

1 COMMONWEALTH OF PENNSYLVANIA

2 LABOR RELATIONS BOARD

3 * * * * *

4 U.S. STEEL, PAPER AND FORESTRY,*

5 RUBBER, MANUFACTURING, ENERGY, * No. PERA R-17-355-W

6 ALLIED-INDUSTRIAL AND *

7 SERVICE WORKERS *

8 INTERNATIONAL UNION AFL-CIO *

9 CLC, *

10 Petitioner *

11 -vs- *

12 UNIVERSITY OF PITTSBURGH, *

13 Respondent *

14 * * * * *

15 HEARING TRANSCRIPT

16 * * * * *

17 BEFORE: Stephen A. Helmerich,

18 Hearing Examiner

19 HEARING: Friday, October 5, 2018

20 9:07 a.m.

21
22 Reporter: Valerie B. Gregory

23 Any reproduction of this transcript

24 is prohibited without authorization

25 by the certifying agency.

1 LOCATION: Hilton Garden Inn

2 3454 Forbes Avenue

3 Pittsburgh, PA 15213

4 WITNESSES: Adam J. Lee, Ph.D.,

5 Michael Sayette, Ph.D.,

6 Kristin Kanthak, Ph.D.

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

A P P E A R A N C E S

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

NATHAN KILBERT, ESQUIRE

MANEESH SHARMA, ESQUIRE

United Steelworkers

60 Boulevard of the Allies

Room 913

Pittsburgh, PA 15222

Counsels for the Petitioner

BRAD MANZOLILLO, ESQUIRE

United Steelworkers

Five Gateway Center

Pittsburgh, PA 15222

Counsel for the Petitioner

MICHAEL HEALEY, ESQUIRE

Healey, Block & Hornack, P.C.

247 Fort Pitt Boulevard

4th Floor

Pittsburgh, PA 15222

Counsel for the Petitioner

A P P E A R A N C E S (cont.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

SHANNON D. FARMER, ESQUIRE

MEREDITH S. DANTE, ESQUIRE

Ballard Spahr, LLP

1735 Market Street

51st Floor

Philadelphia, PA 19103

Counsels for the Respondent

I N D E X

1		
2		
3	<u>WITNESS:</u> ADAM J. LEE, PH.D.	
4	DIRECT EXAMINATION	
5	By Attorney Farmer	1201 - 1250
6	CROSS EXAMINATION	
7	By Attorney Healey	1251 - 1276
8	EXAMINATION	
9	By Hearing Examiner	1276 - 1290
10	CROSS EXAMINATION	
11	By Attorney Healey	1290 - 1291
12	REDIRECT EXAMINATION	
13	By Attorney Farmer	1291 - 1302
14	RECROSS EXAMINATION	
15	By Attorney Healey	1303 - 1304
16	EXAMINATION	
17	By Hearing Examiner	1305 - 1306
18	RECROSS EXAMINATION	
19	By Attorney Healey	1307
20	DISCUSSION AMONG PARTIES	1307 - 1310
21	<u>WITNESS:</u> MICHAEL SAYETTE, PH.D.	
22	DIRECT EXAMINATION	
23	By Attorney Dante	1310 - 1359
24	DISCUSSION AMONG PARTIES	1359 - 1361
25		

I N D E X (cont.)

1		
2		
3	<u>WITNESS: MICHAEL SAYETTE, PH.D. (cont.)</u>	
4	CROSS EXAMINATION	
5	By Attorney Manzolillo	1361 - 1389
6	EXAMINATION	
7	By Hearing Examiner	1389 - 1406
8	REDIRECT EXAMINATION	
9	By Attorney Dante	1407 - 1410
10	RECROSS EXAMINATION	
11	By Attorney Manzolillo	1411 - 1412
12	DISCUSSION AMONG PARTIES	1412 - 1415
13	<u>WITNESS: KRISTIN KANTHAK, PH.D.</u>	
14	DIRECT EXAMINATION	
15	By Attorney Farmer	1415 - 1432
16	EXAMINATION	
17	By Hearing Examiner	1432 - 1434
18	DIRECT EXAMINATION	
19	By Attorney Farmer	1434 - 1444
20	CROSS EXAMINATION	
21	By Attorney Sharma	1445 - 1468
22	DISCUSSION AMONG PARTIES	1468 - 1470
23	REDIRECT EXAMINATION	
24	By Attorney Farmer	1470 - 1471
25		

I N D E X (cont.)

1		
2		
3	<u>WITNESS:</u> KRISTIN KANTHAK (cont.)	
4	RECROSS EXAMINATION	
5	By Attorney Sharma	1472
6	REDIRECT EXAMINATION	
7	By Attorney Farmer	1473 - 1474
8	EXAMINATION	
9	By Hearing Examiner	1474 - 1479
10	CERTIFICATE	1480
11		
12		
13		
14		
15		
16		
17		
18		
19		
20		
21		
22		
23		
24		
25		

* * * E X H I B I T S * * *

Petitioner's/Union Exhibits:

			<u>Page</u>	<u>Page</u>
<u>Number</u>	<u>Description</u>		<u>Offered</u>	<u>Admitted</u>
235	Summary of Requirements for Computer Science Ph.D. Program		1271	1308
236	Appointment Letter		1373	1373
237	Curriculum Vitae of Michael Sayette, Ph.D.		1375	1412
238	Departmental Handbook for Grad Students		1446	1469
239	Page from Website		1448	1469
240	Handbook		1460	1469
241	Curriculum Vitae of Kristin Kanthak		1466	1469

Respondent's Exhibits:

			<u>Page</u>	<u>Page</u>
<u>Number</u>	<u>Description</u>		<u>Offered</u>	<u>Admitted</u>
85	Research Paper		1231	1250
86	Dissertation		1231	1250

*EXHIBITS NOT ATTACHED

* * *E X H I B I T S (cont.)* * *

Respondent's Exhibits (cont.):

		<u>Page</u>	<u>Page</u>
	<u>Number</u>	<u>Description</u>	<u>Offered</u> <u>Admitted</u>
87	Annual Review Letter		
	from ISP	1240	1250
88	Grad Handbook for		
	Students in LIS Program	1245	1250
89	Letter	1296	1307
90	Department of		
	Psychology Graduate		
	Student Handbook	1315	1410
91	Paper	1329	1410
92	Dissertation	1329	1411
93	Evaluation Letter	1353	1411
94	Letter	1413	1470
95	Page from Website	1419	1470

*EXHIBITS NOT ATTACHED

P R O C E E D I N G S

HEARING EXAMINER: On the record, Friday morning.

Raise your right hand for me.

ADAM J. LEE, PH.D.,
CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS
FOLLOWS:

HEARING EXAMINER: Spell your name for us.

THE WITNESS: A-D-A-M, L-E-E.

HEARING EXAMINER: Adam Lee?

THE WITNESS: Yes, sir.

HEARING EXAMINER: Okay.

Your witness, ma'am.

ATTORNEY FARMER: Thank you.

DIRECT EXAMINATION

BY ATTORNEY FARMER:

Q. Dr. Lee, where are you employed?

A. At the University of Pittsburgh.

1 Q. How long have you worked at Pitt?

2 A. I've been here for ten years.

3 Q. What capacity are you employed at Pitt?

4 A. I'm the Associate Professor in the
5 Department of Computer Science. And I am the Associate
6 Dean for Academic Programs in the School of Computing &
7 Information.

8 Q. How long have you been Associate Dean?

9 A. I've been in this role since September of
10 2017. So the school itself was formed summer of 2017.
11 And the Dean didn't come on board until August. And
12 then established a leadership team at that point.

13 Q. So before this school was established, were
14 there programs that were spread out?

15 A. Yes. So the - the school was comprised of a
16 handful of departments and programs at the
17 undergraduate and graduate levels.

18 So the Department of Computer Science and
19 the Intelligence Systems Program used to live in the
20 School of Arts & Sciences, the Department of
21 Informatics and Network Systems, and the Department of
22 Information Culture and Data Stewardship, as well as
23 Telecom Program within the School of Information
24 Science.

25 And we have a program on Computational

1 Modeling and Simulation that's across our school, Arts
2 & Sciences and Engineering.

3 Q. So if we were to look at enrollment numbers
4 or the number of appointments for spring of 2018, would
5 it still show students who are - who really belong in
6 your school but are still scattered?

7 A. Yes.

8 So because the school was formed after
9 people matriculated to the University, they had the
10 option of staying enrolled in school that they were in
11 before the School of Computing & Information was
12 created or coming to the new school.

13 So we have students who are currently in our
14 school. We have students from Computer Science and
15 Intelligence Systems who are still in Dietrich. And we
16 actually have students in other programs, that are in
17 the School of Information Sciences, which no longer
18 actually exists, so -.

19 Q. That cleared it right up.

20 A. Yeah.

21 Q. But in - in any event, is there any
22 difference in what's going on with those students,
23 based on where they're listed on some piece of paper?

24 A. Yes and no. They're not mentored any
25 differently. They don't have any different

1 preferential treatment in appointments or in course
2 enrollments or anything else. They will get a - a
3 diploma from the school that they are in.

4 So you know, if a Computer Science student
5 in Dietrich defends this semester, they're going to get
6 a diploma from The Dietrich School of Arts & Sciences,
7 not from The School of Computing & Information.

8 And then there are also school-level
9 policies that apply to students. And so they're bound
10 by whatever school-level policies for the school that
11 they're currently in.

12 Q. And for the most part, are things the same?

13 A. Yes.

14 I mean, like the - the degree policies live
15 in our school. And so regardless of where the student
16 is, they're following the degree policies in our
17 school.

18 Q. Okay.

19 Thank you for clarifying that.

20 Can you tell us about your educational
21 background?

22 A. Sure.

23 I did my undergrad at Cornell. I got a
24 Bachelor's in Computer Science and a minor in Applied
25 Math. I got a Master's in Ph.D. in Computer Science at

1 the University of Illinois at Urbana-Champaign. And
2 then I came here.

3 Q. So under the new organization of this
4 school, how many departments are there?

5 A. At the graduate level?

6 Q. At the graduate level?

7 A. There are three departments. So Department
8 of Computer Science, Department of Information Culture
9 and Data Stewardship, and the Department of Informatics
10 and Networks Systems. We also have Graduate Programs
11 in Telecommunications -.

12 HEARING EXAMINER: I-N-F-R-O (sic)
13 matics or F - I-N-F-O-R-matics?

14 BY ATTORNEY FARMER:

15 Q. The spelling of informatics?

16 A. I-N-F-O-R-M-A-T-I-C-S.

17 HEARING EXAMINER: Go ahead.

18 THE WITNESS: And we also have programs
19 which are comprised of faculty from many departments,
20 and Intelligent Systems, Telecommunications,
21 Computational Modeling and Simulation and -.

22 Those are the big ones.

23 BY ATTORNEY FARMER:

24 Q. How many - let me ask a different question.
25 What kind of graduate degrees are offered?

1 A. Master's degrees, Ph.D. - Ph.D. degrees.

2 And then we also offer Certificates of Advanced Study
3 at the postbaccalaureate level.

4 Q. Are the Master's students generally funded?

5 A. Not typically. The exception would be our
6 Information Culture and Data Stewardship. Our LIS
7 Program does have a couple of endowments that provides
8 scholarship to some of their NALS students. But it's -
9 even in that program it would be the exception, not the
10 rule.

11 Q. So we're going to a focus on Ph.D.

12 HEARING EXAMINER: Are they a Master's
13 because they're not ever appointed to be TA, TFs or -?

14 THE WITNESS: They're not appointed to
15 be TAs or TFs. They can be appointed to be graduate
16 student researchers.

17 HEARING EXAMINER: But it would be in
18 the scholarship format?

19 THE WITNESS: No.

20 ATTORNEY FARMER: No.

21 THE WITNESS: So GSR funding coming out
22 of, you know, federally-funded grants or other grants
23 is at the discretion of the faculty members. So they
24 can be offered a - a GSR appointment that would offer
25 the same benefits it does to a Ph.D. student. So

1 tuition remission, health insurance, those sorts of
2 things.

3 HEARING EXAMINER: How long is a - a
4 Master's student who's on a GSR, how long are they
5 typically on campus?

6 THE WITNESS: Most Master students
7 complete the degree in two years. Most people that are
8 on a GSR are probably only on it for about a year.
9 Because it takes time to even find a research project
10 to work on.

11 HEARING EXAMINER: So a typical Master
12 student who's going to be appointed a GSR will only
13 expect to be on that for one academic term?

14 THE WITNESS: I don't know that there's
15 a typical Master's student that would expect to be on a
16 GSR, but - not one term, like probably a year.

17 HEARING EXAMINER: Okay.

18 So do you have a - let's make up one
19 then.

20 So say you have a Master's student named
21 Susan. Susan is in her second year and she's appointed
22 to a GSR.

23 Right?

24 THE WITNESS: Uh-huh (yes).

25 HEARING EXAMINER: Is she going to

1 expect to only be on that for one academic year?

2 THE WITNESS: Most likely. I mean, it
3 would - it depends on the student. But I would say
4 most - most graduate students who are - or most
5 Master's students who are pursuing research are moving
6 through their programs very quickly. They come in very
7 prepared for the Master's Program. And so they're
8 going to graduate in two years. Susan's expectation is
9 probably that she's had a job at the end on of that
10 second year.

11 HEARING EXAMINER: Perfect. Go ahead.

12 BY ATTORNEY FARMER:

13 Q. So we're going to focus on Ph.D. students -

14 A. Yes.

15 Q. - in your testimony.

16 How many Ph.D. students are there in the
17 school?

18 A. I think the last numbers I saw were about
19 160.

20 Q. Are they funded on academic appointments?

21 A. Yes.

22 Q. Is it common for students to have a variety
23 of different type of academic appointments during the
24 course of Ph.D. Program?

25 A. Yes.

1 Q. Can it change from year to year?

2 A. Yes.

3 Q. Can it sometimes change from semester to
4 semester?

5 A. Yes.

6 Q. What's the purpose of having Ph.D. Programs?

7 A. To train researchers.

8 Q. Can you just give us an overview of the
9 admissions process?

10 A. Sure.

11 When students submit application materials
12 to centralized application portal for the school, they
13 indicate the programs are interested in. The
14 applications then get copied out to - to systems in
15 those programs.

16 Typically, there's, you know, an
17 administrative pass that's taken by one of the - the
18 graduate administrators, who goes and checks to make
19 sure people are qualified, right - that, you know,
20 you're not applying to a Ph.D. in Computer Science, to
21 a background in Zoology and - having never taken a
22 computer Sciences class.

23 But that's sort of a - just a cursory pass
24 to - to flag things. And then typically the Grad
25 Director will go in and check that work and make the

1 final call on those students.

2 Our department and programs tend to put an
3 Admission Committee in place. It's typically chaired
4 by the Graduate Director for that program. Consists
5 of, you know, anywhere from three to five faculty
6 members, who review all the applications.

7 Typically, you know, you're going to get at
8 least two or three reviews on every application. In
9 most departments the - the Admissions Committee will
10 sort of prescreen and come up with a set of candidates.
11 And then members of the - the full faculty are eligible
12 to go in and take a look, and see if there are
13 particular students who jump out as being particularly
14 prepared for their research or aligned with their
15 interests.

16 Q. In the ten years that you've been at Pitt,
17 do you - have you reviewed student applications?

18 A. Yes.

19 I was - before I was the Associate Dean, I
20 was the Graduate Director for the Department of
21 Computer Science for two years. So I oversaw the whole
22 admissions process for that department.

23 And before that - I guess in the, what,
24 seven years prior I was probably on the Admissions
25 Committee three years, four years out of that. And

1 probably every year reviewed at least a couple of
2 applicants who said they were interested in my
3 research.

4 Q. Do you also mentor students?

5 A. That's a large part of supervising Ph.D.
6 students as mentorship.

7 Q. How many students have you been involved in
8 supervising, advising during your time at Pitt?

9 A. In terms of direct advising, ten, maybe.
10 But you know, there's also - I've co-advised a number
11 of students. Our department is pretty collaborative.
12 So I've co-advised a number of students.

13 And then I've been fairly active on the
14 Ph.D. committees that I'm on in working with those
15 students as well.

16 Q. So based on your extensive experience with
17 the students, why do they come to get a Ph.D. at Pitt?

18 A. They want to learn how to do research. I
19 don't know, there's a variety of reasons.

20 Right?

21 So folks in Computer and Information Science
22 are in sort of an evil position for getting a Ph.D. in
23 that - you know, it's not that - the only career path
24 is to become a professor. You know, a Ph.D. in - in
25 these fields can prepare you to go work in a research

1 lab, a government lab, go -.

2 A lot of big companies like Microsoft have
3 research labs of their own. So students want to come
4 in, learn how to do some sort of research and go, you
5 know, set their own agenda. The fun part of research
6 is, that if you can find the funding you can work to
7 problem, so -.

8 HEARING EXAMINER: I have two questions.

9 ATTORNEY FARMER: Go ahead.

10 HEARING EXAMINER: Simple ones.

11 All right.

12 Do your - you said you do Admission
13 Committee stuff and you're the Dean, too, of the
14 Graduate - Associate - Associate Dean and then you were
15 also Director of Graduate -

16 THE WITNESS: Studies.

17 HEARING EXAMINER: - Studies?

18 Do your incoming Ph.D. candidates need a
19 Bachelor's degree or an international equivalent?

20 THE WITNESS: Yes.

21 HEARING EXAMINER: One thing - I forget,
22 who was - the - the professional yesterday said one
23 thing they look for in applicants is ability to do
24 critical independent thinking.

25 Is that something you look for?

1 THE WITNESS: Absolutely.

2 HEARING EXAMINER: Why?

3 THE WITNESS: I mean - so doing research
4 is all about identifying interesting problems.
5 Problems that other people either haven't been able to
6 formalize, haven't been able to solve and be able to
7 pick them a part.

8 So I mean, it's being able to - to work
9 on hard problems is a hundred percent the game -

10 HEARING EXAMINER: So that's a -

11 THE WITNESS: - and importance.

12 HEARING EXAMINER: - that's a function -
13 that is something that your grad students do?

14 THE WITNESS: Yes.

15 HEARING EXAMINER: And then committees,
16 you mentioned you're on committees. And I've heard a
17 lot from professors. And they're all on committees of
18 some sort.

19 Are graduate students ever on
20 committees?

21 THE WITNESS: Yes.

22 HEARING EXAMINER: What kind of
23 committees are they on?

24 THE WITNESS: So we - I chair our
25 Academic Counsel for the School of Computing &

1 Information, which is tasked with effectively approving
2 any new programs, termination of programs, significant
3 alterations to programs, changes to requirements,
4 things like this. And we have both graduate and
5 undergraduate student representatives on that
6 committee.

7 Students are - have positions on the
8 Planning and Budgeting Committees for the units across
9 campus, so that they have a voice and they sort of
10 share governance that way.

11 And - I mean, there's a lot of - in our
12 departments, Ad Hoc Committees get pulled in. So all
13 of our department chairs do town hall meetings with the
14 grad students and bring them in here for their hearings
15 as well.

16 HEARING EXAMINER: Thank you, Ms.
17 Farmer.

18 ATTORNEY FARMER: Sure.

19 BY ATTORNEY FARMER:

20 Q. Do students enroll in the Ph.D. Program to
21 make money?

22 A. No, no. Especially - no, not - not in our
23 school. I mean, our - our undergraduates can make six
24 figures with a Bachelor's degree.

25 Going to grad school for five years is a - a

1 pretty big opportunity, cost.

2 And you know, when you come out, you're -
3 you're probably not making a whole lot more than - than
4 you would have made, right, it's - it's sort of a -
5 it's a different trajectory to do work. It's not
6 necessarily a path to making lots of money.

7 Q. Are students paired with advisors during the
8 admission process or once they arrive?

9 A. So in - in our departments and programs it's
10 both. And I'll explain. So when we admit people - a
11 faculty member during the admissions process, say if I
12 have a grant and I want to admit this student to work
13 on it. And the committee vets them and says that's a -
14 a great student, we'd like to have them, they may
15 become my research advisee immediately, if they accept
16 the appointment.

17 The typical path in our school is that
18 students are admitted to the program, not to an
19 advisors group. But when they're admitted to the
20 program, they're paired up with a temporary advisor,
21 someone who oversees the matriculation of the program,
22 helps them enroll in courses, identify faculty with
23 whom they might want to work, et cetera.

24 And then throughout their first year of
25 studies, as they're doing classwork they're also likely

1 attending research group meetings, different
2 departments and programs. They have different
3 requirements on how students get involved in research
4 in that first year.

5 But the idea is that they are testing the
6 fit with at least a couple of different faculty
7 members. And usually by some point during their second
8 year they've affiliated with a formal advisor.

