In The Matter Of:

BARNARD COLLEGE and BARNARD COLLEGE FACULTY, UAW, LOCAL 2110

Vol. 7 June 30, 2015

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BEFORE THE

NATIONAL LABOR RELATIONS BOARD

In the Matter of:

BARNARD COLLEGE,

Case No. 02-RC-154022

Employer,

And

INTERNATIONAL UNION OF AUTOMOBILE, AEROSPACE and AGRICULTURAL IMPLEMENT WORKERS OF AMERICA, LOCAL 2110,

Petitioner.

The above-entitled matter came on for hearing pursuant to Notice, before MORIAH BERGER, Hearing Officer, at The National Labor Relations Board, Region 2, 26 Federal Plaza, New York, New York in Hearing Room 3607A on Tuesday, June 30, 2015, at 9:30 a.m.

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1
    On behalf of the Employer:
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 3
         RACHEL E. MUNOZ, ESQ.
 4
         DAMIEN M. DIGIOVANNI, ESQ.
         Morgan, Brown & Joy, LLP
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         JOMYSHA STEPHEN, ESQ.
         General Counsel, Barnard College
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          212-870-2575
16
    On Behalf of the Petitioner:
17
18
         CARL LEVINE, ESQ.
19
20
         RICHARD A. LEVY, ESQ.
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         Levy Ratner, P.C.
          80 Eighth Ave., 8th Fl.
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         New York, NY 10011
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          212-627-8100
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1		3	I N D E	X		
2						VOIR
3	WITNESS	DIRECT	CROSS	REDIRECT	RECROSS	DIRE
4	Georgette Fleischer	961	1031			1002
5	Richard Todd Rouhe	1062	1092	1103		
6	Stephen K. Scott	1106	1122			

1		EXHIBITS	5
	EXHIBIT NUMBER	IDENTIFIED	RECEIVED
2	Petitioner's:		
3	P-8	1001	1002
4	P-9(a)	1018	1031
5	P-9(b)	1019	1031
6	P-9(c) & (d)	1020	1031
7	P-9(e)	1021	1031
8	P-9(f)	1023	1031
9	P-9(g)	1024	1031
10	P-9(h)	1026	1031
11	P-9(i) & 9(j)	1027	1031
12	P-9(k)	1028	1031
13	P-9(1)	1030	1031
14	P-10	1088	1088
15	P-11	1090	1090
16	P-12	1090	1091
17			

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PROCEEDINGS
 1
 2
                                             (Time Noted: 9:44 a.m.)
         HEARING OFFICER BERGER: On the record.
 3
         MR. LEVY: Georgette?
 4
         HEARING OFFICER BERGER: Understand the --
         MR. LEVY:
 6
                    Oh.
         HEARING OFFICER BERGER: -- Petitioner has some witnesses?
 7
 8
         MR. LEVY:
                    Yeah.
 9
         HEARING OFFICER BERGER: Okay.
10
    Whereupon,
11
                           GEORGETTE FLEISCHER
12
    Having been first duly sworn, was called as a witness and
13
    testified herein as follows:
14
         HEARING OFFICER BERGER: Have a seat. And what's your
15
    name?
         THE WITNESS: It's Georgette Fleischer. That's George with
16
17
    a T-T-E on the end. Fleischer is F as in Frank, L-E-I-S-C-H-E-
    R. Maybe I should be speaking into this? Is this where the
18
19
    sound is picked up? That's good? Okay.
20
                           DIRECT EXAMINATION
    BY MR. LEVY:
21
22
    0
         Okay. Dr. Fleischer, it is Doctor, right?
23
         It is Doctor.
    Α
         Tell us where you did your undergraduate work.
24
25
         I went to The University of Michigan Ann Arbor.
    Α
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- 1 Q And what did you major in there?
- 2 A I was a theater major.
- 3 Q And you graduated?
- 4 A I graduated in 1979 with distinction.
- 5 0 That was a B.A.?
- 6 A With a B.A., indeed.
- 7 Q After that you were an actress for a number of years?
- 8 A I was.
- 9 Q Where were you doing your acting?
- 10 A I was here in New York mostly.
- 11 Q You did off Broadway theater.
- 12 A I did --
- 13 O And commercials?
- 14 A I did off Broadway theater. I did some television
- 15 commercials. I was really oriented more towards the off
- 16 Broadway theater, but money comes from doing television
- 17 commercials. So I did some of those.
- 18 Q And is there a time when you started writing?
- 19 A There is. Even while I was still pursuing the acting
- 20 career, at a certain point I started writing some one act plays
- 21 that I had a vision of putting on as a kind of showcase
- 22 production for myself. And then in between there I decided
- 23 that acting wasn't really the thing that I wanted to do most.
- 24 That I really was more interested in writing. And so I
- 25 transitioned into writing and went to school to do that. I

- 1 don't know if you want me to continue or if you'd rather have
- 2 me stop there and --
- 3 Q Yeah. I'd rather ask you questions.
- 4 A Okay.
- 5 Q At some point you applied for graduate school?
- 6 A I did.
- 7 Q And that was where?
- 8 A So this was in early 1991, when most of the graduate
- 9 schools had actually finished their admissions for that year,
- 10 but the CUNY system was still available. So I applied to
- 11 Brooklyn College and I applied to City College to the writing
- 12 programs, and I got into both and I decided to go to Brooklyn
- 13 College. So I started an MFA in Brooklyn College in 1991 --
- 14 fall of 1991.
- 15 Q Were you also teaching at that time?
- 16 A I did. That was my first teaching job was at Brooklyn
- 17 College in 1991.
- 18 Q When you were an MFA --
- 19 A Indeed, yes.
- 20 Q -- student there?
- 21 A Yes.
- 22 Q You were teaching what kind of a course?
- 23 A I taught composition one and then in the spring I taught
- 24 composition two.
- 25 Q Did you complete your degree at Brooklyn?

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1 A I didn't. I applied to transfer to Columbia to the School
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- 2 of the Arts, and I got in and I started there in the fall of
- 3 1992.
- 4 Q And what were you studying in particular at Columbia?
- 5 A I was focusing in fiction writing.
- 6 Q Did you do work in translation around that time?
- 7 A I did. I was a fiction writing concentration, but I also
- 8 liked a lot of the poets who were there and I took some poetry
- 9 seminars. I took a very interesting poetry seminar with Paul
- 10 Rudman (ph) called translation to homage that invited us to
- 11 either do translations in a literal direct translations of
- 12 poetry or we were allowed to be creative about it if we wanted
- 13 to.
- I was concurrently studying Latin for the first time in my
- 15 life, which I found really fascinating. And I got very
- 16 engrossed in doing Latin translations of Catullus, Sextus
- 17 Propertius and for my final project I actually did the entirety
- 18 of the Tereus Procne and Philomela story from Ovid's
- 19 Metamorphoses, which I teach today actually at Barnard. So --
- 20 Q My favorites.
- 21 A Yeah.
- 22 Q Did you get an MFA from Columbia?
- 23 A I did. I --
- 24 Q And that was in?
- 25 A I graduated in 1994.

- Q And did you continue on in a PhD program?
- 2 A I did. I had -- already from when I started my MFA I was
- 3 very taken with the literature courses already at Brooklyn
- 4 College that we took in conjunction with our MFA program. And
- 5 really right from the beginning had in my mind this idea that I
- 6 would want to go on after the MFA to do a MA PhD in English and
- 7 Comp Lit. So I applied and I got into a couple places and I
- 8 then started at Columbia in 1994 with the MA PhD program in
- 9 English and Comparatives Literature.
- 10 Q And you received your PhD when?
- 11 A I did. I defended my dissertation in October 2001 and I
- 12 received my PhD in February of 2002.
- 13 0 What was the dissertation?
- 14 A The title is Genre Departures: Women Writers and the
- 15 Crisis of Representing National Socialism and World War II.
- 16 0 Was that dissertation published?
- 17 A It has been published. In 2008 a German publisher
- 18 approached me a bit before that and asked whether I wanted to
- 19 have it published and I did. And so it came out in September
- 20 2008.

- 21 Q Was your master's thesis also published?
- 22 A It was.
- 23 Q What was that thesis?
- 24 A That -- the published version, the title is Djuna Barnes
- and T. S. Eliot: The Politics and Poetics of Nightwood. So

- that was my master's thesis, which actually won a prize for the
 best master's thesis in the Department of English and
 Comparative Literature at Columbia in 1995 and then it was
- 4 published in 1998 in Studies in the Novel, which is a peer
- 5 reviewed journal.
- Q During that time, did you also have a relationship with
 The Nation magazine?
- A I did. I started -- actually, related to the MA work that
 I did, it turned out that she is quite a controversial figure
 and the controversies were coming to a head. There was a new
 biography for the first time coming out of her right at that
- 12 time and --

- 13 Q You're talking about Djuna Barnes, right?
- 14 A Djuna Barnes, indeed.
- 15 Q Pardon the interruption, yeah.
- 16 And so as this new work was coming out the biography of 17 Barnes and the restored version of her manuscript Nightwood, I wanted to write about these controversies. And actually the 18 19 piece was originally taken by The Atlantic, but they decided that it was too -- you know, that it would be -- they felt that 20 it was too oriented to a -- an academic audience. And so then 21 22 The Nation took it up and I published a review essay of those 23 two books, which then led to a controversy with the people whom

I had critiqued were all filling the fax machine and we get to

25 have an exchange in The Nation. And then actually Margot

- 1 | Norris wrote an additional piece in Studies in the Novel about
- 2 the controversy. So it kind of built up into quite an
- 3 interesting discussion.
- 4 Q Did you continue to write for The Nation?
- 5 A I did.
- 6 Q Are you familiar with a volume called Studies in the
- 7 Novel, an academic journal?
- 8 A Yes. And that's the journal in which my piece on Djuna
- 9 Barnes and T. S. Eliot was published.
- 10 Q Is that a peer reviewed journal?
- 11 A It is.
- 12 Q Did you learn another language during the time you were
- 13 doing your PhD?
- 14 A I did. Actually --
- 15 Q And what language was that?
- 16 A Well, I -- first I refurbished my French, which had fallen
- 17 a little to the wayside. And then I started studying German
- 18 and I learned German. I became close to fluent in it and I
- 19 still read in both of those language and I -- languages and I
- 20 bring that to bear on my teaching. You know, in other words
- 21 when we have literature that's originally in those languages I
- 22 always like to bring in a little piece and work with the
- 23 students who are able to work in that language or even Spanish,
- 24 which I have very minimally. Always there are students who are
- 25 | fluent and we bring that into the classroom.

- 1 Q Do you know a publication called Contemporary Literature?
- 2 A Yes.
- 3 Q Have you reviewed for that?
- 4 A I have. I did a lengthy review essay of a book by
- 5 Marjorie Perloff, who's a rather illustrious scholar of
- 6 contemporary avant-garde poetry.
- 7 Q Was that a peer reviewed piece?
- 8 A Actually, I was invited and I think it was on the strength
- 9 of the piece that I wrote on Djuna Barnes and T. S. Eliot that
- 10 the editor invited me to review the book for that publication.
- 11 Q Are you familiar with a book called The Intellectual
- 12 Devotional?
- 13 A Yes.
- 14 0 And tell us about that?
- 15 A So that's a --
- 16 Q Or your connection.
- 17 A -- book that came out in 2006 on which I am the editor for
- 18 the literature portion. So I edited both in terms of factual
- 19 accuracy and also in terms of the fluency for writing about the
- 20 entries in that; all the literature entries.
- 21 O You've written for The LA Times?
- 22 A I have.
- 23 Q When did you start at Barnard?
- 24 A Fall of 2000.
- 25 Q And what was your -- so that was before you got your PhD?

- 1 A Correct.
- 2 Q And what was your title at that time?
- 3 A I was hired as an associate.
- 4 Q And you taught what classes as an associate?
- 5 A I was hired to teach First-Year English: Women and
- 6 Culture, specifically because of my areas of interest --
- 7 scholarly interest. I'm interested in women, obviously women
- 8 writers. I also have a certificate in feminist theory from
- 9 Columbia that I did in conjunction with my PhD program. So I
- 10 was hired specifically to teach that course, which I taught as
- 11 a First-Year English course, and then continued to teach as a
- 12 First-Year Seminar, after I got my PhD.
- 13 Q And you continued to teach after 2002 when you received
- 14 your PhD?
- 15 A Yes.
- 16 Q And what was your title at that time?
- 17 A It changed to lecturer.
- 18 Q Uh-huh. And up until let's say through 2014 have you been
- 19 listed on Columbia's website as a lecturer?
- 20 A I have.
- 21 | Q How were you hired at Columbia -- at Barnard?
- 22 A My friend Linn Cary Mehta, we were in graduate school
- 23 together at Columbia. We were actually in a dissertation
- 24 discussion group centered around human rights that had faculty
- 25 from English, Political Science and Philosophy who were heading

this. So we became friends there. 1 We exchanged dissertation chapters. She works in modernism, as I do. So there's some resonance between our 3 She had been hired at Barnard and I don't know exactly 4 how it came about, but she put me forward to the director --Who hired you? 6 Q The director of First-Year English, Margaret Vandenburg. Α 8 Did you interview? 0 I did. Α Did you bring your CV? 10 11 Α Indeed, I did. 12 Did you bring samples of your written work? 13 Actually, I'm not sure that I brought samples, but I 14 believe that Margaret was aware of -- you know, she recognized the publications. You know, she's actually interested in Djuna 15 16 Barnes. I dare say she might have been a little impressed by 17 my having published that article and having published the article in The Nation. 18 19 So the first time you taught was a fall semester? 20 Α It was. 21 And when were you hired to teach that class, do you recall? 22 23 It was in the summer. It's possible that it was in the 24 spring before, but, you know, significant amount of time before

25

the course began.

- 1 Q And in connection with that course were there pedagogy
- 2 meetings?
- 3 A Yes.
- 4 Q What was going on in the pedagogy meetings?
- 5 A We've always had pedagogy meetings for First-Year English,
- 6 with some variation in terms of the number that we've had,
- 7 depending on what's happening. And some are overarching for
- 8 the entire Reinventing Literary History sequence. There are
- 9 three segments in that sequence and then it also has it's
- 10 manifestation in First-Year Seminar.
- And then there are other more local pedagogy or you might
- 12 say curricular meetings that happen. As we have revised the
- Woman and Culture sequence, all of the faculty who teach Woman
- and Culture will get together. Margaret will ask us to come,
- 15 and get together and have discussions about how we might want
- 16 to revise the syllabus and what suggestions we might have about
- 17 how to go about doing that.
- 18 Q Are there full time faculty members who also participate
- 19 in those pedagogy meetings?
- 20 A Yes.
- 21 Q Are there full time faculty members who also teach the
- 22 First-Year English course?
- 23 A Yes.
- 24 Q And is there any difference that you can describe between
- 25 the participation of full time versus part time faculty in

those pedagogy meetings? 1 2 Α No. Are there cases where the part time faculty is more 3 familiar and more steeped in the pedagogy than full time 4 5 faculty? I would say that that's true for the First-Year Seminar 6 pedagogy meetings, because it's a different group. 8 just the English Department. So you've heard about the -everyone has heard about the First-Year Foundations and the 9 fact that we have a First-Year Seminar and --10 11 Α Yes. 12 -- a First-Year English. Both of those courses are 13 writing intensive courses. And while the First-Year English courses are taught entirely by people in the English 14 15 Department, and those of us in English and English and Comp Lit 16 tend to have particular training in writing pedagogy. 17 kind of understood that if you're in English and Comp Lit you're going to know how to write, and you're going to learn 18 19 how to each how to write and there will be a lot of sort of help along the way, during your training, to get you able to do 20 21 that. 22 With the First-Year Seminar, because it's staffed both by 23 people from the English Department and from people from across 24 the disciplines, including from the social sciences and the

sciences, the hard sciences, people in the social sciences and

```
hard sciences do not necessarily and usually do not have any
 1
 2
    special training for writing. So it's frequently been the
    case, when we've had the pedagogy meetings for First-Year
 3
    Seminar, that the full time people have turned to the people in
 4
 5
    English, even us part timers, and said we don't really know how
    to teach writing. You know, please share with us. Or the
 6
    director has invited us to share with the group, you know, our
 8
    techniques for how to teach writing to students.
         I don't think I had asked you, but --
10
    Α
         Okay.
11
         -- you are a part timer?
12
         I am.
    Α
         And you have been since you've been there?
13
14
    Α
         Yes.
15
         Your pedagogy training -- your own pedagogy training has
    been at Barnard. Any place else as well?
16
17
                I -- at Brooklyn College we had pedagogy meetings
    each semester and some of that was actually quite formative for
18
19
         Obviously, the student body at a city university course is
    -- you know, there were a lot of students who are non-native
20
21
    speakers of English, a lot of students who were first in their
22
    family to go to college. I remember reading Pablo Freire for
23
    the first time, being very inspired by that. So we had
24
    pedagogy meetings. I don't know that it was necessarily every
    week, but it might have been every other week there.
25
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When I started at Columbia in the MA PhD program, the MA year we're kind of left alone, because we have so much to do that year with doing our coursework and doing a thesis of the, you know, kind of depth and breadth that we do. But beginning then in the first year of the M.Phil program, so for me that would have been 1995 to 1996, we embark on a yearlong pedagogy quite formal.

We met every week. A seminar in the fall semester and a seminar in the spring semester that coincided with -- then we started off by being TA's. So I was TA for Edward Taylor's Shakespeare course and I was TA for George Stade's Modernism course. He wound up becoming my dissertation advisor. And then we were allowed, after having done a lot of pedagogy, to have our own course.

So we started to teach First-Year Writing. Initially it was a course -- this goes back a-ways, but it was called Logic and Rhetoric. This was the course that first year students a Columbia took and we were teaching that.

And then after that it started to, you know, somewhat bifurcate so that some of us stayed teaching Columbia College Logic and Rhetoric. Some of us, like myself, started teaching in General Studies. We got a little more leeway there, in terms of how we would do the First-Year Writing. And then were given opportunities to teach survey courses to General Studies students. And we got some guidance again from the writing

program that sits on the ground floor at Philosophy Hall through that.

And then let me just add one more thing. But in addition to the pedagogy that's on going at Barnard for First-Year English and First-Year Seminar, I did have a one year half time appointment. This goes back a dozen years ago or 13 years ago, at Montclair State University.

And the director of that program was a very committed person, in terms of writing pedagogy. We were given a full week, full time. We arrived in the morning and we stayed all day. We were actually paid to do this. It was really a nice thing.

And I got a lot of techniques there. I developed my peer review form out of a whole set of various peer review form possibilities that were presented to us. So it was a full week full time of training in writing pedagogy.

- 17 Q So you had experience before you got to Barnard?
- 18 A Yes.

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15

- 19 O In pedagogical technique?
- 20 A Yes. And then it continued and it has continued.
- Q Okay. How many courses have you taught, since you've been
- 22 teaching at Barnard? I mean per semester or per year.
- 23 A I have never taught fewer than two courses per semester
- 24 for 30 consecutive semesters and three times I have taught
- 25 three courses a semester.

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1 Q You've heard testimony here that part timers or adjuncts
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- 2 are not supposed to teach more than two courses a semester?
- 3 A I don't know that. Have I heard that testimony? I'm not
- 4 sure that I have.
- 5 Q Okay.
- 6 A I do -- I am aware that --
- 7 0 It's alright.
- 8 A -- there may be something like this, you know, sort of out
- 9 there, yes.
- 10 Q The answer is no, you haven't heard it. In any event you
- 11 have taught three courses in a semester. And in the years that
- 12 you taught the three courses in one semester did still teach
- 13 the two in the other semester?
- 14 A Yes.
- 15 Q So you've had years where you've taught five courses?
- 16 A There are three years during which I taught five courses,
- 17 correct.
- 18 Q Tell us what courses you have taught at Barnard.
- 19 A So First-Year English: Women and Culture, First-Year
- 20 Seminar: Women and Culture. I've also taught First-Year
- 21 Seminar: Legacy of the Mediterranean. This is another
- 22 sequence in the Reinventing Literary History.
- I have taught Critical Writing four times, the last time
- 24 in spring of 2013. And once I taught a course where, you know,
- 25 I took someone else's course and I'm pretty -- this was

- 1 actually for Cary Plotkin. I'm pretty sure the course was
- 2 Essay Writing, but I'm not absolutely certain. I think it was
- 3 Essay Writing.
- 4 Q Do you know if any of these courses are also taught or
- 5 have been taught by full time faculty?
- 6 A All of them have been taught by full time faculty and are
- 7 taught by full time faculty.
- 8 Q Let's talk about Literary Criticism for a minute. Is that
- 9 a First-Year course?
- 10 A Literary Criticism is not.
- 11 0 What are the --
- 12 A It's --
- 13 Q -- grades or years of the students, generally speaking,
- 14 who are in that course?
- 15 A It's for sophomore and junior majors. So students who are
- 16 majoring in English, they try to take it in their sophomore
- 17 year, but some can take it in the junior year. And
- 18 particularly transfer students will tend to take it in the
- 19 junior year.
- 20 Q And that has been taught by full time faculty?
- 21 A Yes.
- 22 Q How about Critical Writing?
- 23 A Well, actually I'm sorry, I thought that we were talking
- 24 about Critical Writing.
- 25 Q Okay.

- A Now, this course --
- 2 Q Let's stay with Critical Writing.
- 3 A Okay.

- 4 Q And just let me verify. So it was Critical Writing you
- 5 were referring to when you said the courses taken by juniors
- 6 and sophomores?
- 7 A Yes.
- 8 Q And that full timers had also taught that course?
- 9 A Yes. Could I add something --
- 10 Q And by the way, were you here when Kate Levin testified?
- 11 A I was here, yes.
- 12 Q She's a part timer?
- 13 A Correct.
- 14 Q She's also taught that course?
- 15 A Correct.
- 16 Q Do you know any of the full timers who have taught that
- 17 course?
- 18 A Well, I think Peter Platt has taught it, has he not?
- 19 Q Well, you can't ask me, because I don't know.
- 20 A Oh, Rachael Eisendrath. I'm just thinking back sort of
- 21 recently. She's a tenure track person and she's taught it
- 22 recently. When I last taught it in 2013, Bashir Abu Manneh,
- 23 who was also a tenure track faculty member in the English
- 24 Department was supposed to teach it and had taught it in the
- 25 past.

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1 Q So you're teaching the same courses that tenure track
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- 2 people have been teaching?
- 3 A Correct, yes.
- 4 Q So in case we didn't cover it, because I'm not sure now,
- 5 the Literary Criticism course -- a moment ago you were talking
- 6 about Critical Writing, right?
- 7 A Can I clarify? The course name changed at a certain
- 8 moment. So a course that was called Literary -- I believe it
- 9 was called Literary Criticism and Theory then was renamed
- 10 Critical Writing.
- 11 Q So we're talking about the same course?
- 12 A It's the same course.
- 13 0 Different names?
- 14 A That's correct.
- 15 Q I see.
- 16 A So that's the confusion.
- 17 Q There you go.
- 18 A But I've taught that course four times.
- 19 Q Now, when you're paid are you paid a monthly amount?
- 20 A Yes.
- 21 Q Over a period of nine months is it?
- 22 A Yes.
- MR. DIGIOVANNI: Objection. We're going to -- we're still
- 24 giving Mr. Levy some leeway, but to the extent that he doesn't
- lead her into answers, if he could just ask her questions?

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MR. LEVY: You know, that's a ridiculous objection coming
 1
 2
    on a question like this.
         MR. DIGIOVANNI: Well, I understand that, but --
 3
         MR. LEVY: How often you're paid?
 4
         MR. DIGIOVANNI: -- you've been doing it all morning.
         MR. LEVY: Are we going to have a dispute about how --
 6
         MR. DIGIOVANNI: I --
 7
 8
         MR. LEVY: -- often she's paid?
         MR. DIGIOVANNI: No --
10
         MR. LEVY: Am I wrong?
11
         MR. DIGIOVANNI: -- we're not, but the way you're asking
12
    questions we're going to have --
13
         MR. LEVY: You know, the idea of leading --
14
         MR. DIGIOVANNI: -- a dispute if you continue to do it
15
    that way.
         MR. LEVY: The idea of leading is that it's appropriate to
16
17
    lead over non-controversial issues that just simply have to get
    in the record and they're not -- if I lead her about what she
18
19
    does --
20
         HEARING OFFICER BERGER: Alright, alright.
21
         MR. DIGIOVANNI: I think if you can --
         HEARING OFFICER BERGER: We don't need the record to be
22
23
    filled with arguments between counsel and lecturing between
24
    counsel. I note your objection. I agree that it's a leading
25
    question. However, I disagree that that's incredibly
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1
    significant in this instance. And --
 2
         MR. DIGIOVANNI: I agree it's not in this instance.
 3
         HEARING OFFICER BERGER: -- so I'm overruling --
         MR. DIGIOVANNI: We just want him to be careful.
 4
         HEARING OFFICER BERGER: -- it and I think we can move on.
         MR. LEVY: I'd like to ask counsel if he'd be willing to
 6
 7
    stipulate that the part timers are paid --
 8
         MR. DIGIOVANNI: Just ask her the question.
9
         MR. LEVY: -- monthly over nine months?
10
         MR. DIGIOVANNI: She can answer it for you.
11
         MS. MUNOZ: They're not.
12
         MR. DIGIOVANNI: I'm not testifying.
13
         MS. MUNOZ: They're not.
14
         MR. LEVY: They're not paid over nine months?
15
         MS. MUNOZ: No.
         MR. LEVY: Is it 10 months?
16
17
         MR. DIGIOVANNI: Just ask her if --
18
         MS. MUNOZ: It's over a semester.
19
         MR. DIGIOVANNI: -- she's paid that way.
20
         MS. MUNOZ: It's over four or five months.
         MR. LEVY: Each -- but four months one semester and five
21
    times the next, right?
22
23
         MS. MUNOZ: Well, the term is for four.
                                                  Okay.
24
         MR. LEVY: Wasn't worth this debate.
25
                      CONTINUED DIRECT EXAMINATION
```

```
BY MR. LEVY:
 1
         Are you paid by semester?
 3
         I am paid semester to semester, yes.
         And you paid monthly during the semesters --
 4
    Q
    Α
         I am.
         -- you teach?
 6
    Q
         So in the fall semester we have four months; September,
 8
    October, November and December. So I have a salary and that's
    divided into four equal payments, which come at the end of each
    of those months. And then in the spring semester it's the
10
11
           I'm paid my salary, but divided into five equal payments
12
    at the end of January, February, March, April and May.
13
         Do you know if the full timers are also paid monthly?
14
         My understanding is they are, yes.
15
         HEARING OFFICER BERGER: How do you know that?
16
         THE WITNESS: Because we get out paychecks in our
17
    mailboxes and sometimes the administrator in the English
    Department will send out an email to all of us about our
18
19
    paychecks. And I guess I've had exchanges with people
    sometimes in the office who are full time people about when --
20
21
    this is more in the past. You know, when the paycheck was
22
    coming or when the slip that comes with the paycheck was
23
    coming. But it was on the same schedule as ours.
24
    BY MR. LEVY:
         Now, you also teach in the summer?
25
```

