**The Need for Graduate Assistant Unions in American Academia**

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**Dissertation Defense, The Implementation of a Thesis Only PhD Programme in American Academia**

Service Employees International Union, <https://www.seiu.org>

American Association of University Professors, <https://www.aaup.org>

***Eye of the Tiger***

Risin' up, back on the street

Did my time, took my chances

Went the distance, now I'm back on my feet

Just a man and his will to survive

So many times, it happens too fast

You trade your passion for glory

Don't lose your grip on the dreams of the past

You must fight just to keep them alive

Our platform for the graduate assistants union is better pay, $40,000 stipends, PhD contract law with 4 years of guaranteed funding, formal dismissal procedures for graduate students including a direct line to the chancellor or president, no email firings, tenure protections for graduate students, computer diary civil rights, gang activity on college campuses, discipline procedures for arrests including non-serious arrests like DUI traffic court, and protections for international students on visas who are subject to deportation if they get fired.

At UCLA, the process that’s followed for a grievance, discipline, or early termination. An Academic Senate committee or campus investigative agency conducts a preliminary investigation before a matter is referred to the Academic Senate for a formal hearing. After that hearing, a Senate committee makes recommendations to the chancellor, who has the authority to make a final decision. If the chancellor’s decision differs from the committee’s recommendations, the chancellor meets with the committee’s chair to explain the reasoning, and the chair reports that disagreement to the Academic Senate without divulging confidential information. The chancellor’s decision is communicated in writing to the person in question.

Research assistants’ purpose in obtaining the doctorate is to spend time in the lab performing research leading to an original dissertation, while also performing research for the university in their employment role. The consequence is that institutions whose research assistants become unionized will have to bargain about such issues as how many hours students spend doing research, whether they should receive overtime, what projects they can be assigned to, and whether their course of research can be modified.[[1]](#footnote-0)

It doesn’t take years to write a thesis, it takes months. For most disciplines.

The attainment of a PhD is oftentimes the pinnacle of educational achievement for an individual, and entitles them to work in Academia. They can teach classes and publish papers in academic peer reviewed journals, or work as a dean or president of a college or university. Currently, there are two systems for awarding the PhD degree: 1) American Academia, Classes, Tests, and Dissertation. 2) British Academia, Thesis Only. A fair question to ask, is why can’t PhD students in American Academia obtain their PhDs by Thesis Only? What would have to happen to change the system in America to Thesis Only? Are classes better for some degrees, and not needed for others? For example, math and engineering classes should be required, but economics and english classes should not be required.

**Graduate Student Union**

Central to the graduate student or PhD student debate, is the existence and involvement of the graduate student union at degree awarding colleges and universities. Harvard recently told their graduate students to get on food stamps. This is a novel approach, although incorrect. The financial cutoff for food stamps is $1,500 dollars per month, and Harvard pays their graduate students $40,000 per year. So, Harvard is incorrect that graduate students qualify for food stamps.[[2]](#footnote-1) What graduate students do qualify for is unemployment insurance if they get fired, and this is something that the graduate student union should communicate to their employees. I say employees, because unemployment insurance assumes that the person asking for financial assistance is an employee of the institution.

The argument against unemployment insurance is that the graduate student is only a student receiving a stipend, so they are not an employee. This is a ridiculous and frivolous claim. Clearly, the graduate student is an employee of the school, performing critical research and teaching responsibilities, and deserving of employee status. Schools should classify their graduate students as employees, not students. PhD students are graduate students, and work for a living. They are not undergraduate students on their parents’ dime, they are societal employees contributing to the economy, and should be recognized and paid as such.

**United Nations PhD Programme Rules**

The United Nations should issue PhD program rules, to bridge the divide between British and American systems. It’s been a long time now since my money was cut off for no reason and my civil right of pursuing an education was taken away. If FAU had just paid me the full year salary for moving expenses, none of this would ever have happened, even though that slick first USDE report was an interesting way to turn. You know what Madura did, he erased a 0 off my 1000 bimonthly check and I only got 100 dollars. Now that is extortion, I think so. That must be fun, erasing 0s from bank accounts. When someone moves for a job, you have to pay them the full contract, at least one year’s salary for moving expenses. Something the graduate student unions at FAU and UNLV should communicate to their employees that they can apply for unemployment insurance if they are fired. It should also not be the PhD advisor who has control over the paychecks. That is a segregation of duties problem. There should be a formal hearing before you fire a graduate student from his work, or file to disenroll from the programme.