9 So they're assigned temporary advisor and
10 admissions. They eventually associate with a research
11 advisor, who may or may not be the same person.

12 From my own students, some of them came in
13 as my advisees early. Some of them found me during
14 their first or second year.

15 Q. So is it - what happens in that first year,
16 is it a form of rotation?

17 A. It depends. It depends on the program. So
18 I - I can talk about Computer Science in detail. And
19 Computer Science, it - it is sort of like a lab
20 rotation.

21 So all incoming Ph.D. students take a course
22 in the fall called CS 2001 Intro to Research Methods,
23 you know, how to - how to read papers, how to
24 critically evaluate work, how to present your work and
25 communicate research with others.

1 And in the spring may take another course
2 called CS 2002, which is sort of like a lab rotation in
3 the bench sciences.

4 So they're - they have to find two advisors.
5 And they do either one joint project with those two
6 advisors or two small projects. And the idea here is
7 that they're understanding whether or not they like
8 different research areas.

9 So somebody - I do computer security and
10 privacy work. Somebody might think, oh, that sounds
11 sexy, let's go work with Adam. And then realize that
12 what I do is completely uninteresting and they want to
13 work with somebody else.

14 It's also an opportunity to test the - the
15 personality fit, right, you know -. When you're
16 spending as much time with some of these as you do with
17 the Ph.D. advisor, you - you kind of got to get along.

18 And so we got that - that formal part. And
19 I'd say a good chunk of our students will identify an
20 advisor after that.

21 For the students that don't, it's not
22 uncommon to do independent studies during the fall or
23 the - sorry, the summer term or the following fall.
24 And through the course of one or more independent
25 studies, finding another advisor that they eventually

1 associated with.

2 So it's partially a formal rotation. And
3 it's partially an informal rotation, if things don't
4 suss out in the first pass.

5 Q. So you said that you've advised a number of
6 students. How would you describe their relationship of
7 being a research advisor?

8 A. It's complicated. So I mean, the - the -
9 the primary role is that - I mean, you're - you're a
10 teacher and you're a mentor. You spend a lot of time
11 with students. Sometimes you end up talking about life
12 in general and all of these other things.

13 But in terms on the academic side, the job
14 is to take somebody who - and in some likelihood
15 doesn't know what research is, teach them about the
16 process, work with them on critical-thinking skills,
17 how to identify good problems, work on their technical
18 skills, their solutions, work on - you know, you're a
19 writing coach, you're a presenting coach, you're many
20 things.

21 HEARING EXAMINER: Does everybody who's
22 admitted to your program already know how to program
23 one at least or two different languages?

24 THE WITNESS: It depends on the program.
25 Computer Sciences, yes. Information Science, the - the

1 requisite is that you've just had a programming course,
2 so you have some familiarity with programming.

3 HEARING EXAMINER: But Computer Science
4 they have to know a lot?

5 THE WITNESS: It's - typically, you have
6 an Undergraduate degree in Computer Science, Computer
7 Engineering, Applied Math, something very related where
8 you've done a lot of programming.

9 HEARING EXAMINER: Go ahead. Thank you.

10 ATTORNEY FARMER: Thanks.

11 HEARING EXAMINER: It's almost that you
12 don't even need to make it a formal requirement,
13 because they just - they just come with it anyway?

14 THE WITNESS: No, we get lots of
15 applicants that don't have it.

16 HEARING EXAMINER: Okay.

17 THE WITNESS: And so it's a - I mean,
18 there's - a lot of the people I think want to pivot
19 into doing Computer Science.

20 And so trying to - to figure out that
21 path is something we're - we're working on. But the
22 really qualified applicants have it.

23 BY ATTORNEY FARMER:

24 Q. Do you ever admit applicants who maybe are
25 nontraditional in their background?

1 A. Yes. So when I was a Grad Director we
2 actually relaxed - one of the things that I did was try
3 to relax our admissions requirements exactly for this
4 reason.

5 So we had - I think there was some, you
6 know, rock star student from an Ivy League school who
7 is getting a Master's in Statistics with straight As,
8 at a grade school, and had taken a half dozen Computer
9 Science classes, but not enough to sort of meet the
10 admission requisites. And I was miffed that we
11 couldn't admit this person.

12 So one of the things we've done is try to
13 ratchet that back a bit. And then work on mentoring
14 the students that come in with some deficiencies in
15 their preparation to try to get them up to speed.

16 Q. So when a student comes into the program,
17 can you talk about what they're typically doing in
18 their first year, in addition to the two classes that
19 you described?

20 A. Sure.

21 A lot of it is going to be just tackling the
22 - the core courses for the - the degree.

23 Right?

24 So all of our Ph.D. Programs in the school
25 have some core coursework that takes somewhere between

1 a year and a half to two years to - to get through.

2 And so those - that first period there's a lot of just
3 buckling down and getting those courses done, making
4 sure you get decent grades to pass preliminary exams
5 and things like this.

6 But then at the same time, working on
7 research, right. So trying to find an advisor - if all
8 you do is sit in on their reading group meetings and
9 discuss the papers that the group is talking about,
10 that's at least some exposure, some learning there.

11 But the idea is that even in that first year
12 there they're starting with research.

13 Q. And during that first year, how are they
14 typically funded?

15 A. So most of the students coming in, in their
16 first year are funded either as fellows - so they have
17 a fellowship through the school or as teaching
18 assistants.

19 A small number a people might come in as
20 GSRs or grad student researchers. But that would be
21 sort of at the discretion of the faculty member who
22 just identified someone in the application pool that
23 they immediately wanted to bring in to work on a
24 project with them.

25 Q. So you said students are about - is it the

1 first two years where they're typically taking the bulk
2 of the courses?

3 A. Yes.

4 Q. And then after that are most students not
5 taking courses anymore?

6 A. You're probably going for take course here
7 and there. So if an interesting seminar crops up
8 somewhere, you would probably jump to take it. Or if
9 your research moves in a different direction, and say,
10 oh, no, I really need some more background in
11 artificial intelligence, I should take a course to
12 build that background up, then you'll take courses even
13 though it may not necessarily count for anything
14 towards the degree.

15 HEARING EXAMINER: So you have TAs who
16 aren't performing work as teaching assistants?

17 THE WITNESS: What now?

18 HEARING EXAMINER: You have first year
19 Computer Science graduate students who have a letter
20 calling them a TA?

21 THE WITNESS: Yes.

22 HEARING EXAMINER: But they're not
23 performing any work as a teaching assistant?

24 THE WITNESS: No, they are performing
25 work as a teaching assistant.

1 HEARING EXAMINER: We haven't gotten to
2 that part yet?

3 ATTORNEY FARMER: We haven't gotten to
4 that part.

5 HEARING EXAMINER: Okay. Go ahead.

6 ATTORNEY FARMER: Okay.

7 BY ATTORNEY FARMER:

8 Q. So the requirements that you've talked about
9 for what students are doing, do they change based on
10 how the student is funded, in terms of coursework?

11 A. No, the academic requirements don't change
12 at all, no.

13 Q. Can you talk about what types of research
14 take place within the school?

15 A. Yeah, sure. A huge spectrum. So in all of
16 our departments there are people who do sort of core
17 research to the discipline.

18 So in Computer Science, we have people who
19 do research on everything from algorithms to artificial
20 intelligence, to computer security, to computer systems
21 and programming languages.

22 In Information Science, we have people who
23 are interested in human computer interaction,
24 analytics, urban computing, all sorts of things like
25 this.

1 In our LIS Program, there are people who
2 study archives and all sorts of other library-related
3 things. ISP is mainly focused around artificial
4 intelligence and machine learning. Computational
5 Modeling and Simulation, those students are working
6 typically on large-scale science.

7 So you know, computational chemistry or
8 public health simulations that require supercomputing
9 and things like this.

10 So it's a huge spectrum of disciplinary
11 work, as well as we have faculty who are collaborating
12 across campus.

13 So we have machine learning faculty working
14 with the Med School. And they do - you know, trying to
15 learn on medical records, and time series data, and
16 predict illness and things like this.

17 So it's a fairly large spectrum of things.
18 Computing is cross-cutting, you know, almost every
19 discipline at this point. And so there are many, many
20 things going on.

21 Q. How long is typical for students to take in
22 the Ph.D. Programs?

23 A. Five to seven years. Five to six years.

24 Q. So you said students will initially - either
25 during the admission process or doing that rotational

1 process that you described, be paired with a mentor and
2 working on projects.

3 How do they eventually develop what's going
4 to be their dissertation project?

5 A. You find that one problem that has - when
6 you keep picking at it, it keeps getting harder and
7 harder. And there's more and more things to do.

8 So it might be the case that, you know, the
9 first couple of projects that you work on, you know,
10 your advisor floats you and they're - they're
11 softballs.

12 Right?

13 They're - they're sort of easy things to -
14 to figure out and work on. And you'll take somebody
15 else's paper, and extend it a little bit and, you know,
16 push the assumptions or change the direction of that
17 work.

18 Over time, you know, you just get ideas.

19 Right?

20 It might be that, you know, you're working
21 with your advisor and - on writing a grant proposal
22 around some topic. And there's a chunk of it that
23 you're very passionate about and that becomes your
24 work. And it might be that you cook up your own crazy
25 idea and you want to pursue that.

1 Q. Is hands-on experience of doing the research
2 important -

3 A. Yeah -

4 Q. - in this process?

5 A. - yes, it's critical. And it's not
6 something you learn without doing it.

7 Right?

8 Repetition is how we get better at all of
9 these things, so -. I'm teaching at a Ph.D. seminar
10 this semester.

11 And you know, I got the students reading a
12 couple papers a week and writing two critiques, right,
13 in addition to our discussions in class. And research
14 projects they're doing and they're complaining about -
15 you know, it's a lot of work, why are you having to
16 write all these critiques?

17 Oh, no, it gets easier as the semester goes
18 on. Are you going to cut back the assignments? No,
19 you're just going to get better at it. So the more you
20 - the more you read the faster you read. The more you
21 try to understand work, the faster you can understand
22 its strengths and weaknesses; you can look for its
23 flaws; you can come up with new ideas.

24 That's not something you get by reading a
25 book. It's something you get by trying, being told you

1 did it wrong. Someone critiquing your - your own work,
2 pointing out the things you've done - maybe you can
3 have done differently.

4 So I think that hands-on, you know, working
5 in a research, working with a mentor is very important.

6 Q. And do you get that - do students get that
7 hands-on experience through their GSR experiences?

8 A. Yes. But I mean, they - they would get it
9 through however they engage in research. So I mean, if
10 - if the GSR - you know, it's a research appointment.
11 So yes, that would provide that experience.

12 Q. So you have a research group of your own?

13 A. Yes.

14 Q. Are there others in your research group
15 besides you and graduate students?

16 A. Yes.

17 So I've got one project. I'm working on,
18 you know, three projects at the moment. One is with a
19 professor in Information Science and a couple of grad
20 and undergrad students.

21 One is with another professor in Computer
22 Science and a handful of grad students.

23 And then one is a - a collaboration of
24 faculty from across my School of Engineering and Public
25 and International Affairs, and associated grad students

1 and undergrads from all of those units.

2 Q. When there's undergraduates in the research
3 group, what are they doing?

4 A. It depends on the undergraduate. So it
5 might be that if it's a - a very junior student
6 they're, you know, reading papers and, you know,
7 contributing ideas or maybe helping, you know, classify
8 related work. It might be that they're running
9 experiments.

10 We've had undergrads in my group who have
11 just written code that needed to be written, but wasn't
12 necessarily graduate-level research, it was something
13 that had to be done. So they helped with the
14 mechanical aspects of running experiments, and
15 producing test beds, and setting up machines and things
16 like this.

17 But you know, your more advanced undergrads
18 are doing research that's on par with, you know, early
19 stage graduate students.

20 Q. Is it common for students' research to lead
21 to publications?

22 A. Yes, that's the expectation.

23 Q. Is it beneficial for students to have
24 publications?

25 A. Yes.

1 Q. Why?

2 A. So - I mean, I can go - I was an undergrad.
3 I was in the Engineering School, and my advice - I had
4 to take a technical writing course. And I didn't
5 really like my advisor. But like one thing he said
6 stuck with me as I was complaining about this technical
7 writing course. I don't want to take this, I want to
8 take AI this semester instead.

9 He's like, well, you need to learn how to
10 write. Because there's no science that's worth doing
11 unless you tell somebody about it.

12 Right?

13 So the whole point is to advance our state
14 of knowledge around the topics we're researching. If
15 we're doing that alone, we're not communicating it,
16 then what's the point? It's, you know, personally
17 satisfying and interesting work. It's fun puzzles to
18 solve.

19 But you know, the goal is to really change
20 the state of knowledge in these areas. So publication
21 is, you know, the primary way that we do this,
22 communicate through conferences and journals. And
23 along with written papers, we go and give talks and
24 talk to people about our work.

25 Q. Can this research be used in the students'

1 dissertation?

2 A. Absolutely.

3 Q. Is that the - the hope and the expectation?

4 A. Yeah. I mean, I - I would say most students
5 that's what happens is, the work you're doing is - you
6 know, part of your assistantship becomes your - your
7 dissertation or parts of your dissertation.

8 Q. And do you have that experience with your -
9 the students that you advise?

10 A. Yes.

11 HEARING EXAMINER: Does anybody need a
12 break?

13 ---

14 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

15 ---

16 BY ATTORNEY FARMER:

17 Q. I am showing you what we're marking as
18 Exhibits -

19 HEARING EXAMINER: Hold on. Let's get
20 back into -.

21 ---

22 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

23 ---

24 BY ATTORNEY FARMER:

25 Q. Okay.

1 I'm showing you what we've marked as
2 Exhibits 85 and 86.

3 ---

4 (Whereupon, Respondent Exhibit 85, Research Paper,
5 was marked for identification.)

6 (Whereupon, Respondent Exhibit 86, Dissertation,
7 was marked for identification.)

8 ---

9 BY ATTORNEY FARMER:

10 Q. Can you identify what 85 is?

11 A. Yeah. It's a research paper that my student
12 B. wrote.

13 Q. And can you identify what 86 is?

14 A. A very small piece of his dissertation.

15 Q. That's right.

16 Because we care about trees.

17 Did the research that is in 85 play a role
18 in the dissertation that's marked in 86?

19 A. It actually played a very, very big role.
20 So this paper, 85 - so T.H. was a postdoc at UIC that I
21 was working with. And working with B. on - on this
22 idea that -.

23 At the time, we were experimenting with
24 access control systems. So trying to figure out how to
25 manage permissions, and access resources in the

1 computer systems. And we're reading a lot of, you
2 know, literature on how we quantified sort of the
3 goodness of fit - of different approaches to access
4 control.

5 And you know, we had this feeling as we read
6 it that, you know, the literature had focused on
7 expressive power as being the - the most important
8 metric here. Sort of like the - the language that can
9 says the most things is the best.

10 Which if you think about it for more than
11 ten seconds is a really dumb idea. Because if you want
12 to do something simple, you don't want a super
13 complicated language to do it, you want the simplest
14 language that's expressive enough to do the job.

15 And so this paper was our early musings on
16 trying to define sort of the new problem in the space
17 that we ended up calling suitability analysis. And
18 this formed the basis of a - a proposal that T. and I
19 wrote. And B. helped write a good chunk of it to the
20 National Science Foundation to - to get funding to work
21 in this space.

22 So B. was in - in the - you know, the - sort
23 of the great position of helping write the proposal
24 that actually funded his Ph.D. work - or a good chunk
25 of his Ph.D. work.

1 Q. And that was funded on like an R01 grant,
2 basically?

3 A. No, it's a National Science Foundation
4 grant.

5 Q. Okay.

6 A. R01s are NIH, I think.

7 Q. Okay.

8 Is it the - basically what the - it would
9 sort of be the equivalent of an R01?

10 A. I don't have NIH money. So maybe Nathan
11 knows.

12 Q. Okay.

13 A. But like it's - it's -

14 Q. Okay.

15 A. - it's -

16 Q. It's by a team?

17 A. - it's, you know, a little bit of faculty
18 salary, a little bit of student salary.

19 Q. Okay.

20 A. And we can do the work.

21 Q. A faculty research grant distinguished from
22 like a training grant -

23 A. Right. Yes.

24 Q. - or a fellowship?

25 A. Correct. Yes. It's a faculty research

1 grant. It didn't buy us a whole lot of equipment or
2 anything like this. It was -.

3 HEARING EXAMINER: Who's the grant for?

4 THE WITNESS: National Science
5 Foundation.

6 BY ATTORNEY FARMER:

7 Q. If there's research that a student works on
8 that doesn't become part of their dissertation, does
9 that still contribute to their academic training?

10 A. Yes. I mean, any time you're doing research
11 it's contributing to your ability to do research,
12 right, whether or not you're doing the work that shows
13 up in your dissertation.

14 And if you want to become a faculty member
15 or go to a prestigious lab, it's actually probably
16 beneficial that you have side projects like this.

17 Because you know, if you're doing work with
18 people other than your advisor, you're working with
19 other grad students in the lab, you're working with
20 people at other universities, it's a strong signal that
21 you're an independent thinker, that you're trying to
22 set your own agenda and that you're curious.

23 Right?

24 And these are the things you want to see.

25 Q. So breadth is important in a researcher?

1 A. Depth and breadth. I mean - so - I mean to
2 get a Ph.D., you need a lot of depth. But also showing
3 that you can think outside of your tiny little niche is
4 - is important.

5 Q. Does the research that students do also lead
6 to academic presentations, like conferences and things
7 like that?

8 A. Yes.

9 So our school - the majors in our school are
10 different probably from a lot of the other people
11 you've heard from, in that journals are not our primary
12 publication venue.

13 So if for whatever reason in Computing and
14 Information Science we primarily publish in conferences
15 that are very competitive.

16 Right?

17 Some of them are - take eight or nine
18 percent of the papers that you end up submitting.
19 They're 18 or 20 page papers sometimes.

20 And the - the key sort of part about a - a
21 conference is that you - you go to it and you give a
22 presentation about the paper. You probably end up
23 talking to people in the hallway afterwards at dinner.
24 Maybe there are poster sessions and things like this
25 where you're also presenting your work.

1 So that, you know, human-to-human
2 presentations it's a part of almost every publication
3 that a Ph.D. student would do in Computer Science or
4 Information Science.

5 If you look at their CVs, probably 80
6 percent of their work would be conference papers with a
7 small number of journal papers.

8 Q. Do students receive academic credit for
9 their research that they do in the program?

10 A. Yes.

11 Q. How does that come about or what form does
12 it take?

13 A. It - a couple of things.

14 Right?

15 So like I told you about, Computer Science,
16 that CS 2002 course is a course. They would get credit
17 there. If you would do a directed study, that's -
18 that's credits.

19 We have courses for dissertation research,
20 full-time dissertation study. There's a handful of
21 equivalence class and independent study courses that
22 you would get credit in by doing research.

23 Q. Is the research that students are doing on
24 their GSR over and above what they're doing for their
25 dissertation?

1 A. That's an interesting question. Because it
2 sort of depends on how you count.

3 Right?

4 Probably you're working a lot more than 20
5 hours a week on research if you're doing a Ph.D.
6 You're living and breathing research. And so, yeah,
7 it's going to be one and the same. It may be
8 different. It's - it depends on the case.

9 HEARING EXAMINER: Give me an example of
10 something that's different.

11 THE WITNESS: Something that's
12 different?

13 HEARING EXAMINER: Yeah.

14 THE WITNESS: All right.

15 I'm doing my - my -.

16 HEARING EXAMINER: Don't name anybody,
17 just use a - don't name any students, just specific
18 examples of something that would be different.

19 THE WITNESS: Something would be
20 different would be that, you know - so my own
21 dissertation - I'm not a student here, but -.

22 HEARING EXAMINER: Where were you a
23 student?

24 THE WITNESS: Illinois.

25 HEARING EXAMINER: I don't - we don't

1 want to hear about that. We went to hear about Pitt
2 students.

3 THE WITNESS: Pitt students?

4 Okay.

5 So students do projects. They do
6 research related to ideas that they came up with in
7 courses. All of our Ph.D. students need to take at
8 least one seminar, depending on their program, maybe
9 two, where you - essentially instead of doing textbook
10 learning, you're reading papers, right, you're reading
11 with the stuff that's being published this year.

12 And typically a large component of the
13 grade there is research. And you made your research in
14 the context of those courses that ends up in your
15 dissertation. It's not funded by your GSR, but it is
16 work that ends up there.

17 BY ATTORNEY FARMER:

18 Q. And could the students do the - for those
19 courses, could it be an outgrowth of the research they
20 are doing on their GSR?

