 cm (US Army Corps of Engineers



Metropolitan New York landforms and predicted inundation zones for category 1 to 4 hurricanes, using the SLOSH modeling system.

et al, 1995). During the 21st century, rising sea level will aggravate the effects of storm surges and wave damage along the metropolitan New York, Long Island and northern New Jersey coastlines, leading to more severe and more frequent flooding. An abrupt acceleration in the pace of climate change would accelerate sea level rise and make infrastructure protection measures and emergency planning imperatives even more urgent.

HURRICANES & NOR'EASTERS

The height and reach of storm surges and flooding along low-lying coastlines are influenced by a variety of factors, including offshore morphology, coastline geometry, astronomical tides and both the regional and local wind and pressure fields. Tropical (for example, hurricanes) and extra-tropical (for example, nor'easters) storm systems are associated with different wind and pressure fields, and these produce characteristically different storm surges. Extra-tropical storms cover a larger geographical extent and often elevate water level across the entire shelf, whereas tropical storms are geographically smaller. However, their strong winds can drive large local surges that propagate with the eye of the storm.

The waterways surrounding New York City are particularly prone to flooding because of the gentle topography, indented coastline and shallow bathymetry of the region (both inside the New York-New Jersey harbor estuary and on the inner continental shelf). The orientation of the axis of Long Island Sound positions it as a natural funnel for strong northeasterly winds driving storm surges down to the western Sound, through the East River and into New York harbor. Northeasterly winds blowing parallel to the southern coast of Long Island also drive surges against the south shore of Long Island that then penetrate into the harbor's Upper Bay through the Verrazano Narrows, the main entrance to the Port of New York. This is explained by the Ekman effect due to the rotation of the Earth, where in the north-

ern hemisphere, surface waters veer to the right of the wind direction.

The onset and duration of storm surges differ significantly between hurricanes and winter nor'easters.... [T]he oscillating surge from a hurricane typically lasts only a few hours, but rises and falls very rapidly. The extent of flooding, therefore, depends critically upon the state of the astronomical tide at the time of landfall. For nor'easters, by contrast, the surge typically rises more slowly but lasts a few days...running the risk of flooding with each high.

Previous investigations have shown the flooding susceptibility of metropolitan New York associated with hurricanes of varying intensity. [On this page] is a digital terrain map of metropolitan New York with estimates of inundation zones...caused by a direct hit by hurricanes of categories 1 to 4.... [These] predictions are necessarily approximate (accurate to within ± 20 percent) and are highly dependent on how the computational grid is set up. However, the possibility of a major flooding catastrophe is obvious even for a category 2 hurricane.

VULNERABLE

Significant sections of the lower west and east sides of Manhattan Island, Queens and Brooklyn boroughs, and the east coast of Staten Island are vulnerable. Jamaica Bay and environs...are clearly at risk, as is JFK Air on the eastern shores of the Bay. Twenty-five subway stations in Brooklyn alone have entrances at or below 10 m above mean sea level.... [P]redictions for northern New Jersey [indicate that flooding] would be considerable, including the Hackensack Meadows, Port Elizabeth and Newark Airport..., as well as the ocean coast of New Jersey.... [A]ll of the south shore of Long Island, plus the two eastern forks, are at risk of inundation from storm surges. Protecting Long Island poses a second major challenge, but beyond the scope of this contribution. Coastal New Jersey faces a similar predicament.

Sea level as recorded at the NOAA Bat-

tery primary tide station at the southern tip of Manhattan Island has risen over the past one and a half centuries at a rate of about 30 cm (1 ft) per century. In the metropolitan region as a whole, sea level increased by 23–38 cm (9–15 inches) during the 20th century. The statistical return periods of storm surge-related flooding events [i.e., the length of time between storms] decrease with sea level rise, independent of any global warming effects on the weather itself, so getting a handle on the future rate of rise is important.

RISING FASTER

Note: The current trend is the extrapolated secular rise in sea level as recorded at the Battery tide station over the last 150 years and is not primarily associated with global warming, but with isostatic adjustment of the continent following the last glaciation.... Extrapolating the current trend, global sea level would be expected to rise by another 0.3 m (1 ft) by the 2090s. As a result, surge-related floods would be higher, cover a wider area and occur more often. Future storm surges would ride on this elevated base level, so the potential damage inflicted by a future 30-year event would be expected to be equivalent to that of a present-day 100-year storm.