**2010 USDE OCR FAU Report**

The USDE Report from 2010 clearly states that I asked for references the first time, so why did I have to file a second complaint for references in 2022?

1. What did I plagiarize?
2. The official dismissal was 2 weeks before finals in the email from Madura, not February 2009, that’s obvious.
3. What work did I not do and which classes did I not show up for? I missed 2 classes in Statistics in a row in November out of protest because Madura was discriminating against me and not taking me to lunch with Marek and Kien. I was preparing to go to Statistics when Madura sent the dismissal email 2 hours before class, so I didn’t go to class that day either, nice timing Jack. I showed the doctor’s note from the student clinic for heartburn to Dr. Gleason.
4. I did all my research work for Dr. Viale, and handed in my thesis proposal to Dr. Gleason.
5. Clearly, the extortion charges were retaliation from FAU. The aggravated stalking was warranted. FAU owes me the remainder of the 4 year PhD contract, since they didn’t want to settle in 2009 for 1 year.

**2023 USDE OCR FAU Report**

1. In light of the representative’s statement that the University does not request or require that faculty provide letters of recommendation, the response to the School’s request does not indicate any different treatment of the Complainant.
2. You cant be serious, the university does not require that the professors provide references. Youre a clown.
3. Thats not why I said I was dismissed. Not my grade point average. I was dismissed because Geoff Gitlen is a rogue CIA agent, and tried to steal my money.
4. What, no appeal?
5. Who was the school representative who said they dont require their professors to provide references. They need to get the hell off the campus, and are probably a college dropout.
6. My UNC GAA email account was allegedly deleted at 5PM on Friday, and at 5:44 PM I received the USDE letter which lies about my claims and rules for references.

There is a long history of graduate student unions in American Academia, with the first graduate student union being created in 1969 at the University of Wisconsin-Madison, although unionization has picked up steam in recent years due to a series of National Labor Relations Board rulings, and unionization of graduate students at both Harvard and Yale.

This has got to be one of the most foolish arguments ever, the argument against graduate student unions in America. First of all, faculty and administration are all former graduate students, so to imply that they forget the financial hardships that come with being a graduate student and making less than the average college graduate once they become a PhD is ridiculous. Of course they don’t forget. Second, to prevent graduate students from receiving unemployment insurance if they get fired as a university employee is disrespectful to someone who has taken a pay cut to continue their education. They must be liberal attorneys who write those arguments, because it is also foolish to be a liberal in America, when the police are conservative. That said, maybe the process of graduate student unions in America is just part of the political process, and in democracy we want opposing views, even from the same group, PhDs, graduate students and professors, as hard as that is to create. Maybe this is democracy in action over communism. Also, Harvard and Yale have unionized, so the rest of the American colleges should follow suit shortly.

What if a PhD student gets arrested, say for DUI? Is he fired from his job? Is he disenrolled from the academic program? This is where the graduate student union can help. Just because you get fired from the assistantship, does not mean that you get disenrolled from the academic program. The right to an education is a civil right, and everyone has the right to pursue a PhD, even if they have to pay their own way. The school could possibly issue a No Trespass Order if the arrest happened on campus, but they would still be required to provide references to transfer, which is also a civil right, references for work and school. Maybe rehab is prescribed for a first DUI offense, which is not a big deal, DUI. The graduate student union could help to define rules for what happens if a PhD student is arrested, with regards to both their job and their academic program. SFS Chapel Hill is working hard to make arrest procedures a part of graduate student unionization rules. We are working to unionize FAU, UNC, and UNLV.

As for racism in higher education, McKinsey reports that 84 percent of presidents in higher education who responded to a 2021 survey said issues of race and ethnicity have become more important for their institutions.[[3]](#footnote-2) One thing that is alarming is the slow rate of change in racial profiles in higher education, as there has been little progress in this area over the years. There is also the aspect that increases in student representation will be driven by hispanic and latino people over the next 70 years, and it will take 1,000 years for faculty members to attain equal racial representation, and the elite R1 universities will never reach parity at current levels, according to McKinsey. R1 institutions are highly research-intensive institutions, with there being 131 in America as of 2020.[[4]](#footnote-3)

As for Title IX and transgender athletes, under the Biden Administration, the U.S. Department of Education proposed a new rule that would allow schools to reject transgender athletes from competing on sports teams that align with their gender identity, when questions of physicality and fairness arise. The rule would prohibit schools from issuing blanket bans on transgender athletes in school sports, making such a policy a violation of Title IX.[[5]](#footnote-4)

Elementary school students would generally be able to participate on teams matching their identity. But as students get older and go through puberty, and as competition increases, schools and athletic organizations would make a multipronged assessment of whether or not to restrict transgender athletes from playing on their preferred team. The age of the students, the level of the fairness and the nature of the sport would be among the considerations.