21 A. Sure.

22 HEARING EXAMINER: Did we have a
23 Computer Science student testify -

24 ATTORNEY FARMER: No.

25 HEARING EXAMINER: - 800 years ago?

1 ATTORNEY FARMER: No.

2 HEARING EXAMINER: No?

3 Go ahead.

4 BY ATTORNEY FARMER:

5 Q. Is a student academic performance reviewed?

6 A. Yes, -

7 Q. And how is -?

8 A. - at least annually.

9 Q. Excuse me?

10 A. At least annually.

11 So I mean, if you're at least a mentor
12 you'll be reviewing your students' performance every
13 week, right, talking about whatever they've done this
14 week, and giving them feedback and mentoring them that
15 way.

16 All of our programs also review students
17 once, maybe twice a year, depending on the program.
18 Typically the way that this works is that the students
19 fill out sort of a self-assessment. You know, what -
20 what are the courses that you've taken in the last, you
21 know, reporting period? What were your grades? What
22 papers have you published? What papers have you
23 submitted that were not published? What papers have
24 you submitted that you haven't gotten anything - any
25 feedback back on? What are your - what's the next

1 milestone on the degree you're working towards? What
2 are your plans for getting there?

3 The advisor goes in and either approves that
4 or kicks it back to the student. And eventually the -
5 the full faculty get together and review all of the
6 grad students in the programs.

7 And so we look at the self-assessments. We
8 look at where they're at relative to the milestones
9 they need to me meeting.

10 And then they get a - a formal letter in
11 their departmental mailbox and sent to their home
12 about, you know, the outcome of that review process.

13 ATTORNEY FARMER: This will be 87.

14 ---

15 (Whereupon, Respondent Exhibit 87, Annual Review
16 Letter from ISP, was marked for identification.)

17 ---

18 BY ATTORNEY FARMER:

19 Q. When the reviews are done, do they address
20 students' research, -

21 A. Yes -

22 Q. - typically?

23 A. - yeah.

24 So when -

25 Q. Would that - yeah go ahead.

1 A. - I was going to say, like it would be after
2 the first year or even in the first year their reviews
3 are typically done at a point where there's not enough
4 research to judge the student on. But you're going to
5 be mostly focusing on saying, hey, welcome to the
6 department and good job in your first semester of
7 courses.

8 But even in starting into that second year,
9 there's going to be looking at seeing what they've done
10 with their research experience in that first year.

11 Q. Will it talk about like publications or
12 conference presentations that they've had typically?

13 A. Yes.

14 Q. And will it talk about any teaching they've
15 done, if they've done teaching?

16 A. Yes.

17 Q. And will it talk sort of about update on
18 progress towards milestones to a degree?

19 A. Yes.

20 Q. I'm showing you what we've marked as Exhibit
21 87.

22 This is a - it appears to be an annual
23 review letter -

24 A. Uh-huh (yes).

25 Q. - from ISP?

1 Is that your understanding of what this is?

2 A. Yes.

3 Q. Okay.

4 So this references in - obviously, it's been
5 redacted, so the student can't be identified.

6 But in the - the second paragraph, it makes
7 reference to teaching a course at the CMU Language and
8 Technologies Institute (sic).

9 So the student would be enrolled at Pitt but
10 teaching at CMU?

11 A. Uh-huh (yes).

12 Q. Would that be something that was sought out
13 by the student?

14 A. Perhaps. This is like an interesting case.
15 Because The LTI is a collaboration between faculty here
16 at Pitt and faculty at CMU around Computational
17 Linguistics and Natural Processing.

18 So this is an established joint program. It
19 would be weird if you had brought me a letter from
20 Computer Science that said something similar to this,
21 congratulations on your appointment at the School of
22 Computer Science at CMU. That I would have probably
23 been taken aback by.

24 Q. Okay.

25 A. This is a - a joint program.

1 Q. Got you.

2 So when a student - if a student is doing
3 something that's like teaching in this joint program
4 with CMU, are they still enrolled at Pitt?

5 A. Yes.

6 Q. And are they still receiving their funding
7 on their academic appointment through Pitt?

8 A. Yes.

9 Q. Are there - are students in the school
10 expected to gain experience related to teaching?

11 A. Broadly defined, yes.

12 Q. Okay.

13 Can you elaborate?

14 A. Sure.

15 So giving talks, being in research group
16 meetings, you're constantly teaching.

17 Right?

18 So my students have more time than me. They
19 get to read more papers than I do. And so every week
20 they get to teach me about what they read. They get to
21 mentor younger students in the program, work with
22 Master students and undergrads.

23 You can look at every conference Pitt you
24 give. Every poster session you present that as a mini
25 teaching experience, where you're communicating

1 something about your work to someone who doesn't know
2 about it, with the goal of educating them and getting
3 them exciting about the work.

4 HEARING EXAMINER: What was the
5 question?

6 THE WITNESS: Are students expected to
7 get teaching experience?

8 HEARING EXAMINER: Yeah, let's just talk
9 about classroom stuff.

10 THE WITNESS: That depends on the
11 program, then. So our LIS Program, those students are
12 required to have a formal teaching experience in the
13 classroom. The other students it's at their
14 discretion.

15 Q. And when - so you said in - in LIS -?

16 HEARING EXAMINER: At this point I want
17 to apologize to the witness.

18 I know what you were saying before was
19 important. But in this hearing today, we're - we're
20 concentrating more on the formal classroom setting.

21 THE WITNESS: Okay.

22 HEARING EXAMINER: Thank you.

23 BY ATTORNEY FARMER:

24 Q. You said, I believe, that the LIS students
25 have a teaching requirement?

1 HEARING EXAMINER: Do we have a course
2 number for that?

3 ATTORNEY FARMER: I think it's the
4 discussion of the practicum.

5 BY ATTORNEY FARMER:

6 Q. Can you identify what we've just marked as
7 88?

8 A. Yes. Grad handbook for students in the LIS
9 Program.

10 Q. Okay.

11 And on page nine, -

12 A. Yes.

13 Q. - does it talk - does it give a summary of
14 that a practicum that you were just describing?

15 A. Yes.

16 Q. Are there students who seek out the - the
17 experience of teaching in a classroom?

18 A. Absolutely.

19 Q. And do you try to accommodate that within
20 the school, when they do?

21 A. Yes.

22 And one example is actually B. of - that we
23 talked about a while back with that research.

24 He was my grad student. He is currently a
25 lecturer in my department. So he wanted to teach and

1 do a little bit of research. He didn't want to be a
2 tenure stream faculty member.

3 And so he really wanted get experience in
4 the classroom. Because that's how you're going to get
5 a job as a teaching professor.

6 And so we worked together on doing this a
7 couple of ways. So his funding history, he started out
8 as a fellow, was a TA for a year. Then was funded by
9 me as GSR. Was halftime, a teaching assistant for one
10 semester, to get some experience as a - a TA that would
11 interact with students.

12 And then toward the end of his degree
13 program actually got an appointment as a visiting
14 lecturer in the department and taught several courses
15 while doing his research actually on the side. So we -
16 we tried to accommodate students who want to do this.

17 Q. Let's say the typical student - you said you
18 have about 160, I think Ph.D. students.

19 The typical student, how long will they TA
20 while they're in the program?

21 A. One to two years, maybe.

22 Q. And when they're TAing, what are they doing?

23 A. That depends. For some courses they would
24 be maybe leading recitations. And so, you know, taking
25 up difficult examples from the - the week's lectures

1 and working - working through them with students on the
2 whiteboard. Facilitating, you know, small group
3 learning exercises.

4 Other people might be holding office hours
5 and, you know, working one on one with individual
6 students. Other people might be working on helping
7 develop assignments or grade assignments or both. So
8 it really depends both on the - the course and the
9 individual.

10 HEARING EXAMINER: What's the size of
11 your introduction to Computer Science and undergraduate
12 courses?

13 THE WITNESS: We try to - oh, so the
14 Intro Programming courses are typically 70ish students
15 in lecture. The recitations have somewhere between 25
16 and 35.

17 HEARING EXAMINER: And then what's your
18 largest undergrad course? Is that your largest one?

19 THE WITNESS: It depends. I've taught
20 one of our courses to 125. That was an experiment, to
21 try to - pedagogical research trying to scale up the
22 small course.

23 But I would say like the - the largest
24 typical course would be somewhere around 80.

25 HEARING EXAMINER: Thank you.

1 BY ATTORNEY FARMER:

2 Q. When students have the experiences you
3 described when they're TAing, do you consider that
4 valuable to a student's academic development?

5 A. Yes, I do.

6 Q. Does the school offer graduate students
7 professional developmental career services?

8 A. Yes.

9 We have several staff members that work in
10 this area. So we've got dedicated staff that managed
11 job fairs, and co-ops and do mock interviews, and
12 résumé reviews, and CV reviews and things like this.

13 We bring in lot of people from our various
14 Advisory Boards to talk to students about success in
15 the workplace and professional visitation and things
16 like this.

17 It's largely informal, at the discretion of
18 the student, whether they take advantage of these
19 things. We don't have required development courses,
20 but we do offer opportunities.

21 Q. You said earlier in your testimony that the
22 purpose of the Ph.D. Program is to train researchers.
23 Does the experience students get in the program through
24 the coursework and through their experiences in - on
25 their GSR appointments do that?

1 A. That I believe so, yes.

2 ATTORNEY FARMER: Nothing further?

3 HEARING EXAMINER: Cross Examination?

4 ATTORNEY FARMER: Before - can I just
5 move in 85 through 88?

6 HEARING EXAMINER: That's a good time to
7 take a break.

8 Any objection?

9 ATTORNEY HEALEY: No - no objection.
10 No.

11 ---

12 (Whereupon, Respondent Exhibit 85, Research Paper,
13 was admitted.)

14 (Whereupon, Respondent Exhibit 86, Dissertation,
15 was admitted.)

16 (Whereupon, Respondent Exhibit 87, Annual Review
17 Letter from ISP, was admitted.)

18 (Whereupon, Respondent Exhibit 88, Grad Handbook
19 for Students in LIS Program, was admitted.)

20 ---

21 HEARING EXAMINER: We'll take a
22 ten-minute break. Off the record.

23 ---

24 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

25 ---

1 HEARING EXAMINER: Cross Examination.

2 ---

3 CROSS EXAMINATION

4 ---

5 BY ATTORNEY HEALEY:

6 Q. Dr. Lee, my name is Mike Healey.

7 I represent the United Steelworkers, the
8 Petitioner in this case.

9 During the break, did you talk to anyone
10 about your testimony?

11 A. No.

12 HEARING EXAMINER: He didn't. I watched
13 him.

14 BY ATTORNEY HEALEY:

15 Q. Sir, I'd like you to turn to - grab Volume
16 1, and look to Tab 2 - Union Exhibit 2.

17 Have you ever seen that document prior to
18 today?

19 A. Yes.

20 Q. When did you first see it?

21 A. First see it?

22 I - I couldn't say. A very long time ago.

23 Q. Could you look at Union Exhibit 3, please?
24 You've seen that document before?

25 A. Yes.

1 Q. Do you - does your department - or your
2 school make use of those documents at all in the course
3 of doing academic appointments?

4 A. Yes.

5 Q. How do you use them?

6 A. I mean, these are the University guidelines
7 for TA, TF, GSR and GSA policies. Everything we do has
8 to be compliant with these.

9 Q. Okay.

10 Now, we're talking about academic
11 appointments. Could you turn to Union Exhibit 6,
12 please, Tab 6, page 213?

13 ---

14 (WHEREUPON, THE WITNESS COMPLIES.)

15 ---

16 ATTORNEY HEALEY: And we're going to
17 apologize for the small print.

18 ATTORNEY FARMER: Do you want to just
19 use our 24, which has the - which is the same, but it's
20 printed bigger?

21 ATTORNEY HEALEY: I think we're okay. I
22 just actually have a - a couple of questions.

23 ATTORNEY FARMER: Oh, actually, it's
24 not. I'm sorry, it's a different semester. So I
25 apologize.

1 BY ATTORNEY HEALEY:

2 Q. Sir, first of all, have you ever seen Union
3 Exhibit 6 before?

4 And I'll - I'll represent, they represent
5 numbers of fall 2017 academic appointments.

6 A. I don't know if I've seen this exact
7 spreadsheet, but I've seen data about our appointments,
8 yes.

9 Q. Okay.

10 Looking at - for the fall of 2017, indicates
11 academic - academic GSA appointments about
12 approximately 27, if I'm reading it right.

13 Does that seem to be in the ballpark?

14 A. Yes, that seems about right.

15 Q. Going up to the next column to the right,
16 academic graduate student researchers.

17 Do you see that?

18 A. Yes.

19 Q. That appears to be 37.

20 Is that correct?

21 A. Seems right.

22 Q. To the right column, graduate student
23 teaching assistant.

24 Do you see that?

25 A. Yes.

1 Q. And it says the number 20.

2 Does that seem right?

3 A. Seems right.

4 Q. Next column, teaching fellow.

5 Do you see that?

6 A. Yes.

7 Q. And that says four.

8 And within your school, for example, what's
9 the difference between a teaching fellow and teaching
10 assistant, if there is a difference?

11 A. There's a difference. The teaching fellows
12 tend to be more advanced students. And they're the
13 instructor of record for the course. This is somebody
14 who is interested in teaching pedagogy and wants to
15 actually lead a course, as opposed to support a - a
16 professor.

17 Q. The next column going over, it says
18 certificate predoc - doctoral fellow.

19 Do you see that?

20 A. Yes.

21 Q. And does - do those numbers seem about
22 right?

23 A. They seem about right, yes.

24 Q. Okay.

25 And just - just for the record - and within

1 your school, what is a predoc fellow?

2 A. Predoctoral fellow is somebody comes in on a
3 fellowship appointment. So they're not a graduate
4 student researcher. They're not a teaching assistant.

5 The expectation is that these students are
6 immediately jump-starting into their research.

7 Q. And still on the same page, going to the far
8 right column, indicates certificate trainee.

9 Do you see that?

10 A. I do.

11 Q. What is a certificate trainee?

12 A. So a - a trainee is somebody - so a Trainee
13 Program would be, you know, a federally-funded program
14 where people are - are brought in to learn a particular
15 skillset.

16 My guess on this one is that it's a
17 scholarship for a service student coming in to learn
18 about cyber security stuff.

19 Q. Now, sir, you indicated there's about 160
20 Ph.D.s in your school. And when we talk about school,
21 what programs, in general, are we talking about?

22 A. The programs listed on this page seem to be
23 the programs, yeah.

24 Q. Okay.

25 Now, do all of the Ph.D. candidates receive

1 academic requirements?

2 A. No. So part-time students are typically
3 self-funded. Which might account for some of the
4 experience.

5 Q. And when you say self-funded, what does that
6 mean?

7 A. It means that, you know, I had a part-time
8 student for a number of years who worked at Pittsburgh
9 Supercomputing Center. And his organization paid for
10 some number of credits a semester. And so he came and
11 took a couple classes, did some research with me. And
12 he was supported by PSC.

13 Q. Okay.

14 Sir, can - still continuing on the volume I
15 have in front of you. Could you go to Exhibit 47,
16 please?

17 And I'm going to - just - just so you know,
18 I'm going to take you through a few letters to clarify
19 one thing.

20 You indicated your school left The Dietrich
21 School of Arts & Sciences a couple of years ago?

22 Is that correct?

23 A. Last summer.

24 Q. Last summer?

25 And so would it be a fair statement that the

1 - if the appointment letters from programs that you
2 deal with were from before last summer, they may say
3 Dietrich School of Arts & Sciences?

4 A. Or School of Information Science - depending
5 on the -.

6 Q. Could you turn to Exhibit 47, please?

7 A. Yes, I'm here.

8 Q. Just for the record, what is Exhibit 47?

9 A. GSA contract for the previous academic year.

10 Q. Okay.

11 So it's - the letter is dated March 2017.

12 A. Yes, -

13 Q. Is that correct?

14 A. - yes.

15 Q. Within your department - and this is for a
16 graduate student assistant.

17 Is that correct?

18 A. Yes.

19 Q. What benefits, just looking at this, does
20 this GSA appointment provide? If you can tell from
21 this document.

22 A. Yeah, let me just take a quick read.

23 Q. If you go to the second paragraph, that
24 might help.

25 A. Oh, I see what you want there.

1 All right.

2 So full tuition and a stipend.

3 Q. Does it provide health benefits, if you
4 know?

5 A. Honestly, I should know, but I don't.

6 Q. Could you go to the second binder, Tab 59,
7 please?

8 Take your time.

9 A. Fifty-nine (59), you said?

10 Q. Yes.

11 A. Okay.

12 Q. This document is dated November 2017. It
13 appears to be a - an appointment letter for a full
14 graduate student researcher, with a term stipend in the
15 amount of \$8,000.

16 Do you see that?

17 A. Yes.

18 Q. How was this - how does your school or your
19 schools set stipend levels?

20 A. So the University provides guidelines on the
21 minimum and maximum stipend level. And the specific
22 amount that is paid out is based on the grant contract
23 that the funding is coming from.

24 Q. Okay.

25 And by and large the grant contracts come

1 from the National Science Foundation.

2 Is that correct?

3 A. National Science Foundation there's some
4 faculty with NIH grants. There's some faculty with
5 Department of Energy grants. But National Science
6 Foundation would be the big one.

7 Q. Could you go to Tab 61, please?

8 A. Yes.

9 Q. Another document, dated April 2018, approval
10 as a - as a GSA. This is an appointment for the summer
11 term.

12 Do you see that?

13 A. Yes.

14 Q. How common is it that you do appointments
15 for summer terms?

16 A. It's fairly common. Grad students may stick
17 around and continue to work on their program in the
18 summer. They may go away and do internships.

19 Q. Go to Tab 62, please.

20 Again, another - this is a - the - the
21 stationery indicates Dietrich School of Arts &
22 Sciences?

23 Do you see that?

24 A. Yes.

25 Q. But it's one of your programs.

1 Is that correct?

2 A. Yes.

3 Q. This is an appointment as a GSR. Is this
4 for a summer appointment?

5 Can you tell?

6 A. It is sort of into the summer.

7 Right?

8 So it starts on January 1st and goes to June
9 30th. The summer term starts May 1st. So it continues
10 into the summer, but doesn't carry through the whole
11 summer.

12 Q. Could you turn to Tab 72, please?

13 By looking at this, can you tell whether or
14 not this appointment letter is from one of your
15 schools?

16 Look in the first paragraph.

17 A. Yes, it says it's from Computer Science. So
18 I would imagine it's from our school.

19 Q. Full-time teaching assistant, what do
20 teaching assistants do in your schools, just in
21 general?

22 A. It depends on - on the course and the
23 individual. Teaching assistants may help create and
24 grade projects and assignments. They may lead
25 recitation session. They may hold office hours,

1 but -.

2 Q. But they're working on classroom courses and
3 they have different roles, depending on the faculty
4 member they're dealing with?

5 A. Depending on the faculty member, depending
6 on the student, depending on the course.

7 Q. Could you look at document - Tab 75, please
8 - I'm sorry, 74.

9 This appears to be an appointment letter -

10 A. Uh-huh (yes).

11 Q. - from your - one of your schools.

12 Is that correct?

13 A. Correct.

14 Q. Okay.

15 It references quarter graduate student
16 researcher.

17 Do you see that?

18 A. Yes.

19 Q. What does - what does that mean, quarter?

20 A. It depends on the amount of effort
21 associated with the appointment. So how much work, how
22 much of your time would be required to do the research
23 governed by this.

24 Q. So it would not be uncommon that some
25 appointment - well, for - how common is it that

1 appointments are for a quarter?

2 A. A quarter seems rare. Halves we do a lot.
3 Like there might be someone who teaches halftime and
4 researches halftime.

5 Q. Look at Tab 75, please.

6 And just for the record, this is another TA
7 appointment.

8 Is that correct?

9 A. Correct.

10 Q. So once you admit a Ph.D. student - you
11 indicated that you're on the committee - you have
12 served -

13 A. I have.

14 Q. - on the Admissions Committee?

15 What's the process for determining who gets
16 appointments and who does not get appointments?

17 A. In our programs we tend on only admit as
18 many as people as can be supported. So one of the jobs
19 of the Graduate Director is to take a look at the
20 resources that exists.

21 So what - what our faculty members, grants
22 and contracts look like? How are current students
23 supported on those grants and contracts? What's our
24 commitment to existing students, in terms of TA or
25 fellowship support?

1 And then what remaining resources do we
2 have? And those remaining resources are a capacity to
3 bring in more students.

4 Q. And when you're on appointment, you still
5 have certain academic requirements you have to meet.

6 Is that correct?

7 A. Yes.

8 Q. Are appointments required for you to meet
9 your degree requirements?

10 A. No. Like I said, a lot of times part-time
11 students have no appointments. And they can continue
12 to progress through the degree the same as anybody
13 else.