However, the pace of global warming is expected to intensify unless very sharp limitations in emissions occur...and the vulnerability and threats of inundation of the New York metropolitan region will correspondingly increase. Projections based on climate change simulations made in 2001 suggest that, excluding the contributions from dynamical ice flow of the Greenland and the West Antarctic ice sheets, sea level will rise by 10–30 cm (4–12 inches) in the next 20 years, 18–60 cm (7–24 inches) by the 2050s, and 25–110 cm (10–42 inches) by the 2080s.

More recent projections for these terms (i.e., other than from significant deterioration of the polar ice sheets) are slightly lower than those estimated in the Third Assessment Report of the IPCC.... However, there are signs that the Greenland and West Antarctic ice sheets are starting to lose mass, so higher levels of sea level rise continue to be plausible. For the highest estimate of sea level rise by the 2090s, which is roughly 1.6 m (3.8 ft), the return period of a 100-year equivalent-damage storm may drop to every other year.

Short-term fixes have already been undertaken, such as fitting moveable gates at the entrances to the PATH train station in Hoboken (which was inundated with seawater during the 1992 nor'easter). However, to protect the myriad individual structures with seawalls or, where feasible, by raising subway entrances and ventilation shafts above grade, would become increasingly difficult and would end up, presumably, with seawalls being constructed along the several hundred miles of shoreline in the metropolitan region.... Planning must take into account the worst case that could ever be contemplated over the life of the barriers (say 200 years); anything less would be inviting disaster....

The surprise is that the feasibility of this concept to protect the NY-NJ metropolitan area has not yet been established. While there would be many engineering challenges to be overcome, there can be little doubt that such structures could be built, the questions are:

- How physically and cost effective would barriers be in protecting the city core?
- Would such barriers amplify surges on the weather (ocean) side to an unacceptable degree?
- Would the rivers swollen with rainfall lead to flooding within the barriers anyway?
- Would there be sufficient protection and greater cost-effectiveness with partial blockage at some of the barrier locations?

2005 report describes flood danger.

SANDY RECOVERY

From disaster to community power

By CONOR TOMÁS REED

Baruch College & the Grad Center

When Sandy stormed through New York, the city was irreversibly altered. The scale of need is vast. We've seen 40,000 people displaced from their homes, over 40 killed, hundreds of thousands left without power and thousands still without it, plus millions affected by the shock of seeing what climate chaos looks like. But the city has also been transformed by New Yorkers' response to the disaster – particularly a bottom-up wave of mutual aid that is one of the Occupy movement's most meaningful expressions yet.

This grassroots response to Sandy marks a potent radical shift in the social relationships that connect our city.

Over the last few weeks, the networks that emerged in Zuccotti Park with Occupy Wall Street linked up with a constellation of deeply rooted neighborhood organizations. Together they blossomed into direct community aid and empowerment across several dozen locations around NYC. Food, water, medicine, shelter, nourishing political dialogue – Occupy Sandy's recovery efforts strive to meet basic needs and pose radical alternatives in a reconstruction project that now engages tens of thousands of people daily.

CUNY CONNECTION

CUNY students, faculty and staff were at the center of these recovery efforts from the start. On Tuesday morning, October 30, personal and political networks from the Graduate Center, Brooklyn College, the Free University, and elsewhere coordinated a bike caravan to one of the hardest-hit locations, Red Hook, before the floodwaters had fully receded from the night before. We worked with community spaces like Red Hook Initiative, Visitation Church, and the Miccio Community Center to swiftly set up hubs for hot meals, donations, volunteers, food and medical care for homebound residents, and neighborhood clean-up op-



Thousands of New Yorkers have volunteered at Occupy Sandy relief centers like this one in Brooklyn.

erations. Within 48 hours, thousands were involved and supported by these acts of solidarity within a 10 block radius whose concrete example of community power reverberated for miles.

