

February 12, 2015

Testimony to the Higher Education and Employment Advancement Committee about

*SB 861 AN ACT CONCERNING CRIMINAL HISTORY RECORDS CHECKS AND DISCIPLINE OF FACULTY MEMBERS OF INSTITUTIONS OF HIGHER EDUCATION.*

Thank you, Senator Bartolomeo, Representative Willis and members of the Higher Education and Employment Advancement Committee for allowing me to submit written testimony about this proposed legislation. I am Patricia O'Neill, Associate Professor of Psychology, Chapter President of Western Connecticut State University American Association of University Professors (WCSU-AAUP) and a member of the Faculty Advisory Committee to the Board of Regents.

I'm writing in opposition to SB 861, because the bill is unnecessary and unfair. Allow me to explain.

CSU-AAUP and the Board of Regents have a collective bargaining agreement (CBA) that separates the procedures for promotion and discipline. The evaluation for promotion is conducted by faculty peers, department chairpersons, deans, and provosts or presidents who take into account the teaching, research, service and professional activities of the candidate in question. These are contractually mandated evaluative criteria. Activities outside of these areas should be considered in this process only to the extent that those activities affect job performance.

Our CBA already provides a mechanism for the university to take disciplinary action against a faculty member who, as a result of criminal activity or conviction, is unable or unfit to perform his or her responsibilities. Our CBA already provides a mechanism to discipline and terminate a faculty member who commits an infraction rendering him or her unable to carry out professional responsibilities. SB 861 is unnecessary, as a result.

The judicial system determines punishment for criminal activity. Employers should not impose further punishment unless the criminal activities in question have adversely affected an employee's job performance. SB 861 proposes this additional punishment.

Finally, there are many different types of employees at the universities, including management, but SB 861 singles out faculty for periodic background checks and discipline resulting from those background checks. This is categorically unfair.

I urge you to oppose SB 861, for it is unnecessary and unfair.

Thank you for allowing me to submit this written testimony. Thank you for your continued support of the Connecticut State Universities.

Patricia O'Neill