14 Q. Okay.

15 And then in the first year when people are
16 admitted, do some people get fellowships?

17 A. Yes.

18 Q. What types of - what types of fellowships?

19 HEARING EXAMINER: Are we distinguishing
20 from teaching fellowships.

21 Right?

22 ATTORNEY HEALEY: Oh, yes. I'm sorry.

23 THE WITNESS: Okay.

24 BY ATTORNEY HEALEY:

25 Q. I'm talking about predoc fellowships, I'm

1 not talking about teaching fellowships.

2 A. We're predoc fellowships, not teaching
3 fellowships?

4 Q. That's correct.

5 A. Yes. Then first year students do get predoc
6 fellowships.

7 Q. And when they're on a predoc fellowship,
8 they're still carrying the full academic courseload
9 that - those first one or two years?

10 A. Yes. Regardless of appointment, your
11 expectation of courseload and milestones and statutes
12 of limitations are the same.

13 HEARING EXAMINER: Okay.

14 Do you have any letters for that
15 fellowship?

16 ATTORNEY HEALEY: I do. I'm going to
17 get to a couple.

18 HEARING EXAMINER: Thank you.

19 BY ATTORNEY HEALEY:

20 Q. Could you look at Tab 120 - Union Exhibit
21 120?

22 A. Yes.

23 Q. There's no sort of letterhead with this.
24 But what is this - you know, what is this document?

25 A. This is a Predoctoral Fellowship for

1 Computer Science students last fall.

2 Q. Okay.

3 Can you tell from this whether or not it's a
4 first year student?

5 A. I cannot.

6 Q. Okay.

7 On the - on this - this particular
8 fellowship there's a stipend provided.

9 Is that correct?

10 A. Correct.

11 Q. And a - which is received in four monthly
12 payments.

13 Is that correct?

14 A. That's correct.

15 Q. There's a tuition scholarship.

16 Is that also correct?

17 A. That's correct.

18 Q. And the - the fellowship document, Union
19 Exhibit 120, this individual is not being provided with
20 subsidized health insurance.

21 Is that correct?

22 A. That's correct.

23 Q. They have to purchase - purchase it
24 themselves?

25 A. That's correct.

1 Q. Could you look at Union Exhibit -?

2 HEARING EXAMINER: Can I ask a question
3 on that exhibit?

4 ATTORNEY HEALEY: Absolutely.

5 HEARING EXAMINER: So this - do we - did
6 we figure out, this could have been sent to that first
7 or second year student?

8 THE WITNESS: It very well could have
9 been. I don't know without seeing the - the name.

10 HEARING EXAMINER: When do they
11 typically take effect, though, your - your teaching
12 practicum?

13 THE WITNESS: This student would not do
14 a teaching practicum. Computer Science doesn't require
15 one. The teaching practicum was for the LIS Program.

16 HEARING EXAMINER: Okay.
17 Do you have similar fellowships in the
18 LIS Program?

19 THE WITNESS: Yes.

20 HEARING EXAMINER: Would it ever happen
21 that a student would take - be on a fellowship in the
22 same semester that they do their teaching practicum?

23 THE WITNESS: It seems unlikely to me.

24 HEARING EXAMINER: Why?

25 THE WITNESS: Typically you do your

1 teaching practicum after you've experienced your own
2 area of expertise. Which you're unlikely to come in
3 with in your first year.

4 HEARING EXAMINER: What about second
5 year?

6 THE WITNESS: It still seems unlikely.

7 HEARING EXAMINER: Okay. Go ahead.

8 BY ATTORNEY HEALEY:

9 Q. Can you go to Tab 121, please? Union
10 Exhibit 121?

11 A. Yes.

12 Q. This appears to be another predoc
13 fellowship.

14 Do you see that?

15 A. That's correct.

16 Q. It says, quote, Merit Predoctoral
17 Fellowship.

18 A. Yes.

19 Q. Do you - what does that mean?

20 A. So this - this is a - a CS 50. So we have a
21 handful of, I - I want to say two or three of these
22 fellowships that are funded by the Provost Office that
23 are used for Ph.D. students who are really doing
24 excellent work, right, so that are excelling in their
25 research and their academic progress.

1 There's an internal competition where
2 students prepare an application package for this, just
3 like they would for an external fellowship, like an NSF
4 fellowship. And it's reviewed by the - the Computer
5 Science Department. And a meeting is held to determine
6 which people would - would get this.

7 Q. And looking at - there's - there's - looks
8 like there's a stipend provided, plus a full tuition
9 scholarship.

10 Is that correct?

11 A. That's correct.

12 Q. Health insurance are not provided.

13 Is that correct?

14 A. That's correct.

15 Q. From looking at this particular letter,
16 Union Exhibit 121, can you tell if it's a first or
17 second or another year student?

18 A. It would be another year student. So this
19 is typically students probably in their third, fourth,
20 fifth year that would go to this.

21 One of the criteria we look at here is
22 publication or progress on the research, which a first
23 or second year student - even if they started
24 publishing, they just wouldn't be competitive in that
25 competition.

1 Q. Could you go to Tab 123 - Union Exhibit 123?

2 This appears to be an admission letter,
3 which is talking about a fellowship.

4 Do you see that?

5 A. Yes.

6 Q. Okay.

7 Can you tell what type of a fellowship this
8 is?

9 A. It would be just a - a Predoctoral
10 Fellowship, but it's an admission letter.

11 Q. Okay.

12 And there's a stipend and there's also a
13 tuition provided.

14 Is that correct?

15 A. That's correct.

16 Q. Health insurance is not provided.

17 Correct?

18 A. That's correct.

19 Q. From looking at this document, can you tell
20 if this is a first or second year student or perhaps a
21 later year?

22 A. It would be a first year student if it's an
23 admissions letter.

24 Q. Okay.

25 Could you look at Tab 127 - Union Exhibit

1 127?

2 A. Uh-huh (yes).

3 Q. This references an ISP Merit Predoc
4 Fellowship.

5 Do you see that?

6 A. I do.

7 Q. Can you tell from this document, does this
8 come from your school?

9 A. Yes.

10 Q. What is an ISP Merit Predoc Fellowship?

11 A. This is a - a fellowship position in the ISP
12 Program. So it's like the Computer Science Predoctoral
13 Fellowship.

14 Q. Now, this indicates certain benefits are
15 provided. But health insurance is not provided.

16 Is that correct?

17 A. That's correct.

18 Q. Can you tell from looking at this, is this a
19 first or second year student?

20 A. I can't tell.

21 Q. Now, look - look down to the next to last
22 paragraph on Union Exhibit 127.

23 A. Uh-huh (yes).

24 Q. This indicates, quote, you're expected to
25 register and devote full time to your doctoral study.

1 Do you see that?

2 A. I do.

3 Q. And highlighted, during your period of
4 fellowship you're not permitted to hold teaching or
5 other remunerative positions anywhere.

6 Do you see that?

7 A. I do.

8 Q. So for example - well, actually no questions
9 on that.

10 ATTORNEY HEALEY: 235. Let's go with
11 235.

12 ---

13 (Whereupon, Union Exhibit 235, Summary of
14 Requirements for Computer Science Ph.D. Program,
15 was marked for identification.)

16 ---

17 BY ATTORNEY HEALEY:

18 Q. Sir, I'm going to show you what's been
19 marked as Union Exhibit 235.

20 If you take a look at that. And take your
21 time and indicate, do you know what this document is?

22 A. This looks like a summary of the
23 requirements for Computer Science Ph.D. Program.

24 Q. Does this appear to be a current summary of
25 the requirements?

1 And I will represent, we - we downloaded it
2 from the website.

3 A. It should be current, then.

4 Q. And typically it takes how long - you said
5 it takes five to seven years for people to complete
6 their Ph.D. course?

7 A. On average. We've had students get out as -
8 in as few as four. We've had students who take longer,
9 for whatever reason.

10 Q. And if I'm a Ph.D. student, I start out an
11 appointment, the program's going to try to fund me
12 through the five to seven years.

13 Is that correct?

14 A. Correct.

15 Q. Is there an obligation to fund you in the
16 sixth and seventh year, if I'm still there?

17 A. I'm not aware of a case for which anyone has
18 not been funded for the duration of their studies,
19 provided that they were making academic progress.

20 Q. And when we talk about academic progress,
21 what are the course requirements?

22 A. The course requirements are only really
23 relevant for the first year and a half or so, two
24 years. So the course requirements for Computer Science
25 would be summarized in this - in this printout.

1 Right?

2 So you have to take Computer Science 2001
3 and 2002. You have to take courses from across these
4 four core areas, six other grad courses, two seminars.
5 And then there's a 72-credit requirement, in order to
6 graduate.

7 The bulk of which has ended up being made up
8 out of dissertation research graduate study and things
9 like this.

10 Q. Sir, does - your department in your schools,
11 do you have what's called an ombudsman?

12 A. Not explicitly with that title.

13 Q. Okay.

14 Is there - is there someone who serves as an
15 ombudsman but may have other duties?

16 A. Yeah. So if we're talking about
17 specifically for graduate students, -

18 Q. For graduate students?

19 A. - they would likely go to the Director of
20 Graduate Studies in their particular program or the
21 Chair of their program or depending on how things go,
22 up towards the Dean's Office.

23 Q. And when was that process set up?

24 A. As long as I've been here, that's been the
25 process.

1 Q. So your school was just set up - the current
2 school was set up when? Is this the first academic
3 year?

4 A. We're starting our second academic year.

5 Q. Now, do some faculty members apply for
6 patents for work based on work they've done?

7 A. I'm sure some do.

8 Q. Okay.

9 Have you ever done that?

10 A. I have been on patents through consulting
11 arrangements, but not through my University work.

12 Q. And if someone gets a patent and money comes
13 in, where does that money go?

14 A. I believe it goes to the University. And
15 then it's distributed from there to the people on
16 patents.

17 Q. Okay.

18 And grad students could be on the patents?

19 A. Yes, if they contributed to the work,
20 they're on the patents.

21 Q. And they would have - get some financial
22 benefit from it?

23 A. Yes.

24 Q. In some of the appointment letters there's a
25 reference to the number 20 hours -

1 A. Uh-huh (yes).

2 Q. - 20 hours work requirement.

3 Within your schools -?

4 HEARING EXAMINER: Wait, go back to
5 patents.

6 Where is any of that spelled out, that a
7 graduate student get paid by the University for their
8 contributions for research that led to that patent?

9 THE WITNESS: My guess is that it would
10 be with the Office of Technology Transfer.

11 HEARING EXAMINER: So you're guessing?

12 THE WITNESS: I'm guessing, yeah. I
13 don't do patent work at the University, for the most
14 part, so -.

15 HEARING EXAMINER: But you - you knew
16 about it just because you've been at the University for
17 a while?

18 THE WITNESS: Yeah, I was - this summer
19 I - I worked with the Innovation Institute on academic
20 projects. So I've been around people who do deal
21 with -.

22 HEARING EXAMINER: You've heard of grad
23 students getting cut checks by the University for
24 patent contributions?

25 THE WITNESS: I don't know of a grad

1 student by name or identity. But if the patent pays
2 out royalties and the student's on it, I believe
3 they're entitled to that. But like I said, I -.

4 HEARING EXAMINER: Well, you heard of -
5 you've obviously heard of faculty being paid royalties.
6 Right?

7 THE WITNESS: Yes.

8 HEARING EXAMINER: Go ahead.

9 ATTORNEY HEALEY: That's all I have on
10 Cross Examination.

11 HEARING EXAMINER: Wait.
12 Look at 72 again.

13 THE WITNESS: That's the first book?

14 HEARING EXAMINER: Yeah.

15 ATTORNEY FARMER: Second.

16 ATTORNEY HEALEY: Second.

17 HEARING EXAMINER: Second book.

18 ATTORNEY HEALEY: Volume 2.

19 HEARING EXAMINER: Do you have any
20 teaching fellows in Computer Science or LIF - what are
21 your two -?

22 THE WITNESS: We have teaching fellows
23 that they can be in any one of our departments.

24 HEARING EXAMINER: Did we see any
25 letters for them?

1 I don't think we did.

2 THE WITNESS: I don't know.

3 HEARING EXAMINER: What is a teaching
4 fellow?

5 THE WITNESS: What is a teaching fellow?

6 HEARING EXAMINER: Yeah, in your
7 opinion?

8 THE WITNESS: So a teaching fellow, the
9 difference from a TA would be, that a teaching fellow
10 has primary course responsibilities. So they're the
11 instructor of record.

12 HEARING EXAMINER: And then they would
13 get a letter, presumably, that said - and notify you -
14 your approval as a full teaching fellow?

15 THE WITNESS: Correct.

16 HEARING EXAMINER: And then you're going
17 to be teaching this course or we will agree what course
18 you're going to teach?

19 THE WITNESS: We'll agree that the -
20 these letters are due to the University typically
21 before course assignments are made.

22 HEARING EXAMINER: And then again 72, as
23 I mentioned, as we see in the fourth paragraph?

24 THE WITNESS: Uh-huh (yes).

25 HEARING EXAMINER: And it says, as a

1 full - in middle of it, it says a full-teaching
2 assistant you would be required to work 20 hours per
3 week in bold -

4 THE WITNESS: Uh-huh (yes).

5 HEARING EXAMINER: - assisting in
6 activities supported in the University instructions and
7 research.

8 THE WITNESS: Uh-huh (yes).

9 HEARING EXAMINER: In your opinion, what
10 does that mean?

11 THE WITNESS: It means that if you're
12 going to get benefit out of this appointment, you have
13 to put time in. And the expected commitment to really
14 take what you're going to out of the teaching
15 assistantship is to put in about that much time.

16 HEARING EXAMINER: Is required to work.
17 What do you - what does required to work mean?

18 THE WITNESS: I mean, this is always
19 looked at sort of as a - a running average. I mean, in
20 any course you have light weeks and heavy weeks. But
21 your expectation would be -.

22 HEARING EXAMINER: No, no, just required
23 to work?

24 You see the phrase required?

25 THE WITNESS: I see the phrase.

1 HEARING EXAMINER: What does that mean
2 to you? Does it mean anything you to?

3 ATTORNEY FARMER: That's what he just
4 was answering.

5 HEARING EXAMINER: Okay. Go ahead.

6 THE WITNESS: Yeah, I - I don't really
7 know how to answer it differently. It's that, you
8 know, if you're going to - to do the job right, it will
9 probably take you 20 hours a week.

10 HEARING EXAMINER: If a TA didn't work
11 20 hours a week, what would happen?

12 THE WITNESS: I'm not aware of anyone
13 that keeps timecards on TAs.

14 HEARING EXAMINER: If they didn't work
15 20 hours per week, what would happen?

16 THE WITNESS: Probably students would
17 complain that they can't get in touch with their TA.
18 They're not getting assignments back -

19 HEARING EXAMINER: And then -

20 THE WITNESS: - promptly.

21 HEARING EXAMINER: - and then what would
22 happen?

23 THE WITNESS: In Computer Sciences -
24 Computer Science - yeah, in Computer Science - so we
25 have a - a committee called GREAT (sic). The Graduate

1 Research - or is it Graduate - it's Evaluation of
2 Teaching. So they evaluate TAs.

3 So probably that committee would go sit
4 in on recitations or speak with the TA and try to get a
5 feel for what's going on.

6 HEARING EXAMINER: And if satisfactory
7 progress wasn't being made, if a TA wasn't putting in
8 20 hours, and weren't showing up to class, what would
9 happen?

10 THE WITNESS: They would probably not
11 get a TA position in the future.

12 HEARING EXAMINER: But as you said,
13 that's never happened, in your experience?

14 THE WITNESS: In my experience, it's
15 gotten to the point where certain people you'd - we
16 would need to find a different way to fund this person
17 because they're not effective TAs. But I'm not aware
18 of a case where somebody lost their appointment like
19 midsemester or anything.

20 HEARING EXAMINER: Yeah, that seems to -
21 it didn't seem like the style the University would do.

22 So you definitely have experiences where
23 you've had TAs - evaluation from the students and from
24 the faculty of that TA's work in the classroom that led
25 to the conclusion that they're not going to be teaching

1 anymore?

2 THE WITNESS: I couldn't give you a name
3 of anybody.

4 HEARING EXAMINER: Yeah.

5 THE WITNESS: Definitely I've had people
6 that you have to have a sit-down with them and, you
7 know, work on them on mentoring their teaching.

8 HEARING EXAMINER: So if you go to 74,
9 Quarter Graduate Researcher.

10 THE WITNESS: Uh-huh (yes).

11 HEARING EXAMINER: And again, fourth
12 paragraph says you're required to work ten hours per
13 week.

14 Do you see that?

15 THE WITNESS: Uh-huh (yes).

16 HEARING EXAMINER: What does that mean?

17 THE WITNESS: Same thing. The amount of
18 research associated with this appointment is expected,
19 or required on average around ten hours a week at work.

20 HEARING EXAMINER: Who's requiring it,
21 if anybody?

22 THE WITNESS: Nobody, really. Again, I
23 don't know anyone that keeps timecards for their
24 students. It's more of an expectation to calibrate
25 what's the degree of work you're doing here.

1 HEARING EXAMINER: I understand.

2 Now, I notice when we talk - when we
3 looked at those fellowship letters - do you remember
4 those?

5 THE WITNESS: Uh-huh (yes).

6 HEARING EXAMINER: I noticed they didn't
7 have any of this language in it, to be required to work
8 ten hours a week.

9 Is that correct?

10 THE WITNESS: Some of our letters to -
11 actually, we're transitioning our fellowship letters to
12 require it to have that language.

13 HEARING EXAMINER: Why did you decide to
14 transition?

15 THE WITNESS: So the idea - idea is that
16 - you know, the whole point of a fellowship is to
17 bootstrap people into research.

18 And the idea is that, you know, in - in
19 your own mind, like - you know, this is an opportunity
20 to maximize what you're going to take out of it. You
21 should be putting in time, like going to research group
22 meetings, working with faculty, working with other
23 students. The current letters do not have it now.

24 HEARING EXAMINER: When did - who came
25 up with you that idea to change the letters?

1 THE WITNESS: Our Dean.

2 HEARING EXAMINER: Is he in the room?

3 This Dean, -

4 THE WITNESS: No.

5 HEARING EXAMINER: Dean Urban?

6 THE WITNESS: No. Through discussion
7 amongst our Deans and Associate Deans.

8 HEARING EXAMINER: Sanate?

9 THE WITNESS: No, Paul Cohen.

10 HEARING EXAMINER: Okay.

11 And when - when did that discussion to
12 change the letters happen?

13 THE WITNESS: This discussion has - has
14 been going on since Dean Cohen arrived last August.

15 HEARING EXAMINER: Okay.

16 Does it have anything to do with this
17 current litigation?

18 THE WITNESS: No.

19 HEARING EXAMINER: Where is - can
20 someone direct me to one of those fellowship letters?

21 ATTORNEY HEALEY: 127. Tab 127.

22 HEARING EXAMINER: Okay.

23 If you look at 127.

24 THE WITNESS: Yes.

25 HEARING EXAMINER: So as I mentioned,

1 there's no work requirement language in here.

2 THE WITNESS: Uh-huh (yes).

3 HEARING EXAMINER: You're saying that,
4 in your opinion, it should be in there?

5 THE WITNESS: Yes.

6 HEARING EXAMINER: So what's the
7 difference, then, between a fellowship and just a
8 graduate research appointment?

9 THE WITNESS: Graduate research
10 appointments are, in all cases, tied to a - a grant and
11 a faculty member.

12 A fellowship is tied to the student. So
13 that really gives the student a lot of discretion.
14 They're used as - a lot of times for recruiting good
15 students, who come in with their own ideas and
16 encouraging them to start participating and exploring
17 those ideas.

18 So a fellowship is a lot more - a lot
19 more leeway.

20 HEARING EXAMINER: Leeway for what?

21 THE WITNESS: The intellectual direction
22 you take research.

23 HEARING EXAMINER: So if they don't have
24 that leeway, they are streamlined into doing something
25 in particular?

1 THE WITNESS: Typically.

2 HEARING EXAMINER: And what is that
3 particular streamline -?

4 THE WITNESS: It depends on the grants.
5 It depends on the faculty member.

6 HEARING EXAMINER: I just have a few
7 more questions. I'm just trying to understand these
8 letters.

9 I think this next question follows up
10 naturally with what you just said.

11 THE WITNESS: Okay.

12 HEARING EXAMINER: Okay.

13 If you look at 73.

14 You have that in front of you?

15 THE WITNESS: Almost.

16 HEARING EXAMINER: Okay.

17 I'm sorry.

18 THE WITNESS: Yes, go ahead.

19 HEARING EXAMINER: It says the GSR
20 appointment is further extended. It's contingent upon
21 continued availability of NIH funds.