- A I teach in the summer at Columbia.
- 2 Q And what kind of courses do you teach at Columbia?
- 3 A They -- in the summer -- I teach at Columbia during the
- 4 academic year also. So for the past dozen years I have taught
- 5 a graduate -- I team teach a graduate course with the head
- 6 research librarian at Butler Library for students in MA
- 7 programs in the Humanities, Social Sciences and a few also in
- 8 the Quantitative Methods program. So I do that every semester
- 9 fall and spring for the last 12 years. In the summer I -- so I
- 10 do that through Graduate School of Arts and Sciences.
- 11 Q Let me just stop you for a minute. The person --
- 12 A Yeah.

- 13 Q -- who you co-teach with is that person a Columbia --
- 14 A He is. He's the head research librarian at Columbia --
- 15 Q He's a full time --
- 16 A -- Robert Scott.
- 17 | Q -- person?
- 18 A I'm sorry?
- 19 O He's a full time employee at Columbia?
- 20 A He is, yes.
- 21 Q A member of the faculty there?
- 22 A Well, I guess, if librarians are considered members of the
- 23 faculty. I think that might be a debatable --
- 24 Q But he teaches?
- 25 A He -- yes, he does.

- Q Alright. Go to the summer now.
- 2 A Yeah. In the summer I'm hired through the English and
- 3 | Comparative Literature Department and I teach upper level,
- 4 undergraduate and graduate courses in literature and in my
- 5 areas of scholarly expertise such as Modernism, Virginia Woolf.
- 6 And the last three times I've taught a course in the
- 7 comparative European novel in the latter half of the nineteenth
- 8 century.

- 9 Q Okay. Now, I think you were probably in this hearing room
- 10 when other witnesses were asked to describe how they prepare
- 11 for teaching classes, how they create syllabi. Can you kind of
- 12 go through that as -- I think a summary fashion would be
- 13 sufficient.
- 14 A Sure.
- 15 Q Just to talk about the steps that go into preparing for a
- 16 course, you could talk about, I suppose, any one of the courses
- or any one that you think is particularly interesting.
- 18 A Yeah. I mean there's a difference. I teach obviously a
- 19 spectrum of courses. And where I'm teaching the Reinventing
- 20 Literary History, which is a creation of Margaret Vandenburg, I
- 21 am given a syllabus. There's some flexibility within that.
- It's a different kind of preparation than let's say even
- 23 Critical Writing or Literary Theory and Criticism, as it was
- 24 called before, where I'm given a rubric, but I get to create
- 25 the class. You know, create the course as I am inclined to

- 1 create it. I make all of my own choices about what texts we're
- 2 going to look at and how we're going to do everything really.
- 3 With the courses that I teach at Columbia, obviously I've been
- 4 given an opportunity to create --
- 0 Let's stay at Barnard.
- 6 A Stay at Barnard? Yeah.
- 7 Q Stay at Barnard. So does anybody have to approve the
- 8 readings that you select?
- 9 A Well, I, as a faculty member, work director of First-Year
- 10 English, who, you know, created the syllabus. So no. She
- 11 might -- I'm sure that probably at some point she had to get
- 12 things approved. But I work directly with her. So I'm not
- involved in the approval process. I think --
- 14 0 And how about the other courses --
- 15 A Yeah.
- 16 0 -- besides the First-Year --
- 17 A Yeah, the Critical Writing, I believe that the first time
- 18 I taught it I had to give my syllabus to the chair of the
- 19 department to have it okayed.
- 20 Q And was it?
- 21 A Yes.
- 22 Q And you created it?
- 23 A I did, yeah.
- Q Who created the goals for that class?
- 25 A Interesting question. I don't know. It's a course -- you

```
know, the need for that course has some longevity. So it
1
 2
    probably -- it could well have predated my time even that the
 3
    course was created.
         Did you develop your own sense of what you sought to
 4
    accomplish in that class?
 5
         I did, yeah. I mean just for an example I love music and
 6
    Α
            I teach -- I use Wagner's Tristan und Isolde, which I
 8
    teach the students in segments. You know, I set up a video
    thing and we look at clips from this, in order to talk about
    Nietzsche's The Birth of Tragedy and I think I also have them
10
11
    work with Freud's The Interpretation of Dreams as another way
12
    of reading. So, you know, certainly my own interests and
    proclivities define how that course is actually laid out and
13
14
    strengths.
15
         Can you tell us if and how you set goals for that class,
    if you do?
16
17
         Well, the goals themselves are given to me. You know, in
18
    other words they are for sophomore and junior English majors.
19
    It is a writing intensive course.
         This is something that's really special for students who
20
21
    are English majors. And, you know, to a certain extent it
22
    extends the work that those students would have done in First-
23
    Year English and First-Year Seminar with the writing intensive
```

element, but added to that is that they're going to be

introduced to theoretical paradigms that are significant in

24

- 1 literary studies and also introduce them -- give them some
- 2 sense of literary history. So it's a kind of deepening of that
- 3 sense of literary history that they get with the, you know,
- 4 First-Year English sequence.
- 5 Q Do you do research in preparation for that class?
- 6 A Yes.
- 7 0 What's the nature of that research?
- 8 A Well, with creating the syllabus it was a big project that
- 9 took weeks to read, reread, you know, think conceptually about
- 10 how I wanted to do things. There was significant library work,
- 11 thinking about criticism.
- 12 Q Is there pedagogy preparation that you do or think about
- 13 in --
- 14 A Yes.
- 15 Q -- terms of presenting that class?
- 16 A Yes, indeed. The first time I taught the course that was
- 17 true. Not as intensely obviously when I taught it the second
- 18 time, but the course is -- it's a four credit course first of
- 19 all. So even though it meets once a week for two hours, it's a
- 20 very substantial amount of work just in terms of reading and in
- 21 terms of writing.
- The students are writing a number of essays over the
- 23 course of the entire semester. I have maybe one or two that I
- 24 have them do in a single draft, but the others they do in
- 25 multiple drafts. They're very quick turnaround times. It's

1 very, very, very intense and exciting. Exciting course. Who writes that exams for that class? So there are no exams for that class. All the sort of 3 assessment, if you will, comes from what the students offer to 4 5 the discussion in class, what they do in terms of -- one of the 6 things that I picked up in the pedagogy that I did as part of my feminist theory certificate from Columbia, I actually took a 8 course in feminist pedagogy and I picked up this technique of having the students do oral discussion provocation. 9 lead a discussion for one of the classes each time. How they 10 11 perform in the discussion just, you know, class to class and 12 very importantly their written work. So when they hand in the 13 final paper for the course, that is the final, such as it is. 14 Who decides what the written papers should be about? 15 I do. Α 16 Who grades the papers? 17 Α I do. Just in terms of time expended, do the students do 18 19 multiple drafts of papers in that writing course? 20 And in First-Year English even more. More drafts. Α And what's your role in connection with those drafts? 21 22 What I tend to -- for First-Year English, just to turn to 23 that course for a moment, I'm doing three drafts of each essay

24

25

0

of the students.

So --

When you say you're doing --

A Yeah. Some --

- Q = -- they write the drafts?
 - A They write the drafts, but I read them obviously. So I read the first draft, I make extensive margin comments, I make a typed comment at the end, because my handwriting is not particularly clear. So I print that on to the end and then I give those back to them when we have conferences.

So I meet with all students in First-Year English. I meet with every student after the first draft of the first paper.

And that's -- the same is true for the first draft of the research paper.

And then with the middle paper I give them an option.

They're not required to meet with me, but they may meet with me if they want to. And I open my office hours that day so that those who want to meet with me can.

Then with the second draft they revise and they produce a second draft. And they produce a skeletal outline, and I take the skeletal outline and they peer review each other. I put them in groups of three.

So they give and receive two peer reviews of those papers. Of course, I'm going to be reading those peer reviews also, because I evaluate the peer reviews and I give them extra credit for the peer reviews. And then based upon that package, which is the second draft outline with my written comments, which can be extensive, the peer reviews that they've gotten,

```
two peer reviews, both with marked comments and a form that
 1
 2
    I've developed that they fill out, they then take that package
    and they use that as the basis to do a final revision, which
 3
    includes a skeletal outline. And they give me a package of
 4
    everything that they've done since I've last read it and I read
 5
    all of that. So it -- you know, I easily -- for the final
 6
    drafts, easily spend an hour on each paper.
 8
         So --
    0
         Easily.
         -- thinking about all that you've described in both
10
11
    preparation for the course and the work you do going over the
12
    papers and meeting with the students, how much time would you
    say is spent on the outside of the lecture or the class itself,
13
    as compared to the time spent in the class?
14
15
         You know, it depends on the week to a certain extent.
    Α
16
    Just to give one example from this last semester if you don't
17
    mind.
18
         Could you -- is it possible to sort of average to say it's
19
    the same amount of time or some multiple of time?
20
    Α
         Can I give the example, because it might help me average?
21
         If you want to --
    0
22
    Α
         Yeah.
23
         -- go ahead.
    0
         So this last semester there was one week, you know, I was
24
```

teaching two sections of First-Year English, which is quite

typical of me in the spring semester. So I had 15 students in one class and 16 in another. So to have 15 minute conferences that takes eight hours outside the classroom just for the conferences.

But remember that I'm reading a paper in advance of each of those conferences. So it's quite conceivable that on a week when I have, you know, these papers and conferences due I'm spending 40 hours outside of the classroom just on the papers. Forget about reading the literature.

Even though I've taught First-Year English for many years I always reread the literature that we're discussing every single time without fail. I have to have it really, really fresh in my mind to be able to respond to the students' comments in class. So even if I've read it before multiple times, it still takes a certain amount of time to reread book one, book four and book nine of Paradise Lost and be prepared to respond very, you know, acutely to the students' comments in class.

- 19 Q I don't know if I asked you this. Do you know who Aaron 20 Schneider is?
- 21 A I do.

- 22 Q Is he a full time or --
- 23 A He is.
- 24 Q -- part time?
- 25 A Yes.

- 1 Q Does he teach any of the classes that you've taught?
- 2 A He does. He teaches First-Year English and he
- 3 participates in the pedagogy.
- 4 Q Do you know what his title is?
- 5 A His title is term assistant professor.
- 6 Q Do you know Cary Plotkin?
- 7 A Yes.
- 8 Q Can you tell us whether she teaches any of the classes
- 9 that --
- 10 A It's a he, actually. He teaches --
- 11 Q He? Okay, a he.
- 12 A He's taught all of the classes I've taught, I believe,
- except he doesn't teach the Women and Culture sequence. He
- 14 teaches Legacy.
- 15 Q Is he a part time or a full timer?
- 16 A He's full time.
- 17 Q Do you know what his title is?
- 18 A Senior lecturer.
- 19 Q Do you know Timea Szell?
- 20 A Yes.
- 21 Q Same question.
- 22 A She's taught First-Year English Women and Culture. I
- 23 don't have knowledge as to whether she's taught Critical
- 24 Writing or not, although I wouldn't be surprised if she has.
- 25 Q What's her title?

- 1 A Senior lecturer.
- 2 Q Do you know Peggy Ellsberg?
- 3 A Yes.
- 4 Q Same question.
- 5 A Yes. And there I know that she's taught First-Year
- 6 English and First-Year Seminar Reinventing Literary History. I
- 7 don't know about the Critical Writing.
- 8 Q Do you perform service for the college in addition to
- 9 teaching the classes and preparing the classes that you've
- 10 described?
- 11 A I do. I do, yeah.
- 12 Q Can you talk about what the nature of that service is?
- 13 A So I don't want to repeat some of what's been put on the
- 14 record already.
- 15 Q Repeat it.
- 16 A Yeah. Pardon?
- 17 Q Repeat it.
- 18 A Repeat it? Okay. So in addition to -- I have office
- 19 hours.
- 20 0 How often?
- 21 A Every week. And then in addition of course, weeks that
- 22 I'm having conferences I can have up to eight hours, if not
- 23 more, of additional office hours to meet with students. I --
- 24 Q Do you know whether or not this is expected of you, as
- 25 part of your position?

- A I would say it is.
- Q Is it necessary for your position?
- 3 A It's necessary. We are expected to meet with students on
- 4 the papers. That's clear.
- D Q Have you ever written letters of recommendation?
- 6 A I do, yes.

- 7 Q With what frequency?
- 8 A I would say this past year I probably wrote 15 or so
- 9 letters of recommendation over the course of the last year.
- 10 Q Is that typical or untypical of --
- 11 A That's about typical. And they're quite time consuming to
- 12 write these letters of recommendation. I put a lot into them.
- 13 I won't do it unless I know that I can write a very strong
- 14 letter of recommendation. I always reread some of the
- 15 student's written work, because I want to be really familiar
- 16 with it so I can speak very concretely to what it is that they
- 17 did in my course.
- 18 I've had some good successes recently. I have some
- 19 students who -- one student is in France right now at Reid Hall
- and another student who has been awarded a full summer program
- 21 of studying Russian at Columbia through the Harriman Institute
- 22 out of a letter that I wrote for her. And another student who
- 23 is just coming back from studying abroad at Oxford St. Peter's
- 24 for a year. She's an art history major and I wrote a letter of
- 25 recommendation for her.

- 1 Q Do you know if that student had anyone else write a letter
- 2 of recommendation?
- 3 A She did.
- 4 Q And who is the other person?
- 5 A Anne Higgonet, if I'm pronouncing that right.
- 6 Q What's her position at --
- 7 A She's a tenured professor at Barnard in art history and
- 8 she's a named professor. So she's -- there's a series of
- 9 professors who are Ann Whitney Olin professors at Barnard and
- 10 she is an Ann Whitney Olin professor in art history.
- 11 Q So each of you, if I understand your testimony correctly,
- wrote letters of recommendation for this person?
- 13 A That's my understanding, based on the student's --
- 14 Q That's the person who went to Oxford?
- 15 A Yes.
- 16 Q Is that the person who went to Oxford?
- 17 A Yes.
- 18 Q Do you know if the students know whether you're a part
- 19 timer or a full timer?
- 20 A I don't know that they know.
- 21 Q If they had looked on -- over the years, if they had
- 22 looked on the website what would you have been listed as, do
- 23 you know?
- 24 A Lecturer.
- 25 Q It didn't say full time or part time?

A It didn't say. And I have had experiences a few times of a student either asking me or in one case expressing regret that I couldn't be her major advisor. You know, so she didn't know, the person who asked me or maybe she didn't know that there was a distinction that only full time people can be major advisors.

Q Uh-huh. Do you do things with your students outside of the classroom?

A I do indeed. And that is maybe more of an expectation for First-Year Seminar, but I do it with my First-Year English students and my other students also. I take them to museums, I take them to the theater.

Just one example, when we're doing the section on medieval literature in the fall of First-Year English I take the students up to The Cloisters. They've got a wonderful lecture series that's going on up there. So we time it for when there's going to be a lecture offered in a subject that would be appropriate for the literature that we're looking at.

Q Is this, in your view, related to the pedagogy of the classes you're teaching?

A It's related to the pedagogy of the classes and it's also related to the mission of Barnard. If you consult any of the documents that talk about Barnard's mission, one of the things that it is very interested in making people aware of is the fact that the college is in New York City and that we do have a

remarkable set of resources available in terms of art, and music, and theater and so forth. And the college really -- the administration of the college really explicitly wants us to exploit if you will -- forgive that word -- the resources that are available.

So -- and I'm completely with that idea. I mean we do have magnificent resources and I do feel that it really enhances the students' learning to allow them to have these experiences. So I just see what's out there in terms of -- I'm always sort of aware -- I'm a theater lover. You heard that I was a theater major as an undergraduate and I had something of a life in the theater in my earlier life. So I tend to stay aware of what's happening.

And, you know, whether it be a specific text or whether it be for instance last semester, when we got into the modern period, it just so happened that there was a magnificent production at BAM of Ibsen's Ghosts. And I thought this would be interesting. We don't really have time to do the additional text, but we're in the modernist period and, you know, Ibsen is a significant modernist. This is a way for the students to learn something about modernism as a moment, in terms of dramatic literature.

And it was actually beautifully -- they trimmed the text.

It was beautifully directed and beautifully acted. And it was a wonder experience. We get the tickets through the Columbia

University Arts Initiative. So we get discounts on the 1 tickets. So yeah, I -- I'm very onboard with the college in a 3 commitment to utilizing those resources as teaching --So --4 O -- tools. -- you say you get the tickets through some Columbia 6 agency. Does Barnard encourage the -- this kind of activity 8 that you do with your students? Yes. Yeah. Tell me about the Middle States review that you were a 10 11 part of. 12 So in 2011 -- the Middle States Council on Higher Education is the accrediting agency for Barnard and other 13 14 schools in our area. And they regularly review colleges and 15 universities. In 2011 we were scheduled to be reviewed. 16 And one of the programs that was being looked at was the 17 First-Year English program. And Margaret Vandenburg, who is the director of First-Year English, asked me if I would be 18 19 willing to have my class observed, as part of the Middle States review and I said that I would be delighted to do that. So --20 21 What was entailed in doing that? Anything beyond having 22 your class observed? 23 Well, my class was observed by two reviewers, one from

Yale, one from Pomona College. We had meetings with the people

who observed us. I don't know if it was before, but I think it

24

```
was only afterwards we had several meetings, both with the
 1
    director of First-Year English and separately, those of us who
    teach in the First-Year English program, met with the reviewers
 3
    so that we had an opportunity to have a discussion.
 4
         Were you -- your meetings with the reviewers, those were
    outside of class I take it?
         Yes.
    Α
 8
         Were you paid for that time?
    0
9
    Α
         No.
         Were you asked to commit that time to --
10
11
               We were all asked to participate in the meetings
    Α
12
    with the reviewers, but only a few of us were asked -- as far
    as I know, two of us were asked to have our classes observed.
13
14
         HEARING OFFICER BERGER: Who else was asked for class
15
    observation?
16
         THE WITNESS: Linn Cary Mehta.
17
         HEARING OFFICER BERGER: And what's her title, do you
18
    know?
19
         THE WITNESS: Her title is the same as mine. We were
    lecturers at that time. Now you've heard that our titles have
20
21
    been changed to adjunct lecturer, but we were both lecturers at
    the time. Pardon me.
22
23
    BY MR. LEVY:
24
         Was there any feedback from that?
```

Yes, the reviewers were very, very nice. They actually

25

Α

gave me feedback immediately. In other words when the class was over they actually came out and talked with me right away and they were very, very appreciative of my teaching.

One of the things that I recall Alfie Guy, who was the reviewer from Yale, said that he -- he said that the students, you know, clearly wouldn't have been able to discuss the material, which was Emily Dickinson's poetry, at that level if they hadn't been really getting something very challenging all the way from the beginning of the class. And he also said that one of things that he found most encouraging, or a positive about what he observed, is that the students in my class were capable of disagreeing with one another as well as agreeing with each other in discussion and that that was a very healthy sign of, you know, an intellectually challenging and open dynamic that had been set up in the classroom for the discussion.

