



ARE YOU “LAF”ING YET?

By:

Cheryl Papa, NYS LAF VP
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This “play”, and I use that word loosely, is to be used as a tool to help you inform your members about AAUW LAF. It is hoped that, by educating our membership about the job that LAF has done and still needs to do, support will be forthcoming. I also see it as a potential recruiting tool.

Seek volunteers to perform each part. Run off enough copies so all of your volunteers can read their part of the script. All that you will need for the coffee shop scene will be a small table, chairs, cups, saucers, coffeepot, etc. The meeting scene will only need a podium and chairs for the litigants and moderator.

It is quite long. I took the approach of putting as much material as possible to better educate you. However, I realize that the format, as it is, may be too unwieldy. Feel free to use whatever parts that appeal to you and that you feel could be effective. Possible choices: Keep Scene I and II together for a meeting. Use Scene III for the next meeting. Choose from the various litigants’ stories and do them at different meetings. All of this could be broken up into small pieces of 10-15 minutes and having an LAF section of every branch meeting. If you have a better way to get this information out to your members, please feel free to use this work in whatever way it works for you.

However, please don’t just throw it in a corner and ignore its message. Please get the message out. AAUW LAF needs your help.

Thank you for taking the time to read this. Feel free to contact me with any questions that you may have. My phone number is 1.607.748.6075. My e-mail address is cbpapa528@yahoo.com.

Cheryl B. Papa, NYS LAF VP

SCENE 1

Three friends meet at the local mall. Two of the women are AAUW branch members. The third is not.

Woman 1: Hi, _____. Hi, _____ I'm so glad that I ran into you. (*As she looks at her fellow branch member.*) I've been meaning to call you. Are you planning on going to the AAUW meeting Thursday? I thought that we could convince _____ here to join us to learn a little bit about AAUW.

Woman 2: Well, I've been thinking about it, but I'm not sure. I have such a busy schedule. I thought that I might pass this time around. What's the meeting about? I didn't read my Branch Newsletter.

Woman 1: The LAF Chair is introducing several recent litigants. They have come to share their stories with us. We can see where our LAF contributions go. I think it will be fascinating to hear them.

Woman 3: AAUW? LAF? Litigants? What kind of a meeting are you talking about?

Woman 1 (*laughing*): Well, you've heard us speak about the American Association of University Women. AAUW's mission has always been: Equity for women and girls, Lifelong education, Positive societal change, and Diversity in membership. In pursuing our objectives, it came to our attention in 1980 that women in academia were having tremendous difficulty receiving equity.

Woman 2: Oh, yes, I remember that time! It all began at Cornell University. Eleven women filed a class action suit against the University for sex discrimination in hiring and promotion procedures.

Woman 1: When AAUW learned about the situation, they realized that there was a definite need for providing funding and a support system for women students, faculty, and staff seeking redress for sex discrimination in higher education. And VOILA! In 1981 the Legal Advocacy Fund was born.

Woman 3: (*Change the years as necessary*) But that was 24 years ago! We've come a long way since then. You can't tell me that women in academia today are facing such discrimination!

Woman 2: I'd like to say that the problem has been solved, but I'd be lying. LAF has supported (*Change the number as necessary*) 100 cases since 1981. We're proud of that! We believe that for every case that is won, a body of law is building that will eventually eradicate discriminatory practices in the workplace.

Woman 1: Yes, if we can win in academia, we will be setting an example for equity for ALL women in ALL jobs. Who knows the future direction of AAUW?

Woman 1: Have you heard of the new changes that have been made to LAF.

Woman 2: Yes, I have. I have been meaning to bring that up? I don't completely understand it. Let's go into the Coffee Café and discuss this in more detail. (*Women walk over to where a table with some coffee cups and coffee pot are set up and sit down.*) *She continues speaking:* If I have it right, we used to be a separate corporation entity just as Educational Foundation is. Now we are not, what happened? Why?