Other CUNY folks immediately joined efforts at such locations as the Park Slope Armory, Lower East Side, Chinatown, Sunset Park, Far Rockaway, and Brighton Beach. Urgent communication circulated through various social media, finally culminating in the OccupySandy.org website, which posted on-the-ground updates and new recovery site information.

As even *The New York Times* has noticed, the crisis of inept official relief speaks to the Occupy movement's nimble strengths. The ethos of self-organization, building a movement where everyone is invited to be a leader and where responsibility is shared, and addressing the unsustainability of capitalism – assistance based on these tenets has pro-

duced an effective alternative to traditional modes of disaster relief. In an article by Sarah Jaffe about Occupy Sandy's work, CUNY student Julieta Salgado sums up this political moment's irony: "The people [Bloomberg] spent \$60 million trying to destroy, we're the first people on the ground."

OFFICIAL RESPONSE

In contrast, as residents of the Rockaways, Red Hook, and Coney Island will tell you, City officials, the Red Cross, FEMA and National Guard often took days to appear. In many areas, these multi-million dollar operations engaged in little more than scattershot "helicopter pad relief" – dumping pallets of water, military food rations, and bureaucratic paperwork in a park, only to leave shortly thereafter. Meanwhile, Mayor Bloomberg chided endangered people to "go someplace warm," and turned away food donations at homeless shelters.

The Occupy movement's relief effort

CUNY student Isabelle Nastasia analyzes how disasters that existed before the storm exacerbated this one: "The majority of districts that are the most affected by Hurricane Sandy via power outages, no running water and lack of access to food are the same that are affected by broad, systemic patterns of racial and economic injustice." A crisis of official legitimacy can be seen when Mayor Bloomberg shows up in the Rockaways, and the residents' response is to curse at him and ask where the City's help has been. Such moments highlight the importance of Occupy Sandy and community networks' commitment to a long-term, sustainable "People's Recovery."

Key to Occupy Sandy's effectiveness has been linking up with community groups that have been organizing for years in the neighborhoods so affected by the storm. Often this collaboration began with relationships forged in the course of the Occupy Wall Street protests. We work to deepen these relationships, especially as the disaster's after-effects begin to appear.

With a "shock doctrine" approach, government and business officials may try to use the Sandy crisis to ram through policy changes that could undermine the goal of a democratic and equitable New York for years to come. But as we have seen in recent days, in the extraordinary efforts by ordinary people, moments of disaster can also provide glimpses of more compassionate and equitable ways of living, working, and learning together.

PSC members can reinvigorate our union's connection to other New Yorkers through the daily persistent work of rebuilding the city to meet the needs of its most marginalized and resource-deprived areas. 'Another city is possible' is not just a slogan, but a task to immediately grasp.

For more information and ways to help, go to OccupySandy.org or tinyurl.com/Sandy-Solidarity-Caravan.

Protecting the city from the sea

William Solecki is a professor of geography at Hunter College, director of the CUNY Institute for Sustainable Cities and co-chair of the NYC Panel on Climate Change. Clarion spoke with him during CUNY's first week of classes after Superstorm Sandy.

Q In a 2010 report, "Climate Change Adaptation in New York City," the NYC Panel on Climate Change said bluntly that "climate change is now under way." Cutting New York's production of greenhouse gases is essential, the report says, but "some impacts from climate change are inevitable due to greenhouse gas effects already in the pipeline." With sea levels projected to rise two to five feet by the 2080s, the report says that New York must prepare for "more intense and frequent extreme events" such as severe coastal flooding, even while we strive to keep the water's rise on the low-end of projections.

In the wake of Sandy, what kind of adaptation measures do you think New York should adopt?

Hard and soft solutions

A I think we're going to need both "hard" engineering interventions, like innovative ways to protect subway tunnels, and "soft" approaches, such as reconstructed wetlands. There are a range of options, and, at this point, I don't think any one option can be excluded.

Often, a mixture of various approaches is most beneficial: putting all your eggs in one basket can lead to unintended consequences.

Q What kinds of engineering measures should be considered?

A Certainly sea walls are getting a lot more attention after Sandy. They're sort of the charismatic megafauna of these approaches – the way polar bears get so much attention on global warming. Sea walls are big, they're dramatic. They're expensive and take a long time to

build, and they're something we need to consider.