- Q Did you get feedback from Barnard, the college itself?
- A Yeah. I'm sorry that my voice is going. I have seasonal allergies and I don't take anything for them. So I apologize.

Margaret Vandenburg indicated to me -- I don't remember the exact specifics, but I know that she felt, you know, pleased with the feedback that she got on the program. And in fact, you know, we got the feedback in the sessions that we had with everybody. I mean when the reviewers came in and met with all of us and really shared with us very openly about their

```
1
    response to how we were doing with First-Year English.
 2
    were very favorable.
         MR. LEVY: Can we go off the record for a minute?
 3
         HEARING OFFICER BERGER: Yes.
 4
                   (Whereupon, a brief recess was taken)
         HEARING OFFICER BERGER: Back on the record.
 6
         We've just been handed what's being marked as Union
 7
 8
    exhibit 8.
    BY MR. LEVY:
         Is this the note you received?
10
11
         Yes, it's an email that I received from Margaret
12
    Vandenburg on March 10th 2011, just two weeks to the day
13
    actually before my class was observed.
14
                       (Petitioner's P-8 identified)
15
         Would you read a piece of this, starting at the third
16
    sentence "thank you".
17
         She writes "thank you so much for agreeing to contribute
    so much to this review. I'm writing to confirm that Alfred Guy
18
19
    from Yale and Dara Regaignon from Pomona, perhaps one or the
    other or maybe both" -- it did wind up being both -- "will be
20
    observing your classes as listed below. Once we're back from
21
22
    break I would be happy to discuss this visit, but there's
23
    nothing particular I have to impart beyond my thanks and my
24
    appreciation of how you teach every day, no matter who is in
    the room."
25
```

```
MR. LEVY: We'd move this document.
 2
                          VOIR DIRE EXAMINATION
    BY MS. MUNOZ:
 3
         I'd just ask if this is the complete document? If there's
 4
    anything else?
         There was nothing else.
 6
    Α
         MS. MUNOZ: Alright.
 7
 8
         HEARING OFFICER BERGER: Any objection?
         MS. MUNOZ: No objection.
10
         HEARING OFFICER BERGER: Okay. Union 8 is received.
11
                 (Petitioner's P-8 received in evidence)
12
                      CONTINUED DIRECT EXAMINATION
13
    BY MR. LEVY:
         We were talking about service --
14
15
    Α
         Yes.
         -- to the college. Have you done anything -- I'm sorry.
16
17
    Do you know a course called Revisiting the Classics?
18
    Α
         Yes.
19
         What is that and how does that come about?
         So in academic year 2012 to 2013 Barnard offered a two
20
21
    semester series in Reinventing the Classics and it was for alum
    -- for Barnard alum. And the idea was the alum would be able
22
23
    to come back to Barnard and kind of re-experience what they had
24
    experienced when they were Barnard students. And it followed
    similar -- really the same sequence, I would have to say, that
25
```

we follow in the Reinventing Literary History sequence.

In other words we started with ancient Greece, we went up to the enlightenment at the end of the first semester and then it was picked up again in the spring semester basically with, you know, sort of enlightenment through post modernism I think was the subtitle of the second half. And in my case at least it was Margaret Vandenburg who asked me to be one of the faculty members who would conduct one of these two hour seminars for 21 Barnard alums. She --

- 10 Q Again, Ms. Vandenburg -- Professor Vandenburg is -- what is her position?
- A She is the senior lecturer in the Department of English
 and through today she's director of First-Year English and then
 that will conclude.
- 15 UNIDENTIFIED SPEAKER: Today is the day.
- 16 THE WITNESS: Yes, today is the day.
- 17 BY MR. LEVY:

1

3

4

6

8

20

21

22

- Q Did other members of the faculty at Barnard give any of these seminars as you did?
 - A They did. It was mixed. There -- if you look at the spring semester there's another part time faculty member from English, Sonam Singh, who gave one of them. And I think I was the only other part time faculty along with him.
- And then there were full time, including tenured.

 Actually, Margaret did one. And then there were other full

- time tenured faculty members who gave them. Probably maybe a
 few more tenured faculty members than part timers.
- 3 Q What was involved in giving that seminar?
- 4 A Well --

- 5 Q In terms of your time --
- 6 A In preparation.
- $7 \mid Q \quad -- \text{ and participation.}$
 - A You know, as I said to Margaret at the time I prepared for weeks for this. I was well aware of that fact that I was going to be in a sense representing the college and I wanted to make sure that the college shined. I went back and reread Foucault History of Sexuality Part One. I reread Adorno and Horkheimer Dialectic of Enlightenment. I reread Georg Lukacs on The Novel, multiple pieces.

Decided actually to let the Georg Lukacs go. But I really wanted to make sure that -- and actually I started by rereading The Princess de Clèves, which I had taught before, but hadn't been for a little while. I'm also -- as you heard, I read French, and I correctly assessed that there would be some alums in the room who would also read French and that would find it interesting to look at what's happening in the original. So I took some portions of that novel in the original French to bring in.

It was a -- it was very much like preparing for a job talk quite honestly. I had been on the tenure track market around

the time when I got my PhD. So I have gone through that process of, you know, giving classes or preparing a job talk to present one's research. It was very much like that. And the - it required that level of preparation, at least for me to feel that I was doing what I wanted to do, as far as, you know,

feel that I was doing what I wanted to do, as far as, you know showing the college off to best effect.

Q Did you get any feedback from that experience?

A I did, I did. I got some wonderful feedback from the alums, actually a couple of whom are trustees or at least one was trustee. And particularly the ones who are Francophone and Francophile were particularly taken with the discussions that we had of what's happening in the original French.

And so they sent me some emails saying how much they loved the class. And they did a little extra research on their own after the class on what's happening with the French and wrote to me. So it was a wonderful experience.

Q Were you asked to do it again if there was another round of alumni seminars?

A I was. The original plan was to have a second year of doing the Revisiting the Classics. That would have been in 2013 to 2014. And you've heard that I had this very passionate Latin phase. Margaret Vandenburg I think is aware of this, so she asked me if I would do the one on Ovid's Metamorphoses, which I planned to do through Freud, which is how I teach it when I'm teaching Reinventing Literary History.

And I had actually started to prepare for that over the summer by rereading The Metamorphoses from beginning to end. And then unfortunately they decided not to continue with the series. But I was kind of getting excited about having an opportunity to do this. And I appreciated rereading The Metamorphoses in any case. So --Do you attend department meetings or faculty meetings? Sometimes. Α HEARING OFFICER BERGER: And that's sometimes to department or faculty? Let's take those one by one. THE WITNESS: Okay. Actually the reason is the same, that in the last year particularly I have attended several of each and that's because of the curricular review. curricular review that you've heard about most definitely will change some of the conditions of my teaching. And as that was unfolding, I was very interested in seeing what would happen. So I did attend a few meetings in the English Department and a few of the faculty wide meetings related to that particular subject. BY MR. LEVY: What were the -- what was going on in the English

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- 21 22 Department?
- 23 The English Department meetings -- so there's a faculty 24 meeting that happens I believe every month and that has an 25 The curriculum review was one of the items on the agenda.

agenda for a few of the months over the last semester. And I was of course drawn to the curriculum review item.

In those, there were people who were on the curriculum review committee related to First-Year Foundations, who were coming to the English Department to report to us what the progress was, what things were looking like. So not the entire committee, but Pam Cobrin, whom you heard from earlier, was actually on that committee and she is a member of the English Department. So she became kind of the point person to come and, you know, share with the department what was happening with the developments or with that curriculum review.

- Q Do you know whether or not they were seeking input from the people in the department?
- A They were not, as far as I could tell. I mean people did make some comments. Now, I should preface or add that there were meetings that were called, preceding these that I'm referring to, at the departmental level, where people on the committee invited those of who teach First-Year English and those of us who teach First-Year Seminar to meet with them and share with them our experiences as faculty who teach in these programs. So there was some preliminary input.
- 22 Q Did you do that?

- 23 A I did. Absolutely. I participated fully.
- Q Did others do that to your knowledge?
- 25 A Yes. And we were also asked -- there was a website that

```
was set up or there was survey. In other words, we were -- in
1
 2
    addition to oral, you know, sharing in a conference room, we
    were invited to -- and I believe we were allowed to do that
 3
    anonymously or somehow it was set up that it was anonymous.
 4
 5
    went online and we filled out a survey that gave our, you know,
    feedback about teaching in First-Year English program or
 6
    teaching in First-Year Seminar.
 8
         Were you invited to participate in this?
    0
         Absolutely, yes.
10
         And were --
    0
11
         Encouraged too. Invited and encourage too.
    Α
12
         Were there others who participated who teach First-Year
13
    English?
14
         All of my colleagues that I have contact with, as far as I
15
    know we all participated.
                               This was --
         Did that include full timers, and lecturers and so on?
    0
```

- 16
- 17 Everyone was invited. I tend to have -- you know, maybe
- on that particular issue probably had more discussion with 18
- 19 other part timers, but everyone was invited. Everyone who
- teaches in those programs was invited and encouraged to share. 20
- 21 Do you talk to full timers as well as part timers --0
- I do. 22 Α
- 23 -- regarding your work and --0
- 24 Yes.
- -- the school and --25 Q

```
1 A Absolutely.
```

- 2 Q -- Barnard issues?
- 3 A Yes, absolutely.
- 4 MR. LEVY: That was really leading.
- MS. MUNOZ: We're not going to argue.
- 6 BY MR. LEVY:
- 7 Q I think you mentioned earlier that you have regular office
- 8 hours. Do you have an office?
- 9 A I do.
- 10 Q And where is the office?
- 11 A It's 415A Barnard Hall.
- 12 Q Do other faculty have offices on that floor of --
- 13 A Barnard Hall.
- 14 Q At Barnard Hall?
- 15 A Yeah, I think almost all of the faculty in English are on
- 16 that same floor. Most. You know, there's one sort of half
- 17 floor that's a little bit up and there are a few people who are
- 18 on the floor beneath.
- 19 A Does that --
- 20 Q Second floor, actually.
- 21 A Does that conglomerate of offices include both full time
- 22 and part timers?
- 23 A Yes.
- 24 | Q Do you share an office?
- 25 A I do.

- 1 Q Who do you share with?
- 2 A For the past dozen years if not a little bit more I've
- 3 shared it with Quandra Prettyman.
- 4 Q And is she a full time or a part timer?
- 5 A She was a full time senior associate, and then she retired
- 6 and now she is part time. But her title was also changed at
- 7 the same time that the rest of us had our title changed to
- 8 adjunct. She also -- she shared with me; had the adjunct
- 9 placed in front of her title also at the same time.
- 10 Q Alright. But during the years that you shared a office
- included time when she was a full time lecturer (sic)?
- 12 A Correct, yes. Not a full time lecturer. She was a full
- 13 time senior associate.
- 14 0 Senior associate?
- 15 A Yeah.
- 16 Q Sorry. Go back for a minute. Have you attended faculty
- 17 wide meetings at --
- 18 A Yes.
- 19 0 -- Barnard?
- 20 A Yeah.
- 21 Q Did you attend such a meeting at -- I can't read my own
- 22 handwriting, at one of the library venues?
- 23 A In one of the library venues?
- 24 Q Well, I can't read my notes. It's something -- forget it.
- 25 Alright. I'll come back to that. Did you attend a meeting at

```
Milbank?
 1
    Α
         Yes.
 3
         Was this a faculty wide meeting?
    0
         It was.
 4
    Α
         Do you remember roughly when this was?
         I actually know the exact date. It was December 11, 2014.
 6
    Α
         And was there any particular topic for that faculty
 8
    meeting?
9
         It was about the curricular review and it actually
10
    interestingly was not -- you know, at the beginning of semester
    there were a certain number of meetings that were slated for
11
12
    that subject. This one, I think, was added. It wasn't in that
13
    original slate. It was added later. So that was actually
    after classes were over, but still in the fall semester of
14
15
    2014. And I attended that on the top floor of Milbank.
16
         Did they take attendance?
17
    Α
         No.
         Did -- was -- is this a meeting that was open to full time
18
19
    and part time faculty --
20
    Α
         Yes.
         -- do you know? And --
21
    0
         The invite went out to all of us.
22
    Α
23
         -- do you know roughly how many people were present at
24
    that meeting?
25
         I would say about 35.
    Α
```

- 1 Q Did you attend another faculty meeting that was open to
- 2 the full faculty at Barnard?
- 3 A Yes.
- 4 Q Where was that?
- 5 A That was at the James Room, which is on the fourth floor
- 6 of Barnard Hall. It's actually right down the hall from my
- 7 office. That was in March. That was March 11th 2015.
- 8 Q And can you tell me roughly how many people, in your
- 9 estimation, attended that meeting?
- 10 A About 50.
- 11 Q Did they take attendance?
- 12 A They did not.
- Q Was there any distinction made, among those who were
- 14 present, whether they were full time or part time?
- 15 A Not that I -- in fact the final one that mentioned on
- 16 March 11th there was an alum who was there and who spoke. And
- there were several part time faculty members. Several of my
- 18 colleagues were there at that meeting with me.
- 19 O Do you know roughly how people are on the -- in the
- 20 English Department?
- 21 A Roughly, yes. I mean --
- 22 Q Roughly.
- 23 A Yeah. There's also a little thing with -- you know, that
- 24 there are certain people in the English Department who are
- 25 teaching in spring and then there may be other people in the

- 1 English Department who only teach in the fall and don't teach
- 2 in the spring. I know how many people are in the English
- 3 Department for the spring semester, based upon the website.
- 4 Q And how many?
- 5 A 54.

10

16

17

18

19

20

21

22

23

24

- Q Do you know whether there are more or fewer part timers than full timers in the English Department?
- 8 A There are more part timers than full timers.
 - HEARING OFFICER BERGER: How many more? Do you know the breakdown?
- 11 THE WITNESS: I counted. I believe that the breakdown is 12 the following. That there are 15 tenured or tenurable faculty 13 of which 14 are tenured. And only one, Rachel Eisendrath, 14 who's been mentioned earlier, is tenure track.
- 15 HEARING OFFICER BERGER: Uh-huh.
 - THE WITNESS: Then -- so we take that 15 away. We're then down to 39, if my math is correct. I think that I counted 30 who are part time adjuncts.
 - But then there are also the senior lecturers. Right? We have the senior lecturers who -- and we have one lecturer.
 - And then we also have -- I guess we would call those adjuncts also. We have people who have titles such as adjunct assistant professor. Those tend to be people who are let's say creative writers, who are coming in to teach a course in fiction writing or something like that.

```
HEARING OFFICER BERGER: And are you counting them in the
 2
    30 adjunct titles that you were --
                       That's a good question.
 3
         THE WITNESS:
         HEARING OFFICER BERGER: -- counting?
 4
         THE WITNESS: That's a good question. I'd have to look at
    the list again. I apologize for not having --
 6
         MR. LEVY: We could put that -- we have documents on all
 8
    of the breakdowns. If you want them, I'm sure we can stipulate
    to them. From the different departments.
10
         HEARING OFFICER BERGER: Okay.
11
         MR. LEVY:
                    There are actually some documents. I think
12
    they were either from the website or provided by Barnard that -
13
14
         THE WITNESS: I did the other day, you know, go about the
15
    task and I counted 30 adjuncts out of the 54 in the spring
16
    semester of 2015.
17
         HEARING OFFICER BERGER: And this was looking on the
18
    English --
19
         THE WITNESS: Exactly.
20
         HEARING OFFICER BERGER: -- Department webpage?
21
         THE WITNESS: As it was like a day or two ago, exactly.
22
         HEARING OFFICER BERGER: Okay.
23
                      CONTINUED DIRECT EXAMINATION
24
    BY MR. LEVY:
         By the way, going back to the issue about where your
25
```

offices are located, do you communicate regularly with other 1 faculty at that location? Yeah, absolutely. I mean we have a copy machine, which we 3 all have to use. We have this area. You know, there's the 4 English Department and then to the side there's a room where there's a computer, and we have a water cooler and there are --6 there's a couch and there -- there's a chair -- soft chair. 8 And then there's the room to the side, which is the copy 9 machine. 10 And so between this we're frequently going into use the 11 copy machine, going in to use the water fountain, get tea for -12 - you know, hot water for tea, going into the English 13 Department office to get mail or whatever. So in this sort 14 warren we constantly see one another. And we've heard 15 testimony that the English Department is a very collegial 16 department. That is true. 17 And when you say one another, can you tell us whether that 18 -- you're including in that one another both full and part time 19 20 Α Absolutely, yes. Without a doubt. We're all friendly 21 with one another. There's --22 What kind of topics do you talk about when you see each 23 other? 24 It can be everything. You know, sometimes it's personal

things. And of course it depends on how close a relationship

one has with the other person.

I do talk about teaching things with people that I see here and there, including full time people. Obviously, we all have certain people that we feel more sort of drawn to.

Certain people where we feel that their teaching philosophy is similar to one's own. These are the people that I tend to exchange with more about teaching questions or I tend to be drawn to people who, like me, are interested in using critical theory, or feel that it's a good thing to challenge students by asking them to read some philosophy or I tend to connect with people like this.

HEARING OFFICER BERGER: So those people you're describing with whom you connect particularly well, does that include people who are full time?

THE WITNESS: Absolutely. Is it inappropriate to name a couple of names?

HEARING OFFICER BERGER: No, go ahead.

18 THE WITNESS: Yeah.

HEARING OFFICER BERGER: That'd be helpful.

THE WITNESS: So Rachael Eisendrath, whom I mentioned before, is a tenure track professor. And also, you know, she's a Renaissance specialist and also medieval a little bit. I feel like she's able to sometimes offer me things that are very concrete, because of her area of specialty. Ross Hamilton is another person where I think we both appreciate the

```
desirability of using critical theory, and challenging students
1
 2
    with philosophical ideas and so forth. And he and I frequently
 3
         HEARING OFFICER BERGER: Do you --
 4
         THE WITNESS: -- talk.
         HEARING OFFICER BERGER: -- know what his title is?
 6
         THE WITNESS: He is a full professor. He recently -- he,
    I think recently, maybe in the last year, became full
    professor.
         MR. LEVY: What was the last number we had?
10
11
         MR. LEVINE: We're up to 9.
12
         THE WITNESS: Yes --
13
    BY MR. LEVY:
14
         Have you ever had a course, which you were assigned to
    teach, cancelled for lack of enrollment?
15
16
    Α
         No.
17
         How many years have you been at Barnard?
18
         15.
19
         MR. LEVY: I'd like to get these marked as --
         HEARING OFFICER BERGER: 9, Union 9.
20
         MR. LEVY: -- Union 9 through 20 --
21
22
         HEARING OFFICER BERGER: Are you -- would you like them
23
    identified as 9(a) through --
24
         MR. LEVY:
                    Sure.
25
         HEARING OFFICER BERGER: -- whatever or as --
```

```
1
         MR. LEVY: Yeah.
 2
         HEARING OFFICER BERGER: Okay.
 3
         THE WITNESS:
                       Thank you.
         MR. LEVY: We all set?
 4
 5
    BY MR. LEVY:
         You have a series of documents in front of you. And I
 6
    just lost my pen. Looking at the top one, is that marked 9(a)?
 8
         Yeah, it's -- yes, it is marked actually 9(a) dash 1, but
    maybe needs to be changed? Oh, I see. So it is U-9(a) is
9
10
    actually the number of it?
11
         Yeah, U is for Union and 9(a) is the number and letter of
12
    the document.
13
    Α
         Yes.
14
         Okay. Can you identify that document?
15
         Yes, this is my welcome back letter from provost Elizabeth
    Α
    Boylan from fall 2004.
16
17
                     (Petitioner's P-9(a) identified)
18
         So this letter says it's accompanied by an appointment
19
    letter or notice of appointment?
20
    Α
         Yes, it says "attached is a copy of your appointment for
    the period indicated".
21
22
    0
         And that -- this appointment came from?
23
         The provost.
    Α
24
         The provost --
25
         Liz Boylan.
    Α
```

```
1
    Q
         -- not from the HR department?
    Α
         It did not.
         Okay. And is this -- is Union -- if you turn the page, is
 3
    Union 9(b) an appointment letter?
 4
 5
         It's a faculty appointment of change of status form that
    came attached to the welcome back letter from Liz Boylan.
                     (Petitioner's P-9(b) identified)
 8
         Uh-huh.
    Α
         And is your title listed on that appointment form?
10
         It is. Actually, do you mind if I just make a correction?
11
    Because I see that this is actually for spring semester.
12
    it's not this precise -- (b) is not the precise paper that was
    attached to (a), but it's like it.
13
14
         Okay. Is (b) an appointment form --
15
         It is.
    Α
16
         -- that was sent to you?
    O
17
    Α
         Yes. It was in mailbox in the --
         And your --
18
    Q
19
         -- English Department.
    Α
         -- title is listed as what on this form?
20
21
         Lecturer. And it's signed actually by the chair of the
    Α
22
    English Department at the time, Maire Jaanus, and then
23
    initialed at the bottom by Elizabeth Boylan, the provost.
24
         And the next item among these is Union 9(c).
```

Α

Yes.

```
Would you identify that document?
 1
    Q
         This is a welcome back letter, which -- for spring
    semester 2008, which came from Gwen Williams from the office of
 3
    the provost. And it says also that attached is a copy of your
 4
    appointment for the period indicated.
                     (Petitioner's P-9(c) identified)
 6
         And if you look at Union 9(d), could you identify that
 7
 8
    document?
         So this is a faculty appointment form for a continuing --
    the continuing is checked -- for me and it's for spring
10
11
    semester 2008.
12
                     (Petitioner's P-9(d) identified)
13
         HEARING OFFICER BERGER: What does the continuing mean?
14
         THE WITNESS: As opposed to new appointment. You know, so
    the choices here are new appointment, continuing, grant or
15
    other and it -- continuing is checked off.
16
    BY MR. LEVY:
17
         By the way, it says that that form is required for all
18
    faculty appointments. Do you know if that includes full time
19
    as well as part time?
20
21
         I would presume, yeah.
    Α
22
         You don't know?
                          Okay.
23
         I've never seen a full time person's appointment, but --
    Α
24
         Okay. And what's your rank and title reported to be on
    this form?
25
```

```
Lecturer. I mean it might be worth noting that this one
1
   Α
   is signed by Margaret Vandenburg. That's her initial. As well
   as Gwen Williams from the provost's office.
3
```

- Now, the next item, which is also from 2008, is Union 9(e). And it appears to be another appointment form, but in this form there is a different rank and title. Do you know why 6 that is?
- 8 Well, the different rank and title is adjunct lecturer. It's for the fall of 2008 semester. This is the first time I ever saw adjunct associated with my title --10
- 11 (Petitioner's P-9(e) identified)
- Uh-huh. 12 0