Woman 1: What happened? Money problems happened. AAUW, along with most volunteer groups, has faced monetary problems due to declining membership. AAUW needed to streamline its structure in order to save money. Thus, LAF was merged into the Education Foundation. It is now a program of the Educational Foundation, operating under the Educational Foundation Program Committee.

Woman 3: Does this mean that LAF is not considered as important to AAUW as it use to be?

Woman 1: Absolutely not! LAF is the nation's largest legal fund focused solely on sex discrimination in higher education. LAF has become the leading voice on behalf of women challenging sex discrimination in higher education – the place to which women on campus, their supporters, and journalists turn FIRST for authority and action on these issues. That is why AAUW is maintaining support for the current programs in Case support adoption and funding, Plaintiff Travel Grant awards for state convention, and the Progress in Equity award. It considers these programs invaluable. AAUW will continue to support this cause fervently! (*Speaking to both women*) Oh, come to next Thursday's meeting and hear what the litigants that AAUW has chosen to support have to say.

Woman 2: I will definitely make room in my schedule to attend. I think it is important that I not stick my head into the sand concerning the plight of women in academia today.

Woman 3: I was never fully aware of the great role AAUW plays in striving for equity for all women. It is an organization I should consider joining. I need to find out more. Count me in. Let's carpool.

(The women discuss travel arrangements.)

Woman 1: I'll drive. I'll pick you up at 6:30 p.m. (*pointing to Woman 2*) and you at 6:45p.m. (*Pointing to Woman 3*)

(And then the women walk off into the mall in different directions, Woman 1 alone; Woman 2 & 3 together)

SCENE II

(The three women enter the AAUW meeting. Several members have arrived previously. Have some of your members seated getting ready for the meeting to begin. Others will still be standing by the refreshment table. Greetings take place.)

(Moderator bangs her gavel or calls for all to take their seats as the meeting is about to begin. At this point the litigants should be in front of the room sitting on chairs facing the audience. The moderator is standing beside them. Everyone else is seated in the audience...)

Moderator: Welcome. Thank you for coming tonight. It is delightful to see so many members. And I'm very pleased to see that we have quite a few guests in the audience tonight. And it is my extreme honor to introduce the wonderful women sitting on the dais. Each of these women has received funds from LAF. Each has a story that will raise your eyebrows, if not every hair on your head! We are extremely fortunate that they have agreed to share their stories with us. Without further adieu, let us begin.

Moderator: Our first guest is Kari Lavalli. Those of you who had the pleasure of attending the April 2005 NYS Convention were fortunate to have heard Kari speak there. Kari was a former Assistant Professor of Biology at Texas State University – San Marcos (formerly Southwest Texas State University). She sued the institution for sex discrimination in the terms and conditions of employment and retaliation for complaining about the sex discrimination under Texas state law. LAF awarded Kari a total of \$17,127.50 in support of her case: \$17,000 from the LAF Board (\$10,000 of which was made possible through a gift from the Rockefeller Family Foundation) and \$127.50 from donor-designated contributions. Kari, welcome. *(Moderator gestures that she is to come to the front to speak.)*

Kari Lavalli: Hello. My story begins when Texas State hired me in 1998 as a tenure-track assistant professor. While at the university, I accumulated a good record of teaching, scholarship and service. Throughout the course of my employment at the institution, I noticed that there was a lack of diversity among recent hires. In particular, I was concerned that less qualified male applicants were given priority over female applicants. They were interviewed and hired at a greater rate in the biology department. I expressed my concerns to the chair of the biology department, as well as to administrators at Texas State.

Both my department chair and university administrators became outraged at my outspokenness about such provocative issues. In May 2001, the university offered me a terminal contract for the 2001-2002 academic year. However, similarly situated males in my department received contract renewals that same year.

Using the information I had gathered, I believed that my termination was due to my outspoken remarks concerning hiring practices at the university. I also believed that the university used noncollegiality as an excuse to fire me for exercising my freedom of speech.