22 Do I understand that -?

23 THE WITNESS: Uh-huh (yes).

24 HEARING EXAMINER: Okay.

25 And I think we've heard testimony from

1 other professors that it - that NIH funds go away if -
2 if students are not put out on the street?

3 THE WITNESS: No, all of our grants are
4 - I mean, -

5 HEARING EXAMINER: Yeah.

6 THE WITNESS: - I haven't had a grad
7 student whose funding lasted their whole, you know,
8 time in the program.

9 HEARING EXAMINER: Right.

10 Other funding is bounced, if NIH goes
11 away for whatever reason?

12 THE WITNESS: Yeah, our - our job as
13 faculty members is to find funding.

14 HEARING EXAMINER: Okay.

15 Good progress to - towards degrees, I
16 understand. We have the milestones and all that.

17 So your ability to successfully meet the
18 requirements of the project, is that referring to the
19 streamline and the focus we were just talking about?

20 THE WITNESS: Right.

21 So this is a GSR letter that I don't
22 know exactly what the project is. There's two account
23 numbers. So it looks like it's two NIH grants.

24 The student would be working on research
25 related to those grants.

1 HEARING EXAMINER: So it says meet
2 requirement.

3 What defines those requirements?

4 THE WITNESS: That would be the - the
5 PI. So in this case, Milos.

6 HEARING EXAMINER: Okay.

7 So Milos says this is what I need you,
8 the GSR to be doing every day?

9 THE WITNESS: Not - typically, it's not
10 that micromanaged, but yeah. And this is the scope of
11 the - the grant. And this is the piece that you will
12 be working on.

13 HEARING EXAMINER: Well, work. So it
14 was - who defines what work needs to be done?

15 THE WITNESS: In some sense, the
16 student.

17 Right?

18 A lot of grant are -

19 HEARING EXAMINER: In some instances?

20 THE WITNESS: - describing goals.

21 And so how you get to that goal is up to
22 the person doing the research and the research mentor.

23 HEARING EXAMINER: So GSR works - walks
24 in one day in September, into a lab, the first day, and
25 they already know what to do?

1 THE WITNESS: No, no.

2 HEARING EXAMINER: So who's directing
3 them in how to do this job?

4 THE WITNESS: On this grant, it would be
5 Dr. Hauskrecht. So the - the PI on the grant would be
6 directing -. So we're working on a problem in the
7 space. Here's some seminal papers in the area. Let's
8 read them and talk about them. Let's work on an
9 approach to solving the problem.

10 HEARING EXAMINER: Because most -
11 because most research is done in Computer Sciences,
12 programming, compiling and stuff.

13 And what's going on.

14 THE WITNESS: It really depends on the
15 area. I mean, we have faculty to do theoretical
16 Computer Sciences and spend all of their time at the
17 whiteboard. And then write up - they do algorithms
18 analysis and things like this.

19 We have faculty who are - who build
20 high-performance memory systems. And they have lots of
21 simulations in computer architecture. The work depends
22 on the particular project.

23 HEARING EXAMINER: And then - so the
24 fellowships are different, because the student can then
25 choose what research they want to do?

1 THE WITNESS: Yes.

2 HEARING EXAMINER: Whereas in this case
3 we're just talking about, they're assigned to a
4 project?

5 And while they have some leeway - I
6 mean, they're - they're - I don't want to say they're
7 professional, but they're like professional employees,
8 then they can choose - they can apply their - how they
9 do their job, but within the structure of this - of
10 what the professor needs them to do?

11 THE WITNESS: Right.

12 It also sort of depends on the funding
13 source. Some funding sources have more leeway for
14 intellectual exploration. So a student might identify
15 a promising direction that's different from - but
16 related to the scope of the grant.

17 And it may be that, you know, the - the
18 PI authorizes work to take a left turn to chase that
19 new interesting problem. But that would be a more
20 advanced student, likely.

21 HEARING EXAMINER: Do you guys have any
22 follow-up?

23 ATTORNEY HEALEY: Sure. Just a - just a
24 couple questions.

25 May I ask you -?

1 HEARING EXAMINER: And then we'll do
2 Redirect.

3 Go ahead.

4 ---

5 CROSS EXAMINATION

6 ---

7 BY ATTORNEY HEALEY:

8 Q. One of the exhibits we were talking about -
9 I think it might have been 73 or 74, talked about work
10 requirement 20 - 20 hours a week.

11 Do you remember that?

12 A. Yes.

13 Q. Would it be a fair statement that many
14 people work more than 20 hours a week?

15 A. Probably.

16 Q. And I just wanted to clarify one thing. We
17 - we talked the 20 hours a week. And then one of the
18 exhibits - someone was on a - a quarter appointment.

19 A. Uh-huh (yes).

20 Q. Their requirement was ten hours a week.

21 Do you recall that?

22 A. I saw that.

23 Q. If someone was on - in your school was on a
24 - a half appointment - or a half appointment is
25 indicated, one-half appointments are more common?

1 A. Yes.

2 Q. How many hours a week -?

3 A. That's a ten-hour appointment. I'm confused
4 about that letter myself.

5 Q. I'm a faculty member. I'm the principal
6 investigator. I've gotten a grant. And I assume the
7 terms of the grant talk about what I'm going to
8 research. But I'm responsible for basically directing
9 what work is being done.

10 Is that correct?

11 A. That's correct.

12 ATTORNEY HEALEY: I have no more - I
13 have no further questions.

14 HEARING EXAMINER: Would you like some
15 time, ma'am?

16 ATTORNEY FARMER: We're just, I think,
17 grabbing something from -.

18 HEARING EXAMINER: All right.

19 We'll start up again at 11:00.

20 ATTORNEY FARMER: Okay.

21 I might not even need that much time.
22 It's just how long it takes to find something.

23 HEARING EXAMINER: Okay.

24 Well, everyone sit still. And we'll
25 wait for you to get back.

1 ATTORNEY FARMER: I have to sit still.

2 HEARING EXAMINER: Off the record.

3 ---

4 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

5 ---

6 HEARING EXAMINER: Back on the record.

7 Redirect?

8 ---

9 REDIRECT EXAMINATION

10 ---

11 BY ATTORNEY FARMER:

12 Q. Dr. Lee, you - there was some discussion
13 about GSAs within the school?

14 A. Uh-huh (yes).

15 Q. What do GSAs do, typically?

16 A. They will support a faculty member, either
17 in terms of research or teaching.

18 Q. So can it essentially be doing the same
19 thing as a GSR, but without the external funding?

20 A. Yes, to some degree.

21 HEARING EXAMINER: Well, -.

22 THE WITNESS: It's actually an
23 appointment that we have used less since the formation
24 of this school. This was used a lot in the School of
25 Information Science (sic) prior to the creation of our

1 school.

2 We are now using predominantly - if it's
3 a teaching appointment, it's a TA. If it's a research
4 appointment, it's a GSR. And if it's some combination,
5 it would be a fractional appointment of each.

6 BY ATTORNEY FARMER:

7 Q. Can you - in the documents that are in front
8 of you, there should be a pile of exhibits with R
9 numbers.

10 A. Yes.

11 Q. Can you pull out R-24?

12 A. Okay.

13 Q. Okay.

14 And page eight has - is this School of
15 Computing & Information?

16 A. Yes.

17 Q. So this is - spring 2018 is a different
18 semester than the tiny print one you were looking at
19 with Mr. Healey?

20 A. Correct.

21 Q. So these are - this is the academic
22 appointments that are listed for being for the school
23 for that semester?

24 A. Uh-huh (yes).

25 Q. Okay.

1 Can you turn to page three?

2 And this is Arts & Sciences?

3 A. Yes.

4 Q. There's still a line in here that says
5 CS-Ph.D. Is that Computer Science students where you
6 said they're still in Arts & Sciences?

7 A. That's correct.

8 Q. So there are additional appointments which
9 are shown here. Are those also part of those, you
10 know, roughly 150, 160 students that you mentioned?

11 A. Yes.

12 Q. Are there others that are still in Arts &
13 Sciences that would be part of that as well?

14 A. The line that says ISSP-Ph.D., that's our
15 ISP Program.

16 Q. Okay.

17 A. So that one is also - those are students who
18 I would have counted in that 161 for the prior -

19 Q. Okay.

20 A. - my data was pulling from students to open
21 our programs, that didn't reference what school they
22 were coming from.

23 Q. Gotcha.

24 Turning back to Union Exhibit 62.

25 A. Okay.

1 Q. Okay.

2 I noticed in the third paragraph, this was a
3 GSR letter for August - dated August 2017, -

4 A. Yep.

5 Q. - for spring of '18 and summer of '18 terms.
6 Is that right?

7 A. Looks right to me.

8 Q. Okay.

9 In the third paragraph it makes reference to
10 conducting research on a UPMC grant?

11 A. Uh-huh (yes).

12 Q. Can you explain what that means, that it's a
13 UPMC grant?

14 A. Yes.

15 So the blotted-out name, whoever that is, it
16 says is an Assistant Professor of Biomedical
17 Informatics. So the Department of Biomedical
18 Informatics lives in the Med School. Intelligence
19 Systems, which is a program in our school, as well as
20 Bioengineering, which is in Swanson.

21 So my guess is that this is a contract
22 offered to an ISP student, whose advisor is Mr. and
23 Mrs. Blank from DBMI. So the grant lives in the
24 Medical School.

25 The advisor is advising a student in our

1 school. So they're conducting research on a grant
2 that's just managed at a different center.

3 Q. Okay.

4 And UPMC is actually a separate entity from
5 the University of Pittsburgh.

6 Is that right?

7 A. That's correct.

8 But ISP is one of these interesting programs
9 that pulls in people from lots of things around campus.
10 And so this is not an uncommon thing to see.

11 Q. Okay.

12 There's been some testimony about fellows
13 and fellowships.

14 Where there are students who are admitted -
15 or who are offered these various internal fellowships
16 that there's been testimony about, is the amount of the
17 stipend higher to give them the funds to purchase
18 health insurance?

19 A. Yes.

20 HEARING EXAMINER: I had that question.
21 Thank you for asking.

22 ATTORNEY FARMER: This is going to be
23 89.

24 ---

25 (Whereupon, Respondent Exhibit 89, Letter, was

1 marked for identification.)

2 ---

3 BY ATTORNEY FARMER:

4 Q. Okay.

5 I'm showing what we marked as Exhibit 89.

6 Can you identify what this looks like?

7 A. Looks like an admission - our admission
8 template for in fall.

9 Q. Okay.

10 And in this instance, can you turn to page
11 two?

12 A. Yes.

13 Q. Okay.

14 This is one that's offering people a
15 fellowship appointment.

16 A. Okay.

17 Q. Is that right?

18 A. Yes.

19 Q. That's - sorry.

20 In the fourth paragraph, -

21 A. Yes.

22 Q. - does this have that language you were
23 talking about, about requiring students to work 20
24 hours a week?

25 A. Yes.

1 Q. The change to the - the - the admission
2 letters for fellows to incorporate the 20-hour-a-week
3 requirement, did that have anything to do with the
4 Union filing this petition?

5 A. No.

6 HEARING EXAMINER: Has this been sent to
7 anyone, this language?

8 THE WITNESS: I would have to go back
9 and see.

10 BY ATTORNEY FARMER:

11 Q. How long are most fellowships?

12 A. These fellowships, -

13 Q. The -?

14 A. - like our Predoctoral Fellowships?

15 Q. Yes.

16 A. They're typically given out for one year at
17 a time.

18 It's possible that you may end up with a
19 second year on a fellowship, if you absolutely -
20 absolutely hit it out of the park. But most people do
21 a fellowship for a year.

22 External fellowships are different. And
23 those are - you know, the length of those is depending
24 on the funding source.

25 Q. Okay.

1 Is it typically going to be the case that a
2 student would be on a fellowship for their entire time
3 to a degree?

4 A. That would be atypical, unless the student
5 came in with their own funding.

6 Right?

7 So a National Science Foundation fellow, for
8 instance, comes in with five years of funding and could
9 very well graduate on that funding.

10 HEARING EXAMINER: I know Penn State had
11 those. Have we talked about those at all in this case,
12 portable NSF ones?

13 ATTORNEY FARMER: I mean, it's - it's
14 similar to - I mean, it's sort of similar to the 30 -
15 F30 ones.

16 HEARING EXAMINER: No, the portable NSF
17 grants we were trying to -?

18 ATTORNEY FARMER: It's similar to an
19 F30, F31. But the F30 - the F31 is an NIH; -

20 HEARING EXAMINER: Yeah.

21 ATTORNEY FARMER: - the NSF -.

22 HEARING EXAMINER: And they're attached
23 to students, too?

24 ATTORNEY FARMER: The students applied
25 for them. Right.

1 HEARING EXAMINER: All right.

2 So if they go to - if they went from
3 Pitt to CMU -?

4 ATTORNEY FARMER: I think similar to the
5 testimony that you heard from Dr. Urban about -

6 HEARING EXAMINER: Yeah.

7 ATTORNEY FARMER: - transferring grants,
8 the - the funding entity has to approve the transfer.
9 But I think they're relatively -.

10 HEARING EXAMINER: And then you just
11 mentioned an - a five-year NSF grant?

12 THE WITNESS: Yes.

13 HEARING EXAMINER: That would be
14 attached to a student?

15 THE WITNESS: Fellowship, not a grant.

16 HEARING EXAMINER: All right.

17 THE WITNESS: But yes, an NSF
18 fellowship. So the grants are attached to faculty.

19 HEARING EXAMINER: Okay.

20 So you've had cases where you've had
21 five-year fellows - NSF fellows?

22 THE WITNESS: I think we've had like one
23 in recent memory.

24 HEARING EXAMINER: But it's happened?

25 THE WITNESS: It has happened.

1 HEARING EXAMINER: And then you got a
2 Ph.D.?

3 THE WITNESS: Yes.

4 BY ATTORNEY FARMER:

5 Q. And if that student didn't finish their
6 degree in the five years of the NSF fellowship, would
7 they be funded by the Department for the remainder of
8 the time?

9 A. Probably their advisor would switch them
10 over to some other grants.

11 Q. When somebody is on fellowship, are they
12 doing research?

13 A. Yes.

14 Q. Okay.

15 Somebody who's on a fellowship - even if
16 somebody was on a - a five-year NSF fellowship, would
17 they have to fulfill a teaching practicum requirement
18 in a program that had it?

19 A. That's that great question. I don't know
20 that we've run into this. But I - I would imagine they
21 would have to somehow satisfy that requirement.

22 Q. Because it's a degree requirement?

23 A. Yeah.

24 I mean, it might be the case that a - a
25 waiver gets set up. But they don't need to take a TSA

1 appointment, for instance, since they have a different
2 funding source. But probably there would be some
3 mechanism set up by which they'd be mentoring in their
4 teaching.

5 For instance, an LIS whatever, the handbook
6 you gave out, there was an alternative path where
7 students could have taken the FACDEV 2200 or something,
8 the Faculty Development course elsewhere on campus.
9 And that might have been, in that program, a way to
10 satisfy that.

11 Q. Is it typical that a faculty grant is going
12 to have a set of aims that have to occur during the
13 grant, as opposed to a very narrowly defined set of
14 steps?

15 A. Yes.

16 Q. And when students are doing the research,
17 whether it be on a GSR or a GSA or fellowship, can that
18 research all wind up in their dissertation?

19 A. Yes.

20 ATTORNEY FARMER: I have nothing
21 further.

22 HEARING EXAMINER: This exhibit we're
23 going to put it in the record, with the understanding,
24 though, that it may never have been sent to anybody
25 yet.

1 ATTORNEY FARMER: We can - I mean, we
2 can get confirmation.

3 When these things were pulled was before
4 the start of -

5 HEARING EXAMINER: Yeah.

6 ATTORNEY FARMER: - the - they were
7 before the start of the semester, so -.

8 ATTORNEY HEALEY: I do have some
9 questions on it.

10 HEARING EXAMINER: Okay.

11 Why don't you bring it up in your
12 Recross?

13 Go ahead.

14 ---

15 RECROSS EXAMINATION

16 ---

17 BY ATTORNEY HEALEY:

18 Q. Sir, could you please look at Respondent
19 Exhibit 89?

20 A. Yep.

21 Q. It's a standalone. It's a -

22 A. Yes.

23 Q. - it was just shown to you.

24 A. Yeah.

25 Q. First of all, have you ever seen this

1 document prior to this morning?

2 A. Yes.

3 Q. Okay.

4 Do you know what date this document was
5 created?

6 A. These were put together last fall.

7 Q. Okay.

8 Has this ever been sent to anybody?

9 A. I don't know. We can go look.

10 Q. Okay.

11 This - but you would agree, at best or at
12 most, this document is a template?

13 A. Oh, absolutely.

14 So all of our admissions letters are based
15 on a common template that's actually - this is a
16 version of our common template that pulls in the
17 admissions letter, right, the notes. And then the
18 funding piece, depending on flags that get set, right,
19 what program you were admitted to, what your funding
20 source will be; what the responsibilities of that are.

21 So there's like this really gnarly master
22 template document that gets turned into all of our
23 offer letters.

24 ATTORNEY HEALEY: We'll be objecting to
25 its admission.

1 HEARING EXAMINER: Yeah.

2 Are you finished with Recross?

3 ATTORNEY HEALEY: Yes.

4 ATTORNEY FARMER: So there have been, in
5 the record, dozens of admission letters dated 2018.
6 There are also dozens of template admission letters
7 that I'm going to get through.

8 HEARING EXAMINER: I'm going to put it
9 in the record, I just - with the understanding that you
10 don't know if it's been sent to anybody.

11 I have a question on it, though.

12 Professor, if you look on the second
13 page. And I think this is exactly the language -
14 fourth paragraph, I think this is exactly the language
15 you and I had been talking about -

16 THE WITNESS: Uh-huh (yes).

17 HEARING EXAMINER: - that was being
18 reformed?

19 THE WITNESS: Yes.

20 HEARING EXAMINER: It says you will be
21 required to work - yeah, reformed - you will be
22 required to work 20 hours per week assisting in
23 activities supported in University research. But your
24 level of involvement, responsibility and experience
25 gleamed from this fellowship will be greater than of a

1 standard research assistantship.

2 THE WITNESS: Uh-huh (yes).

3 HEARING EXAMINER: Okay.

4 We've talked a lot about what the first
5 clause means, you will be required to work typically.

6 Starting from the but. Your level
7 involvement, responsibility; experience gleamed from
8 this fellowship would be greater from that of a
9 standard research assistantship.

10 Do you see that?

11 THE WITNESS: Yes.

12 HEARING EXAMINER: What the heck does
13 that mean?

14 THE WITNESS: I mean, to me, this means
15 that - like I said earlier, fellowships - people with
16 fellowships come in and they're able to set the
17 direction for their own work. So they're - they can be
18 a little bit more exploratory.

19 Whereas, opposed to coming into existing
20 grants and working - being creative and doing actual
21 research, but within the scope defined by someone else
22 who wrote the proposal.

23 HEARING EXAMINER: Do you have any more
24 questions?

25 ATTORNEY HEALEY: I just have one more

1 question.

2 ---

3 RECROSS EXAMINATION

4 ---

5 BY ATTORNEY HEALEY:

6 Q. Earlier in Cross Examination, in response to
7 a question, you indicated this template was created
8 last fall?

9 A. Yep.

10 Q. Can you look in the fourth paragraph? It
11 appears it's the template's referencing reporting fall
12 term 2018.

13 Do you see that?

14 A. Yes.

15 ATTORNEY HEALEY: That's all I have.

16 HEARING EXAMINER: All right.

17 It's admitted.

18 I think the discussion about it properly
19 gives context to this - to this document, so 89 is
20 admitted.

21 ---

22 (Whereupon, Respondent Exhibit 89, Letter, was
23 admitted.)

24 ---

25 HEARING EXAMINER: Did you move in -?

1 You may step down.

2 Why don't we start immediately on the
3 next witness?

4 ATTORNEY FARMER: Can we have just a few
5 minutes?

6 HEARING EXAMINER: Five-minute break.

7 ATTORNEY FARMER: Yeah. Thank you.

8 ---

9 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

10 ---

11 HEARING EXAMINER: Back on the record.

12 Can you raise your right hand for me?

13 ---

14 MICHAEL SAYETTE, PH.D.,

15 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND

16 HAVING FIRST BEEN DULY SWORN, TESTIFIED AND SAID AS

17 FOLLOWS:

18 ---

19 HEARING EXAMINER: Spell your name for

20 us.