- 13 -- is on this form.
- Did anything change at any time between 2002 and 2008, in 14
- 15 terms of what you were doing?
- 16 Α No.
- 17 The work you did, the courses you taught, the preparation you did, the service you did? 18
- 19 Α No.
- 20 HEARING OFFICER BERGER: What about the amount you were 21 paid?
- 22 THE WITNESS: Actually, at this time I was getting teeny 23 increases, but they were like 2%. So that was not a thing like 24 a change in sort of a base salary.
- HEARING OFFICER BERGER: Do you know how your pay is 25

determined? 1 THE WITNESS: No. I'm sorry. I do want to note that this particular form is signed by Laurie Postlewate, whom you heard 3 testify, during the time that she was the acting director of 4 First-Year Seminar, and that it's co-signed by Gwen Williams from the provost's office. I just want to note that this is on 6 a First-Year Seminar faculty appointment form, as opposed to 8 another faculty appointment form. BY MR. LEVY: Okay. And the next item is marked Union's 9(f). 10 11 Can I just retract for a minute or just make an amendment? 12 Sure, go ahead. Because you asked me about do I know how I'm paid. One 13 thing that I do know about how I'm paid is that when I went 14 15 from being an associate to being a lecturer I did get paid more 16 money. That's one thing that I do know. So I don't mean to 17 create the impression that it's complete chaos, but --18 HEARING OFFICER BERGER: Do you know if you're paid per 19 course for example? 20 THE WITNESS: Yes, I am paid per course. That I do know. 21 And there's an additional stipend when I've taught First-Year 22 Seminar. 23 HEARING OFFICER BERGER: And so --24 THE WITNESS: Stipend --HEARING OFFICER BERGER: -- do you have any idea how the 25

```
1
    amount per course is set?
 2
         THE WITNESS: No, I don't know. I don't know.
         HEARING OFFICER BERGER: Who tells you how much you're
 3
 4
    going to be paid?
 5
         THE WITNESS: We find out when we get these forms.
    Although I have to say that there was a period of almost two
 6
    years where we got no forms and I would just see from my
 7
 8
    paycheck that I was getting the same monthly amount that I had
    gotten the prior semester when I taught, without getting any
 9
10
    explanation.
    BY MR. LEVY:
11
12
         Union 9(f), would you identify that document?
13
         Yeah. So this is a welcome back letter also from the
14
    provost's office, from Gwen Williams in the provost's office.
15
    It's the first time that I'm addressed as part time faculty
    member rather than faculty member.
16
17
                         (Union's 9(f) identified)
18
         Uh-huh. Otherwise it appears to be the same kind of
19
    letter that --
         Yes, in fact --
20
    Α
21
         -- you previously received?
22
         -- if I can compare it to Union 9(c), it appears to be
23
    almost identical. There's an insertion of helpdesk@barnard.edu
24
    in the second paragraph. And in the first one there's a -- the
    provost's office identifies the document at the bottom, whereas
25
```

```
it does not in 9(f). But other than that it appears that the
 1
    text, you know, is exactly the same.
         Now, looking at the next document, which is 9(f) -- (g) --
 3
         9(g), yeah.
 4
    Α
 5
         -- 9(q), that appears to be the form that would have
    accompanied 9(f), both being in 2011. What's your title there?
 6
                        (Union's 9(g) identified)
 7
 8
         It is lecturer, but remember this is for First-Year
9
    English.
10
         Right.
    Q
11
         Notice that Margaret Vandenburg has signed at the bottom
12
    and Gwen Williams has signed from the provost's office. So for
13
    First-Year English I'm still being called lecturer in 2011 --
14
    spring 2011.
15
         And then if you go to --
         HEARING OFFICER BERGER: Hold on just one second.
16
17
    these appointment and payroll forms like 9(g), would you
    receive one for each class you were teaching?
18
19
         THE WITNESS: No.
20
         HEARING OFFICER BERGER: Okay. Are these just a First-
21
    Year English thing --
22
         THE WITNESS:
                       Wait.
23
         HEARING OFFICER BERGER: -- do you know?
24
         THE WITNESS: I think what happened is that there was a
25
    split at a certain point. That earlier ones I would get one
```

from the chair that would have my entire list of courses that I was teaching. And then at a certain point it looks as though things bifurcated so that I would get one that would be signed by Margaret Vandenburg for First-Year English and one signed by Herb Sloane. Maybe not Herb Sloane, because that goes too far back in history, but Laurie Postlewate, Lisa Gordis, who was the director of First-Year Seminar for a period of time. So it looks like it then split at a certain moment. And --

HEARING OFFICER BERGER: Sorry, I'm just not familiar with who those people are. So can you explain what is the split that you're identifying here?

THE WITNESS: So in a semester when I would be teaching both First-Year English and First-Year Seminar then at a certain moment in history I would get two separate faculty appointment forms --

HEARING OFFICER BERGER: Okay.

THE WITNESS: -- one from First-Year English and one from First-Year Seminar, whereas these earlier ones from the era when Maire Jaanus was the chair of the English Department, that goes back to like 2003, I would get one appointment form that would list both of the courses, even though one was through the English Department and one was through the First-Year Seminar program.

HEARING OFFICER BERGER: And then what about English classes you've taught that aren't part of the First-Year

```
curriculum, do you get one of these forms like Union 9(g)?
1
 2
         THE WITNESS: I would get a form like this, but I can tell
    you that at least for some times, and recently for example when
 3
    I taught Critical Writing in 2013 -- in the spring of 2013, I
 4
    got a separate form. The same form, but a separate form. And
    it was not signed not by Margaret Vandenburg or Lisa Gordis,
 6
    but rather by Peter Platt, who was the chair of the English
 8
    Department at that time.
         HEARING OFFICER BERGER: Okay.
         MR. LEVY: So I think we were looking at -- did we do
10
11
    9(g)? I think we did, right?
12
         HEARING OFFICER BERGER: Yes.
13
         MR. LEVY: So let's look at the next one, which is 9(h).
14
         THE WITNESS:
                       Yes.
15
                      CONTINUED DIRECT EXAMINATION
    BY MR. LEVY:
16
17
         That's dated 2013. Would you identify that document?
         Yeah, so this is the, you know, cover letter if you will
18
19
    from the provost's office welcoming me back as a part time
    faculty member for spring of 2013 and indicating that attached
20
    is a copy of your appointment for the period indicated.
21
                        (Union's 9(h) identified)
22
23
         And in that appointment form your title is listed as what?
24
    That would be exhibit 9 --
25
         9(i).
    Α
```

```
-- (i).
 1
    0
 2
         Yeah. I'm listed as lecturer for First-Year English and
    actually that's semester I taught two sections of First-Year
 3
    English. And then as I mentioned I also taught the Critical
 4
    Writing and I didn't -- you know, that's not here, but that was
    a separate form that was signed by Peter Platt.
6
                    (Petitioner's P-9(i) identified)
 7
 8
         So in this start date for January 2013 your title is?
    0
    Α
         Lecturer.
         Okay. And then the next document is --
10
11
         MR. LEVINE: J.
12
         MR. LEVY: Thank you. I have to go through the whole
13
    alphabet to get 9(j). What is this document?
14
         THE WITNESS: So this is a faculty appointment and payroll
    form for First-Year Seminar and I am addressed as adjunct. I
15
    am ranked as adjunct lecturer on that form, as I had been for a
16
17
    period of time. You'll notice that it's signed by Elizabeth
    Hutchinson, who was and still is the director of First-Year
18
19
    Seminar, and that it cosigned by Linda Bell slash with
    initials. So, you know, possibly a proxy has signed for her
20
21
    that's, you know, giving the initial there, but it's signed by
22
    Linda Bell, the provost at Barnard.
23
                    (Petitioner's P-9(j) identified)
24
    BY MR. LEVY:
         Uh-huh. And let's see, (k), 9(k) is the next --
25
    O
```

```
1
    Α
         Yeah.
         -- document.
         So this is the equivalent faculty appointment and payroll
 3
    form for spring -- sorry, this is for fall 2013, as the earlier
 4
    one was, but it's for First-Year English. And my rank/title is
    typed with the rest of the form is lecturer, but there is after
 6
    the word lecturer an open paren, adjunct lecturer, closed paren
 8
    handwritten in, in what appears to me to be the same pen that
    signed by Linda Bell at the bottom of the form.
10
                    (Petitioner's P-9(k) identified)
11
         Well --
    0
12
         HEARING OFFICER BERGER: Do you recognize the handwriting?
13
         THE WITNESS: I don't.
         HEARING OFFICER BERGER: Was that handwriting on there
14
15
    when you received that document?
16
         THE WITNESS: Absolutely, yes. Now, I recognize this
17
    handwriting. I recognize that as Margaret Vandenburg's
    initial.
18
19
         HEARING OFFICER BERGER: And you're pointing -- just so
20
    the record is clear, you're pointing to the line that says
    chair and --
21
22
         THE WITNESS: Chair slash P-I slash program director.
23
    she's signing as the program director. I do not recognize this
24
    hand, but I also don't know Linda Bell's handwriting or the
25
    people who work in the provost's office.
```

MR. DIGIOVANNI: Sorry, are we looking at 9(k)? 2 THE WITNESS: Yes. HEARING OFFICER BERGER: 3 MR. DIGIOVANNI: Okay. I just want to --MR. LEVY: And 9(1) appears to be a different --THE WITNESS: Yes. 6 BY MR. LEVY: 7 8 -- form of letter. So I mentioned earlier that there were a couple of 9 years where we got nothing or I got nothing and I hear from 10 11 others that they got nothing also. And then actually I found 12 out about this when my colleague Kate Levin contacted me over 13 spring break. She went into the office and found this in our 14 mailboxes. 15 It's dated March 9th 2015. It comes from human resources. 16 It's addressed to Georgette Fleischer First-Year English 17 program, as opposed to me being let's say in the English 18 Department. 19 It says that it's to confirm our offer and your acceptance of the position of adjunct lecturer in the First-Year English 20 21 program at Barnard College for spring 2015. Of course, I never 22 received an offer, I never did an acceptance, but this what's 23 being referred to here. It indicates that I'm going to be paid 24 on a monthly basis. It gives a course list and schedule and it states that my salary is \$10,648. And it's signed by Robin 25

```
Beltzer, who's the senior HR generalist in -- so this is
 1
 2
    someone in HR and copied on the letter is Margaret Vandenburg
    as the program director. This is the first time this has ever
 3
    happened.
 4
                    (Petitioner's P-9(1) identified)
 5
 6
    Q
         Okay. Thank you.
 7
         HEARING OFFICER BERGER: What are you referring to?
 8
    has ever happened?
         THE WITNESS: That anything came from the -- from HR,
    rather than the provost's office through the program and
10
11
    through the department.
12
         HEARING OFFICER BERGER: And is anything in 9(1), the
13
    letter from human resources, different from what you understood
14
    your assignment to be?
15
         THE WITNESS: The assignment is correct. These are the
16
    courses that I taught. Actually, I'm sort of curious now about
17
    something, but I don't know. This is maybe not the time to
    indulge my curiosity about it. No, I see that the fact that
18
19
    the position is contingent upon sufficient enrollment is in
    both the forms the same. That's alright. Do these go to you?
20
                    I would move the admission of those documents;
21
         MR. LEVY:
22
    Union's 9(a) through --
23
         HEARING OFFICER BERGER:
24
         MR. LEVY: -- 9(1).
         HEARING OFFICER BERGER: Any objection from the Employer?
25
```

```
MR. DIGIOVANNI: Well, 9(1), I'm sorry, ends with this
 1
 2
    March 9th 2015 letter?
         MR. LEVY: Yeah.
 3
         MR. DIGIOVANNI:
 4
                         Okay.
         MS. MUNOZ: No. No objection.
         HEARING OFFICER BERGER: Okay. Union's 9(a) through (1)
 6
    is received. Can we take about a two minute break?
7
 8
             (Union's 9(a) through (1) received in evidence)
         MR. LEVY: What a great idea.
10
         HEARING OFFICER BERGER: Okay, thank you. Let's go off
11
    the record.
                  (Whereupon, a brief recess was taken)
12
13
         HEARING OFFICER BERGER: Back on the record.
14
         Any cross examination from the college?
15
         MS. MUNOZ: A little bit.
         HEARING OFFICER BERGER: Okay. Please go ahead.
16
17
                            CROSS EXAMINATION
    BY MS. MUNOZ:
18
19
         I'd like to, if we could, begin with the courses you've
    taught. Start there. You testified that you've taught First-
20
21
    Year English and First-Year Seminar.
22
    Α
         Yes.
23
         And these are foundation courses?
    0
24
    A First-Year Foundation courses, indeed.
25
        First-Year Foundation. Okay. And these are the courses
    0
```

- 1 that you've taught the most in your time at Barnard?
- 2 A Yes, I would say so.
- 3 Q Okay. And they're required by the college curriculum,
- 4 correct?
- 5 A Yes.
- 6 Q Okay. So where they're required by the college
- 7 curriculum, would you agree that it's unlikely they would be
- 8 cancelled?
- 9 A Yes, I think that's probably so.
- 10 Q And similarly with Critical Writing, you've taught that.
- 11 Do you recall -- let's start with Critical Writing. You most
- 12 recently -- was 2013 the most recent time you taught that
- 13 course?
- 14 A It is, yes.
- 15 Q And when did you teach it the last time?
- 16 A Before? So 2013 spring, 2006 spring, 2002 fall and 2001
- 17 fall, I seem to recall from having looked at some of this
- 18 document recently or I looked at my CV recently.
- 19 Q Okay, alright. So 2013 --
- 20 A I think that's correct.
- 21 Q -- was the most recent?
- 22 A Yes.
- 23 Q Okay. And Critical Writing is required by all English
- 24 majors?
- 25 A Correct.

- Q So would you agree that it's unlikely that course would be cancelled?
- 3 A No, I would disagree with that.
- 4 Q Okay. And --
- 5 A Yeah.

12

13

14

15

16

17

- 6 Q -- why is that?
- A Because there are many sections offered each semester. So it is actually possible that there could be -- you know, it's possible that there could be lower enrollment and it could be cancelled. I think the college has become very concerned about enrollment classes.
 - My understanding of that is that that has become a concern recently. You know, personally I have heard of a full time person in the English Department -- I hope that I don't have to say who it is, because it might be embarrassing for her -- express some concern that her course would be cancelled. And what it would mean for her is that she would then have to take up an additional course the following spring.
- Q Okay. So it's the section that might be cancelled, not the course itself, just so I understand?
- 21 A In my case I think that it would be the section, but in 22 the case of the full time member that I'm recalling having had 23 this interchange with, it would have been her course would have 24 been cancelled at least for that semester.
- 25 Q Okay. And has it been cancelled?

```
No, she managed --
 1
    Α
         MR. LEVY: No --
         THE WITNESS: You know, it just managed. She kind of --
 3
 4
    yeah.
    BY MS. MUNOZ:
         Okay. And when you taught Critical Writing in 2013, that
 6
    was due to another professor having a medical emergency,
 8
    correct?
              Actually, you may have -- probably you haven't heard
           I think I might have mentioned him earlier, Bashir Abu
10
11
    Manneh was a tenure track professor in the English Department.
         Uh-huh.
12
13
         I mean this would be another person that I --
14
    retrospectively going back, somebody that I felt I connected
15
    with in terms of teaching philosophy. He did not get tenure at
16
    Barnard. That happened in approximately 2012.
17
         And so it was in fall of 2012, November, possibly even
    late October, that the chair of the department, Peter Platt at
18
19
    the time, asked if I would like to teach Critical Writing.
    I was -- the following spring. And I was delighted and said
20
    that I would love to teach the course. So that's how that
21
22
    happened.
23
         Okay. And so that was when the professor did not get
24
    tenure?
25
    Α
         That's right.
```

```
Oh, alright. Thank you. Let's see. Where do I --
 1
    0
 2
    sticking with First-Year English and First-Year Seminar, for
    First-Year English I believe you testified to this, there is a
 3
    shared syllabus across the three rubrics?
 4
 5
         Well, each -- so Reinventing Literary History is the
    umbrella --
 6
         Okay.
 8
         -- program. And then within that program there are
 9
    segments. One is Legacy of the Mediterranean, a second is
10
    Women and Culture and a third is The Americas. So within each
11
    segment we share a syllabus. Although there's also room, you
12
    know, for us to make it our own.
13
         And so is there -- when you say room to make it your own,
    there's template, correct?
14
15
         What has happened thus far is that the director of First-
    Α
    Year English has given us kind of her sample syllabus for the
16
17
    course and she makes it clear to us that it's not prescriptive.
    It's a suggested syllabus. We do teach the same texts.
18
19
         There is a little bit of flexibility, particularly in
    First-Year Seminar for example. When I've taught Women and
20
    Culture in First-Year Seminar, and I've talked before about how
21
22
    I love to bring in museum exhibits and I love to bring in
23
    theater, I am allowed to. If let's say the public theater is
24
    doing a production of The Good Person of Szechwan with The
    Foundry Theatre, and I think this would be a wonderful
25
```

```
performance for my students to see and that it fits beautifully
 1
 2
    under the rubric of Women and Culture, I am allowed to add
    Brecht's play in translation so that we can read it in advance,
 3
    and go to the theatre. And I'm allowed to build a writing
 4
 5
    assignment around that particular experience of reading the
    text and then comparing to the performance that we saw.
 6
         And I brought in -- actually for that particular one I
 8
    brought in Judith Butler. So, you know, that is also my
    choice. So yes, there's -- there is a syllabus, but there is
 9
    some flexibility, particularly with First-Year Seminar.
10
11
         And does the -- and the template or the template syllabus,
12
    it discussing material that does need to be covered in the
13
    course though, correct?
14
         That's correct.
    Α
15
    0
         Okay.
16
    Α
         Yes.
17
         And your testimony is then you have some flexibility?
    need to cover that, but then you have some flexibility?
18
19
         I may add something. That's right.
    Α
                And that template also sets forth by when some of
20
    0
         Okay.
    those texts and material need to be covered, correct?
21
22
    Α
         Yes, although there's some flexibility with that also.
```

25 A No. It -- the requirement is, for First-Year English as

Okay. And it sets forth specific assignments that must be

23

24

completed?

it stands now -- and that's being revised. So, you know, we're waiting for Wendy Shor-Haim to work with us on that. But as it has stood up until this point, we require that the students should write two critical essays and a research paper. And it's required that there be multiple drafts.

But what those assignments are, how we do the research paper -- and I've seen this from pedagogy meetings where we sit down with one another and we talk about -- there's actually quite a wide range. You know, you heard that I did this course -- that I do this course at Columbia with the head research librarian. I'm inclined to encourage the -- not just encourage, but the students are asked to do something that's fairly interdisciplinary. In other words, rather than really being a work of literary criticism, their research papers will be more like, let's, see if I would be interested in doing let's say a sociological reading of a certain text and I'll encourage them to use that kind of material for their secondary sources, rather than say looking at literary criticism.

And yet I'm thinking of another example, Eugene Vidrin, who used to teach in the First-Year English program. He's now moved to NYU. His assignments were very literary criticism oriented and Margaret was very sort of embracing about that we could -- you know, we had a great deal of latitude about how we did it, based upon our strengths and also based, to a certain extent, upon our, you know, teaching philosophies.

- Q Okay. So there are certain assignments, a certain number
- 2 of drafts that are required, but then within that framework you
- 3 also then have greater flexibility?
- 4 A That's right. And there are minimums. You know, in other
- 5 words, you know, people aren't required to do three drafts of
- 6 every essay. I think that the understanding is that we're
- 7 going to do at least two drafts of every essay.
- 8 But there's a great deal of flexibility about how we go
- 9 about -- I mean the objective is the same. We are seeking to
- 10 encourage our students to develop their critical thinking
- 11 skills in the fullest way possible. But we are all allowed to
- 12 be individuals in the way that we do that.
- 13 Q But you are expected to at least start and use the
- 14 template, correct?
- 15 A Yes.
- 16 Q Okay. And the multiple drafts for the students, those are
- 17 required under the template?
- 18 A We are required to do drafts. I mean obviously for a
- 19 First-Year English class, it wouldn't effective without that.
- 20 Q That makes sense.
- 21 A Yeah.
- 22 Q You mentioned the pedagogy meetings. You would agree that
- 23 excellence in teaching is very important at Barnard?
- 24 A Absolutely.
- 25 Q And so the pedagogy meetings they involved training

- 1 regarding teaching?
- 2 A Yes. Or -- yeah, yeah. I'm pausing at the word training.
- 3 0 Okay.
- 4 A We really have discussions. We share with one another.
- 5 I'm hesitating at the word training. I don't know if I want to
- 6 substitute anything for it, but I'm just sort of hesitating at
- 7 it.
- 8 Q But if not training, the discussion centers around
- 9 teaching?
- 10 A Absolutely.
- 11 Q Okay.
- HEARING OFFICER BERGER: Can you just clarify who attends
- 13 those meetings, please?
- 14 THE WITNESS: Yeah. So when it's First-Year English it's
- 15 always been Margaret. I was hired by Margaret, and she's been
- 16 the director and will be the director up until the end of
- 17 today. So she, as the director, would always attend those
- 18 meetings.
- And then she would invite all of us who are teaching
- 20 First-Year English at that time to attend. And then as I
- 21 mentioned earlier, sometimes we might have individual meetings
- 22 for just those people who are teaching the Women and Culture
- 23 rubric or just those who are teaching -- when it's a curricular
- 24 issue, she would invite all of us who are teaching First-Year
- 25 English to attend those pedagogy meetings.

And we're asked really to come to contribute as much as to take away. I guess that's why I'm hesitating at the word training. She's always been very respectful of us as teachers. You know, that's why she hired us, is that she respects that we're strong teachers and that we had something to bring to these discussions.

MS. MUNOZ: And in those meetings you cover what happens in the classroom?

THE WITNESS: We can cover all kinds of things. You know, she would frequently have certain things that she would like to talk about. She always, I think without exception, would open it up. Is there anything that anybody wants to talk about? Any issues that are arising?

People -- I'm thinking of one that we had recently where Liz Auran, who's one of our colleagues, offered this wonderful idea that the students would write a revision plan. A number of us -- you know, she did some reading on teaching pedagogy and offered that to us. I, as well as somebody else who testified here earlier, took that up, because we decided that this is something to try.