One potential design would involve building some kind of structure at the Verrazano Narrows and places like Perth Amboy and the Upper East River. Other people have talked about something that would run all the way from Sandy Hook to Breezy Point – obviously an even bigger undertaking.

Classically, what such barriers have done is created a sense of security for those inside, potentially displacing added risk to those outside. Sometimes those kinds of technological investments have failed, and they've encouraged development in areas that turned out to be vulnerable.

There are issues of cost: when I first heard this discussed for New York City, it was estimated at \$2

billion, now it's more like \$10 billion. On the other hand, the direct and indirect costs from Sandy may be around \$100 billion for the main US-continental impact, so you could argue it's wasteful not to build this.

Q What are some other engineering options to consider?

A Engineering can come on many scales. Besides big regional projects, you can target specific things – bulkheading specific buildings or infrastructure like subway tunnels – to prevent flooding. In some areas in Lower Manhattan, subway grates have been elevated to protect against water 6 to 12 inches above sidewalk level. These are designed against rain inundation, which is often the bigger problem. But the same idea could, in principle, be used against storm surges.

Building design is something that starts to get into "softer" responses. If you're going to be re-

building in the coastal zone – and that's a question that some areas have debated – reconstruction can be required to be elevated. That's the case in much of Florida today. In New York, people are now asking whether basements are the best place for a building's furnace.

Q What are some other ideas that don't rely on keeping water out?

A There are many ways to use ecosystem services to promote absorption of water. Promoting increased porosity of urban surfaces, like new paving materials for streets and parking lots, can promote increased infiltration of water to the earth below.

There are also "blue roof" water retention facilities, or proposals for temporary water storage areas along highway medians. The idea is, if you have water coming into a system, maybe you can channel it into a holding area.

Wetlands, of course, can play a very large role. Besides avoiding their destruction, we need to think about ways to regenerate some of what we have lost.



Save our social safety net

The mega-millionaires are not wasting any time.

Within days of President Barack Obama's re-election, a coalition of millionaires and corporate CEOs announced that they are launching a \$35 million campaign to strong-arm Congress into cutting Medicare, Social Security and Medicaid benefits under the guise of "fixing the debt."

Please call your Congress-members now at 888-659-9401

and tell them to oppose benefit cuts to Medicare, Medicaid and Social Security. Encourage them to end the Bush tax cuts for the richest 2 percent. And don't forget to sign the petition to the NYS Delegation at www.nysafclcio.org/ProtectOurFuture.

Congress needs to hear this message now. Members are back in Washington DC, ready to make high-stakes decisions on these issues.

Professional Staff Congress/CUNY
61 Broadway, 15th Floor
New York, New York 10006

Return Service Requested

NonProfit Org.
U.S. Postage
PAID
New York, N.Y.
Permit No. 8049

DOING THE MATH

Election polls, expertise and empirical thinking

By **TIM SHORTELL**
Brooklyn College

In the closing weeks of the presidential election, prominent pundits complained that not everyone was following their narrative of a "toss-up" race. Who was resisting the wisdom of the "chattering classes"? Mainly polling analysts who preferred empirical data to impassioned opinions. People like Nate Silver, of the widely read FiveThirtyEight blog at the *New York Times*, noted the persistent lead of President Obama in polls in battleground states and judged the president an overwhelming favorite to win re-election.

As the pundits were talking about Mitt Romney's momentum after the first debate, and asking whether or not Hurricane Sandy would slow it, the statisticians – including Silver, the folks at Talking Points Memo's PollTracker, and Sam Wang – kept revising the president's chances upward. At FiveThirtyEight.com, Silver's models showed a clear trend in favor of the Democratic nominee. In the days after the first debate, the likelihood of an Obama victory was about 60 percent. By the end of the week before the election, it was at 90 percent. This did not sit particularly well with the folks whose paychecks depend on the horse race aspect of elections. Silver was denounced as "an ideologue" and "a joke" because he stuck with his quantitative analysis.

A couple of weeks before the attacks on Silver reached a fever pitch, there was another controversy on the right about polling methods. Unhappy that so many polls showed Obama ahead, based on the pollsters' models of what

the electorate would look like, conservative commentators vowed to "unskew" the polls. Not surprisingly, their version of the polls had Romney with a big lead.