In 2002, I filed suit against the university in Texas state court. We reached a confidential settlement in December 2004. I am not at liberty to discuss the settlement. But, I can share this with you. My lawyers said that the turning point in the case came when the university lawyers realized that LAF was supporting my case. The name of AAUW carries a great deal of weight. I can't thank you enough for all that you have done for me.

Moderator: Thank you Kari. (*She begins applause. When applause dies down, she introduces the next speaker.*)

Moderator: It is now my pleasure to introduce Bonnie Pitblado to you. Bonnie was hired in the tenure-track position as a visiting assistant professor of anthropology by Western State College of Colorado in 2000. She filed suit against the Trustees of the State Colleges in Colorado for retaliation in May 2003. In October the LAF Board of Directors awarded her a \$5,000 grant in support of her suit. Bonnie, (*Moderator gestures her to come forward to speak.*)

Bonnie Pitblado: Thank you for allowing me to speak to your group. I must begin by telling you that I was considered a promising young archeologist and academic. I had received high praise for my professional achievements, collegiality, and success in teaching. Therefore, I never guessed that my complaining about a male colleague's hostile treatment of women would have me being asked to leave my first tenure-track job.

During my first academic year, I concluded that Mark Stiger, my senior colleague in anthropology and a tenured full professor, treated female colleagues and students differently from his male colleagues and students. On more than one occasion, I asked Stiger to provide me with access to critical research, curation, and display space. At the same time, he was giving male undergraduate students access to space that I, as a faculty member holding a doctorate, could not enter. (Later Stiger admitted that he had refused to allow me access.)

I repeatedly brought Stiger's treatment of women in the department to the attention of the department chair. The chair remarked on many occasions that Stiger's behavior was offensive. He agreed that I was working in a hostile environment. However, nothing changed. And it is an understatement to say that the situation between Stiger and myself did not improve! Bi-weekly mediation sessions with the college's human resources director were held during the fall 2001 semester. But even they yielded little progress. At the conclusion of mediation, now WSC president, Jay Helman broke the news to me that my contract would not be renewed. Budgetary reasons were cited as justification for his decision. (However, I think it is important for you to know that Jay Helman and Stiger had developed a very close social relationship upon arriving on campus in 1989. And I can't help but feel that this weighed in significantly.) .

Despite the alleged budgetary issues that were supposedly the reason my contract would not be renewed, I soon learned that a new, part-time lecturer position in anthropology would be offered in the upcoming academic year. I applied for the part-time position. WSC never acknowledged my application. In early 2002, I returned from a trip to find a job announcement taped to my office door. It described a full-time anthropology position with a salary nearly that of my own and a suite of courses identical

to the one I had taught for two years to excellent reviews. Wasn't I just told that my position wouldn't be renewed because there was no longer enough money?? And interestingly enough, the position's criteria was constructed in such a way to exclude someone with my qualification from applying. So, I approached the department chair about the job announcement. Now, he admitted that my nonrenewal was a result of more than simple budget cuts! I was never offered any new position at WSC.

Thus, I filed suit. Title VII says that it is illegal to retaliate by denying someone a job because of pointing out discrimination practices. I recently reached a confidential settlement with the college. I want to thank you for all of the support LAF has given me. Fighting for fair and equitable treatment in the court system is a long and arduous battle. However it is one that must continue. I don't regret my decision. Keep up your excellent work!

Moderator: (*Leads clapping.*) That is an inspiring story, Bonnie. Thank you so much for sharing it with us. Our next guest is Kathy Sokol. She was the former chairperson of the Department of Hospitality Studies/Tourism at St. Louis Community College. She sued the institution for sexual harassment, sex discrimination, and retaliation. LAF awarded her a total of \$24,408.00 in support of her case: \$25,000 from the LAF board and \$408.00 in donor-designated contributions.