I think both of us have found that it's a very effective tool. You know, so the students, rather than just passively receiving our comments on what they're doing, then take that, kind of synthesize it and write a -- I have them write a paragraph what they want to do for the revision. So when they

- 1 come into the conference with me, they sit down and they start
- 2 setting the terms of how they're going to go about fortifying
- 3 what they've done. And I find that's very nice to give them an
- 4 active -- a really active platform, with respect to their
- 5 writing.
- 6 Q And when you say she you're talking about the -- well, as
- 7 of today, the current director Margaret?
- 8 A Yes.
- 9 Q Okay.
- 10 A Yeah.
- 11 Q And she's responsible for the development of the
- 12 curriculum, correct?
- 13 A She developed the curriculum. It's her creation,
- 14 absolutely.
- 15 Q And that would be the same for the new director?
- 16 A Indeed, yeah.
- 17 Q Talking about -- let's switch a little bit to, sticking
- 18 with your courses, Critical Writing again. You testified that
- 19 you developed your own syllabus, correct?
- 20 A I did.
- 21 Q Okay. And has your syllabus been selected for the intra-
- 22 department review?
- 23 A For an inter --
- 24 Q Intra-department review?
- 25 A Intra-department review. I don't -- not that I'm aware

```
of.
 1
    Q
         Okay.
         HEARING OFFICER BERGER: What is an intra-department
 3
 4
    review? Do you know what she's --
         THE WITNESS: Well --
         HEARING OFFICER BERGER: --referring to? I don't.
 6
                                                              I'd
    like the record to be clear what that is.
 7
 8
         THE WITNESS: Yeah, maybe I should. Could you clarify for
9
    us?
10
         MS. MUNOZ: I'm sorry. Do you want me to explain off the
11
    record rather than testify into -- just give you background?
12
         HEARING OFFICER BERGER: Is there any way you can --
13
         MS. MUNOZ: I thought she --
14
         HEARING OFFICER BERGER: -- ask the question --
         MS. MUNOZ: -- might have knowledge of it, but she didn't.
15
16
    So are you aware that the new director is putting in place an
17
    intra-department review?
         THE WITNESS: The new director?
18
19
    BY MS. MUNOZ:
20
    Q
         Correct.
        Of --
21
    Α
22
    Q
        Who's replacing --
23
         -- First-Year English?
    Α
24
         I'm sorry, chair of the English Department. My apologies.
25
         So Lisa Gordis, is that whom you're referring to? Yes,
    Α
```

```
Lisa Gordis?
 1
         Let me check. Yes.
 3
    Α
         Okay.
         Thank you, yeah.
 4
         So this is something -- when you said intra-department --
    inter-department review, I presumed that it was just sort of
 6
    the usual meaning of that word, meaning that people in the
 8
    department would look at a syllabus.
         HEARING OFFICER BERGER: Is this a practice you're
9
10
    familiar with?
11
         THE WITNESS:
                       I guess not.
12
         MS. MUNOZ: If you don't know --
13
         THE WITNESS: I mean --
14
         MS. MUNOZ: I assumed --
15
         THE WITNESS: -- people --
         MS. MUNOZ: We can -- if you don't know it's okay.
16
17
         THE WITNESS: -- did look at my syllabus, before I taught
    the course for the first time.
18
    BY MS. MUNOZ:
19
         Before the Critical Writing?
20
21
         I believe so, yeah, or maybe I solicited feedback from
22
    people.
23
         Do you know who reviewed it or recall who reviewed it?
24
         I mean I think it would have been the department chair at
    the time. And I think that that would have been -- it could
25
```

```
have been Maire Jannus. I'm not sure. I would have asked for
 1
    some feedback.
         Was that 2000?
 3
         2001 was the -- I think was the first time that I taught
 4
    Α
    it.
    Q
         Okay. And --
 6
         I don't -- in other words I don't know that it was
 8
    required that it be looked at, but I know that I talked to
    other people who had taught the course. I looked at the
    description that probably came from the committee on
10
11
    instruction about what the course is, what it aims to do, in
12
    terms of thinking about how I was going to structure the
13
    course. And I don't know for sure, but I somehow have this
    feeling that I must have asked for some feedback and asked
14
15
    colleagues or maybe it would have just been senior colleagues
16
    who had taught the course before that I would have asked them,
17
    you know, maybe to look at it and -- you know, because you work
18
    -- when you're working up something like this it's not, you
19
    know, just do it in one fell swoop. You sort of develop it,
    and work on it, and refine it and so forth.
20
21
         And in fact, you know, I've made some changes to the
22
             I continue to teach it, because in my typical fashion
```

course. I continue to teach it, because in my typical fashion
I was too ambitious about what I was doing with the students
and I just decided that, you know, Spencer was going to have to
be let go. It was just a little too much to hit the students

```
with that along with everything else. So --
1
         HEARING OFFICER BERGER: So is it fair to say that's
    feedback that you solicited?
 3
         THE WITNESS: Yes, that's correct. I don't recall that it
 4
 5
    was required. Although I did have to look at the description
    of the course obviously, in order -- I -- because I had to be
 6
    in compliance to fulfill what the objective of the course are.
 8
    I -- and I follow that and I take that very seriously.
    BY MS. MUNOZ:
         And you testified that you taught it in 2006 and 2013.
10
11
    Was it -- it was the chair's decision to assign you to a
    different course?
12
13
         Yeah. Well, to assign me to -- he asked me to teach the -
    - if I would like --
14
15
         In 2013, correct? But the decision to not assign you I
16
    think you said was 2006, again in 2007, that would have rested
17
    with the chair, correct?
18
         Well, the chair changed over that period of time.
19
         So whichever chair was in place.
         It wouldn't have been automatic that I would have just
20
    gotten it semester after semester. And I don't think it is
21
22
    really is for others either, in my impression.
23
         Others as in part timers or --
24
         Well, I don't think anyone. I don't see faculty -- full
    time faculty who teach Critical Writing semester after semester
25
```

- 1 or necessarily even year to year. It changes.
- Q Okay. So it's your testimony then that the assignments
- 3 are not automatic?
- 4 A For that course, yes.
- 5 Q Alright. Let's turn to -- talk about the Middle States
- 6 review. That's not something that happens every year, correct?
- 7 A Not every year.
- 8 Q Okay. And you (sic) evaluated on your execution of the
- 9 programs curricular goals, correct?
- 10 A Yes and also, you know, the conduct of the class. You
- 11 know, we had a discussion based class. So that was certainly
- 12 something that the reviewers were interested in looking at.
- 13 Q So also on your teaching?
- 14 A Yes.
- 15 Q Okay. And the curricular goals were set by Margaret, the
- 16 director, or --
- 17 A I believe much broader than that. You know, in other
- 18 words what the goals of First-Year English and First-Year
- 19 Seminar are is something of broad importance to the entire
- 20 college. So I don't know exactly what she went through with
- 21 the creation of that course and that rubric, but I find it
- 22 impossible to imagine that she wouldn't have brought it before
- 23 a college-wide tribunal of some sort for people to look at, and
- 24 respond to it and, you know, think about how it can best
- 25 achieve the goals of the course.

- 1 O So she created it?
- 2 A She did. It's absolutely her creation. No question.
- 3 Q And then she could have taken it, for example, to the COI?
- 4 A That would seem to make sense.
- 5 Q Okay. So you testified that during the summer you also
- 6 teach at Columbia?
- 7 A I do.
- 8 Q Okay. And are you paid by course at Columbia?
- 9 A Yes.
- 10 Q Okay. And how much are you paid at Columbia?
- 11 A I should go ahead and divulge that?
- HEARING OFFICER BERGER: Well, there's no objection. So -
- 13 -
- 14 THE WITNESS: Okay. \$7,500.
- 15 BY MS. MUNOZ:
- 16 Q And turning back to Barnard, you said you submitted your
- 17 CV?
- 18 A Yes.
- 19 Q Okay. And did you -- and you couldn't recall if you
- 20 submitted any publications?
- 21 A Yeah, I don't recall. I don't recall whether I did.
- 22 Q Do you recall whether or not you were asked to submit
- 23 publications?
- 24 A No, I don't recall.
- 25 Q Okay.

- 1 A But now that you're saying it, I'm kind of not sure that I
- 2 was.
- 3 Q Okay. And at that time you didn't interview with the
- 4 provost?
- 5 A No.
- 6 Q Or interview with the full department?
- 7 A No.
- 8 Q And you didn't meet with any students?
- 9 A No.
- 10 Q And you didn't have to give any sample presentations or
- 11 lectures at that time?
- 12 A No.
- 13 Q Talking about office space, you were discussing -- you
- 14 testified that you share office space with Quandra Prettyman --
- 15 A Yes. And actually Sonam Singh also.
- 16 Q And Sonham Singh, okay. So you -- are you all in there at
- 17 once or --
- 18 A No, Quandra and I are actually on the same day. We're on
- 19 Tuesdays, Thursdays and Sonham is there on Monday and
- 20 Wednesday.
- 21 Q Are you there -- are you and Quandra in there at the same
- 22 time or --
- 23 A We sometimes are. She usually teaches a little earlier in
- 24 the day and I tend to teach later in the afternoon. But we --
- 25 there's about a 15 minute, you know, gap there. So we see each

other.

1

And, you know, sometimes I do have to negotiate a little
bit, because in part of those times where I have eight hours of
meetings with students. So I do have to negotiate with my
office mates. They're always very gracious about it, but they
like to know in advance if I'm going to be needing the office
for a longer period of time. So we do see each other, yeah.

- 8 Q And you testified also that Quandra is retired, correct?
- 9 A Officially retired, yeah.
- 10 Q And she teaches if she wants to or she doesn't correct?
- 11 A She -- my recollection is -- and she's been office mate --
- 12 is that except for one semester she has taught every semester
- 13 since she retired, but one course.
- 14 0 But one course?
- 15 A One course. And there was one semester that she decided
- 16 not to teach.
- 17 Q Okay. And so one semester she decided not to teach,
- 18 otherwise she's taught one course?
- 19 A That's -- yes.
- 20 Q Okay. And if she -- she had to retire to do that,
- 21 correct?
- 22 A I don't know the answer to that question.
- 23 Q Okay. Do you know what she retired from, what position?
- 24 A My understanding is that she was senior lecturer. Pardon
- 25 me, senior associate. I apologize.

```
Thank you for the correction. So Quandra is now
 1
    0
         Okay.
    part time?
 3
         (No audible answer)
 4
         Alright.
    0
         HEARING OFFICER BERGER: You have to speak --
         THE WITNESS: Oh, sorry. Yes, she is. Pardon me.
 6
         MS. MUNOZ: And it's your testimony at Barnard that you're
 8
    paid monthly?
9
         THE WITNESS: Yes.
10
    BY MS. MUNOZ:
         And on a per course basis?
11
12
    Α
         Yes.
13
         Okay. And how many courses did you teach this past
14
    semester?
15
         Two.
    Α
         And if one of those courses had been cancelled would your
16
17
    pay have been reduced by one -- by the amount of that course?
         I don't know. I've never encountered such a circumstance.
18
19
    So I have no idea what would happen.
20
         Have there been semesters where you've taught only one
21
    course?
22
    Α
         No, never.
23
         Okay. And when you taught the semester that you taught
24
    three courses, were you paid more than when you teach --
25
    Α
         I was --
```

```
1
    0
         -- two courses?
         -- yes.
         Okay. And so your pay is directly related to teaching a
 3
    course for the college?
 4
    Α
         Yes.
         Okay. And the college doesn't provide you medical
 6
    insurance, correct?
 8
         That's correct.
    Α
         Or dental?
    Q
        Correct.
10
    Α
11
         Or a college funded life insurance policy?
12
         Correct.
    Α
13
         Alright. And do you have a retirement plan?
14
         I'm allowed to put into TIAA-CREF myself.
    Α
15
         Okay. So the college doesn't contribute?
    0
16
         It does not.
    Α
17
         MS. MUNOZ: Okay. Do you have -- I'm sorry to have to
    ask, but the -- our exhibit the faculty personnel form?
18
19
    think I gave my copy to the witness and never got it back.
20
         HEARING OFFICER BERGER: Are you referring to Employer 15?
         MS. MUNOZ:
21
                     19.
22
         HEARING OFFICER BERGER: Oh, that. Okay.
23
         MS. MUNOZ: Yes --
24
         HEARING OFFICER BERGER: Oh, I guess I have triplicates.
25
    You can --
```

```
MS. MUNOZ: Oh --
 1
 2
    BY MS. MUNOZ:
 3
         Alright. Let me show you Employer 19.
         I've looked it over.
 4
    Α
 5
         Okay, great. Thank you. Have you seen this document
    before?
 6
    Α
         No.
 8
         Okay. Well, that ends that. That's it, thank you.
    on that one. Just a couple more. So you had just mentioned
    again that there have been times where you've had conferences
10
11
    up to eight hours with students?
12
    Α
         Yes.
13
         And --
14
    Α
        In one week.
15
        In one week?
    Q
16
         I wouldn't usually do eight hours in one day. It'd be a
    little --
17
         I don't blame you.
18
19
         Yeah.
    Α
20
         So would you say it's -- I'm sorry, let me strike that.
    Did you meet with students -- in those meetings are they about
21
22
    the papers, drafts?
23
         Predominately, yes.
    Α
24
         Predominately? Okay. So --
25
    Α
         Yeah.
```

```
1 Q -- they're related to the course?
2 A Yes, absolutely.
```

- 3 Q Okay. And are they required for the course?
- 4 A Yes, yeah.
- 5 Q And you also testified that you do letters of
- 6 recommendation?
- 7 A I do.
- 8 Q Okay. Does anyone check the number you write per
- 9 semester?
- 10 A No.
- 11 Q Okay. Do you have the option not to write them?
- 12 A Yes.
- 13 Q Okay.
- HEARING OFFICER BERGER: Do you report to anyone that you've written letters of recommendation?
- 16 THE WITNESS: No. I mean I talk to my colleagues about
- 17 the fact -- you know, we talk about the fact that we are
- writing them. So through that I suppose there could be some
- awareness, but I'm not asked to specify how many letters of
- 20 recommendation I've written.
- 21 MS. MUNOZ: Okay. And you testified that you don't perform any major advising?
- 22 perform any major advising?
- THE WITNESS: I do not perform any major advising.
- 24 BY MS. MUNOZ:
- Q Okay. So you're not required to perform major advising?

- A No, I'm not. Although this is going to -- I don't know if
 I should bring this up, but I think that there was a point when
 I did actually have a major that I was advising. I know this
 sounds completely counter intuitive. There was a student I had
 in Critical Writing way back -- this was either in fall of 2001
 or fall of 2002 -- who -- I think that it might have happened
 because she felt so strongly about it that she might have
 gotten special permission.
 - I don't know that anything like this would happen today or that it could happen today, but there was a student from Critical Writing who felt very, very strongly that our interests, you know, were so sort of resonate with each other that she really wanted me to be her major advisor. I wasn't compensated in any way, but I sort of understood why she felt that way. And so since we got permission by some means, I was happy to do it.
- 17 Q Okay. And so do you know approximately when that was?
- 18 A Yeah, it would have been like 2002-2003.
- 19 O Okay. And you were not required to do that?
- 20 A I was not required.

9

10

11

12

13

14

15

- 21 Q Okay. Alright. And you met -- you testified that you've
- 22 been tenure track in the past?
- 23 A No, that was a misunderstanding. I have been -- I have
- 24 applied for tenure track positions. Particularly around the
- 25 time when I got my PhD, I was very actively out on the job

```
market and I was down to the last three candidates, you know,
1
    that are called to the campus visit for three position -- four
    positions and I was offered one position.
 3
         This would have been around 2001 at Central Michigan
 4
 5
    University. And I decided that I did not want to move to Mount
    Pleasant, Michigan. So I declined the job.
 6
         But, you know, there were 200 applications for the job and
 8
    I was offered it. And the other three, you know, I mean there
    were like 300 applications for each job and I did get down to
    one of three. So --
10
11
         Have you ever applied for any full time positions at
12
    Barnard?
13
         I have not. There hasn't been one open that would
    appropriate for me really --
14
15
    Q
         Okay.
16
         -- in the time that I've been here.
17
         Do you still have in front of you -- I don't he took them
    back -- the Union's exhibits 9(a) --
18
19
         I think this gentleman has them right at the ready.
    Actually this is 8. Oh, you -- we're just talking about U-9,
20
21
    yes?
22
    O
         Yeah. Well, yeah, the 9(a) through --
23
    Α
         Okay.
         The packet I guess through (1). I think through (1).
24
```

particular I believe I'd draw your attention to 9(d), 9(c),

- $1 \mid 9(f), 9(h)$ and 9(1). I believe these are the letters.
- 2 A Okay.
- 3 Q So these letters do not state that you're required to
- 4 perform any service, is that correct?
- 5 A Yes, ma'am.
- 6 Q Or that you're required to perform any scholarship?
- 7 A Correct.
- 8 Q But it does state your teaching responsibilities for the
- 9 upcoming semester or I guess it's -- I'm sorry, strike that.
- 10 The period indicated is the language used in them.
- 11 A Yeah, it says -- it refers to instrucural (sic) assign --
- 12 instructional assignments and other academic responsibilities.
- 13 Q And those are assigned by the department chair?
- 14 A The department chair or the director of the program. The
- 15 director of First-Year English really for First-Year English
- 16 classes.
- 17 Q Okay. And you're not required to -- or you're not
- 18 evaluated on your service and scholarship, is that correct?
- 19 A I'm not sure I could say that.
- 20 Q Who evaluates you?
- 21 A Well, I mean the director of First-Year English who
- 22 rehires me and I -- the chair of the department, who would
- 23 maybe ask me to teach Critical Writing again. I'm not sure
- 24 that my service isn't included in their impression of me and my
- 25 value to the college.

Q Do you --

- 2 A I couldn't say that.
- 3 Q -- report your service to them?
- 4 A I'm not asked to do so on a regular basis, but, you know,
- 5 the Middle States review and the, you know, reinventing --
- 6 sorry, Revisiting the Classics, that was known. You know, I
- 7 mean I think Margaret was actually a little bit proud of me
- 8 with the way that I performed in the Revisiting the Classics.
- 9 And she said oh, I'm going to talk to Dorothy Denburg about
- 10 this. You're getting emails from the trustees, and so forth
- 11 and so on. So, you know, no, I think some of the service that
- 12 I've done does get acknowledged in some way.
- 13 Q It gets acknowledged in some way. Is it part of formal
- 14 review process?
- 15 A Not a formal review.
- 16 Q Okay. And you testified to a scholarship -- strike that.
- 17 I'll ask the same question. And similarly, you don't have a
- 18 formal review where you discuss your scholarship --
- 19 A That's correct.
- 20 Q -- correct? Okay. And you testified that you're invited
- 21 to faculty meetings?
- 22 A Yes.
- 23 Q Okay. But you're not required to attend, correct?
- 24 A Yes. And I just want to make one revision. I think that
- 25 there might have been a brief period when we weren't invited to

- 1 faculty meetings, to the department meetings. There was a
- 2 little gap there at one point.
- 3 And some of us who are part time noticed that there was
- 4 this gap. But that goes back quite a ways. For several years
- 5 we have always received an invitation.
- 6 Q Okay. And there was a lot of testimony discussing Union
- 7 exhibit 9(a) through 9(1) about your changing titles, correct?
- 8 A Yes.
- 9 Q Okay. As those titles changed, you were still required to
- 10 teach, correct?
- 11 A Yes.
- 12 Q And you weren't required to serve on committees?
- 13 A No.
- 14 Q Or required to perform -- although you've testified that
- 15 you have, you weren't required to perform other service for the
- 16 college, correct?
- 17 A Not formally required, no.
- 18 Q Okay. And not formally required to perform scholarship?
- 19 This is as your titles changed.
- 20 A Right. No.
- Q Okay. And it didn't change that you were paid by course?
- 22 A No.
- Q Okay. Or that you had appointment semester to semester?
- 24 A No.
- 25 Q Okay. Or that your designation you were part time?

```
1
    Α
         Can I just stop for one second? There's --
    Q
         Sure.
         -- just one thing that I want to make a revision about --
 3
         Absolutely.
 4
    0
         -- that I just answered. You said doesn't change semester
    to semester. There was one year when rather than teaching
 6
    First-Year Seminar Woman and Culture in the fall, I taught it
 8
    in the spring. And so I was notified at the end of the prior
    academic year that I would be teaching that course in the
9
    spring of the following year. So that isn't quite semester to
10
11
    semester, because I've already been told that two semesters
12
    later I'm going to be teaching this particular course.
13
    that's a variation and I just wanted to mark that out.
14
         MS. MUNOZ: Alright. Can we just have one minute?
15
         HEARING OFFICER BERGER: Sure. Let's take --
16
         MS. MUNOZ: Or two?
17
         HEARING OFFICER BERGER: -- a couple minutes off the
18
    record.
19
                  (Whereupon, a brief recess was taken)
20
         HEARING OFFICER BERGER: Back on the record.
21
         Anything further --
         MS. MUNOZ:
22
                     No.
23
         HEARING OFFICER BERGER: -- from the Employer? Okay.
                                                                 Any
24
    redirect from the Petitioner?
25
         MR. LEVY:
                    No.
```

1	HEARING OFFICER BERGER: Okay. So let's go off the record
2	and take a lunch break.
3	(Whereupon, at 12:44 p.m. a luncheon recess was taken)

1 AFTERNOON SESSION 2 (2:37 P.M.)HEARING OFFICER BERGER: On the record. 3 So I do want to note for the record that the Employer 4 5 offered a stipulation to include in the petitioned for bargaining unit the classifications of lab associate and senior 6 7 scholar. And the Petitioner has accepted that stipulation. 8 there has been agreement that those two titles, lab associate and senior scholar, will be part of the petitioned for 9 bargaining unit. Let me just make sure that accurately 10 11 reflects both parties' positions. So the Petitioner --12 MR. LEVINE: Yes. 13 HEARING OFFICER BERGER: -- are you in agreement? 14 MR. LEVINE: We are in agreement. 15 HEARING OFFICER BERGER: Okay. And the college? 16 MS. MUNOZ: Yes, we are as well. 17 HEARING OFFICER BERGER: Okay. Excellent. So with that we will continue with the Petitioner's case. Mr. Levine, you 18 19 have additional witnesses? 20 MR. LEVINE: Yes. The Union calls Todd -- and I should 21 have checked with you again how you pronounce your last name. 22 I apologize. 23 THE WITNESS: Todd Rouhe. 24 MR. LEVINE: Rouhe, Todd Rouhe. 25 HEARING OFFICER BERGER: This will be your seat.

```
THE WITNESS: Do I approach this now?
 2
         MR. LEVINE: Yeah, you walk around, and she'll have you
 3
    affirm and then you can sit.
 4
         HEARING OFFICER BERGER: Raise your right hand, please.
 5
    Whereupon,
                           RICHARD TODD ROUHE
 6
 7
    Having been first duly sworn, was called as a witness and
 8
    testified herein as follows:
         HEARING OFFICER BERGER: Have a seat. If you could just
    give the reporter your name and spell it, please?
10
11
         THE WITNESS: Richard Todd Rouhe. That's Todd with two
    D's and Rouhe is R-O-U-H-E.
12
13
                           DIRECT EXAMINATION
14
    BY MR. LEVINE:
15
         And Professor Rouhe, you normally go by Todd as your first
16
    name, is that correct?
17
         Normally, yes.
    Α
         I'd like you to start out by going through your
18
19
    educational background. Where did you get your B.A.? Or I'm
    sorry, you didn't get a B.A. Where did you get your
20
21
    undergraduate degree?
         My Bachelor of Architecture?
22
    Α
23
         Yes.
    0
24
               Southern California Institute of Architecture.
25
         And what is a Bachelors of Architect (sic) degree? How is
    Q
```

- 1 it similar or different than another --
- 2 A It's a five year degree. So it's referred to as a
- 3 professional degree. It allows you to practice architecture
- 4 prior to going to graduate school.
- 5 Q And what degree did you get after that?
- 6 A I got a masters of architecture. The specific degree
- 7 would be called Masters of Science in Advanced Architectural
- 8 Design.
- 9 Q And where did you get that degree?
- 10 A The Graduate School at Columbia University.
- 11 0 And --
- 12 A The Graduate School of Architecture.
- 13 Q -- if you know, is that normally considered a terminal
- 14 degree for architectural design?
- 15 A For architectural design that would be a terminal degree.
- 16 Q And shortly after completing your degree at Columbia, did
- 17 Columbia nominate you for any awards?
- 18 A I was nominated to apply for the Skidmore, Owings &
- 19 Merrill Travelling Fellowship, which --
- 20 0 And what is that?
- 21 A It's a research fellowship where a course of travel is
- 22 proposed to SOM and then documents, and the report and work is
- 23 done that is then submitted at the end of the fellowship. Part
- 24 of their records.
- 25 Q And did you in fact apply for that?

