

# AAUP

FEBRUARY 1, 2010

## REGULATORY ENVIRONMENT: TIME TO REVIEW

The AAUP has created a special committee, called “Ad Hoc Committee on Regulatory Environment”, chaired by Professor Karla Fox, to review the regulatory environment at UCONN. The AAUP understands that there are many rules and regulations that are imposed on the university by the state and federal government, but some are overly burdensome when the layering effect is considered. Others are imposed by the university itself and are interpretations of mandates. The net effect is a huge loss of time, added bureaucratic expense, and an unknown, but felt, adverse effect on faculty productivity.

It is hoped and expected that the end result of the work will lead to recommendations for the AAUP on how to seek change in areas that are possible, whether within the university itself, at the state legislature, or through petitioning other appropriate bodies.

Members with comments or suggestions in the areas of red tape or bureaucracy which may seem excessive or in need of useful revision in the areas of 1) travel; 2) consulting; 3) mandatory training; 4) diversity and equity; 5) student misconduct; 6) research constraints; 7) end date appointments (full or part time); or the general category of “administrivia”, please forward suggestions or comments to [edmarth@uconnaaup.org](mailto:edmarth@uconnaaup.org). You may also contact any member of the Ad Hoc Committee privately. Committee members are: Karla Fox, Gary English, Wayne Franklin, Skip Lowe, John Morris, and Larry Renfro.

## FERPA

The Family Educational Rights and Privacy Act (FERPA), a federal law designed to protect the confidentiality of student records, has become, at UCONN, both sword and shield for student or family gripes. This may be true elsewhere as well, but in their quest to make students happy, the administration seems to zealously make FERPA the “Faculty Exclusively Retribution and Persecution Act”.

The AAUP has worked with numerous faculty, full time and part time, in response to complaints by students where the faculty is accused of some action; however, the faculty member is not shown the accusation, cannot face the accuser, and cannot require further inquiry in response to any claim. This is, in effect, Henry VIII’s Star Chamber. These are the purviews of the Office of Diversity and Equity, now staffed with several full-time lawyers, who admonish faculty never to discuss the matter with anyone; and yet, this could lead to discipline “up to and including termination” of the faculty member.

Faculty do sometimes misstep. It is hard to know all there is to know about rules and regulations no matter how many workshops the university mandates. Sometimes the inappropriate happens. Still, there are accusations of discrimination (most frequent) due to poor grades, inappropriate comments (people are easily offended), and more. But when the AAUP asks for a complaint, the answer is “due to FERPA, it cannot be shown to the individual or the AAUP.”

For example, one member spent a year answering inquiries about a complaint from a disappointed job seeker. The claim was found not to have merit. The faculty member is not likely to ever serve on a search committee again. It is a system of complaint that requires change.

### **ALTERNATE RETIREMENT PLAN GRIEVANCE**

The State Employee Bargaining Agent Coalition (SEBAC) has begun the grievance process for people who feel they were “steered” into the Alternate Retirement Plan (ARP: formerly exclusively TIAA-CREF and now through ING). A few complainants have come forward, but time is running out to register such a complaint.