Kathy Sokol: Thank you so much. I can't begin to tell you how much I have appreciated all of the support LAF has provided me. Thank you, thank you, thank you.

I began my career at St. Louis Community College in 1992. I was hired as chair of the department of hospitality studies/tourism at the Forest Park campus. As chair, I constructed and dedicated a model new building for the department and helped the department attain an outstanding reputation in the St. Louis community and beyond.

In March 1999, I became aware of sexually inappropriate language and comments by a male faculty member of the department. He described the new building in sexually suggestive terms and called a female student a "f----- b----" during class as well as making other inappropriate comments to faculty and students. I confronted the faculty member about his conduct, but he refused to modify it. I then made a formal complaint to the college and in 1999; I filed a formal grievance with the college. The college returned the unprocessed grievance to me the same day, stating that an investigation was being conducted and I would be kept advised of the status.

The college failed to conduct an investigation for several months. In the absence of any indication that the college took the matter seriously, the faculty member against whom I filed charges began to retaliate against me. This created a very hostile work environment for me. I experienced emotional distress including sleeplessness and anxiety. Because of the harassment, I went on sick leave in November 1999 and did not return to work until February 2000.

Upon my return to work, I found three full-time male faculty members in my department united against me and an administration that would not support me. The administration did not allow me to teach any classes during the spring semester. Personal items in my office were removed or damaged. The male faculty members shunned and threatened me. I was forced to move my office to another building because the college could not ensure my safety.

In April 2000 the college removed me as chair of the department. The faculty and administration refused to inform me of meetings and important developments in the department. They changed the time of the class I had taught for 10 years without consulting me first. They required me to complete a request to leave when I was absent from campus, although male instructors were not asked to do so. The college also failed and refused to respond to my questions, e-mail messages, and memoranda regarding my job and the operations of the department.

I filed a lawsuit in federal district court in March 2001, alleging sexual harassment, sex discrimination, and retaliation for reporting sexual harassment. In October 2000, a jury found that the college and two male defendants abridged my First Amendment rights to report sexual harassment when they retaliated against me for reporting such incidents. I was awarded a total of \$55,000 in damages.

Following the trial, the college continued to retaliate against me, adding further to the hostile work environment already present. The college and I agreed that I would be transferred to another campus in a non-faculty position. Following my relocation to the Meramec campus, the college demanded as part of the relocation agreement that I be prohibited from publicly speaking about my suit. I refused and was subsequently moved back to the Forest Park campus in another non-faculty position.

In March 2003, a court ordered me back to the Meramec campus immediately, and further ordered that I would not have any restrictions on my ability to speak publicly about my suit.

As you can see, it is not an easy course that each of us before you has taken. However, the total worthiness of such action is obvious. I owe you so much. I never could have done it without the help of LAF. AAUW is a fabulous organization.

Moderator: Thank you Kathy. I admire your courage to put forth such a valiant fight. *(Leads clapping.)*

On July 7, 2005 an AAUW Media Alert was issued. Leslie T. Annexstein, director of the AAUW Legal Advocacy Fund states, "Of all of the criteria that universities may use in evaluating the performance of women faculty, the use of collegiality as a criterion in employment decisions has too easily become a mask for sex discrimination" AAUW Legal Advocacy Fund has awarded Batya Weinbaum \$5,000 to support her case. It appears to be one in which her employer, Cleveland State University has not reappointed her because it alleges that she lacked collegiality. It is presently in discovery. Let's keep track of this lawsuit.

You have heard the moving stories of these women. They couldn't have done it without AAUW LAF. It is crucial that we maintain supporting such women. It can't be done without you. Gifts of all sizes are needed and you can see how greatly it will be appreciated. Please consider making a gift to AAUW LAF to ensure equity for all women. Your donations are tax deductible. Your gift can support LAF generally or be designated for a particular plaintiff.

(At this point, the moderator can hand out an LAF contribution slip with information as to date deadlines, how to make out the check, and where to mail it, etc.)