- 1 A Yes.
- 2 Q And what was the outcome?
- 3 A I received the fellowship and I did the research.
- 4 Q And when did you receive your degree from Columbia?
- 5 A 1996.
- 6 Q And when did you first begin teaching at Barnard?
- 7 A 2001.
- 8 Q What is your title at Barnard?
- 9 A Assistant adjunct professor of architecture.
- 10 Q Is there anything addition in your title? Are you an
- 11 adjunct assistant professor?
- 12 A Oh, adjunct assistant professor. I'm an adjunct.
- 13 Q And how many courses do you teach per year?
- 14 A Three.
- 15 Q Tell us how you were -- how it came about that you were
- 16 first hired to teach at Barnard.
- 17 A I was invited to apply for the position to teach Design
- 18 Studio by the chair of the -- or the head of the department at
- 19 that time Karen Fairbanks.
- 20 Q And how did you know her?
- 21 A I had worked with her in her office and I knew her partner
- 22 | Scott Marble from -- well, actually from professionally working
- 23 in her office.
- Q And what was the process? After you were invited I assume
- 25 you went ahead and applied. And tell us about the process from

your putting in an application through your being hired. 1 I might have met with Karen and another professor before and had the assignment described to me. And produced -- you 3 know, worked with the syllabus that was -- that had sort of --4 that was used for that particular course and then developed that, implemented it as part of my first Design Studio. 6 MR. DIGIOVANNI: Can I just interrupt one second? Did he 8 say that he had submitted an application or did -- I just wanted to clear that up --10 MR. LEVINE: 11 Did -- okay, let's clear -- did you submit an application? 12 I don't recall. So you did what? You said you were interested in 13 applying? How did you communicate? 14 15 I said I was interested, yes. Α 16 And did you submit -- I'm not clear if this was answered or not, but what materials if any did you submit? 17 I don't recall. 18 19 You didn't submit a portfolio, or a CV or anything? I don't recall. 20 Α 21 Okay. And you said you met with people. Was that an 22 interview? Would you describe it as an interview or not? 23 I would have met with faculty in the department to 24 understand what the Design Studio was about and to understand

what the -- what was required of a design instructor and

- 1 professor.
- 2 Q And how did you find out that you were offered a position?
- 3 A I suppose Karen Fairbanks informed me that a position was
- 4 available and I was offered a position for the next teaching
- 5 semester.
- 6 Q Are you hired semester by semester?
- 7 A Yes.
- 8 Q And what's the process by which you're reappointed?
- 9 A An appointment letter that would -- but also I think at
- 10 the end of any given semester we -- the chair would ask myself
- 11 and maybe other faculty what the interests were, and what our
- 12 availability was and we would confirm that we were available
- for the next semester. And then we would be assigned to the
- 14 course.
- 15 Q Since 2001, are there any semesters when you have not
- 16 taught at Barnard?
- 17 A No.
- 18 Q And during that time have you ever had a course cancelled
- 19 as a result of low enrollment?
- 20 A No.
- 21 Q Are you also a paid advisor at times?
- 22 A I have been on some occasions.
- 23 0 And how often has that occurred?
- 24 A Not often. It might have occurred twice in the time that
- 25 I've been there.

- 1 Q And are there particular circumstances that have resulted
- 2 in your being asked to be an advisor?
- 3 A Advisors are generally full time faculty members, but if
- 4 there's a leave of absence, and there's not enough faculty to
- 5 cover all of the students from the different majors and schools
- 6 then somebody might need to step in, and take over a certain
- 7 portion of the majors and give them advising.
- 8 Q And have you been given additional compensation for
- 9 serving in that role?
- 10 A Uh-huh.
- 11 0 Yes and no --
- 12 A Yes, I'm sorry, yes. Sorry, yes, yes.
- 13 Q -- would be useful for the court reporter. And was that
- 14 major advising or First and Second-Year advising?
- 15 A Advising to majors.
- 16 Q Okay. I'd like you to tell us what courses you teach or
- 17 have taught at Barnard.
- 18 A Four courses. The first course is a Design Studio. It's
- 19 part of the core Design Studios for the majors. It goes by the
- 20 name abstraction -- representation -- sorry, Architectural
- 21 Representation: Abstraction.
- 22 Q Okay. And what else?
- 23 A I've been involved with the course Perceptions of
- 24 Architecture. For several years I was a coordinator and gave
- 25 many of the lectures for Perceptions of Architecture, which is

- 1 a lecture and seminar course, which is required for the major.
- 2 Q And the third?
- 3 A Introduction to Architecture and -- Architectural Design
- 4 and Visual Culture, which is also a studio course. It's for
- 5 non-majors.
- 6 Q And what's the fourth course?
- 7 A So very recently a special topic course, Architecture and
- 8 Capital, which is an elective for -- it's actually for majors
- 9 and non-majors. Sort of, again, as the title suggests, special
- 10 topics in architecture, sort of advanced topic sin
- 11 architecture.
- 12 Q And what level of students take that course?
- 13 A Sophomores through seniors.
- 14 Q And did you develop that course?
- 15 A Yes.
- 16 Q Sorry?
- 17 A Yes.
- 18 Q Okay. I'm going to circle back to that, but let's take
- 19 the courses in order. So the first course you mentioned was a
- 20 Design Studio course that you -- did you say -- I'm sorry if
- 21 you did. Did you say what role it plays, if any, in the major?
- 22 A It's one of the required Design Studios for the major.
- 23 Q Okay. Is that a course you developed?
- 24 A No.
- 25 Q So tell us to what extent, in teaching that course, do you

1 contribute your own content? 2 It's -- so it's a core Design Studio. There are certain principles the students, you know, need to be exposed to. I 3 think myself and other faculty members developed the syllabus 4 to teach that in their -- you know, each studio instructor 5 develops the syllabus to relate that information through 6 projects that they develop on their own or develop over time, 8 maybe based on a sort of core idea about what the design project should be. The content that -- do you use a preexisting syllabus or 10 11 you adapt the syllabus? 12 Well, I've been teaching the course for several years. adapting my own syllabus. But I think, to be fair about it, if 13 a -- and, you know, in the department if a new faculty member 14 comes in to teach the studio they would have access and should 15 16 have access to all the syllabi, so they can understand what 17 should be taught in the department. But I think every faculty member, to a certain extent, makes that his or her own. 18 19 Is there a process that you need to go through to get your 20 syllabi approved? 21 Syllabi are requested and reviewed by the department every 22 semester. 23 And that's true for all of the four courses that you teach or have taught? 24

25

Α

Yes.

- 1 Q If you know, when you say by the department who do you
- 2 submit them to?
- 3 A You know, obviously it's done via email now. So it goes
- 4 to the department assistant and I'm assuming it's received by
- 5 Karen Fairbanks and possibly Kadambari Baxi.
- 6 Q And what are their positions?
- 7 A The chair of the department and a professor of
- 8 professional practice who's been part of the department for
- 9 several years. She's a full time faculty.
- 10 Q Do you know whether they in turn submit it to any
- 11 committees --
- 12 A I don't.
- 13 Q -- or to the provost's office?
- 14 A I don't know.
- 15 Q So going on with the first studio course, what do you do
- 16 each semester to prepare to teach that course?
- 17 A The studio course, it's something that I think -- I would
- 18 say that there's not -- there has not been any semester where
- 19 the syllabus hasn't been updated since I've been teaching that
- 20 course. Some semesters or some years there are more intense
- 21 changes and amount of work that goes on in the syllabus between
- 22 semesters, but there's always some work that goes into thinking
- about the projects relative to semester and the scheduling.
- 24 And then, you know, because we're allowed to do this, and I
- 25 think it make sense for the students, as these courses evolve

that we sort of -- we make -- we adapt them, so that they serve 1 what we think are the sort of needs of the pedagogy year by 3 year. And tell us briefly what the process you go through, in 4 5 order to make those adaptations, is and how much time it takes you to do that. 6 Well, it takes -- I would -- I don't know hours, but I 8 think it takes -- you know, in the course of a week, in terms of reviewing it and tweaking it, I'd say it takes, you know, 9 five days, not full time, to sort of make those changes. Part 10 11 of it is based on looking at notes from previous semesters. 12 there's going to be a big change, in terms of thinking about a new project that the students should work on, because last 13 year's project doesn't seem relevant or needs to be updated, 14 then that takes a little bit more time. But you can say it 15 16 could take anywhere from 10 to 25 hours. 17 And would that have been the same the first time you 18 taught the course? No, it took longer the first time I taught the course. 19 20 To what extent do you determine the grading standards for that course? 21 22 So for the Design Studio I think there's a department-wide 23 understanding of what constitutes the work that would merit any

grade -- any sort of particular grade. So between C, B, A, A-,

24

25

A+.

- 1 Q And where -- if you can tell us, if you know, where did
- 2 that understanding come from?
- 3 A That comes from faculty meetings.
- 4 Q And are --
- 5 A Departmental meetings, sorry.
- 6 Q And do you have an understanding as to which types of
- 7 faculty those grading standards applying to?
- 8 A All the faculty who are teaching Design Studios.
- 9 Q And that applies for all of the Design Studios, including
- 10 the other one that you teach?
- 11 A Yes.
- 12 Q And thinking about this particular Design Studio, what
- 13 level of students take that course?
- 14 A It can be anywhere from -- sophomores and juniors,
- 15 generally.
- 16 Q And you said it's a requirement of the major?
- 17 A It is.
- 18 Q And if you know, what other faculty members, in terms of
- 19 ranks of faculty members, have also taught this course?
- 20 A To be very, you know, straightforward about it, I think
- 21 all ranks of faculty have taught this course.
- 22 Q Are there tenured or tenure track faculty in you
- 23 department?
- 24 A Not that I -- I don't believe so currently.
- 25 Q So when you say all ranks, you mean ranks that exist

within the department?

- 2 A All ranks that exist within the department now, yes, I
- 3 believe have taught this course, or would teach this course or
- 4 have taught it at one point or another.
- 5 Q Okay. And how -- so you develop the projects. Are
- 6 students graded on the basis of their projects?
- 7 A Of the work that they do to fulfill the requirements for
- 8 an architectural project. I mean the way an architectural
- 9 studio works is that there's a sort of problem given, a complex
- 10 problem that's not -- you know, it's a subjective type of
- 11 operation. So it's not a yes or a no. There's not a right or
- 12 wrong answer.
- There's a more sort of artistic process. And there are
- 14 requirements that students need to meet; a certain number of
- 15 drawings, types of models. And the extent to which they engage
- 16 in that process and then also produce work, which, you know,
- 17 shows a certain level of skill constitutes their grade.
- 18 Q And let's move to the next course, which is the course you
- 19 said you previously served as coordinator and someone who gave
- 20 many of the lectures for. What course is that again?
- 21 A Perceptions of Architecture.
- 22 Q And how often have you taught that course in the past?
- 23 A Starting in 2002 and I taught it for many years. I took a
- 24 semester -- a year break and I started teaching it again.
- 25 Q And when is the last time you taught that course?

- A I was involved in the course in the spring of 2015, but
 not in the capacity of the main lecturer. The last time I was
 a lecturer was two -- spring of 2014.
- 4 Q And what role, if any, does that course play in the major 5 program for architecture students?
 - A It's required for all of the students in the department and it's the only history theory course that our department offers that would be required by the major to take.

- 9 Q And when you served as coordinator and main lecturer what
 10 did that entail specifically and what did you have to do by way
 11 of preparation?
 - A Well, I mean coordinating would be similar to, you know, preparing a syllabus or a Design Studio for the other classes in the main tree. Making sure that the -- well, actually it's more than that. You determine the schedule and the content of the class.
 - You'd also determine the readings. Typically there's two readings per week. So that, you know, throughout the course of the semester there could be anywhere between, you know, 25 to 30 readings.
 - So, you know, you're sort of determining which texts should be included, reviewing those. Probably more texts than you actually include. Getting those into -- it used to be a reader, but now of course we can use course work to organize the reading syllabus for the class. And coordinating any guest

lecturers and field trips that would happen throughout the semester. So that would be the sort of overall coordination.

The teaching of the class again would be -- this is the only lecture class that I've taught, but I assume that other -- I guess the only one that I've coordinated. I've taught other ones. But I would assume that it's fairly similar for anybody preparing a lecture where the -- you need to determine the content for that particular lecture, but also the content for the whole semester. And there's obviously research and -- image research, but also reading, and texts and history notes that you need to put together to present a coherent lecture and one that gives the students something which works from, you know, one week to the other.

- Q And what types of students take that course?
- 15 A It's designed for students taking the architecture -- in 16 the architecture major, as I mentioned, but there are also 17 students from the engineering school. And we -- it's a class 18 that can accommodate other students who are interested -- in 19 the university interested in taking the course.
- 20 Q Are students -- do they receive a grade in that course?
- 21 A Yes.

1

2

3

4

5

6

8

9

10

11

12

13

- 22 Q And how is the grade determined?
- A Well, there are three papers that are required for the course, there are discussion presentations, a field trip and participation -- ongoing participation in discussions. So all

- 1 those things are sort of again, managed and -- throughout the
- 2 course of the semester. And the grade is sort of an
- 3 accumulation of all the different requirements. And actually
- 4 they're -- you know, from the students' point of view I think
- 5 there are quite a few that sort of end up determining the final
- 6 grade.
- 7 Q When you were the coordinator for that course, were you
- 8 the person who came up with those assignments?
- 9 A Yes.
- 10 Q And you graded those assignments?
- 11 A No, the course also has -- it has a lecture set component
- 12 and a discussion component. And there are two other faculty
- members who are assigned to lead the discussions, along with
- 14 the main lecturer. So that would be three faculty involved in
- 15 the class. And the -- so each faculty would grade a third --
- 16 be responsible for grading a third of the students' papers, but
- then all those grades are brought together by the person
- 18 coordinating the class.
- 19 Q So you would have graded a third of the papers?
- 20 A That's right.
- 21 Q How many students typically enroll in that class?
- 22 A Between 40 and 60.
- 23 Q That's a large group. Do full time faculty members serve
- 24 as coordinator as well as adjuncts?
- 25 A They have in the past, yes.

```
And how about leaders of the additional sections, is that
 1
    0
    just adjuncts or have full time people served in that capacity?
         To my knowledge what I -- in the last -- the time that
 3
    I've been teaching it, it has been adjunct faculty, but I don't
 4
    know sometime in the past, before I started teaching the course
    whether full time members --
 6
         Then you mentioned another studio course.
 8
         Yes.
    Α
 9
         Tell us a little bit about that course and what you need
    to do as teacher -- as a faculty
10
11
    Α
         It's similar to the --
         -- member to prepare for it.
12
         -- previous course I spoke of. Developing the projects,
13
    preparing a syllabus, managing the content throughout the
14
15
    semester. This is a non-majors class, so it's meant to
16
    introduce students who are not going to be in the major to some
17
    of the design principles in architecture and, you know, sort of
    create projects -- design projects, which give them experience
18
19
    both as a sort of way to introduce them but also in fact if
    they wanted to continue in architecture. It's a three credit
20
21
    course, I believe. Anyway, it's meant -- I think -- it's not
22
    as intensive, shall we say, as the one for the majors, but it's
23
    still quite a bit of work for the students.
         And I'm sorry if I've asked this already, but has that
24
```

course also been taught by full time faculty members?

A I don't know.

- Q In the last course you mentioned, a special topics course
- 3 -- an advanced special topics course, did you say that?
- 4 A I mean there -- I mean I guess you could say -- it's not
- 5 called that. I think the topics are advanced. It's an
- 6 elective. It's not part of the course.
- 7 Q And who developed that course?
- 8 A The -- so the content and title of my course was developed
- 9 by myself. Yeah, by me.
- 10 Q How did that come about that you developed that course?
- 11 A Well, the special topics courses are typically -- I think
- would reflect the interest or sort of specialty of the
- instructor teaching that course. So it could be the case that
- 14 if a special topics course was offered to an instructor for a
- 15 semester that they would make a proposal for the topic, and the
- 16 content and the organization of the course.
- 17 Q So was it your idea to develop the course and pitch it?
- 18 | Were you asked to do it?
- 19 A I was asked to do it.
- 20 Q And who asked you?
- 21 A Karen Fairbanks.
- 22 0 Who is the chair?
- 23 A Yes, the chair of the department.
- 24 Q And what did she ask you specifically?
- 25 A If I'd be interested in teaching a special topics course

and --1 And so tell me --3 -- I said yes. -- about the process from when she asked you to when the 4 5 course was approved of how -- what you had to do to prepare the course and what the process was of getting approval. 6 So I accepted the offer to prepare a special topics 8 There's -- there was a bit of sort of research and sort of thinking about what the course should be. And was, you know -- I don't know. You know, I'd say several -- it's hard 10 11 to put hours on it. 12 You spend time doing these things over the course of days 13 and weeks, but, you know, developing ideas, making notes. And 14 then I offered some of those ideas back to Karen to -- for feedback. And in the course of that the sort of title and 15 16 topic of the course was determined, and the syllabus was 17 prepared and submitted. And towards the, you know, sort of -- some -- you know, 18 19 several weeks before the course was to be taught. And I -- it was approved. I mean I didn't -- there was some feedback. 20 21 was in the course of emails and, you know, how can we make this 22 happen? How does it work? But it was eventually approved and 23 I taught the course. 24 And how often have you taught that course?

25

Α

I've taught it once.

```
Are you scheduled to teach it again?
 1
    0
 2
    Α
         Not at the moment.
         HEARING OFFICER BERGER: Who approved that syllabus?
 3
         THE WITNESS:
                       I don't know directly, but I'm assuming --
 4
         HEARING OFFICER BERGER: Who did you send it to?
         THE WITNESS: I sent it -- I mean I would assume I sent it
 6
    to Karen Fairbanks.
 7
 8
    BY MR. LEVINE:
         Okay. I think --
10
         I mean meaning that if I send it to Rachel Garcia
11
    Grossman, who is the assistant of the department, you assume
12
    that those emails are going to Karen Fairbanks. If I looked on
13
    my email it might actually be that I copied both Karen and
14
    Rachel to make sure there were copies, but that would be
    something, if want to know specifically, I'd have to go back.
15
16
    But for all practical purposes I think it went to the chair.
17
         And at some point you were told the syllabus is okay, you
18
    can go ahead or --
19
    Α
         Yes.
         And you don't know -- I think I asked you this before, but
20
21
    you don't know what processes if any went on between submitting
22
    it and being told it was okay?
23
         I don't know.
    Α
24
         HEARING OFFICER BERGER: So is the topics course something
25
    that's always offered and the topic just changes?
```

THE WITNESS: So special topics is a type of course.

HEARING OFFICER BERGER: Okay.

THE WITNESS: And it's different than a seminar and different than a studio. It might have a different format, depending on who's teaching it. But there would be some component of sort of -- you know, like I said sort of specific architectural inquiry that the professor would determine, again, on their own, maybe in conversation with other faculty or the chair.

And then that -- the organization of the course would sort of be determined by what that was. If it's a -- it might be a fabrication course and then it might be quite different than if it was a course, in my case, on architecture and capital or it was more about specific building typologies and the way that the politics worked around them. So the research there and the topics in the course would be different.

HEARING OFFICER BERGER: And so in your experience has that been offered every semester or is it a once a year thing?

THE WITNESS: Special topics are offered throughout the year.

HEARING OFFICER BERGER: Okay.

THE WITNESS: And yeah, that's --

HEARING OFFICER BERGER: Can you just give me a little background info on the Architecture Department? How many faculty are in the department?

```
MR. LEVINE: If I may, I have an exhibit? I've marked it
 1
 2
    already --
         HEARING OFFICER BERGER: Oh, excellent.
 3
         MR. LEVINE: -- as a later -- but we do have a faculty
 4
    list from the website.
 6
         HEARING OFFICER BERGER: Okay, okay.
 7
         MR. LEVINE: So I can --
 8
         HEARING OFFICER BERGER: Well, that will speak for itself.
    Yeah, you don't need to estimate numbers for me then.
10
    great. Okay.
11
         THE WITNESS: I would -- if you would I'd ask for a pen
12
    and paper --
13
         HEARING OFFICER BERGER: Yeah, that's fine. Yeah, sure.
14
    That's -- that'll be better. So sorry.
15
         MR. LEVINE: No, I mean the only issue -- I mean I could
16
    even put into evidence now, if you want. I have marked
17
    exhibits. So it would be out of order, because I have two
    exhibits I was planning --
18
19
         HEARING OFFICER BERGER: Oh, okay. No, not needed. Go --
20
    continue.
                      CONTINUED DIRECT EXAMINATION
21
    BY MR. LEVINE:
22
23
         Are you required to hold office hours?
24
         Requested. I wouldn't say required. Well, I mean we're
    asked to submit our office hours. The term required, I'm sorry
25
```

```
1
    just --
         You're asked to submit your office hours --
         We're asked --
 3
    Α
         -- and you do?
 4
    O
         -- to hold office hours and we do.
 6
    Q
         Okay.
         I don't -- the required, the term is very hard --
 8
         And what kind of office do you have where you hold office
    hours if any?
10
         It's a shared office with other adjunct faculty.
11
         And how close is that office to the office of full time
12
    faculty members?
13
         It's adjacent. We're all in the same suite of offices.
14
         And when you're on campus in the department how much
15
    interaction is there typically between you, and the other
16
    adjuncts and the full time faculty?
17
    Α
         Quite a bit. It's a natural type of environment where you
18
    can talk to anybody anytime.
19
         And what kinds of things do you talk about?
         Things related directly to courses, but things that aren't
20
21
    related directly to courses; interests, articles, things that -
22
    - events that might have happened that are outside of the
23
    school, architectural events or things of that nature.
24
         In addition to your office hours, which you're asked to
```

submit, are you required to perform any additional service?

