



Representing Wayne State Faculty and Academic Staff

NEWSBRIEFS

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Quadruple Jeopardy

**Identity Theft, Illegal Search of Office,
FBI Investigation, Undistributed Funds—**

All Deepen the Management Crisis in the Financial Aid Office

Steve Babson, Information Officer

At a time when tuition is rising and the university is striving to increase enrollment, it would make sense for the Administration to insure that the Office of Student Financial Aid (OSFA) is capable of distributing student loans on a timely and efficient basis. That has not been the case for many years, and, unfortunately, the mismanagement that is the root cause of the problem has only gotten worse in recent months.

The university is now paying the price for the Administration's policy of trying to run OSFA "on the cheap." Our Financial Aid office is currently plagued by confirmed cases of identity theft that have, in turn, prompted two separate investigations by the police and the FBI. In the meantime, a top-heavy management structure—9 managers to supervise the 14 Financial Aid Officers (FAOs) who are members of this union—has not been able to distribute all of the available funds that could be allocated.

In an apparent attempt to cover for one of the managerial lapses that have contributed to these problems, OSFA managers have conducted an unwarranted and probably illegal search of an employee's office. While these same managers go undisciplined for their out-of-bounds behavior, FAOs are subject to a double stan-

dard that brings disciplinary suspensions for lesser transgressions.

It Begins with Identity Theft...

The sorry state of affairs in OSFA has been highlighted by a single train of events stretching back over the last six months. The story begins with a case of identity theft and it leads, now, to a scandal that jeopardizes the integrity of the university's student loan program.

FAOs have complained for some time that manage-

ment has failed to specify or consistently enforce rules that would govern the confidentiality of "AccessIDs" on Banner. Each FAO has such an AccessID, and the reasons for safeguarding it are obvious: in the wrong hands, access to Banner files containing student financial records and social security numbers makes identity theft a simple matter.

Such a case came to the attention of an FAO six months ago. A woman came to OSFA's lobby counter and indicated she had just been notified that she had received a student loan for which she had never applied.

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The FAO on counter duty immediately notified the state office that manages this particular loan program, and then delivered the file with the relevant information to the interim director of OSFA, Catherine Kay. Director Kay said she would handle the matter.

She did not. Last month the same woman returned to OSFA, now justifiably furious that nothing had been done and that the “loan” taken in her name was being distributed to the thief. Because the disbursement involves federal funds, and because her credit cards have been compromised by the identity theft, the victim took the case (as the state police advised her) to the Federal Bureau of Investigation.

It Continues With an Illegal Search...

Interim Director Kay was unable to find the relevant file given to her months ago by the FAO. Rather than acknowledge her lapse of judgment and take the consequences, she apparently sent her Associate Director, Alicia Keaton, to search the FAO's office for the file.

Keaton's search was conducted without the FAO's knowledge or permission and without a witness. This breach of trust may also be a breach of the law. The U.S. Supreme Court has ruled (*O'Connor v. Ortega, 1987*) that an employee has a reasonable expectation of privacy and that a public employer's unilateral search of a desk is a violation of the Fourth Amendment to the Constitution.

The desk search may have seemed like business as usual in an office where management monitors the desktop computers of FAOs and has the capacity to alter material on them without notification. This is not treatment most faculty would suffer lightly.

Without a witness, the potential for abuse in such a search is obvious if, for example, the missing file were to be suddenly “discovered” in the FAO's office. In fact, neither the file nor any copy of it was found. The union has asked the Administration to investigate this unprofessional behavior and, in the meantime, to direct an apology to the FAO whose office was searched.

Which Underlines a Double Standard...

At this point, one might expect that some form of discipline was warranted for a manager who failed to act on the original issue of identity theft, and who then evidently compounded the error by ordering the unwarranted search of a subordinate's desk. In cases where FAO's are responsible for lesser offenses, they are promptly disciplined.

One such case involves an FAO who did not adequately protect against unauthorized use of an AccessID. When someone then used it to tamper with files and fraudulently obtain student aid, the case drew attention to charges that management has been inconsistent in its application of guidelines restricting the use of AccessIDs by student assistants. The stated policy is that student assistants should have “read only” access to Banner, but FAOs report that managers have condoned the use of student assistants to update files.

In this particular episode, the responsible FAO acknowledged the lapse in guarding against the unauthorized use of an AccessID and accepted a suspension during the inquiry into the case. The union accepted the suspension but insisted on a prompt return to work once the investigation was completed.