The outcome of the election – the president won the popular vote by about three percentage points and the electoral vote 332-206 – once again confirmed the value of a social scientific research method: get reliable and valid data from professional pollsters, develop regression models based on previous elections, run simulations and make predictions.

What does the "pundits versus probability" controversy tell us? I teach survey research methods and statistics, so I have a keen interest in this question. But even for non-specialists, I think the controversy is important because of what it reveals about the way many Americans view technical expertise, like statistics, and the status of professionals with these skills in contemporary society.

SOCIAL SCIENCE

Our public discourse does not give much attention to social scientific thinking. The national media, broadcast and print, includes a few "policy wonk" types. Economists have something of a platform – in part, I think, because people think of them as resembling businessmen (and, yes, even today those are mostly men). There is enough prestige for science in our public sphere that pseudoscientists, such as creationists, sometimes adopt the language of science, talking about hypotheses and data, to give their unscientific designs more at-



Nate Silver, math hero

tention. This just makes it harder to recognize scientific arguments in public discourse.

Part of the problem is that quantitative analysis requires specialized knowledge. Most American adults don't have this expertise. Indeed, most college graduates aren't trained in statistics and many have not encountered regression modeling in their course of studies. Without this knowledge, what Silver and the "math nerds" were doing might seem like fraud or magic, depending on whether or not you liked the predicted outcome.

Probability can be confusing. As I tell my students every semester when we study probability in statistics classes, we are used to dealing with uncertainty in our day-to-day lives. Our minds have developed lots of habits to deal with it. These mental shortcuts, or heuristics, are

sometimes at odds with the laws of probability. In other words, we think we understand probability better than we do. (Timothy J. Lawson's *Everyday Statistical Reasoning* describes this well for interested non-statisticians.)

Many pundits believed they were being careful with their math when they looked at a string of swing state polls that showed Obama ahead, but by small margins. *In most of these polls, Obama's advantage is within the survey's margin of error*, they thought. *Therefore the race is a toss-up: both candidates are equally likely to win*. Silver, however, noted that while the margin in these polls was not large, it was almost always in Obama's favor. That, too, is data. "A toss-up race isn't likely to produce 19 leads for one candidate and one for the other," Silver wrote on November 3.

Silver, who began his career analyzing baseball statistics, used a sports analogy to explain why Obama's odds of winning were rising steeply as the election drew near, even though the president had not opened up a wide lead. In football, Silver said, a small lead late in a game is harder to overcome than a small lead early in the game – there are simply fewer opportunities to make a comeback. The closer to the end, the more likely the leader is to win. So a close game does not automatically mean it is a toss-up contest.

Sports and politics have some things in common. Sports fanatics often willfully ignore empirical facts in order to hang on to their belief that their team will win. Partisans do the same. Sports journalists, however, have become more sophisticated about statistics than those who cover politics.

This isn't just about innumeracy. There are some contemporary instances where people recognize that they don't have specialized knowledge and respect the professionals who do. But when it comes to matters involving politics, people often prefer to disregard an analysis that conflicts with their hopes or ideology. The professionals who do poll modeling value accuracy. They want models that work; it is part of doing the job well. They may have strong partisan feelings, but their professional standing depends on their technical knowledge, not their ideological intensity. For pundits, it's often the opposite.

A GOOD EDUCATION

I think we can use this recent triumph of math over punditry as an opportunity to engage with each other and our students on the issue of expertise. Part of what a college education is about is gaining specialized knowledge; we want our students to respect the value of that knowledge. None of us, of course, can be expert in everything, so good research skills are also essential to being a critical thinker: when you don't have a relevant kind of expertise, you need to know how to consult the views of those who do. Using the election as an example of the value of technical expertise – acquiring it and valuing it in others – can convey that lesson.

In short, this discussion is an opportunity to socialize our students to be confident in their use of knowledge. A college degree isn't just a credential that helps in the labor market; it also offers membership in a community of professionals who respect rational thought and prefer inquiry to zealotry. We need more of that in contemporary America.

Stats & specialized knowledge