- 1 A The only additional service I can think of is that we're
- 2 requested to come to departmental meetings on -- you know,
- 3 those meetings happen once a semester typically.
- 4 Q Do you in fact perform any additional service beyond
- 5 office hours and attendance of departmental meetings?
- 6 A I mean only if it would be, you know, preparing for a
- 7 class and for a studio.
- 8 Q Have you attended any meetings other than regular
- 9 department meetings?
- 10 A Yes.
- 11 0 And tell us about those.
- 12 A I mean some -- there's been times when we have met
- directly with the chair to talk about classes or our
- 14 curriculum.
- 15 Q In the past have there been summer meetings?
- 16 A There have been summer meetings in the past.
- 17 0 And tell us about those.
- 18 A They were similar to departmental meetings. They were
- 19 meant for, you know, development of curriculum and of, you
- 20 know, sort of the -- sort of -- maybe even sort of internal
- 21 review for the department determining the sort of the
- 22 objectives and the -- and comparison to the department to, you
- 23 know, I mean how we were meeting our objectives. You might
- 24 even call them sort of self evaluations so to speak.
- 25 Q And you attended those meetings?

- A I have. Yes, I have attended those meetings.
- 2 Q If these meetings weren't required why did you go to them?
- 3 A It's part of -- you know, it's part of teaching within the
- 4 department. I mean both there's the idea that you would share
- 5 what you were doing with the rest of the faculty to determine,
- 6 you know, it's relevance and to make sure that your courses are
- 7 sort of working for the students as well as everybody else's
- 8 are. It's partially to -- again, it's -- yeah, it's something
- 9 -- it's sort of you don't really think about it. You go
- 10 because you want to talk about the courses and you want to make
- 11 sure that they're being developed both for your -- sort of
- 12 personally, the courses you teach, but also that they fit into
- the department, they work with what the departmental mission
- 14 is.

- 15 Q And I'm not sure if I asked this already, but were you
- 16 given any additional compensation for developing the special
- 17 topics course?
- 18 A I was paid for teaching the course, during the semester.
- 19 O You said your department holds faculty meetings and I'm
- 20 not sure --
- 21 A Yes. Department meetings I guess you would say.
- 22 Q And you said you -- well, let me ask it differently. Are
- 23 you required to attend those meetings?
- 24 A Requested to attend the meetings.
- 25 Q And do you in fact attend those meetings?

- A I do when I can, yes.
- 2 Q And what happens at those meetings?
- 3 A I mean specifically there might be an agenda for any
- 4 different meeting, but specifically we might share the -- each
- 5 faculty member would share their syllabus and discuss the
- 6 course that they're teaching. There would be also, you know,
- 7 some statements again about sort of interdepartmental protocol,
- 8 maybe for some of the equipment. And -- or any sort of ideas
- 9 or concerns there were about anything that was happening in the
- 10 department. Maybe even discussions about specific areas within
- 11 the program that we might want to focus energy on, in terms of
- 12 improving the level of output and pedagogy.
- Q Okay. And in your 14 years in the department do you
- 14 recall any votes being taken at those meetings?
- 15 A No.

- 16 Q Do you know how the chair of your department is chosen?
- 17 A No.
- 18 Q You've never been present for any votes for the chair?
- 19 A No.
- 20 Q And do the other adjuncts in your department typically
- 21 attend department meetings?
- 22 A Yes.
- 23 Q Other than teaching at Barnard what other work are you
- 24 engaged in currently?
- 25 A I have a small architectural practice, which takes on

```
architectural projects in design and see them fabricated.
 1
 2
    we also have a publishing imprint that we've published -- under
    which we've published a couple of books. We -- and so the
 3
    office itself then, under that imprint, has been invited to
 4
 5
    submit to journals, and sit on panels, various things that are
    sort of involved in that sort of intellectual activity.
 6
         Okay. So you've touched on this, but I'm going to ask you
 8
    in more detail if you can go through any scholarly activities
    you've been involved in since coming to Barnard.
10
         Well, we've -- the office has done research in -- on
11
    specific buildings and neighbors. And like I said, we've
12
    published two books based on that research.
13
         HEARING OFFICER BERGER: This is your office outside of
14
    Barnard where --
15
         THE WITNESS: Outside of Barnard.
16
         HEARING OFFICER BERGER: -- you're a practicing
17
    professional? Okay.
18
         THE WITNESS: Yes, where I'm a partner. And we've
19
    received awards and then part of those awards or fellowships
    we've also implemented sort of practices or programs that we
20
21
    would -- again, that would be considered, I would say,
22
    scholarly and that they're sort of research activities that are
23
    meant to study certain aspects of architectural theory or
24
    interaction. And those things are then documented and they
    become part of our research and potentially our publications.
25
```

```
MR. LEVINE: I've marked a document as Union exhibit 10.
 1
 2
    BY MR. LEVINE:
         Can you look at this and tell us what this is?
 3
         It's my CV.
 4
    Α
                     (Petitioner's P-10 identified)
 5
 6
         Okay. So if you review this -- and when did you prepare
    Q
    that?
 8
         This has been an ongoing document. So the last time that
    I worked on it was about a month ago.
         And if you look at this --
10
11
         MR. LEVINE: It speaks for itself I guess. I would move
    to have this document admitted.
12
13
         MS. MUNOZ: No objection.
14
         HEARING OFFICER BERGER: Okay. Union 10 is received.
                (Petitioner's P-10 received in evidence)
15
16
         MR. LEVINE: By the way, you testified, when I asked you
    about grading standards, that there had been some discussions
17
18
    at department meetings about that?
19
         THE WITNESS: Yes.
    BY MR. LEVINE:
20
21
         Is there a specific policy in your department concerning
22
    the granting of A pluses?
23
         Yeah, we should -- you know, we shouldn't -- that's a
24
    special exception. So that we should, you know, make sure that
    we discuss that with another faculty member or with the chair
25
```

```
of the department before we -- it's a special -- it's a sort of
 1
    an extraordinary award.
         And is that something that was agreed on by consensus or
 3
    something that the chair --
 4
 5
         I can't remember. I remember in the past five years that
    it's something that's been discussed as we've discussed grading
    in general.
 8
         HEARING OFFICER BERGER: So is that the case for everyone
 9
    in the department if they feel that work merits an A plus they
10
    also would need to discuss that with others in the department?
11
         THE WITNESS:
                       I don't know if it's writing let's say, but
12
    it's something that's been discussed. And certainly, you know,
13
    I feel that if that was going to happen in my class that I
14
    would discuss it with somebody.
15
    BY MR. LEVINE:
         And could you discuss it with any other faculty member?
16
17
         Well, it could be discussed. I'm not sure that any other
    -- I am not sure that I would feel comfortable saying that my -
18
19
    - the adjunct that I share my office with would be the person
    who would say yeah, you should go ahead and do that --
20
21
         Have you --
    0
22
         -- but I mean that's conjecture.
23
         -- granted A pluses?
```

I have not. So it's conjecture. I've never had to make

24

25

the call.

```
MR. LEVINE: I've marked a document as Union exhibit 11.
 2
    And I'm going to have to have you take this from the witness
    when the witness is done with it.
 3
 4
    BY MR. LEVINE:
         Can you look at this and tell us what this is?
    0
         A appointment letter for the spring semester of 2015.
 6
    Α
         So is this the most recent appointment letter you
 8
    received?
9
    Α
         Yes.
10
                     (Petitioner's P-11 identified)
11
         And it's dated March 9th 2015. This is for the spring
12
    semester. When did the spring semester begin?
13
    Α
         In January.
14
         MR. LEVINE: Okay. I move for the admission of Union 11.
15
         MS. MUNOZ: No objection.
         HEARING OFFICER BERGER: Okay. Union 11 is received.
16
                 (Petitioner's P-11 received in evidence)
17
         MR. LEVINE: And I've marked for identification a document
18
19
    as Union exhibit 12.
20
    BY MR. LEVINE:
         And take a look at this and tell us what this document is.
21
22
         It's a list of the Architecture Department printed from
23
    the department website.
24
                     (Petitioner's P-12 identified)
25
         MR. LEVINE: Okay. I move for the admission of Union 12.
```

```
MS. MUNOZ: No objection.
 2
         HEARING OFFICER BERGER: Okay. Union 12 is received.
                (Petitioner's P-12 received in evidence)
 3
         MR. LEVINE: I have nothing further.
 4
         HEARING OFFICER BERGER: Any cross examination?
         MS. MUNOZ: I do, but can I --
 6
         HEARING OFFICER BERGER: Okay. Let's take 15 minutes.
 7
 8
    Off the record, please.
 9
                  (Whereupon, a brief recess was taken)
10
         HEARING OFFICER BERGER: Back on the record.
11
         MS. MUNOZ: Do you have an additional question?
12
         MR. LEVINE: Yes, I have --
13
         HEARING OFFICER BERGER: Okay.
14
         MR. LEVINE: -- an additional --
15
         HEARING OFFICER BERGER: Go ahead.
16
         MR. LEVINE: Thank you.
17
    BY MR. LEVINE:
         Professor Rouhe, I've looked through your CV. And it's --
18
19
    you have a very impressive list of publications and
20
    presentations, etc. How if at all do you think your
21
    scholarship is relevant to the teaching you do at Barnard?
         Well, ultimately a lot of the scholarship that I'm
22
23
    involved in and our office involved in -- is involved in, does
    return to my teaching, but as experience and as concepts that
24
    we've developed one place and brought back to continue to teach
25
```

```
in another. Some of the -- if you look at the CV, some of the
 1
 2
    projects are specifically pedagogical in nature, in terms of
 3
    questioning how learning takes place. And this in an
 4
    architectural context, but it's certainly part of my research
 5
    and something that might not always be acknowledged, you know,
    as happening at the university, but certainly a way that I
 6
    define what I'm interested in and then help define my
 8
    interests, you know, in Design Studios that I teach and the
    interests of the students. So it comes back to the teaching.
10
         Scholarship is not formally required of you as an adjunct?
11
    Α
         Not formally.
12
         So why do you do it?
13
         As part of my role as a teacher.
14
         MR. LEVINE: I have nothing further. Thank you.
15
                            CROSS EXAMINATION
    BY MS. MUNOZ:
16
17
         Hi, Professor Rouhe, how are you?
18
         Well.
19
         Excellent. Okay. So in addition to Barnard you also work
    at a firm, is that correct?
20
         (No audible answer)
21
    Α
22
    0
         Okay.
23
         MR. DIGIOVANNI: You just --
24
         HEARING OFFICER BERGER: Is that a yes?
         THE WITNESS: Oh, sorry. Yes, I work at an architecture
25
```

```
firm.
 1
         MS. MUNOZ: Thank you. Do you have any other sources of
    income?
         THE WITNESS: No, besides the architecture firm.
    BY MS. MUNOZ:
 6
    Q
         Okay.
         The architecture firm, and --
 8
    0
        Barnard?
         -- Barnard and I do hold another -- I do teach at other
10
   institutions.
11
         Okay. And where else do you teach?
         I teach at NYU.
12
13
         NYU. And what is your title at NYU?
14
        Assistant adjunct professor.
    Α
15
         Okay. And do you know -- and if you don't that's okay.
    Q
    But do you know if any other adjuncts that you work with at
16
    Barnard also work outside of Barnard?
17
         I don't know for a fact.
18
19
         No problem. So you testified that you share office space
20
    at Barnard?
21
    Α
         Yes, I do.
22
         Okay. And who do you share office space with? Is this
23
    Union 12?
```

25 Q Okay, thank you.

Oh.

- 1 A I share office space with Nicole Robertson, Irina Schneid,
- 2 Irina Verona and Fred Tang.
- 3 Q And do you -- are you all there at the same time or how
- 4 does that work?
- 5 A Sometimes we are. Again, it depends on schedule.
- 6 Q Depends on schedule? And by schedule you mean your
- 7 teaching schedule?
- 8 A Our teaching schedules, yes.
- 9 Q Okay. And you shared also that your offices are near the
- 10 full timers' offices in the same --
- 11 A In the same office suite.
- 12 Q Office suite, okay. But all full timers have their own
- 13 offices, correct?
- 14 A I believe that's -- I can't verify that, but I think that
- 15 sounds right.
- 16 Q Okay. To the best of your knowledge.
- 17 A The best of knowledge, there you go.
- 18 Q Okay. You testified also that you have advised majors?
- 19 A I have.
- 20 Q Okay.
- 21 A Or I did testify to that.
- 22 Q And you were paid when -- you were paid to do that?
- 23 A There was a stipend applied to that, yes.
- 24 Q Okay. And you did it when the full time faculty were on
- 25 leave?

- 1 A Yes.
- 2 Q Okay. But it wasn't a requirement of your job as an
- 3 adjunct?
- 4 A No --
- 5 Q Alright. And going back to the office hours, you hold
- 6 those office hours in connection with your courses that you
- 7 teach, correct?
- 8 A That's correct.
- 9 Q Okay. And you testified that you submit your office
- 10 hours. Who do you submit those to?
- 11 A The office hours are posted in front of the department.
- 12 And I believe I submit those to the Architecture Department
- assistant who then writes those up into timesheets in which
- 14 core students can sign up for office hours.
- 15 Q Okay. And does -- do you work out the scheduling with the
- 16 other adjuncts in the office or who do you work out the
- 17 scheduling --
- 18 A For office hours?
- 19 0 -- of when you will hold office hours? Yeah.
- 20 A We don't formally work that out, but -- yeah, I don't
- 21 know. It works out. I don't -- I can't remember how we worked
- 22 it out. There's other places to meet with students if we
- 23 overlap.
- 24 Q Oh, I see.
- 25 A There's a common table --

- 1 Q Okay.
- 2 A -- for instance.
- 3 Q And do you have to report your office hours to anyone?
- 4 And by that I mean do you have to report that you hold them?
- 5 A I do not report that I hold them.
- 6 Q Let's see. So I believe you testified that you are paid
- 7 monthly?
- 8 A The -- I did testify to that and the U-11 also states
- 9 that.
- 10 Q Okay. And per course?
- 11 A And per course.
- 12 Q And how many courses did you teach this past semester?
- 13 A Two.
- 14 Q Okay. And if -- and I know you testified that you haven't
- 15 had a course cancelled, but if a course were cancelled would
- 16 that change your pay? So let me rephrase that. If you taught
- one instead of two courses would you be paid less?
- 18 A I believe I would.
- 19 Q Okay. Alright. So in Union 11 it reflects that you're --
- 20 that pay reflects that you're being taught -- you're teaching
- 21 two courses?
- 22 A Yes.
- 23 Q Got it. Okay. So your pay is directly related to your
- 24 teaching at the college or for the college I should say?
- 25 A I believe it is.

- 1 Q Okay. And you don't receive college provided medical
- 2 insurance?
- 3 A I do not.
- 4 Q Okay. And you don't receive college provided dental
- 5 insurance?
- 6 A No, I do not.
- 7 Q And you don't have a college funded life insurance policy?
- 8 A No.
- 9 Q Okay. And you're not eligible to participate in the
- 10 college's retirement plan?
- 11 A I'm not aware that I am.
- 12 Q Okay. Not aware? Okay. So you answer -- just answered
- 13 the question before I began about how your scholarship is
- 14 relevant to Barnard -- your teaching at Barnard. Is it your
- 15 testimony that your scholarship is primarily performed outside
- 16 of Barnard, correct?
- 17 A That's fair to say, yes. That the scholarship that's
- 18 reflected in the CV that those activities take place off of
- 19 Barnard campus, yes.
- 20 Q Okay. And those activities take place in connection with
- 21 your role in your firm, is that fair to say?
- 22 A Not all of them.
- 23 Q Not all of them? Okay. Some of them?
- 24 A Some of them.
- 25 Q Some of them? Okay. And -- okay. You also testified

```
1
    that you send syllabi to Karen Fairbanks, the chair, is that --
 2
         I did. Yes, I did --
         Okay. And do you do that each semester, or only when it's
 3
    a new course or when do you do that?
 4
 5
         I would say that I do that each semester. Again it's --
    we submit our syllabi to the department and they're -- for
 6
    various reasons. It's to be distributed, it's to be displayed
 8
    on the wall so the students have an idea about what the course
    is for. I assume that there's a copy kept on record.
    assume the syllabi are reviewed, to make sure that the teaching
10
11
    objectives and the other stipulations for the course are being
12
    incorporated into the syllabi.
13
          Okay.
14
         HEARING OFFICER BERGER: Have you ever been told that you
15
    need to make modifications to your syllabus?
         THE WITNESS: Not that I can recall.
16
17
         MS. MUNOZ: Do you know -- when you say you assume it's
    reviewed, by whom do you assume they are reviewed?
18
19
         THE WITNESS:
                       I mean I assume that they're reviewed, maybe
    not solely by the chair, but by the other full time faculty who
20
21
    might have responsibilities for administering the department,
22
    making sure that the syllabi are adequate in describing what
23
    the objectives of the course is and the department should be.
24
    BY MS. MUNOZ:
25
    O
         Okay. And --
```

```
So I would -- you know, perhaps it could be Kadambari Baxi
 1
 2
    or in the past there have been other full time faculty that
    might have been involved in that. I don't -- I actually don't
 3
    know how that process takes place.
 4
 5
         Okay. And you just testified that you don't recall one of
    your syllabi being changed. Could, for example, Karen
 6
    Fairbanks require to change something in your syllabus?
 8
         She -- I believe she could. I mean there have been -- I
    wouldn't say my syllabi has been changed, but I know that when
 9
    we have in the past tried to define teaching objectives as a --
10
11
    something that would be included in the various syllabi, as
12
    again per required, that there might have been some red marks
    or suggestions as to how they should be positioned, relative to
13
    a particular course or particular project.
14
15
         When you say positioned, is that --
         Stated, sorry.
16
    Α
17
         Okay. So was that related to insuring that the teaching
    objectives, I believe you said, or other stipulations of the
18
    course be incorporated or is that like a --
19
         I mean the teaching objections (sic) are something again
20
21
    that's like grading that we've agreed upon in departmental
```

meetings and should be included. And not only -- I think it's

something that happens in many departments where the teaching

again, depending on what -- how the studio is being taught, and

objectives for the course are spelled out in the syllabus.

22

23

24

- 1 organized and what the projects are, there might be one way to
- 2 sort of suggest that the teaching objectives were being met
- 3 versus another. So that wording might have been -- I think I'm
- 4 elaborating too much, because it doesn't seem that important.
- 5 But I think that wording might have been, you know, massaged
- 6 and sort of discussed, I would say, in the past.
- 7 Q Okay. Let's see. You talked about summer meetings and I
- 8 think one of your descriptors was it's like a self evaluation.
- 9 I was wondering do you have a formal evaluation process that
- 10 you go through in the department?
- 11 A Not a formal evaluation process.
- 12 Q Okay. And do you have an informal evaluation process?
- 13 A I would say yes.
- 14 Q Okay. And is that process related to the summer meetings
- or is that separate and apart from them?
- 16 A It might be separate from that. Time to sit down and talk
- about the courses and, you know, what's working, what the
- 18 feedback is, the teaching objectives, the -- you know, the
- 19 overall effectiveness of the courses as a whole and how any
- 20 particular course that I would teach fits into that.
- 21 Q Okay. And you say you -- the evaluation -- is that
- 22 student evaluations or is that Karen Fairbanks? Who's the
- 23 evaluator?
- 24 A Again that role could differ. I mean I would say that it
- 25 probably -- I mean I would say it'd have to be the chair or the

- 1 other -- I mean if I've had a meeting with somebody talking
- 2 about it, then it would have been Karen or another full time
- 3 faculty member who would be present.
- 4 Q Okay. Do you discuss your own personal work or do you
- 5 discuss your teaching?
- 6 A We discuss the teaching.
- 7 Q Okay. So is it a fair statement to say that you have
- 8 never served on a committee at the college?
- 9 A That's a fair statement.
- 10 Q Okay. And you are not a voting member of the faculty?
- 11 A I haven't voted.
- 12 Q When -- what would you be able to vote in?
- 13 A I don't -- I'm not aware that there's anything I'd be able
- 14 to vote in.
- 15 Q Oh, okay. I'm looking again at Union 11. And Union 11 --
- 16 you started to say Union 11 describes the courses that you
- 17 would be teaching. You agree with that statement or --
- 18 A It describes the courses that I was teaching in the
- 19 spring.
- 20 Q Okay. Courses you were teaching this spring. And would
- 21 you agree that it doesn't state that you're required to perform
- 22 service?
- 23 A Could you explain that?
- 24 Q Sure. Does it say for example that you're required to --
- well, is the word service anywhere in the letter? Let's start

```
1
    there.
         MR. LEVINE: If I may, the letter speaks for itself and
    this witness has already testified he's not required to perform
 3
 4
    service.
         MS. MUNOZ: Okay. Does it say --
         MR. LEVINE: So I'm sure what the relevance is.
 6
 7
         HEARING OFFICER BERGER: I agree. So the letter -- you
 8
    know, whether the word service or not --
         MS. MUNOZ: Okay.
9
10
         HEARING OFFICER BERGER: -- is in the letter --
11
         MS. MUNOZ: I can move on to another question.
12
         HEARING OFFICER BERGER: -- can be read and it can also be
    compared to --
13
14
         MS. MUNOZ: It's alright.
15
         HEARING OFFICER BERGER: -- Union exhibit 7, which has --
16
         MS. MUNOZ: It's okay.
17
         HEARING OFFICER BERGER: -- letters for the full time
    faculty.
18
19
         MS. MUNOZ: Okay.
20
         HEARING OFFICER BERGER: So you can move on.
21
         MS. MUNOZ: I was about 10 minutes ago ready to. No
    worries.
22
23
    BY MS. MUNOZ:
24
         Are you also -- is it true that you're not required to
25
    perform scholarship, as part -- as your -- in your position as
```

- an adjunct assistant professor? Let me be specific. 1 2 It doesn't say this in the letter. It just says that your exact instructional assignments and other academic 3 responsibilities are determined by your department chair. 4 5 Okay. And has your department chair told you you're 0 required to perform scholarship? 6 Not required, no. 8 Alright. Have you ever applied for a full time position at Barnard? 10 Α No. 11 Okay. One second. That's it, thank you. 12 THE WITNESS: Thank you. 13 MR. LEVINE: I have a few questions on redirect. 14 HEARING OFFICER BERGER: Sure. 15 REDIRECT EXAMINATION BY MR. LEVINE: 16 17 What is the work of your firm? What work does it do? How 18 does it generate income? 19 How does an architecture office generate income? We have -- we work for clients on architectural projects. We are asked 20
- has two sort or entities to it I should say.

 One part of the firm works in a more conventional sense

 like an architecture firm was; performing services for clients,

 compensated either on fixed fees or a percentage. Another arm

by -- well, actually let me rephrase. I mean our firm is --

- 1 of the firm, which is reflected in the CV, operates as a
- 2 research branch exclusively and it doesn't draw income as much
- 3 as it sort of is supported by either its own grant writing,
- 4 fellowship opportunities or by the money that is sort of passed
- 5 over from the services firm. And that's called common room.
- 6 So many of the scholarship activities actually happen within
- 7 the purview of the research branch of the firm, but we do both
- 8 things on an ongoing basis in the office.
- 9 O You testified both on direct and under cross examination
- 10 about the process of submitting your syllabus or syllabi. And
- 11 I believe you testified, correct me if I'm wrong, that you
- 12 submitted them to the department through the department
- assistant and then they were returned to you, is that correct?
- 14 A The syllabi?
- 15 0 Yeah.
- 16 A Again, when you send an email PDF you don't necessary
- expect it to be returned, but if there's no feedback then it's
- 18 approved and it goes into implementation as you start your
- 19 classes.
- 20 Q So you don't know for a fact one way or another who
- 21 reviews your syllabi when you send them to the department chair
- 22 office?
- 23 A If you -- I don't know for a fact.
- Q Do you have any idea why you're reappointed semester after
- 25 semester for over a decade or you have been?