Regarding the gender pay gap in higher education, according to the American Association of University Professors, full-time female faculty members earned 82 cents on average for every dollar their male colleagues took home in the 2022-23 academic year, and only 36% of full professors were women. Women earned less than men across all academic ranks, but the disparity was especially pronounced at the full professor rank, where women earned a salary of $136,490, on average, compared with $156,820 for men.

For administrators who oppose graduate student unions, the university’s official position is that we are students who are training for academia, rather than workers who are keeping this university’s mission alive.[[6]](#footnote-5) “There have been a lot of myths perpetuated that graduate unions would damage academic relationships, mentor-mentee relationships, academic freedom,” Alex Howe, a doctoral student in philosophy at the University of Missouri, says. “They’re all completely baseless, but they have dominated the discussion. The NLRB decision just thoroughly eviscerates those myths, and that in itself is a great contribution for everybody.”[[7]](#footnote-6)

Vimal Patel writes, *“The Brandeis contract also addresses perhaps the central factor in determining the success of a Ph.D. student: the quality of the relationship between the student and her or his doctoral adviser. The contract calls for flexibility in the feedback that an adviser must provide to an advisee, but requires a professor with concerns about a graduate assistant’s work to meet with the student “as soon as practicable” to discuss them.”[[8]](#footnote-7)*

**NLRB Rulings on Private College Graduate Student Unions**

1. 1972, Adelphi University, held that graduate assistants are students not entitled to collective bargaining
2. 1974, Stanford University, affirmed 1972 ruling
3. 2000, Clinton administration, granted the right to unionize, New York University
4. 2004, Bush administration, right rescinded, Brown University
5. 2016, Obama administration, granted the right to unionize, Columbia University
6. 2019, Trump administration, proposed rule to rescind right, not implemented
7. 2021, Biden administration, right affirmed

**Arguments from Harvard and MIT for no Unionization in 2016[[9]](#footnote-8)**

1. Academic freedom would suffer
2. Degradation of the sacred relationship between graduate students and their academic advisers

These arguments have little merit, and the evidence of the unionization of private colleges graduate student unions after 2016 supports this view. Academic freedom could refer to the benefits of academic tenure, whereby a professor has to exceed a threshold to be fired, and usually freedom of speech of opposing views, such as liberal v. conservative, is not enough to fire the tenured professor. Freedom of speech does not include hate speech or inciting protests, however. In these recent graduate student union contracts, academic freedom was explicitly protected and enshrined. There is also the argument that unionizing graduate student unions will degrade the sacred relationships between PhD student and PhD advisor. This is also not entirely true, as the nature of the sacred relationship is actually one of life and death, or master and serf, with the PhD advisor’s word being golden and the the PhD student is oftentimes entirely at the mercy of his PhD advisor. This power structure is unnecessary, and should change. PhD student deserves to be a protected group for civil rights violations under the full protection of the graduate student union, in part to defend against abuses of power from eccentric PhD advisors, who control their PhD students’ lives with the flick of a switch or press of a button, such as cutting off their money for differences of research opinion.

A major argument for both sides in the graduate student unionization debate is the pay, or annual stipend. It should also be noted that some areas see higher costs of living, such as New York City or Los Angeles. Private college stipends typically are around $40,000 per year, with public school stipends at around $24,000 per year. This is a major difference between private and public schools for stipend allowances for graduate students.