In the meantime, the interim director has remained on the job despite her responsibility for an equally serious, if not greater, lapse of judgment. The double standard is underlined by the fact that, with the investigation of the above case long completed and no charges brought, the suspended FAO has not (as of press time) been returned to duty.

Which Takes Us to the Source...

The distribution of student loans is a complex and demanding task. It requires adequate resources to get the job done and competent management to motivate academic staff and coordinate the work. For reasons that defy understanding, the Administration has failed to provide either the resources or the leadership required.

Instead, there is a “penny-wise, pound-foolish” strategy to cut back on the number of FAOs and expand, instead, the number of supervisors and student assistants. This is not an *ad hoc* policy but a conscious strategy recommended some years ago by an anti-union consultant. It is time to reject this approach.

The use of student assistants in OSFA is especially problematic. It is cheaper, of course. But it is dangerous when students are given access to Banner to update files. Catherine Kay says that doesn't happen, but FAOs report that they have seen it occur repeatedly.

Even the “read only” access is a matter of concern. Students come and go, and FAOs currently

AFT Calls for Dialogue and An End to Violence in Oaxaca, Mexico

Edward J. McElroy, national president of the American Federation of Teachers (AFT), has written to the president of Mexico calling for an end to the violent clashes in the Mexican region of Oaxaca, where teacher union members and other activists have faced violent attacks from police. "The AFT deplores these violent confrontations, and we regret the reports of deaths and injuries that this conflict has caused," McElroy wrote to Mexican president Vicente Fox.

Local 22 of the Mexican National Education Workers Union (SNTE) went on strike last spring over salaries, funding for schools, and stipends to support the poorest students. After the Oaxaca state governor, Ulises Ruíz Ortíz, blocked negotiations in May, the teachers began an occupation of a massive tent city in the main square of Oaxaca City. On June 2, more than 100,000 people marched in support for the teachers' struggle.

Two weeks later, at dawn on Wednesday, June 14, state police brutally attacked the teachers' camp for four hours, launching tear gas grenades from a helicopter, and leaving nearly 100 strikers injured, some of them severely. The protesters held their ground, and the movement subsequently widened to include popular demands for reform of the state

government and the resignation of Governor Ruíz.

In late October, following repeated attacks by paramilitary groups allied with the governor, 3,500 federal police armed with assault rifles and tear gas moved into the city center in armored cars and evicted the protesters in a violent assault.

Four protesters died in the weekend of fighting, including two teachers killed by gunshot wounds, a third man struck by a tear gas grenade, and a fourth man beaten to death. A fifth victim of the violence, American journalist Brad Will, was murdered by plainclothes policemen.

The popular movement has since rallied to the defense of their remaining radio station on the campus of

the city's main university. Police and federal troops have occupied the rest of the city, and protesters report that some 50 teachers and their supporters have disappeared.

"The AFT strongly believes that the only way to end this crisis is to urge legitimate representatives to pursue true dialogue and negotiation," McElroy wrote to President Fox in the days before the police assault. He urged that "every effort be made to avoid the use of excessive military and police force."

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have little control over what they see and copy. They should not be able to see tax and other financial information that FAOs routinely must request, and their current access to Banner puts everyone at the university at risk—not just other students, but also the administrators, faculty, and academic staff who are in the system.

At a minimum, we must ask if the Administration is taking the necessary precautions to install software that would prevent access to the social security numbers included in everyone's Banner file. The capacity to suppress fields in Banner exists via the “Fine Grain Security” feature, which Wayne County Community College uses to block all employees' sensitive data. When does Wayne State plan to install comparably effective safeguards?

And Leaves us With a Question...

What do we do about management in OSFA? This newsletter has, over the years, catalogued a sorry tale of mismanagement in this vital division. Directors and Interim Directors have come and gone through OSFA's revolving door, and the consequent high turnover has only aggravated OSFA's problems.

What has to change is the culture of top-down management that seeks to eliminate FAOs and ignore their input on matters that count. There will soon be a search for a new director and we hope that it will be successful. It is clear that there is a need for a structural change in OSFA.

The idea of having 9 supervisors for 14 FAOs is ridiculous on its face. A new management culture must be fostered in which the FAOs' professional opinions and concerns are recognized and integrated into the everyday life of the unit. It is the responsibility of the higher administration to see that this is done.

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