21 THE WITNESS: M-I-C-H-A-E-L,

22 S-A-Y-E-T-T-E.

23 HEARING EXAMINER: S-A-Y -?

24 THE WITNESS: E-T-T-E.

25 HEARING EXAMINER: All right.

1 Your witness, ma'am.

2 ATTORNEY DANTE: Thank you.

3 ---

4 DIRECT EXAMINATION

5 ---

6 BY ATTORNEY DANTE:

7 Q. Dr. Sayette, where you currently employed?

8 A. University of Pittsburgh.

9 Q. How long have you been employed by the
10 University?

11 A. Twenty-eight (28)(sic) years. Since 1991.
12 I think it's 28.

13 Q. In what capacity are you employed by the
14 University?

15 A. I'm a professor in the Psychology
16 Department, also in the Psychiatry Department. And I
17 have appointments in the CNBC, which is the Center for
18 the Neural Basis of Cognition, as well as the
19 University of Pittsburgh Cancer Institute.

20 Q. Thank you.

21 And in what school is the Psychology
22 Department housed?

23 A. Arts & Sciences.

24 Q. Do you hold any administrative - any other
25 administrative positions?

1 A. I recently became the Director of Graduate
2 Studies for our Psychology Department.

3 Q. And can you tell us a little bit about what
4 your responsibilities are in that role?

5 A. Well, I'm still learning them. But my
6 understanding is that I will be overseeing the five
7 Graduate Programs that we have. That's how our
8 department is organized.

9 And together with the heads of the five
10 Graduate Programs, we'll oversee graduate training.

11 Q. Can you tell us briefly about your
12 educational background?

13 A. Sure.

14 I attended Dartmouth College. Received my
15 Bachelor's degree there. I then attended Rutgers
16 University and Brown University, where I received my
17 graduate training, through a Ph.D.

18 Q. Let's talk a little bit about graduate
19 education in the Psychology Department.

20 What kinds of graduate degrees does the
21 Department offer?

22 A. So we - we offer a Ph.D. That's our primary
23 degree. We do have a Master's - Terminal Master's in
24 rare instances, where people are not completing the
25 Ph.D.

1 But we - we hope that our students, when
2 they are admitted, will - will receive and obtain the
3 Ph.D.

4 Q. Okay.

5 And I think you mentioned that there are
6 five different Ph.D. Programs?

7 A. That's correct.

8 Q. Can you let - can you tell us a little bit
9 about them?

10 A. Certainly.

11 So there's a Clinical Program. There's a
12 Bio Health Program, a Cognitive Program, a
13 Developmental Program and a Social Psychology Program.

14 Q. And approximately how many Ph.D. students
15 are there in the department?

16 A. Uh-huh (yes).

17 About a hundred. It varies year to year,
18 but typically just about a hundred.

19 Q. What is the purpose of having a Ph.D.
20 Program in Psychology?

21 A. It is - most generally, it's to train the
22 next generation of people who will go out and teach in
23 our universities, conduct research in - in and out of
24 academia. And that's - and so basically teaching,
25 research. And in some cases doing clinical work in the

1 community.

2 Q. Are the expectations that are placed on
3 students in your program in the Department designed to
4 meet the - the goal that you just - and the purpose you
5 just described?

6 A. Yes.

7 Q. Can you provide us a little bit of an
8 overview of the admissions process for Ph.D. students
9 into the Psychology Department?

10 A. Certainly.

11 So we receive quite a few applications.
12 Last year I believe it was 589 applicants. We only
13 enrolled 19 students out of - out of that close to 600.

14 What we do first is, we - we receive their
15 applications. There's obviously a lot of material to -
16 to go through.

17 We will invite about 40 to 50 of the - what
18 we believe the best-fitting applicants to our
19 university for interviews. They'll come for a couple
20 days and meet independent - individually with faculty,
21 and with graduate students and so forth.

22 And based on those interviews, we may offer
23 admission to a subset of those 50, perhaps 30. And
24 then hope that some of them will choose to come. And
25 that's how we end up with our - with our program.

1 We had a larger class last year. But I've
2 been told that we average about 15 students a year is
3 about right. So 19 was a little on the high side.

4 Q. So given the numbers that you just
5 described, it sounds like it's a pretty competitive
6 process.

7 Is that fair to say?

8 A. We're real fortunate to - to have the kind
9 of quality students that we have, yes.

10 Q. What do you attribute to the competitiveness
11 of the program? What attracts students to your
12 program?

13 A. So I actually - I - I mentioned I - I write
14 a book every couple of years on graduate training and
15 Clinical Psychology. And so I - as in the process of
16 doing that book, I - I do research surveys of all the
17 accredited programs. There's about 300 of them.

18 So I have a - a bit of perspective on this.
19 I think the University of Pittsburgh has done an
20 outstanding job with their research prominence. And so
21 our - our students come from all over the country. And
22 they often are attracted to the particular research
23 programs that our faculty and - and our department are
24 - are undergoing, undertaking. I think that's number
25 one.

1 I also think the reputation of the - of the
2 University - we have strong ties to Center for the
3 Neural Basis Cognition. The Medical School is really
4 world class.

5 And for some criteria, for example, within
6 the Clinical Program, we are in the top four in the
7 counter, in terms of research that gets published in
8 psychiatry and psychology journals. So I think our
9 reputation is very strong.

10 And I know when I've been recruited at other
11 universities, I - and some with - with very good names,
12 I feel like - I don't know if I could get better
13 students at any of those places than I can get here.
14 So it has been a real selling point for me to stay with
15 the University over - over various opportunities that
16 have come my way.

17 Q. Do you personally mentor graduate students?

18 A. I do.

19 Q. Does the Department set out expectations for
20 faculty members who are mentoring graduate students?

21 A. Yes, we do.

22 ---

23 (Whereupon, Respondent Exhibit 90, Department of
24 Psychology Graduate Student Handbook, was marked
25 for identification.)

1
2 BY ATTORNEY DANTE:

3 Q. I'm going to show you what I marked as R-90.
4 Dr. Sayette, do you recognize that document?

5 A. I do.

6 Q. What is it?

7 A. It is the Department of Psychology Graduate
8 Student Handbook.

9 Q. And if I could direct your attention to page
10 21, please.

11 A. Okay.

12 Q. You mentioned that the Department sets
13 expectations for faculty members who are mentoring
14 graduate students.

15 Do we - will we find some of these
16 responsibilities and expectations laid out in this
17 handbook?

18 A. Yes, you will.

19 Q. And does this section include some of those
20 responsibilities and expectations?

21 A. It does.

22 Q. Is supporting undergraduate education a
23 factor in how many students are admitted?

24 A. No.

25 Q. When students come in, are most either B.A.

1 or B.S. degree holders?

2 A. The vast majority, yes.

3 Q. Do students arrive qualified for the careers
4 that they seek postgraduation from your program?

5 A. No, they don't.

6 As I mentioned a moment ago, we're really
7 pleased with the quality of the students we bring in.
8 I believe that they are - they are well-prepared to
9 take advantage of the training that we provide.

10 But that they don't enter our program
11 capable of doing the kinds of things that they can do
12 when they leave.

13 Q. And I know you mentioned that you mentor
14 students. Can you explain a little bit about what that
15 relationship is like?

16 A. Yeah.

17 I would say it's the most important part of
18 my job and the part that I enjoy the most. What I -
19 the mentoring often begins at the time right about now.
20 So I'm starting to receive e-mails from folks saying,
21 are you going to be taking a student this year, I'm
22 interested in applying to your program?

23 And it's from that initial contact to the
24 interview process where I learn a bit about what types
25 of work they want to do, whether I think it's a good

1 fit for what I'm doing, the kinds of interest I have.

2 And then once they arrive, it - it becomes a
3 - a really stimulating relationship that lasts
4 throughout the time they're here.

5 And I don't know if I can be more specific
6 about what - what I do as a mentor. I could talk
7 forever on that topic. But I don't think that's what
8 folks would want me to do.

9 Do you have a more particular aspect that I
10 could comment on?

11 Q. Well, for - we don't have forever, so that's
12 - that is true.

13 Why don't - maybe you can talk a little bit
14 about - in - in terms of the commitment it takes from
15 you.

16 A. Sure.

17 Q. Give us the - just maybe an example or two
18 of some of the things that you do, as an employee.

19 A. Sure.

20 So we will begin to talk about the kinds of
21 projects that a - a student is interested in pursuing.
22 We'll talk about the kind of training that the student
23 will need in order to be able to execute the projects.

24 That training can come from a variety of
25 perspectives that might be classwork, that they'll take

1 particular quantitative methods courses. It might be
2 seminars. It might be different conferences that we'll
3 attend.

4 So there's a - there's a wide range of
5 opportunities that will put the student in a position
6 to be successful carrying out the projects. And then
7 more broadly preparing them for the kind of career that
8 they hope to have once they receive their Ph.D.

9 Q. Thank you.

10 Let's talk a little bit about student
11 research.

12 What forms does research take in the
13 Psychology Department?

14 A. So what forms?

15 So primarily the kind of research we're
16 doing is intended to inform the broader research
17 community and often the broader population.

18 So publication is what I would say - the
19 coin of the realm. When you try to publish your work,
20 it - it often is a stamp of a scientific approval.

21 And so the expectations are that when you
22 begin to do a project, you're going to do it at a level
23 that will make a real contribution to our field. And
24 so that's the goal.

25 Q. Okay.

1 When do students typically begin their
2 research?

3 A. So - immediately. It's not uncommon -
4 again, think about - these are very ambitious, talented
5 applicants and then students.

6 But I'm often asked by students from the
7 moment they're accepted into the program, which would
8 be in March and they won't be starting until
9 September, they'll say, what can I start to do? I want
10 to hit the ground running.

11 And it's not uncommon for me to suggest some
12 papers that I think might be great for them to - to do.
13 I don't think that they have to do this.

14 Not every student seeks that kind of - of
15 work. But when they do, I'm happy to offer them those
16 sorts of, you know, readings to get them going.

17 Q. Is the research that the students are doing
18 intended to contribute to their training and hopefully
19 at some point culminate into dissertation?

20 A. It's central to their training.

21 Q. You mentioned publications. Is publishing
22 encouraged of students?

23 A. Yes, it is. Strongly.

24 Q. Okay.

25 Is there - why is there a value in that?

1 A. Well, as I said, I think publication is the
2 coin of the realm. You learn a lot when you do a
3 research project. And I, unfortunately, have had more
4 than a few that haven't led to publication, because the
5 data just didn't cooperate.

6 But in the course of doing that work, you're
7 learning skills. However, when you publish a paper,
8 it's a signal to the broader research community that
9 you have now gained expertise in a particular area.
10 And I don't think there's a better way to show that
11 than to be contributing at that level and to the field.

12 Q. Okay.

13 And if you could turn to page 18 in the
14 handbook in front of you.

15 A. Uh-huh (yes).

16 HEARING EXAMINER: It's a very good
17 handbook, by the way.

18 THE WITNESS: Thank you.

19 HEARING EXAMINER: It's the one of the
20 better ones I've seen.

21 What page, 18?

22 ATTORNEY DANTE: Yes, please.

23 BY ATTORNEY DANTE:

24 Q. Okay.

25 Are you there?

1 A. I am. Sorry.

2 Q. Okay. Great.

3 Can you tell us a little bit about some of
4 these experience targets that are listed there?

5 I see publications is one of them?

6 A. Absolutely, I can talk about any of them.

7 So not everyone has this in front of them.

8 So do you want me to - to sort of go through some of
9 these?

10 There's nine different types of
11 opportunities that we've identified, that we think that
12 would enhance the students' training. And I'd be happy
13 to talk about any of them or all of them.

14 Q. Do you - do most - do you recommend that
15 students try to achieve all nine of these experience
16 targets?

17 A. So it's a good question. I am - looking
18 through these again, I think they're all great. I
19 don't personally think that it's a checklist kind of
20 thing, where you have to get all nine in order to pass
21 go and collect \$200.

22 I think all of these things are - are really
23 useful. And depending on the students' interests and
24 the opportunities that become available, they're all
25 things that we would encourage.

1 So I think I would - I would put it that
2 way.

3 HEARING EXAMINER: I don't think on this
4 record, Poster Session or Brown Bag has been defined.
5 So Professor, if you can define those two terms, that
6 would be great.

7 THE WITNESS: Certainly.

8 So a Poster Session is - is a scientific
9 meeting, if you will. Often in a room just like this,
10 where there will be papers that will be placed on
11 bulletin boards in - in a series of rows.

12 And the - the researcher will stand in
13 front of their poster. And the folks who are attending
14 the meeting will wander around.

15 And it's - it's a nice opportunity to
16 describe the sort of most recent cutting-edge research.
17 So it hasn't yet often been published.

18 What's really nice about the Poster
19 Session is it gives a student in particular a less
20 stressful domain in which to describe their research.

21 So a person might individually come up,
22 read about the conclusions of the study, perhaps ask
23 them a question or two. And they're given the
24 opportunity to - to discuss it in a one-on-one fashion.

25 In contrast, a Brown Bag is a - it's a

1 seminar that we offer within each of our five programs.
2 And usually it's attended by a - a number of students
3 and faculty. Sometimes there's as few as 15 or 20
4 people. Sometimes you might have a full room like
5 this.

6 And students give a formal presentations
7 of their work and will take questions about it.

8 So each of those two experiences
9 provides, I think, outstanding training for - for our
10 students.

11 HEARING EXAMINER: Thank you.

12 THE WITNESS: Certainly.

13 BY ATTORNEY DANTE:

14 Q. And if you look at page - sorry, paragraph
15 four, number four on page 18.

16 A. Uh-huh (yes).

17 Q. It talks a little bit about working on
18 multiple projects.

19 Why do you encourage students to work on
20 multiple research projects?

21 A. I think each project is an opportunity to
22 learn and to gain further expertise in the area that
23 you may want to out in the world and - and claim
24 expertise.

25 And so in - in my lab, for example, the

1 students are constantly working on various projects.
2 And sometimes the milestones that are important, such
3 as dissertation, is - is less relevant to us than the
4 fact that they're working on multiple projects.

5 And just as one recent example, I had a
6 student who did real well. And she had three different
7 projects that we were working on at the time that she
8 had no decide about her dissertation.

9 And it was really very - any of the three
10 could have been her dissertation project. And the
11 other the were just papers that - studies that we
12 published and equally strong journals.

13 And so - so I think from - or at least the
14 way I look at it, getting - it's - immersed in the
15 research experience means getting involved in as many
16 projects as you're capable of handling and - and
17 learning from.

18 Q. Okay.

19 And so is it fair to say that even if a
20 particular project or a particular study doesn't end up
21 in someone's dissertation, that it's still a valuable
22 part of their training?

23 A. It's not only a valuable part of their
24 training, but it's also a valuable part of their
25 calling card for their ability to compete for often

1 very competitive positions once they leave.

2 Q. So then there's some other numbers that talk
3 about publications. And then I also see in paragraph
4 seven, there's discussion of a teaching philosophy and
5 a record of teaching success.

6 Why is that important?

7 A. Many of our students will end up in careers
8 that involve some teaching. And even among some who
9 don't, the ability to present your ideas in a - in a
10 broader forum is essential to what many psychologists
11 will do.

12 And so we have - we've evolved over the 28
13 years I've been here to really recognize just how
14 important this - this part of the training is. So we
15 want our students to not just get the experience
16 teaching, but to really begin to think about how do
17 they teach best, how can they communicate their ideas
18 most effectively?

19 And so that particular number that you just
20 mentioned reflects that - that emphasis.

21 Q. And are - the recommended productivity and
22 experience targets that are on page 18, are those the
23 same regardless of how a student is funded?

24 A. Yes. In fact, it's not uncommon for our
25 students to have a somewhat fluid funding, where

1 they'll be at different points in their careers
2 receiving different forms of funding. And these nine
3 criteria don't vary in terms of what we hope they'll
4 get out of the Training Program.

5 Q. And have you had students yourself who have
6 received varying sources of funding during their time
7 in the program?

8 A. Yes, that's common.

9 Q. And did you notice a difference - for
10 example, in what they - in the research if they were on
11 a fellowship versus moving onto your faculty grant or
12 vice versa?

13 A. No, not - not at all. Because what they're
14 here in the lab - in the training to do is to come out
15 in a position to be competitive.

16 And the - the folks who are going to, you
17 know, hire them for a position say at a university,
18 they're not going to be asking them questions about
19 which funding type they had. They're going to look at
20 their productivity and what they've learned while
21 they're here. And so that doesn't change.

22 Q. Okay.

23 Let's talk about publications a little bit
24 more.

25 A. Okay.

1 Q. How do publishing opportunities arise?

2 A. So I think it goes back to a comment I - I
3 made earlier. From the very beginning of their
4 mentorship of the training, their arrival on campus, we
5 begin to talk about projects that they can get involved
6 with.

7 And it's common for students to be able to
8 figure out a way with the mentor to contribute to these
9 projects in a way would be consistent with publication.

10 There are - there are very specific criteria
11 about what a person needs to do to be an author on a
12 paper. You can't just throw people's names on.

13 And so one of the things that I know I do
14 with my students is, we'll talk about - well, let's
15 think about how you can contribute to this project, so
16 that you can have a meaningful role in it.

17 And depending on where they are in their
18 training, what they do may - may vary. But it - it
19 allows them to work on their projects from the very
20 beginning of their time in the lab that will help them
21 develop their own, if you will, portfolio, their own -
22 their own VITA.

23 Q. Okay.

24 And so do these publishing opportunities
25 sometimes arise from the research that's done when

1 someone is on a GSR?

2 A. Absolutely, absolutely.

3 Q. Could they also arise from the research that
4 someone is doing on a fellowship?

5 A. Absolutely.

6 ---

7 (Whereupon, Respondent Exhibit 91, Paper, was
8 marked for identification.)

9 (Whereupon, Respondent Exhibit 92, Dissertation,
10 was marked for identification.)

11 ---

12 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

13 ---

14 BY ATTORNEY DANTE:

15 Q. Okay.

16 I'm going to show you what I have marked as
17 Respondent 91 and 92.

18 Dr. Sayette, start - let's take a look first
19 at R-91?

20 Do you recognize that document?

21 A. I do.

22 Q. What is it?

23 A. This is a paper that was published in a
24 journal called Psychological Bulletin. It was a paper
25 that was coauthored by one of my former students and

1 myself.

2 Q. Okay.

3 And if I could direct your attention to
4 R-92.

5 Do you recognize this document?

6 A. Yes, I do.

7 Q. What is it?

8 A. This is a dissertation. It looks like the -
9 it's not the entire dissertation. It's the table of
10 content. It's the abstract. But it was the beginning
11 of C.F.'s dissertation.

12 Q. And did the publication in R-91 end up being
13 part of the dissertation R-92?

14 A. Yes, it did.

15 Q. And while a student was conducting the
16 research that under - that was underlying the
17 publication and ultimately culminated in her
18 dissertation, was she funded on multiple sources?

19 A. Yes, she was.

20 Q. Do you recall what funding source she was on
21 toward the end of her program?

22 A. Yes, C.F. had a National Science Foundation
23 Graduate Research Fellowship.

24 Q. Okay.

25 And so while she was on a fellowship, was

1 she conducting research in your lab?

2 A. Yes, she was.

3 Q. And was she conducting the research that
4 ultimately made it into the dissertation?

5 A. Yes.

6 Q. Could she have conducted that research
7 without the NIH grant resources that your lab provided?

8 A. No.

9 And just to amplify that, C. was working for
10 money of the studies that she worked on off a - a
11 database that was collected through a research grant
12 that I had through the National Institute of Health.

13 And the data were essential to her ability
14 to code and analyze and then publish.

15 Q. Did the research that ultimately culminated
16 in her dissertation begin before she went onto that NSF
17 fellowship?

18 A. Yes. And I'll just give you one example of
19 why I would say yes. We used a particular type of
20 facial coding, coding of facial expressions. And it
21 takes about six months to get - to learn and get
22 certified in this system. And it was a valuable piece
23 of the work that C. did. And she began that training
24 right during the early years while she had various
25 sorts of funding in my lab.

1 And so ultimately that was pivotal to being
2 able to conduct the kind of work that you're looking at
3 in the dissertation.

4 Q. Can you separate the research that she did
5 based on the funding source?

6 A. No. And I would say that's true for my
7 students more broadly. C. is - is not unique in that
8 fashion.

9 Q. Do students receive academic credit for the
10 research that they - that we just discussed that they
11 do?

12 A. It's an academic credit. So yes, for
13 example, like a dissertation, yes.

14 Q. And they - do they need those dissertation
15 credits to graduate?

16 A. Yes, I believe so.

17 Q. Do they get those dissertation credits
18 regardless of how they're being funded?

19 A. Yes.

20 Q. Is it common for students to publish papers
21 that end up as a component of a dissertation?

22 A. Yes.

23 Just - just to be clear, however.

24 So some disciplines you'll have five, six
25 papers that will ultimately make their way into the

1 dissertation document. Our department it's less -
2 that's less common. So typically a dissertation is a
3 single study. So it's not as if they've started doing,
4 you know, specific published studies along the way.