**Need for the US Department of Education**

A point of contention at Harvard contract negotiations has been the grievance procedure for sexual harassment, and whether an independent third party is needed. Harvard takes the view that their own investigators can handle the complaint sufficiently, while the graduate students contend they cannot be impartial, since they are paid by the university. Jonathan Swain, a Harvard University spokesman, responded to requests for independent third parties to review sexual harassment claims for female students. He said, “We find it difficult to accept the view,” he said, “that it is impossible to find unbiased members of the university community who could review an investigation on appeal.”[[10]](#footnote-9)

**Human Resources for Payroll**

*“When I had an issue with my pay stub,”* Tania Aparicio, a New School sociology PhD student, says, *“I was referred to human resources and payroll. I wasn’t referred to my adviser or my dean, because I’m an employee, and those are my wages.”[[11]](#footnote-10)* According to legal briefs filed by the university, the purpose of these positions *“is to assist students, and not create employment opportunities.”*

At FAU, for Sleem, he was clearly classified as a student. He was not referred to payroll when his money was cut off, instead, his advisor, Madura, cut off his pay himself. A clearly defamatory statement, saying that the purpose of a graduate student on payroll is to assist students, not create employment opportunities. When you get paid, it is an employment opportunity.

**Leave of Absence or Year off from PhD Programmes**

*“There’s no way for us to know how we’re going to make a living, or whether we should take a year off or a leave of absence because it’s not going to be possible to do both school and work outside the university.”[[12]](#footnote-11)*

Sleem contends that he took a leave of absence from the FAU PhD program, though stayed on salary as a research professor. Clearly, leave of absence is a real thing, often used to take care of other issues outside of academic studies.

**4 Year Contract**

*“With $1,000 increases per year over the life of the four-year contract…”*[[13]](#footnote-12)

This article discusses how usually the PhD contract is viewed as a 4 year contract, and there can even be annual salary increases. The PhD contract could be viewed as either an annual contract, or more commonly, a 4 year contract, though most certainly is not viewed as a 16 or 14 week contract.

**Quarterly Meetings with Advisor**

Sudhir Mahadevan, a former NYU PhD student, sits down with each of his Ph.D. teaching assistants at the start of each quarter and outlines their relationship. A sheet of paper specifies how many hours they’ll be working per week — no more than 20 — and how that time will be divided between teaching, grading papers, and preparing for class. He and the graduate assistant both sign the paper. This helps reduce a common complaint of graduate students everywhere: They work far more in reality than it says on paper.[[14]](#footnote-13)

At FAU, Sleem only met with his advisor one time, before the email firing. He met before the semester, but was not invited to lunch meetings during the semester with the other 2 graduate students, Marek and Kien. He protested this with a work stoppage and missed 2 classes in Statistics in November, which he also had a doctor’s note for. He was fired for his protest.

**Unnecessary Classes**

Professors will lose the discretion to favor teaching assistants with better appointments, to punish less-favored graduate students by giving them harder and educationally irrelevant classes, and to require assistants to work longer than is reasonable. Those changes sound beneficial for graduate-student education.[[15]](#footnote-14)

**Grievance Procedure**

Indeed, the interpersonal cluelessness pervasive in academe becomes downright destructive in the professor-assistant context. We have both had to deal with the fallout of graduate-student ill-treatment by other faculty members, hardly what we have been trained for. A union would provide a formal grievance procedure, decide whether the case warranted bureaucratic escalation, and deal with it institutionally, a much better channel than seeking out the ill-equipped junior faculty members. Taking all of this out of professors’ hands is not only fairer to graduate students, it gives the professors more time to focus on the primary task: educating their students.[[16]](#footnote-15)

**Faculty Unions**

The reasons why graduate student unions are more needed than faculty unions is because graduate students make less than the average college graduate per annum, and because graduate students are at the mercy of their PhD advisor, who has complete control over their academic standing and employment status, and is a master/serf relationship. Taking control of the employment status out of the PhD advisor’s hands, and putting it in the domain of the graduate student union, will serve to help the graduate student.

In the name of representative democracy, we should have two sides to the labor union argument, management and workers. Yet, there is a decided trend recently of republican administrations voting against graduate student unions, and democrat administrations voting for them. This seems to go against traditional labor union political theory, because the graduate student union is not like the auto workers union, in that the graduate student union also guarantees the right to an education, a civil right. The right to work and right to be fired by management are not rights that are enshrined in law, rather they are rights which usually need no protection because there are so many options to work and get a job in the community. There are many different types of jobs, and we need people to fill all of them. Conversely, it can be difficult to get into a different college, you might have to move and get references, so the right to an education is a civil right.