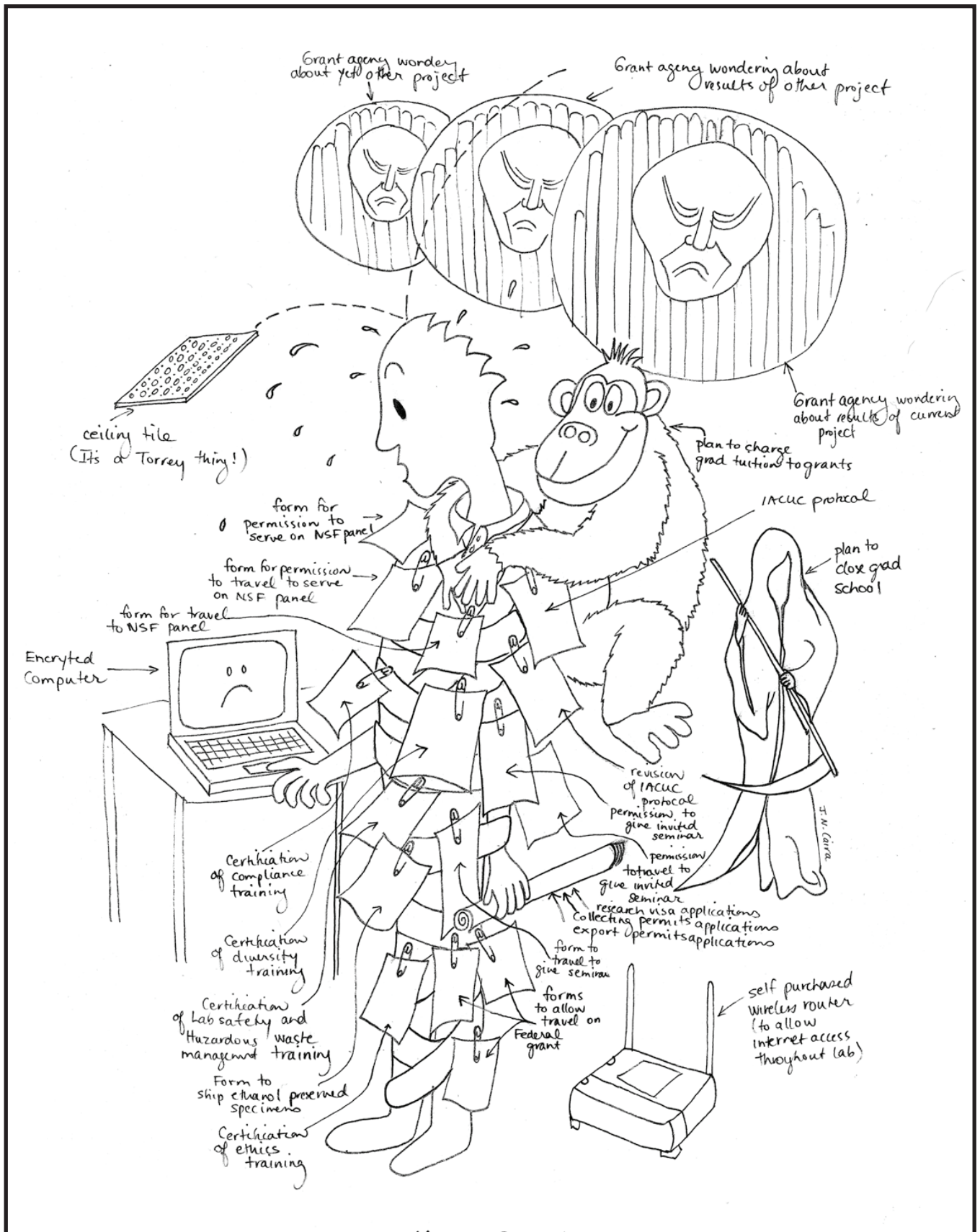
Being “steered” is a matter of being told that one *MUST* join ARP rather than the state retirement plan (SERS), but the claim must be proven. If a form indicates a choice is offered and one chose ARP, it will be very difficult to prove no choice was offered. Emails or objections dated at time of hire or when choice was made would be important. Witnesses might also be helpful. Timeliness is always important in grievance and legal matters. People who waited years until the stock market downturn to object to ARP will have a heavier burden to bear than others who have documentation. People with such claims should contact the AAUP IN WRITING (email accepted.) Specifics of any claim should be included. Such specifics should include the date of hire, the circumstances of filling out the form, whether or not pressure of some sort was applied and by whom, etc.

### **HEALTH CARE**

The AAUP has joined with a number of other unions in expressing opposition to an excise tax on health care as part of the trade-off on the complex state negotiations over the budget crisis last year.

### **CONSULTING**

It has been noted that the university has posted changes in the consulting policy premature of these changes being adopted by the Board of Trustees. The trustees do not meet until February 18. The changes cannot take effect until officially approved.



The Reality of Life as a Researcher at UConn

Courtesy of Professor Janine Cairns