While the above is going on, the moderator can say the following to return their focus.

Moderator: We've been listening to some heavy material today. I thought it would be good to end on a light note. I heard this joke the other day: A female professor was walking across campus when she ran into two male colleagues, one her department chair and the other a college administrator.

Female professor: Wouldn't you say that collegiality is the idea of cooperation and collaboration among colleagues in college and university faculties?

Male Department Chair: Absolutely! We have the ideal setting where we all look to each other for help and are willing give ours.

Female professor: Does that mean that all ideas, positive or negative criticism, flow freely without cause to worry about recrimination?

Male Administrator: Yes, collegiality requires that we are all willing to listen to each other.

Female professor: Then it is perfectly proper for me to point out that this college pays its female professors less than male professors doing the exact same job? And that there are no females as department heads? Have I got that correct?

Male Administrator: Oh no! That's "LACK of collegiality"! Collegiality requires making sure that your personality fits into your male colleagues' view of how a female professor should act.

Moderator: Since that joke has more fact than fiction, it is really no laughing matter. That is the reason we must all "LAF" together so that eventually, we will have the last laugh!

SCENE III

The three women representing the local branch get together after the branch meeting and begin to discuss it. One possible prop could be a copy of the study. It can be found on the AAUW website.

Woman 1: How did you like the meeting the other night?

Woman 2: I am so glad I went. It was well worth changing my plans. I don't think I ever realized the extent to which women in academia suffer discrimination. I really thought it was a thing of the past.

Woman 3: So did I!

Woman 1: To be perfectly honest, so did I, until I began to read on the subject. If you go to AAUW's website, you can get up to the minute information on everything you ever wanted to know about AAUW. I found this study dated February 2005, which AAUW endorsed, entitled "The (Un) Changing Face of the Ivy League". I was shocked at the conclusions. The workforces of Ivy League universities are starkly stratified by race and gender. For women and people of color, the academic ladder is broken, making it less likely that they will advance to the higher- ranking, more secure positions. The relatively few women who do climb the academic ladder are paid less than their male colleagues.

Woman 2: If the nation's most prestigious universities are reproducing, within their own walls, patterns of segregation and discrimination that they purport to be working against, what lessons are the students at those universities learning?

Woman 1: It is an awful example to set for the young women at the universities, in particular. Women made up 58.2% of the doctoral degree program enrollment nationally. The Ivy only had 46.0%. That's a big discrepancy.

To compound the problem, after these women get their education, they will find it hard to get tenure- track jobs. The Ivy universities are now primarily creating jobs off the tenure track ("non-ladder" jobs). From 1993 to 2003 the Ivy League has increased its tenured positions by 9%, Tenure track by 10%, and the Non-ladder jobs by 108%. Women average only 1 in 5 tenured faculty positions in ALL fields of study, not just the sciences where their under representation is being questioned.

And even when women manage to gain access to the faculty jobs at the upper rungs of the academic ladder in the Ivy League, they face a significant pay disparity by gender. Across the Ivy League, full-time tenured and tenure-track female faculty are paid less than their male colleagues. When all faculty is taken into account, including the non-ladder faculty, the pay gap widens. Women faculty at the Ivy League universities make only 77% of their male colleagues' pay.

Woman 2: Are you sure that your information is correct? I can hardly believe that we haven't made the progress I had envisioned.

Woman 1: Yes, read the article from which I gleaned my information. It's all there.

Woman 2: I want to thank you for reminding me that I joined AAUW for its mission to promote lifelong education. And I have needed to educate myself! I have always donated to Educational Foundation to provide educational equity for women and girls. Now I see the importance of also contributing to LAF in their support of achieving equal job opportunities and pay in academia. Our job is far from finished! Count on my help!

Woman 3: I too wish to thank you. In discussing this issue, I see the entire mission of AAUW clearer than I ever have before. This is an organization to which I wish to belong! You can count on my help also! Direct me to the membership chair.