5 I would still answer yes, however, because
6 the kinds of training that they're doing, certainly in
7 the case of my students, begins in the first year and
8 develops throughout. So that the kinds of projects
9 they're capable of doing by the end reflects this
10 broader training.

11 Q. I think earlier you mentioned a - a few
12 programs - joint programs with Carnegie - Carnegie
13 Mellon?

14 A. Uh-huh (yes).

15 Q. Can we talk about CNBC Program?

16 A. Sure.

17 Q. Can you tell us a little bit about how this
18 program works?

19 A. So the CNBC is the Center for the Neural
20 Basis of Cognition. It is a program that's a joint
21 endeavor of the University of Pittsburgh and Carnegie
22 Mellon University. I am very fortunate to be a part of
23 it. I'm not a neuroscience by training -
24 neuroscientist by training. So I'm - I'm really
25 somebody who has enjoyed the opportunity to - to be

1 part of this broader program.

2 The Training Program is one that I think
3 helps us recruit some of the best students in the
4 country who are increasingly interested in how the
5 brain and - and the mind merge. And so it's been a - a
6 real asset to our department.

7 Q. Do students in that program do research in
8 labs at Carnegie Mellon?

9 A. Yes, they can. And in fact, I've had a
10 student who has done that.

11 Q. And when they do that, are they working in
12 that lab under the direction of CMU faculty?

13 A. Yes, they - they can do that. And that's -
14 that's one of the real - I think what makes the program
15 really exciting to - to applicants.

16 Q. And does that opportunity change for a
17 student, based on how they're funded?

18 A. No.

19 Q. There was another program called B Squared?

20 A. Yes.

21 Q. Can you tell us what that is?

22 A. Yeah. So my understanding of the B Squared
23 Program is, it stands for Brain and Behavior and it's a
24 training grant.

25 Some but not all of the students who entered

1 the CNBC will be funded through a B Squared Fellowship
2 Training Grant. And that has certain expectations
3 associated with it, including working in at least one
4 other laboratory besides your mentors and getting a
5 broader training.

6 Q. And as part of that program, do - do
7 students also conduct research in both Pitt - at both
8 Pitt and CMU?

9 A. They're - it - it depends on their - on
10 their - their second mentor and so forth. But that's
11 entirely possible and encouraged.

12 Q. All right.

13 Let's switch gears and talk a little bit
14 about teaching.

15 A.

16 Q. Would you turn to page 19 in the handbook on
17 R-90?

18 A. Okay.

19 Q. Is teaching an academic requirement in the
20 department?

21 A. It is.

22 Q. And can you explain what - what is required?

23 A. Yeah.

24 So we think because many of our student, as
25 I mentioned, will end up in careers where teaching is

1 at least - if not directly relevant, indirectly, the
2 skills, we would like our students to have an
3 opportunity to teach a course.

4 And we have provided them with quite a bit
5 of - a quite a few resources, so that this can be a
6 wonderful training experience for them. They take a
7 course in how to teach. They have somebody assigned on
8 our faculty who can essentially mentor them and - and
9 so forth.

10 But we - we do think it's very important.

11 And I've - I've had students who had other
12 types of funding, and they'll need to leave a grant for
13 a semester, so that - you know, we think this is
14 important enough in their training that they'll -
15 they'll need to make time to - to do that as part of
16 the training.

17 Q. And is this a requirement regardless of how
18 a student is funded?

19 A. Exactly.

20 Q. When students are - are teaching, are they
21 still conducting research?

22 A. Yes.

23 Q. And that's also true regardless of how
24 they're funded?

25 A. Yes. Certainly, I can speak most directly

1 to my own experiences in - in my lab, and - yes.

2 Q. Okay.

3 Do students receive any mentoring in
4 connection with engaging in and teaching in the
5 department?

6 A. Yes, they - they take a course. It's
7 spelled out in this document. They also will have
8 access to a faculty member in our department, who -
9 it's one of her - one of her jobs is to - is to work
10 with these students, to make sure they're having a good
11 experience.

12 Q. And for that course that you referenced, do
13 students get academic credit for that course?

14 A. Yes.

15 Q. And -?

16 A. Well - so they - they get - it's a teaching
17 fellowship, I'm sorry.

18 By academic credit, I may be using the word
19 not the way you meant it. They're getting credit in a
20 sense, that when any go on the job market they can take
21 credit for having taught a course.

22 But academically they're not getting
23 academic credits for it, at least I don't think.

24 Q. It's - I think if you look at paragraph
25 two -

1 A. Yeah.

2 Q. - and read the first sentence. For that
3 seminar -?

4 A. Oh, so that's - my - my mistake.

5 So the - when I mentioned they take a course
6 as part of the teaching, that's - that's - so let me
7 just clarify.

8 When they're teaching the class, that's what
9 I thought you specifically meant.

10 Q. Okay.

11 A. In - because they're going to be teaching
12 that class, they also have to take a course on
13 teaching. So that's - that's the distinction. I was -
14 I was thinking you meant narrowly just when they're
15 actually teaching in front of a class.

16 But they're - they're taking an academic
17 course. So for that purpose they get credit, yes.
18 Sorry about that.

19 Q. And if they are on teaching fellowship and
20 teaching, -

21 A. Uh-huh (yes).

22 Q. - does that satisfy the academic requirement
23 that any teach once?

24 A. Yes.

25 Q. Okay.

1 A. Yeah.

2 Sorry about that.

3 Q. That's okay. Thank you for the
4 clarification.

5 HEARING EXAMINER: The requirement is a
6 milestone. The course is for credit. Is that also a
7 milestone? Is the course - the - the teaching course
8 also a milestone?

9 I don't think it is.

10 The course - is it FACDEV again?

11 ATTORNEY DANTE: Yes.

12 HEARING EXAMINER: All right.

13 It's FACDEV. That's not a -?

14 ATTORNEY DANTE: Or teaching psychology.
15 There's two options.

16 HEARING EXAMINER: You wouldn't call
17 that a milestone.

18 Right?

19 THE WITNESS: Are you asking me?

20 HEARING EXAMINER: Yeah.

21 THE WITNESS: No.

22 HEARING EXAMINER: But the - teaching a
23 course is a milestone, when you're -?

24 THE WITNESS: Yes.

25 HEARING EXAMINER: Okay.

1 THE WITNESS: Yes.

2 BY ATTORNEY DANTE:

3 Q. In your experience, are there students who
4 seek out additional teaching experience?

5 A. Yes, yes. In fact, I've had a couple of
6 students who have had extremely productive research,
7 careers based to their CVs. They're in position to get
8 competitive research types of faculty positions. But
9 their real passion was for teaching.

10 And so in - in both cases we started to talk
11 about, how can we make - how can they become more
12 competitive for a - a job in - in a more - teaching in
13 a liberal arts college? And one of them is now Chair
14 of her department in a teaching college.

15 And so what she ended up doing was, I had a
16 research grant called an R01, an NIH grant. She came
17 off that and did additional courses. She taught - in
18 fact, she - she taught at the jail downtown as part of
19 her University of Pittsburgh program at the time.

20 So she really wanted to be competitive,
21 being able to get a job at a teaching-oriented college.
22 And so she was able to do that.

23 I had a student who was just finishing out,
24 who similarly wants those types of positions. And so
25 we took him off a research grant, so that he could

1 spend more time getting teaching opportunities. And
2 he's a very skilled teacher.

3 Q. So kind of - it sounds like you have the
4 ability to tailor the - a program to a student's need.

5 A. That's correct.

6 Q. Is that correct to say?

7 A. I would agree with that.

8 Q. I think at the beginning you mentioned that
9 Clinical Psychology is one of the Graduate Programs.
10 Is that the largest Graduate Program?

11 A. Yes. It accounts for almost half the
12 students in our program. And again, many of our
13 students are in more than one program, joint students.

14 And so the most common program to be
15 combined with is the Clinical Program. So the majority
16 of our clinical students are also in one of the other
17 programs as well.

18 Q. Can you tell us a little bit about some of
19 the training experiences that students in a Clinical
20 Psychology Program get?

21 A. Certainly.

22 So there are I would say three main areas.
23 As I answer the question, maybe I'll decide there's
24 more than that.

25 But research is still paramount. Our

1 students are - are very strong in that respect.
2 They're every bit as strong in their emphasis on
3 research as - as the folks who are not in the Clinical
4 Program.

5 We're also really interested in having them
6 get training in clinical work, where they're actually
7 working with clients, patients in a range of settings.
8 So that they can go out and eventually, if they choose
9 to, become licensed psychologists and work with
10 patients in a clinical setting. They're also getting
11 trained in the ability to teach, as I mentioned, to
12 present their work.

13 So maybe I will stop at three.

14 Q. Okay.

15 Can you tell us a little bit about the
16 clinical experience that they get? You mentioned that
17 they get clinical experience.

18 A. Sure.

19 Q. How do they get that?

20 A. So it starts in the beginning, where they
21 take some courses. Our students come in with - you
22 know, some of them have never worked with clients at
23 all. So they're starting from scratch. They'll
24 start -.

25 Q. And just - sorry to interrupt you.

1 Clients. By clients, who do you mean? Who
2 are you talking about?

3 A. I'm sorry.

4 So sometimes we refer to them as patients,
5 sometimes as clients depending on - depending on
6 whether you're in the Medical School or - or not -

7 Q. Okay.

8 A. - we call them. But essentially these are
9 individuals who have sought out counseling for some
10 sort of a - of a - of a problem that they're struggling
11 with.

12 And so the first step is to sort of take
13 some didactic training in - in some of our coursework.
14 They also will begin to eventually work in a - what we
15 call a practicum, which they get credits for, course
16 credits towards their degree. And they'll start seeing
17 - we call them clients.

18 Sometimes other places call them patients.
19 And there's an intensive supervisory component to this
20 work. So they'll meet with the client. Then they'll -
21 it will be recorded. They'll then watch the video.
22 They'll come into a supervisory session.

23 We're prepared to show certain parts of -
24 certain clips where certain issues may have come up.
25 They may initiate which parts to show. It may be the

1 supervisor that wants to see certain things.

2 So there's - there's that. Following the
3 practicum, they'll do an externship, which is a more
4 intensive experience, often outside of our own
5 department. Maybe at Western Psych - Western
6 Psychiatric Institute and Clinic is one of premier
7 psychiatry departments in the world.

8 And because it's so prominent, it's really
9 an outstanding - you asked earlier why our students
10 come here, that's another reason.

11 HEARING EXAMINER: Do they get paid for
12 the externships?

13 THE WITNESS: Excuse me?

14 HEARING EXAMINER: Do they get paid on
15 their externship?

16 THE WITNESS: No, that's part of their
17 training, in my view.

18 And what - what they can do as part of
19 these externships is work in some world-class clinics.

20 For example, at Western Psych there's a
21 dual-diagnosis clinic. There's an emergency-room
22 clinic. And for many of our students this is an
23 entirely new experience. This is something they've
24 never been - been around.

25 And when they finish these externships,

1 the amount of confidence that they have moving forward
2 - yes, now I've worked patients who are struggling with
3 some really intense kinds of issues.

4 The fact that we have access to these
5 clinics and outstanding supervisors there is - is a
6 real selling point for our department.

7 Lastly, they go to an internship. It
8 can be at Western Psych. Occasionally we're fortunate
9 enough to get someone to get into that program. But it
10 can be all over the country. Our students do an
11 excellent job getting into these accredited programs.

12 We have about as high a rate as any
13 university in the country in getting students into
14 accredited internships, I'd say.

15 For that, they do - to go back to your
16 comment, sir, they do have a - a stipend associated
17 with that level.

18 HEARING EXAMINER: But from - not from
19 Pitt?

20 THE WITNESS: That is correct. It's
21 from wherever - wherever they're getting their
22 internship.

23 HEARING EXAMINER: Okay.

24 BY ATTORNEY DANTE:

25 Q. But during that time, they're still enrolled

1 as a student at Pitt.

2 Correct?

3 A. Correct. They can't get their dissertation
4 - excuse me, their Ph.D. until they complete that -.

5 HEARING EXAMINER: In clinical?

6 THE WITNESS: Correct.

7 HEARING EXAMINER: This is just -?

8 THE WITNESS: Yeah, just to be clear
9 you're right. If they're not in the Clinical Program,
10 the internship would not pertain to that.

11 BY ATTORNEY DANTE:

12 Q. The internship -?

13 HEARING EXAMINER: It's like a quasi
14 academic professional degree, the clinical one.

15 Sir, you don't have to answer that.

16 Go ahead.

17 BY ATTORNEY DANTE:

18 Q. So the internship is an academic requirement
19 for Ph.D. students in the Clinical Program.

20 Right?

21 A. Correct.

22 Q. Okay.

23 You mentioned the externship as well. Are
24 they funded while they're on this externship, -

25 A. No.

1 Q. - in your program?

2 A. Oh, so they're - there may be funded - I'm
3 sorry - they may be funded off of a host of other types
4 of things.

5 They could be on a fellowship. They could
6 be on a teaching assistantship. This is part of their
7 other training. So yes, they are not getting -.

8 HEARING EXAMINER: What's the hours -
9 how many hours a week are they working on an
10 externship?

11 THE WITNESS: I don't know exactly. I
12 think -.

13 HEARING EXAMINER: One, 20?

14 THE WITNESS: No, no, no, I'm going to
15 say it's probably about six to eight hours, I think.

16 HEARING EXAMINER: Oh, okay.

17 And then the internship is way more
18 intensive?

19 THE WITNESS: Yeah, the internship is
20 full time.

21 HEARING EXAMINER: Okay.

22 THE WITNESS: Yeah, they're -

23 HEARING EXAMINER: Go ahead, ma'am.

24 THE WITNESS: - yeah. Okay.

25 BY ATTORNEY DANTE:

1 Q. So while the students are satisfying that
2 externship, they're still receiving funding from the
3 department?

4 A. Absolutely.

5 Sorry, I don't know if I made that clear the
6 first time.

7 Q. Okay.

8 You also, in the course of that description,
9 mentioned interaction with clients, patients, however
10 you may -

11 A. Uh-huh (yes).

12 Q. - phrase them.

13 Are students appointed to be clinical
14 assistants in your program?

15 A. Yeah. So one way that students are funded
16 in our program, if they're in a Clinical Program is,
17 they can be invited to be a clinic assistant. And I
18 say invited, because it's sort of an honor to be asked
19 to do it.

20 We typically will take students who are -
21 have already demonstrated high levels of clinical
22 skill, of skills seeing patients and clients - or
23 clients. And they'll work in the - in the clinic.

24 They'll coordinate, help the director of the
25 clinic with assigning the clients to the right student,

1 in terms of their - their training and they'll have an
2 opportunity to get a lot more experience working with -
3 with folks who are interested in getting clinical
4 attention.

5 Q. Is the - is your Clinical Program an
6 approved Clinical Program?

7 A. Yes, by the American Psychological
8 Association.

9 Q. Okay.

10 And for students who are pursuing clinical
11 Ph.D.s, are they required to train in an approved
12 program?

13 A. Yes.

14 Q. Does the University make money through the
15 activities that the graduate students are doing in that
16 clinic?

17 A. Not at all. In fact, we have a sliding
18 scale for our -.

19 The clients understand that it's a training
20 clinic. They understand that they're going to be
21 working with people who are not licensed psychologists.
22 And many of our - I don't - I don't have the numbers
23 and I apologize.

24 But many of the clients who will come in are
25 on very limited budgets and so they don't have a lot of

1 money to pay. So we're not making money.

2 Again, I don't have the - the details of it.
3 I apologize. But -.

4 HEARING EXAMINER: And I think that's
5 sufficient.

6 BY ATTORNEY DANTE:

7 Q. Is the - is the clinical assistant
8 appointment that you just described comparable to any
9 of the other appointments that you commonly use?

10 A. Comparable in terms of training or - or
11 finances? In what - what way do you mean?

12 Q. Comparable - well, let's do both.

13 A. Okay.

14 So for training, absolutely, I think a - a
15 student who has the opportunity to be a clinic
16 assistant, when they apply for their internships, which
17 are competitive, number one, it's a bit of a stamp of
18 approval.

19 It suggests that we had such confidence in -
20 in their clinical skills that we invited them to take
21 on that role. And it also gives them more exposure to
22 clinical situations.

23 So you know, when people first call up the
24 clinic, they'll speak to one of the clinic assistants.
25 And you know, just by virtue of those opportunities,

1 when they are interviewing positions, they - they can
2 call on these many, many different experiences that
3 they've had. So I would say yes.

4 Q. And then in terms of the financial fees, the
5 stipend, is it similar to any of the other appointment?

6 A. Yes. I can't give you the exact details.
7 But my understanding is it's - it's exactly that. It's
8 comparable to the other types of financial stipends
9 that are made available.

10 Q. Like a GSR?

11 A. Yes, that's my understanding.

12 Q. And a fellowship?

13 A. Yes.

14 Q. Are there other ways for students to get
15 clinical experience in the program?

16 A. Yes, I guess so. Not specific to my lab.
17 But I suppose that there are labs in the department
18 where the work is - is much more intervention-oriented
19 than say my lab, which is a bit more basic.

20 And so it's entirely possible that the
21 student would be working on projects where maybe it's a
22 weight-loss lab. And people might be coming in
23 interested in losing weight. And maybe the student has
24 a project to figure out ways to - to help these - the
25 people in - in the study lose weight.

1 And so they're actually, as part of their
2 research, working with folks who have a - an issue that
3 is of interest. So that's certainly true.

4 Q. Are students evaluated regarding the
5 progress toward their degree?

6 A. Yes.

7 Q. And can you explain how those are done?

8 A. So it's - it's identified in - for folks who
9 want more information, it's in this handbook. Without
10 turning to the exact page, I can tell you that there's
11 a number of - of aspects to - to this evaluation.

12 One is, it's expected that the mentor is in
13 constant discussion with their advisees about how
14 they're doing. And that is - is one - and I would say
15 that's the most foundational component.

16 But more formally, there is also - each year
17 we have a Mentorship Committee that involves not only
18 the - the students' advisor or mentor - I use the terms
19 interchangeably - and a second person from the
20 department.

21 And that - that second faculty member is the
22 person who runs that meeting and helps to, you know,
23 discuss the different domains, whether it's teaching,
24 research, clinical work, if it's relevant, how the
25 student's progressing, what types of things they're

1 happy about, what they might want to do more of and so
2 forth.

3 And then lastly, we'll have a meeting just
4 for the faculty, where we discuss the student's
5 progress. And we'll then have the director of that
6 student's training program write a formal letter each
7 year to the student, detailing just how we believe the
8 student is doing.

9 Q. Okay.

10 And I think - just for reference, if we look
11 at page 33 in the handbook.

12 A. Uh-huh (yes).

13 See how I did?

14 Q. Is that - does that - I think - I think you
15 did well.

16 Does that generally describe -

17 A. Yes, -

18 Q. - some of what you just discussed?

19 A. - yes.

20 ---

21 (Whereupon, Respondent Exhibit 93, Evaluation
22 Letter, was marked for identification.)

23 ---

24 BY ATTORNEY DANTE:

25 Q. Okay.

1 I'm going to show you what I've marked as
2 R-93. Give you a minute to take a look at it.

3 I think you mentioned that the evaluation
4 culminates in a letter to a student. Is that - is R-93
5 an example of one of those letters?

6 A. Yes, it is. Can I take - yes, exactly.
7 Yes, it is, certainly.

8 Q. And it has been redacted for obvious
9 reasons, -

10 A. Uh-huh (yes).

11 Q. - so that the student cannot be identified.

12 In this evaluation letter, is the student's
13 research progress addressed?

14 A. Yes, it is.

15 Q. Are publications addressed?

16 A. Yes, that is true.

17 HEARING EXAMINER: Are these letters
18 idiosyncratic to psychology or have you seen them
19 around in other -?

20 ATTORNEY DANTE: In other programs as
21 well.

22 ATTORNEY FARMER: Evaluation letters?

23 HEARING EXAMINER: Yeah.

24 ATTORNEY DANTE: Yeah.

25 HEARING EXAMINER: Go ahead.

1 ATTORNEY DANTE: Evaluation is going to
2 take the form of the letters.

3 ATTORNEY MANZOLILLO: Just questioning -
4 we're getting testimony from - from their counsel on
5 the letters. They're confusing.