**PhD Assessment**

Since the early 19th century, when Germany and later France gave the world the modern research doctorate, research and teaching methodologies have changed at the university level. The process of acquiring and assessing a doctorate has not changed much, however, such as the time requirement, which is a minimum of three years of independent study overseen by an advisor to produce a doctoral thesis assessed by oral examination. With the proliferation of research-informed innovation in teaching and learning, the question persists of whether the doctoral degree granting process also needs to be reformed. It is argued that the doctoral assessment system lacks transparency, needs more structure, and standards are falling (G. Houston A Study of the PhD Examination: Process, Attributes and Outcomes. PhD thesis, Oxford Univ.; 2018). To bring the assessment of PhD education in line with taught higher education will expose PhD candidates to modern assessment methods to become better researchers, whether they work in academia or in industry.

There are several pathways to a doctoral degree, ranging from traditional dissertation defense on a final thesis based on one or more research questions, to professional doctorates, to PhD by publication. Engineering sees the development of professional doctorates, which are jointly supervised by an employer and an academic, aimed at solving industry-based problems. In PhD by publication, a minimum number of papers must be published or accepted for publication to award the degree. Also, doctoral students may be trained in student cohorts, to provide less isolation than that offered by the conventional supervisor–student relationship. Transferable skills, in areas such as data analysis, public engagement, project management or business, economics and finance, can also be formally assessed alongside a dissertation rather than seen as optional.

Innovations in assessment that are common at other levels of education, such as learning objectives, formative assessment, teaching qualifications, and education research, still have not been integrated into conventional doctoral programmes. In formative assessment, a tutor evaluates a student’s progress at the midpoint of a course and gives feedback or guidance on what students need to do to improve ahead of their finals. A conscientious supervisor will engage with the doctoral student throughout the semester, but at many institutions, formative assessment is not required of PhD supervisors. There must be a closer partnership between education researchers, PhD supervisors and organizers of doctoral-training programmes in universities, which would benefit both PhD supervisors and doctoral students. Education and training in research is needed at secondary levels, undergraduate level, and graduate level.

**Sleem v. FAU**

The case of Sleem v. FAU suggests that an impartial third party is sometimes needed to review the actions of the school when an investigation is commenced against school administrators.

Sleem appealed the email dismissal to the dean, and was responded to with an official dismissal in February of 2009. Dismissals are supposed to take place at the end of the school year, during the summer. Further, Sleem was suspended from the campus and a No Trespass Order was issued, over his email protests. FAU continued to deny Sleem readmittance to the finance PhD program, even after 5 years. This suggests that the college itself cannot be impartial at times, such as when they are in danger of being sued for a million dollars.

The multitude of factors that had to come together to get civil rights violations against a white male in American Academia is astronomical, and maybe it is still possible. From UNF not having a PhD program and Sleem having to transfer to FAU, to Sleem arriving early and completing his teaching notes before the semester so he had no reason to email Madura, so Madura never emailed him for lunch like the other 2 students, to Sleem not performing well in Calculus which he had passed before because he was spending all his time writing more teaching notes and doing an intense data collection for his thesis proposal, to Madura actually thinking that he could get away with firing a graduate student for missing 2 classes when he had a doctor’s note and was clearly a protest to the lack of communication from the advisor. Well, it happened, and it just goes to show that civil rights are a dumb idea. The term is discrimination, when someone is treated unfairly, you don’t need to include race and gender in the discussion.

If FAU had a graduate student union when I was a student there, I never would have been fired from my job and dismissed from my academic program. The graduate student union provides checks and balances, and is needed for 2 primary reasons. One, graduate students make less than the average college graduate, even though they have an advanced degree. Two, the relationship between the graduate student and PhD advisor is master/serf, the PhD advisor has a god-like control over his graduate students, controlling both their employment and academic progress. By taking the payroll function out of the hands of the PhD advisor, and returning it to human resources, we can reduce the power and control the PhD advisor has over his graduate students, and create a safer and more welcoming college environment.

In the Sleem v. FAU case from 2009, the PhD advisor never scheduled a meeting with the graduate student to discuss why he missed the 2 classes in Statistics. There should be flexibility in scheduling, like not saying anything until final exams are in, especially when the graduate student had a doctor’s note that he showed to a different professor. The FAU and UNLV graduate student unions should write this language into their contracts too, that the advisor must meet with the student as soon as practicable, and not distance themselves like not inviting the student to lunch. These lunch meetings are very important for first year students, as they serve as a communication outlet to voice frustrations and concerns that may have during a stressful first year in the PhD program.

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