A I'm a good teacher.

- Q And what do you think that involves?
- 3 A I mean I would -- I mean, you know, so what do you think
- 4 is -- I mean because, yeah, we're good teachers, I mean for
- 5 those of us who are reappointed. Could also be because we
- 6 teach something that is -- that we know or that we can offer to
- 7 the department that maybe somebody else doesn't offer
- 8 immediately, based on your experience, you know, with the
- 9 department and with the particular students at Barnard and
- 10 Columbia who, you know, are -- you know, as I said I teach at
- 11 other -- I've taught at other places.
- These are sort of the particular group of students who,
- 13 you know, have different needs and different skills and
- 14 abilities. And we -- and so we have experience responding to
- 15 those. I would assume all of those things go into the decision
- 16 to keep faculty, to hire faculty more than one semester.
- 17 Q To what extent if at all do you think that being current
- 18 in your field makes you a good teacher or is relevant to that?
- 19 A I think that's important.
- 20 MR. LEVINE: I have nothing further.
- 21 MS. MUNOZ: Nothing further.
- HEARING OFFICER BERGER: Anything further? Okay. Thank
- 23 you, you're excused. You can leave those.
- 24 THE WITNESS: Okay. Thank you.
- 25 | HEARING OFFICER BERGER: Does the Union have additional

```
1
    witnesses?
 2
         MR. LEVINE: Yes. One moment, please. Give me just two
 3
    minutes.
         HEARING OFFICER BERGER: Sure. Go off the record.
 4
                  (Whereupon, a brief recess was taken)
         HEARING OFFICER BERGER: Back on the record.
 6
 7
         And why don't you say that one more time?
 8
         MR. LEVINE: The Union calls Stephen Scott.
         HEARING OFFICER BERGER: Want to raise your right hand?
9
10
    Whereupon,
11
                            STEPHEN K. SCOTT
12
    Having been first duly sworn, was called as a witness and
13
    testified herein as follows:
14
         HEARING OFFICER BERGER: Okay. Have a seat. And will
15
    your name again and spell it for the court reporter, please?
16
         THE WITNESS: Sure. My name is Stephen Scott, S-T-E-P-H-
17
    E-N, middle initial K, last name Scott, S-C-O-T-T.
18
                           DIRECT EXAMINATION
19
    BY MR. LEVINE:
20
         Professor Scott, is it Dr. Scott?
    Q
         Professor Scott. Stephen is fine.
21
    Α
22
    O
         You have a PhD though?
23
         Yes, I do.
    Α
         You're just being modest, okay. Tell us about your
24
25
    educational background.
```

- 1 A My undergraduate was at The University of Texas at Austin
- 2 and that was a bachelors of arts in anthropology, a minor in
- 3 philosophy. PhD and masters at The University of Chicago in
- 4 anthropology and a masters at the -- or MA exams, it's sort of
- 5 like a masters, in linguistics from The University of Chicago.
- 6 Q And prior to beginning at Barnard can you briefly give us
- 7 some highlights from your work history?
- 8 A Sure. I'll go backwards from the top. So before I came
- 9 to Barnard I had a post doctoral lecture at The University of
- 10 Chicago for a year. Prior to that I was a visiting assistant
- 11 professor at The University of New Mexico at Albuquerque in the
- 12 Anthropology Department.
- And then prior to that I had a lectureship -- a one year
- 14 post doc that became a lectureship. It's a complicated
- 15 distinction. But at Washington University in St. Louis.
- 16 Q And what's your primary area of scholarly interest?
- 17 A I do cultural linguistic anthropology and with an interest
- 18 in science and technology studies.
- 19 Q And what are some of the highlights of the scholarship you
- 20 were involved in prior to coming to Barnard?
- 21 A My dissertation and I guess transforming it into a book
- 22 like monograph, publishable. I'm in the midst of doing that
- 23 and I've published several articles and book reviews.
- 24 Q Articles in peer reviewed journals?
- 25 A Yes. Both are. Yes, all three.

- 1 Q And what is your current title at Barnard?
- 2 A Term assistant professor.
- 3 Q And that's in the Anthropology Department?
- 4 A In the Anthropology Department.
- 5 Q When did you begin at Barnard?
- 6 A 2011.
- 7 Q And what was the process by which you were hired?
- 8 A There was a national search. An ad went out. I applied
- 9 for the job. I was interviewed. It involved submitting
- 10 materials and letters of recommendation. Just standard
- 11 academic application process. And then a Skype interview.
- 12 Q And were you hired for an initial three year term?
- 13 A Was initial three year term, yes.
- 14 Q Have you been reappointed to a subsequent two year term?
- 15 A Yes. I'm not sure exactly how it's written, in terms of
- 16 it's a reappointment or not, but I'm -- it's -- yes, I can't
- 17 exactly answer the basis for that.
- 18 Q Did you go through a formal evaluation, prior to your
- 19 reappointment?
- 20 A No. So it was a formal -- well, I should say it was a
- 21 reappointment, but it was -- I'm in a different position than I
- 22 was in before.
- 23 Q Tell us what you mean
- 24 A Sure. So we have a -- in our department we have a three
- 25 year term professorship that is renewed every three years, but

- 1 with somebody different in it. We had -- happen to have a
- 2 faculty leave and a job search hasn't been conducted, so I'm in
- 3 that position.
- 4 Q The same title however?
- 5 A The same title though, yes.
- 6 Q How often do you get appointment letters?
- 7 A Every year.
- 8 Q And how many courses are you expected to teach per year?
- 9 A I teach five classes a year.
- 10 Q And what do you teach?
- 11 A For three years I taught the large requirement,
- 12 Interpretation of Culture, every fall. Every year I teach a --
- 13 it's one course, but it's over two semesters, which is a BA
- 14 Senior Thesis Seminar for -- which is also a requirement for
- 15 anthropology majors. And I also teach a third required class,
- 16 which is the Anthropological Theory and what is it called?
- 17 Theory and History or Anthropological Theory, I think, the
- 18 second version of that. And then I usually teach -- I always
- 19 teach two seminars, but those seminars are different every
- 20 year.
- 21 Q Are there any adjuncts in your department?
- 22 A We had one adjunct this year.
- 23 Q And to your knowledge have any of the courses that you've
- 24 taught been taught by adjuncts?
- 25 A To my knowledge no, except for perhaps, and before I came,

- 1 the Interpretation of Culture class might have been taught by
- 2 an adjunct at one point in time. That's a large class.
- 3 There's usually two faculty who teach it -- sorry, three
- 4 faculty who teach it a year. And it's required at both
- 5 Columbia and Barnard of majors, but it also attracts non-majors
- 6 as well, lots of them.
- 7 Q So starting with the Interpretation of Culture course, to
- 8 what extent are you responsible for determining the content of
- 9 that course?
- 10 A The content can be -- there are exemplar syllabi that get
- 11 passed around and I can adapt them, I can adopt them, I can
- 12 make my own. I did more of a adapting rather than adopting and
- making my own. So I take the syllabus -- I taught it three
- 14 times in a row. So I take the syllabus and change it a little
- 15 bit each year, depending on how I like and how the previous
- 16 year went --
- 17 Q Do you have to submit your syllabi to the department or
- 18 anyone else for approval?
- 19 A No, except for new courses. Those need to go to the
- 20 course (sic) on instruction.
- 21 Q Committee on Instruction?
- 22 A Sorry, Committee on Instruction.
- 23 Q Is there a syllabus for the Senior Thesis Seminar?
- 24 A There is.
- 25 Q And how is that syllabus developed?

- 1 A That's through -- there are usually three or four faculty
- 2 members, depending on how many senior -- graduating seniors we
- 3 have, who teach that throughout the year. And we get together
- 4 and we make the syllabus for the two semesters. It's usually -
- 5 it's a pretty bare bones. It's senior -- it's a pretty bare
- 6 boned syllabus. It's a Senior Thesis Writing Seminar. So
- 7 there isn't much. But we do that through consensus.
- 8 Q And how about for the Anthropological Theory?
- 9 A That one I -- there are examples -- exemplars that I could
- 10 have used, but I developed it completely from scratch, given my
- 11 own interests.
- 12 Q And do you develop the writing assignments or exams that
- 13 are used for evaluation?
- 14 A I do.
- 15 Q And are you responsible for setting the grading standards?
- 16 A I am.
- 17 Q Are there service requirements associated with your
- 18 position?
- 19 A No, not as requirements.
- 20 Q What kind of service do you perform?
- 21 A There are -- nothing campus-wide. However, I -- there are
- 22 certain things that I do in the department. So service in the
- 23 department --
- 24 Q Are you required to advise?
- 25 A I believe that, as part of my appointment letter, I am

- 1 required to advise in major -- yeah, I am required to advise in
- 2 major, but then I voluntarily, I suppose, advise first year and
- 3 second year students. And I think there's a stipend associated
- 4 with that. I am also -- as part of the new two year thing or
- 5 the renewed two year position, I am the liaison, I guess.
- 6 Barnard does not have a linguistics department. Neither does
- 7 Columbia, but they have a linguistic -- linguistics program.
- 8 And Barnard has a lot of students that would like to pursue
- 9 linguistics majors. And I advise them, in connection with
- 10 Justin Timberlake, at Columbia, in the linguistics program.
- 11 Q I want to back up a moment. In terms of the courses you
- 12 listed, presumably the Senior Thesis Seminar is taken by
- 13 seniors --
- 14 A Yes.
- 15 Q -- is that correct?
- 16 A That is correct.
- 17 O The Interpretation of Culture, generally at what level are
- 18 the students who take that course?
- 19 A First years.
- 20 Q And what about Anthropological Theory?
- 21 A Generally, they're in their junior year.
- 22 Q Okay. To your knowledge to what extent was service a
- 23 factor in evaluating you for reappointment?
- 24 A I don't think it was a factor.
- 25 Q What scholarship if any have you been involved in since

- 1 coming to Barnard?
- 2 A I'm -- clarification. Involved in, in terms of working
- 3 with others or my own scholarship?
- 4 A Your own scholarship.
- 5 Q Okay. I've continuously been working as a scholar. I
- 6 mean I consider myself a scholar foremost. Publishing, trying
- 7 to publish, working on a manuscript for a book, which is the
- 8 way that anthropology tends to work in terms of publishing.
- 9 Q In what ways if at all --
- 10 A Conducting research as well, I should say --
- 11 Q Okay. And what kind of research?
- 12 A I mean ethnographic, anthropological and archival
- 13 research. I have an ongoing project.
- 14 Q To what extent if at all do you consider your scholarship
- as something that's related to your being a faculty member at
- 16 Barnard? To your teaching, let me put it that way.
- 17 A Sure. With respect to teaching I think it's crucial. I
- 18 think it's been instrumental. I think that all the seminars --
- 19 I've taught 11 classes -- I've taught more than 11 classes, but
- 20 I've taught 11 distinct syllabi since being at Barnard.
- 21 And I've counted eight of those are classes that I
- 22 developed myself. And those are all based upon the research
- 23 that I'm doing, my interests. So I developed the classes based
- 24 upon my interests and teach team. And I -- though it's not
- 25 stated, but I think it's pretty much accepted that that's the

- high quality of the institution, is that it requires that of or 1 2 desires that of its faculty. And personally, to what extent do you consider being 3 current in your field to be important to your role as a 4 5 teacher? I think it's fundamental. One way to look at it would be 6 that -- to relate it directly to students. Our senior thesis, 8 the way that we advise them is that we place students with faculty mentors who work on topics similar to theirs. I wouldn't say suggest topics, but, you know, we help them hone 10 11 topics for their own research that are based upon current 12 trends. You know, sort of the tip of scholarship in 13 anthropology as a field, you know, in so far as an 14 undergraduate of course might encounter that. But I would say that if I hadn't kept up with the research I wouldn't be able 15 16 to be a very good mentor or advisor to undergraduates in 17 general, but also to -- more particular to our majors and their
 - Q Thinking about everything you do in connection with your job as a faculty member at Barnard, to what extent would you say that your primary job duties at Barnard are teaching and performing teaching related duties?
- A I would say that's the primary thing; teaching and performing teaching related duties.

senior thesis.

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22

25 Q Does your department hold departmental meetings for --

- 1 that are for just Barnard faculty?
- 2 A Yes, we do.
- 3 Q And how often are those meetings held?
- 4 A We hold about two meetings per year. I'm sorry, per
- 5 semester. So one at the beginning and one at the end. So
- 6 four.
- 7 Q Are you required to attend those meetings?
- 8 A I would say yes, although I think that I would -- it would
- 9 be breaking the norm. I would find out the requirement if I
- 10 didn't come to it by being sanctioned, but I've never not come
- 11 to it. So I can't ask -- I can't answer about a formal
- 12 requirement.
- 13 Q And are there ever times when term faculty are asked to
- 14 leave those meetings?
- 15 A At a certain point, yes, term faculty have been asked to
- 16 leave those meetings.
- 17 Q Do you know what is discussed at the meetings after you're
- 18 asked to leave?
- 19 A I can presume if you like, but I don't.
- 20 Q Now, thinking about the portion of the meetings that you
- 21 | are welcome at --
- 22 A Yes.
- 23 Q -- what is discussed?
- 24 A We usually discuss teaching. That would be the first
- 25 thing. How things are going throughout the semester.

But also who will be covering what courses. It tends to be two semesters in advance or sorry, a semester in advance; who will be covering what classes and we allocate them. You know, if I for instance didn't want to, for one reason or another, teach Interpretation of Culture, then I would have an opportunity to perhaps -- not perhaps, but surely negotiate that with somebody else. So we teach -- we discuss that.

We also discuss the progress of students in Senior Thesis. We discuss other things. This past year has been a question of the accreditation process of the department and we've discussed that mainly. So departmental issues other than hiring and things like that.

- 13 Q Are votes taken at the meetings you've been at?
- 14 A No votes are taken at the meetings.
- 15 Q To the extent that there have been adjuncts, which your
- 16 testimony says is limited in your department, have they --
- 17 A Yes.

2

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11

- 18 Q -- participated in the departmental meetings?
- 19 A They have.
- 20 Q And have they participated in discussions?
- 21 A Absolutely.
- 22 Q How are chairs selected in your department?
- 23 A I don't know.
- 24 Q Are there also joint meetings that are held between the
- 25 Barnard department and the Columbia department?

- 1 A There are.
- 2 Q And how often are these held?
- 3 A I think they're once a month.
- 4 Q Are you required to attend these meetings?
- $5 \mid A \mid I'm not.$
- 6 Q Are you welcome at those meetings?
- 7 A I am welcome, yes. I have been invited to them and I've
- 8 attended several of them, but I don't regularly attend them.
- 9 Q When's the last time you attended one?
- 10 A Several years ago. When I first came I attended a handful
- 11 of meetings and then decided not to.
- 12 Q Do you know whether the tenured and tenure track faculty
- at Barnard in your department attend those meetings?
- 14 A I believe they do. I'm not sure with what frequency,
- 15 because I'm not there myself.
- 16 Q What role if any do you have in hiring decisions in your
- 17 department?
- 18 A I have none. No input in hiring decisions.
- 19 Q Are you required to serve on committees?
- 20 A No, I am not required to serve on committees.
- 21 Q Do you serve on committees?
- 22 A I don't serve or any committees.
- 23 Q Were you ever asked to serve on any committees?
- 24 A Yes, I was asked, but not by my department. But I was
- 25 asked to serve on the IRB.

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Q That's the Institutional Review Board?
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- 2 A Yes, that's correct, Institutional Review Board.
- 3 Q And why didn't you?
- 4 A I've been very busy trying to pursue a career.
- 5 Q So you declined?
- 6 A I declined, yes.
- 7 HEARING OFFICER BERGER: Who made that request of you?
- 8 THE WITNESS: The person who -- I forget her name. Dr.
- 9 Song, I believe.
- 10 HEARING OFFICER BERGER: Is she someone in your
- 11 department?

- THE WITNESS: She's not in my department, bit I had
- 13 recently submitted an IRB to her. So she knew -- she came to
- 14 know me through that and then asked if I would like to.
- 15 BY MR. LEVINE:
- 16 Q Do you what committees if any, other than the IRB, you're
- 17 eligible to serve on?
- 18 | A I don't.
- 19 O Have you received ballots to vote for committee
- 20 representatives?
- 21 A I have.
- 22 Q And have you ever voted for committee representatives?
- 23 A I never vote. I've never voted.
- 24 Q Why not?
- 25 A I haven't felt comfortable, only in the sense that I don't

- 1 really know who I'd be voting for.
- 2 Q Are you required to attend Barnard wide faculty meetings?
- 3 A I am not sure if I am required or not. I do, but not
- 4 always.
- 5 Q And at the meetings you've been at were votes taken?
- 6 A Votes have been taken.
- 7 O And what form have those votes taken?
- 8 A I think just, what are they called? Voice voting up or
- 9 down, yea or nay.
- 10 Q Do you recall anyone ever voting no on the voice vote?
- 11 A I'm hesitating only because I can't recall if it's a yea
- or a nay, but everybody votes unanimously. I'm thinking of --
- 13 shall I elaborate?
- 14 Q Sure, go ahead.
- 15 A I -- as I recall, the course -- sorry, the Committee on
- 16 Instruction has a up or down vote on whether to pass the
- 17 recommendations or not for all the courses that have been
- 18 submitted, as I recall. And those are recommendations and then
- 19 the faculty quickly votes on it. And as I recall they've
- 20 always been either upped -- I believe upped, voted yes --
- 21 Q Who do you consider your immediate supervisor?
- 22 A I would consider my supervisor my department chair.
- 23 Q Do you receive healthcare and retirement benefits?
- 24 A I do.
- 25 Q And what is your annual salary?

```
1
    Α
         It's, at this point, 59,500.
 2
         MR. LEVINE: I have nothing further.
         MS. MUNOZ:
                     Two minutes --
 3
         HEARING OFFICER BERGER: Okay. Can I just ask one --
 4
         THE WITNESS: Yes.
 6
         MS. MUNOZ: Oh, sure. Sorry.
 7
         HEARING OFFICER BERGER: -- question before I give you
 8
    some time? The department meetings, there was testimony about
    being asked to leave at a certain point. Who makes that
    request of you?
10
11
         THE WITNESS: I believe the department chair who leads the
12
    meetings.
13
         HEARING OFFICER BERGER: Okay. And when you leave who is
14
    remaining in the room?
15
         THE WITNESS: Well, in fact it works the other way. They
    usually retire to someone's office.
16
17
         HEARING OFFICER BERGER: Oh, okay.
18
         THE WITNESS: Usually the department chair's office.
19
    have a cluster --
20
         HEARING OFFICER BERGER: And so can you tell me who they
21
    is, in terms of the --
22
         THE WITNESS: Sure.
23
         HEARING OFFICER BERGER: -- titles people hold?
24
         THE WITNESS: I would say all the tenure track faculty,
    but that's a strange thing to say also, because they happened
25
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to all be tenured.
 1
         HEARING OFFICER BERGER: Okay.
         THE WITNESS: So I don't know whether -- I presume the
 3
    decision is between -- which is fairly common -- the tenured
 4
    faculty and then the non-tenured faculty. So for instance at
    Columbia at a certain point all non-tenured track, which would
 6
    include me as a term and -- sorry, non-tenured, which would
 8
    include non-tenured, but tenure track faculty assistant
    professors, would be asked to leave. I presume that that's
    what it is, but since that's not the case I don't know what the
10
11
    exact --
12
         HEARING OFFICER BERGER: So the people who retire with the
13
    chair to another room, does that include -- are there lecturers
14
    in your department?
15
         THE WITNESS: No.
16
         HEARING OFFICER BERGER: Okay. Are there associates in
17
    your department?
18
         THE WITNESS: No.
19
         HEARING OFFICER BERGER: Okay. So the people we're
20
    talking about are the tenured faculty?
21
         THE WITNESS: Right. It would be all -- at this point it
22
    just happens to be they would all be tenure track faculty --
23
    sorry, tenured --
24
         HEARING OFFICER BERGER: Tenured.
25
         THE WITNESS: -- tenure track faculty.
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HEARING OFFICER BERGER: Okay. Got you. Thanks.
                                                             So we
 2
    can go off the record for a few minutes.
 3
                  (Whereupon, a brief recess was taken)
 4
         HEARING OFFICER BERGER: Back on the record.
                            CROSS EXAMINATION
    BY MS. MUNOZ:
 6
         Hello.
    0
 8
    Α
         Hi.
         Hi, professor. Couple questions. As a term assistant
10
    professor, is it fair to say that your duties include advising
11
    majors?
12
    Α
         Yes.
13
         Okay.
    Q
        I believe.
14
    Α
15
        Okay. And you test --
16
         I mean I do. I advise majors. And I believe that it's
17
    included --
         Okay. And why do you believe that?
18
19
         Sorry. No, I mean I just always have, but I think -- I
20
    thought it was in my job letter.
21
         In your job letter?
    0
22
    Α
         Yeah.
23
         Okay. And you testified that you did not agree to serve
24
    on the IRB, because you're trying to quote pursue a career.
25
    What did you mean by that?
```

```
1 A Ah. That's just another way of saying that I was -- I've
```

- 2 been under a lot of pressure to publish in the past year and I
- 3 was asked to do this, this year --
- 4 Q Asked to publish this year?
- 5 A No, I was asked to serve on the committee or I was
- 6 inquired into, if I would like to serve on the committee this
- 7 year. And if it had been any other year I would have done
- 8 that, but I've been trying to just push things out, as they
- 9 say, in terms of publications.
- 10 Q Okay. And you testified that you currently have a two
- 11 year appointment.
- 12 A Yes.
- Q What happens when that appointment ends?
- 14 A It ends.
- 15 Q It ends. Are you applying for jobs elsewhere?
- 16 A I'm applying for jobs elsewhere --
- 17 Q Okay.
- 18 A -- starting this year.
- 19 Q And is that why you are trying to publish?
- 20 A Yes.
- MS. MUNOZ: Okay. I figured it out. Alright. Excellent.
- 22 I think that's all I have. That's all I have.
- 23 MR. LEVINE: Nothing --
- 24 HEARING OFFICER BERGER: Any further --
- 25 MR. LEVINE: -- further.

```
1124
        MS. MUNOZ: Thank you very much.
        HEARING OFFICER BERGER: Okay. Thank you.
2
3
        THE WITNESS: Thank you.
4
        HEARING OFFICER BERGER: You're excused. Alright. Let's
   go off the record then.
5
   (Whereupon, at 5:00 p.m. the hearing in the above-entitled
6
   matter was adjourned, to reconvene on July 1, 2015 at 9:30
   a.m.)
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