6 ATTORNEY DANTE: Well, there are some
7 that are introduced into the record already, but -.

8 ATTORNEY FARMER: And his samples have
9 been -

10 HEARING EXAMINER: I ask you guys
11 questions, too.

12 ATTORNEY FARMER: - and samples have
13 been produced to the Union in response to their
14 subpoena.

15 HEARING EXAMINER: Go ahead.

16 BY ATTORNEY DANTE:

17 Q. And is this - in this particular letter, is
18 there also reference to teaching?

19 A. Yes.

20 Q. And there's - I see there's a reference to a
21 teaching certificate.

22 Do students sometimes choose to pursue
23 teaching certificates?

24 A. Yeah, some of our students - I can't
25 remember exactly when we started this, but they had

1 expressed some interest in really formalizing the extra
2 teaching experiences that we might provide for them.

3 Particularly, I'm thinking of the example I
4 gave of some of my students who ended up preferring a
5 teaching-oriented college as a career. And so we've
6 tried to create something that would more formally
7 represent, on a CV, for example, the extra teaching
8 opportunities. So that a student could be able to sort
9 of compete with folks who are also looking for those
10 types of jobs. So -.

11 HEARING EXAMINER: What's overall
12 teaching effectiveness, Professor?

13 THE WITNESS: Yes, I'm just trying to
14 find the right thing. So -.

15 HEARING EXAMINER: Fourth paragraph.

16 THE WITNESS: Yeah.

17 So the University has something called
18 the OMET. And I'm trying to - Office of
19 Measurement/Evaluation and - of Teaching. I'm guessing
20 that's what it is.

21 And our students, when they teach, will
22 get this evaluation. And so it gives them a chance to
23 sort of see how they're doing. And more than just that
24 overall teaching effectiveness for - it provides more
25 detailed questions and criteria.

1 So students can really look, along with
2 their supervisor and advisor, and say, gee, you know,
3 overall you're doing a great job. But it looks like
4 maybe here's an area that you could really work on. So
5 for instance, -.

6 HEARING EXAMINER: Have you seen it be a
7 one before?

8 THE WITNESS: Have I seen a one there?

9 HEARING EXAMINER: Yeah.

10 THE WITNESS: I have not, no.

11 HEARING EXAMINER: Go ahead.

12 BY ATTORNEY DANTE:

13 Q. Does the Department offer graduate students
14 any professional development programming or resources?

15 A. Yes, we do. We - we've -.

16 Q. Can you give us some examples?

17 A. Yeah.

18 So we - we have really put a lot of emphasis
19 on this. I think I give credit to the - the School of
20 Arts & Sciences more broadly. I think there's been a
21 real interest in - in the University even broader than
22 that, too, to help in this regard.

23 And so in recent years we've actually
24 identified a faculty member to be the head of Career
25 Development. So we've - we've taken it seriously

1 enough to actually formulate something.

2 And she's done a marvelous job with
3 seminars, bringing in people from a range of different
4 career paths, for example, offering grant-writing
5 seminars and things that students have given us
6 feedback, that they'd love to - to get even more
7 training on.

8 And so we've - we've sort of made Career
9 Development a - a major focus in our - in our
10 department.

11 HEARING EXAMINER: What do you think
12 about ten more minutes?

13 ATTORNEY DANTE: Yeah, I have two
14 minutes.

15 HEARING EXAMINER: All right.

16 ATTORNEY DANTE: Yeah.

17 BY ATTORNEY DANTE:

18 Q. And are - is some of the expectations of
19 faculty with respect to the professional development of
20 their students in the - laid out in the handbook as
21 well?

22 A. Yes.

23 Q. Okay.

24 And so you said earlier that the purpose of
25 the Ph.D. Program is, broadly speaking, to train

1 students to be the next generations of researchers?

2 A. Uh-huh (yes).

3 Q. Is the -?

4 A. Professionals, yeah.

5 Q. And professionals?

6 Is the teaching, and the research and the
7 clinical experience that you talked about today an
8 integral part of that training to be a Ph.D.?

9 A. Yes.

10 Q. And is that true regardless of how students
11 are funded?

12 A. Yes.

13 Q. And in the Clinical Psychology Program in
14 particular, students - are students required to receive
15 this kind of training from an approved program in order
16 to get Ph.D. degree?

17 A. Yes. To get - ultimately to get licensed,
18 yes.

19 Q. Licensed as a clinical -

20 A. Right, -

21 Q. - psychologist?

22 A. - psychologist.

23 ATTORNEY DANTE: Okay.

24 I have nothing further.

25 HEARING EXAMINER: So if you do - you

1 need ten minutes?

2 ATTORNEY MANZOLILLO: We probably need
3 more than that.

4 HEARING EXAMINER: To prepare Cross?
5 Take 20.

6 ATTORNEY MANZOLILLO: Okay.

7 HEARING EXAMINER: Be back at 12:30,
8 we'll do Cross and have lunch.

9 And then we can either do one more
10 witness or we can do two lightning rounds of witnesses,
11 where I enforce time limits on Direct and Cross.

12 So you tell me what you guys want to do.

13 But I am stopping at 4:00.

14 ATTORNEY FARMER: We'll talk about it
15 during the break.

16 HEARING EXAMINER: Yeah. I didn't mean
17 now.

18 All right.

19 ATTORNEY FARMER: Okay.

20 HEARING EXAMINER: Okay.

21 Be back at 12:30.

22 I figured you wanted to -.

23 ATTORNEY DANTE: Yes, please.

24 ATTORNEY FARMER: Yeah.

25 HEARING EXAMINER: Yeah.

1 ATTORNEY DANTE: Yeah.

2 ATTORNEY FARMER: Yes, thank you.

3 HEARING EXAMINER: Off the record until
4 12:30.

5 ---

6 (WHEREUPON, A LUNCH BREAK WAS TAKEN.)

7 ---

8 HEARING EXAMINER: Back on the record
9 with Cross Examination.

10 ---

11 CROSS EXAMINATION

12 ---

13 BY ATTORNEY MANZOLILLO:

14 Q. What would you prefer that I call you?

15 A. Michael is fine, -

16 Q. Michael?

17 A. - if that's okay.

18 Q. Michael, could you look at Respondent's
19 Exhibit 90?

20 A. Let's see which one - 90?

21 HEARING EXAMINER: Handbook.

22 THE WITNESS: Oh, handbook?

23 Yes. Okay.

24 BY ATTORNEY MANZOLILLO:

25 Q. And turn to page 23, Section 4, -

1 A. Okay.

2 Q. - second paragraph.

3 Can you read that, please?

4 A. Happy to.

5 Students may be expected to devote effort to
6 research activities in general lab functions that
7 directly or indirectly advance their scholarly
8 development separate from their milestone progress.

9 However, such expectations should be
10 moderate in scope when they are unfunded or do not
11 advance a student's scholarly development, generally
12 less than ten hours per week.

13 By the way, did you intend me to read it out
14 loud?

15 HEARING EXAMINER: Yes.

16 THE WITNESS: It just occurred to me,
17 that that - I'm like, why is he doing this?

18 Sorry about that.

19 BY ATTORNEY MANZOLILLO:

20 Q. It's okay.

21 A. They should be associated with appropriate
22 credit for the work. For example, coauthorship on
23 resulting publications.

24 Note that this policy does not apply when
25 student effort falls within the scope of a GSR

1 appointment, in which case up to 20 hours of weekly
2 student effort can be required without expectation of
3 coauthorship or other nonfinancial gain, end paragraph.

4 Q. Okay.

5 So to summarize, is that telling us that the
6 GSR employment, not - not related to your research,
7 indicated funded for a GSR appointment you should still
8 be expected to work up to 20 hours a week to that
9 research?

10 A. Yes, I would say that that's what it says.
11 My experience, however, is that that's very rare. But
12 - but that -.

13 Q. But it does happen? And there is a
14 requirement that you still put up - those hours in on a
15 GSR appointment?

16 A. If you push me to say a particular person
17 would have that, I wouldn't be able to name a person
18 where that happened. But I think it - it's plausible
19 that could happen.

20 Most of the time those - those GSRs are -
21 are places where they're going to be getting training
22 towards what they're going to be doing.

23 Q. Can you turn to Union Exhibit 3?

24 A. I'm sorry?

25 HEARING EXAMINER: Union Exhibit 3, the

1 binder up there.

2 ATTORNEY HEALEY: Volume 1 binders.

3 THE WITNESS: So in Volume 1?

4 HEARING EXAMINER: Yes, Tab 3.

5 THE WITNESS: This is intimidating.

6 Okay.

7 And then I go to 3?

8 HEARING EXAMINER: You got it.

9 THE WITNESS: Policy statement for
10 graduate student researchers.

11 Okay.

12 BY ATTORNEY MANZOLILLO:

13 Q. Are you familiar with this statement?

14 A. To be honest, I'm not sure I am. But maybe
15 once I start reading it, I - well - so this is -.

16 Q. You don't need to read it out loud. You can
17 browse over this.

18 A. Okay.

19 ATTORNEY DANTE: The witness said he's
20 not familiar with the policy statement.

21 HEARING EXAMINER: And he said if he
22 looked at it, maybe he will be.

23 THE WITNESS: Yeah, is this for the -
24 for our department or the University, just -?

25 ATTORNEY DANTE: I think he clearly

1 doesn't know.

2 THE WITNESS: No, no, I'm just -.

3 ATTORNEY DANTE: You don't have to look
4 at it, if you do not -

5 ATTORNEY HEALEY: This is the
6 University's -.

7 ATTORNEY DANTE: - recognize the
8 document.

9 HEARING EXAMINER: Hold on. Everyone is
10 talking at once.

11 ATTORNEY DANTE: I'm going to object to
12 this line of questioning.

13 The witness has - does not know what
14 this document is.

15 HEARING EXAMINER: Defer, keep asking
16 him some questions.

17 ATTORNEY MANZOLILLO: Okay.

18 I'll back off of that.

19 BY ATTORNEY MANZOLILLO:

20 Q. All right. Okay.

21 I'm going to show you another document.

22 A. So I should put this - this away?

23 HEARING EXAMINER: Yes.

24 BY ATTORNEY MANZOLILLO:

25 Q. Yes, that's fine.

1 ATTORNEY MANZOLILLO: Actually,
2 before -.

3 BY ATTORNEY MANZOLILLO:

4 Q. Yeah, let me - let me ask a couple of other
5 questions first.

6 If you - same document R - R-90 - oh, you're
7 looking at the - pages 19 and 20?

8 A. R-90 - okay.

9 So that's the graduate one for our
10 department?

11 Page what?

12 Q. Nineteen (19) and 20.

13 A. Okay.

14 Q. And the teaching assistant and teaching
15 fellow responsibilities, those are the expected
16 responsibilities of assistants and teaching fellows as
17 laid out in the handbook?

18 A. Yes, correct.

19 Q. And that would include for maintaining
20 office hours, grading accurately and fairly, posting
21 grades, submitting grade rosters, preparing syllabus.
22 And in the case of standalone situations, teaching a
23 course?

24 A. I'm not sure what your question is.

25 Q. Those are all perspective requirements -

1 A. Yes.

2 Q. - of a teaching fellow, a teaching -?

3 A. Yeah.

4 I'm getting too old. I have to take my
5 glasses off.

6 Q. Can you tell us what this document is?

7 A. Yes. So this is the document that is sent
8 to our applicants who have been accepted into our
9 program. And they're being offered a position in our
10 Graduate Program.

11 Q. And what would the - what would their -
12 would this mean that they were teaching a course - they
13 were teaching a fellow course per the -?

14 A. Let me read it over. I don't usually see
15 these letters, because they get sent from the - from
16 the University. So if it's okay, I'll need to read it
17 and shove it up to my face to read it.

18 HEARING EXAMINER: Oh, yeah. Me, too.

19 ATTORNEY DANTE: Do you typically - so
20 I'm sorry, just -

21 THE WITNESS: Yeah.

22 ATTORNEY DANTE: - as a point of
23 clarification, do you see these letters?

24 THE WITNESS: They're sent out. In
25 fact, this one I'm really familiar -.

1 ATTORNEY MANZOLILLO: I'm going to
2 object to the form of the -.

3 ATTORNEY DANTE: Well, if he's not -

4 HEARING EXAMINER: Hold on.

5 ATTORNEY DANTE: - familiar with this
6 document -.

7 HEARING EXAMINER: Hold on. Please hold
8 on.

9 Okay?

10 I can't listen to two people at once.

11 Your objection is overruled. He said
12 he's familiar with it.

13 THE WITNESS: So I'm looking at it now,
14 familiarizing myself. I didn't know, for example, when
15 I was first given this, whether it was something that
16 our graduate administrator in our department sent or
17 whether it was - it's coming from the Dean's Office,
18 so -.

19 But I don't - I'm happy to take a look
20 at it. So let me just -.

21 And is there a part of it in particular
22 you want me to -?

23 BY ATTORNEY MANZOLILLO:

24 Q. I just want to - I just want to understand
25 if this is your understanding of what the - the funding

1 levels would be for that position for teaching fellow,
2 or teaching assistant and a -

3 A. And is there a paragraph that -

4 Q. - TF as a teaching fellow?

5 A. - so is it - is it just that first paragraph
6 that speaks to that, just so I focus on it?

7 Q. Well, it's the box up at the top, yes.

8 A. Oh, okay. So there's a box - oh, okay.
9 So that's really the part to look at?

10 Q. Yes.

11 A. So let's see what it says here.

12 Yeah, I'm not familiar with this, I'll be
13 honest.

14 HEARING EXAMINER: It's from your
15 office.

16 ATTORNEY DANTE: It's not from his
17 office.

18 HEARING EXAMINER: Let me see it. Let
19 me ask the - let me ask him a question.

20 Didn't you say you are - you were
21 recently appointed as the Psychology Department
22 Graduate Studies something?

23 THE WITNESS: Right. So I became that.
24 I just went to the orientation about three - three
25 weeks ago. So I'm still -. But yeah. So I - I was

1 noticing on the bottom of this it said Assistant Dean,
2 which is -.

3 HEARING EXAMINER: Who's - who's Tara
4 Meyer - Tara Meyer?

5 THE WITNESS: So that would not be our
6 department.

7 HEARING EXAMINER: Is who?

8 THE WITNESS: That's at - at the Office
9 of the Graduate -.

10 HEARING EXAMINER: Let's do it this way.
11 Brad, what's your question?

12 BY ATTORNEY MANZOLILLO:

13 Q. So you don't know what level a TF is funded
14 at in the department?

15 A. What level?

16 Q. What level of funding a TF receives -
17 teaching receives or the fellow?

18 HEARING EXAMINER: How much are they
19 paid?

20 THE WITNESS: So I - I don't know.
21 Except, I'm looking here. It just has a number. It
22 just has a number.

23 It says spring. And it has a number.
24 Can I say that number out loud?

25 HEARING EXAMINER: Yes.

1 THE WITNESS: I mean, it says it's a
2 little under \$10,000. It says per stipend. But this
3 is the first time I've seen this particular type of
4 thing, but -.

5 BY ATTORNEY MANZOLILLO:

6 Q. So you wouldn't have known that level of
7 stipend but for this letter?

8 A. I personally wouldn't. Now, maybe after I'm
9 in this position for more than a - a little bit more
10 time, I would be more familiar with it.

11 I haven't gone through a process yet of - of
12 being in this position when admissions occurred. So
13 maybe this is good for me to hold onto, but I don't
14 know.

15 Yeah. So - so yeah. But just I - I don't
16 mean to be -

17 Q. That's fine.

18 A. - to be cavalier with this. I'm honestly
19 not sure. I mean, I can see that that's the amount
20 here. But I don't know if there's something you wanted
21 me to sort of comment on or add to that that would be
22 helpful. I'm not sure what -.

23 Q. So you - you wouldn't - you wouldn't be
24 familiar with any of these letters, fellowship letters,
25 teaching assistant, GSR?

1 A. I'm - just I haven't been. So I don't - I
2 don't want to pretend to - yeah.

3 ATTORNEY DANTE: And I'll just note for
4 the record, that this is from The Dietrich School of
5 Arts & Sciences, -

6 HEARING EXAMINER: Yeah.

7 ATTORNEY DANTE: - as reflected at the
8 top, not the Department of Psychology.

9 BY ATTORNEY MANZOLILLO:

10 Q. Department of Psychology is - is part of
11 Dietrich School?

12 A. Yeah, I - I don't know if this would be
13 helpful or not. I could - the way it works is, when -
14 and if this is irrelevant, I won't waste time, but -.

15 HEARING EXAMINER: If you could just
16 answer his - his -.

17 THE WITNESS: Yeah.

18 BY ATTORNEY MANZOLILLO:

19 Q. Is Psychology part of The - The Dietrich
20 School?

21 A. Yes, it is. It's one of the schools, yes.

22 HEARING EXAMINER: I just - I just don't
23 understand what point you're - what are you trying to
24 get to, Mr. Manzolillo?

25 ATTORNEY MANZOLILLO: I was just going

1 to try and enter that into the record. But if he's not
2 familiar with it -.

3 ATTORNEY FARMER: We don't have any
4 objection to the document.

5 I mean, you have two binders full of
6 appointment letters for which there has been no
7 witness.

8 ATTORNEY MANZOLILLO: We would still
9 move to admit that document, then.

10 ATTORNEY DANTE: No objections.

11 HEARING EXAMINER: 236 is admitted.

12 ---

13 (Whereupon, Union Exhibit 236, Appointment Letter,
14 was marked for identification and admitted.)

15 ---

16 HEARING EXAMINER: You didn't object to
17 them, though?

18 ATTORNEY FARMER: No, we're not
19 objecting to any - the question - we're asking the
20 witness questions -.

21 HEARING EXAMINER: I'm going back to two
22 binders that there's witnesses for.

23 ATTORNEY FARMER: No, no, no, that's
24 what we're saying, we don't - we don't have any
25 objection -

1 HEARING EXAMINER: Oh.

2 ATTORNEY FARMER: - to the documents.

3 HEARING EXAMINER: Oh, okay.

4 ATTORNEY FARMER: Our objection's for
5 asking the witness questions about documents he doesn't
6 know.

7 If they want to put in more admission -
8 letters, mark them and put them in.

9 HEARING EXAMINER: I got you.

10 ATTORNEY FARMER: We don't have any
11 objection.

12 ATTORNEY DANTE: We don't have any
13 objection, to the extent that they were also - I mean,
14 most of them were produced in response to the subpoena.
15 I mean, we're not going to contest the authenticity of
16 what they are.

17 BY ATTORNEY MANZOLILLO:

18 Q. Are you aware of any halftime teaching
19 assistant appointments in the department?

20 A. Yes, I think we have some, yeah.

21 Q. So the requirement for those would be ten
22 hours a week instead of 20?

23 A. Yeah. That does sound right, yeah.

24 Q. And that would cover half of the tuition
25 instead of all of the tuition?

5	Q.	Okay.
---	----	-------

6 | A. I would - I would think it would be half of
7 | it.

8 Q. That's fine.

9 Now, you - I'm going introduce one other
10 document here.

11	Can you tell us what this document is?
----	--

12 | -----

13 (Whereupon, Union Exhibit 237, Curriculum Vitae of
14 Michael Sayette, Ph.D. was marked for
15 identification.)

16 | ---

17 THE WITNESS: Yes. This is my
18 Curriculum Vitae. At least it looks like - it looks
19 like that's what it is. First page says - yep.

20 BY ATTORNEY MANZOLILLO:

21 Q. And how long have you been at the University
22 again?

23 A. I started in August - well, September of
24 1991. So this is my 28th year. I think that's right.
25 '91 is when I started, I'm confident of that. It

1 starts to blur.

2 Q. And pages two and three are - look to be -
3 at the bottom of two, grants - starting with grants?

4 A. Yes.

5 Q. And those are all grants you've - you've
6 helped to get - bring to the University?

7 A. Correct.

8 Q. Some of those are well over a million
9 dollars.

10 Can you describe a little bit about some of
11 the funding sources for those? Are these R - what we
12 call R01 grants?

13 A. Yeah. So the National Institute of Health
14 is the - the primary supporter. And they have
15 different types of the grants, that -. The type that
16 you just referred to, an R01 is for an independent
17 research project.

18 And I don't know how much detail you want,
19 but - that answers your question.

20 Q. Yeah, yeah, yeah, that helps.

21 You can go into - you can go into a little
22 more detail.

23 A. Okay.

24 So they're - NIH can fund training grants.
25 So for example, I've had students get a training grant

1 from NIH. I've had students get a supplement, like a
2 diversity supplement to an R01 I got currently. So
3 there are different mechanisms.

4 But the - the main sort of building blocks
5 of our science come from these R01 projects that are
6 usually three to five years in length.

7 Q. And they will fund anything from research
8 costs to equipment?

9 A. Correct.

10 Q. They can help fund the faculty time?

11 A. Exactly.

12 Q. In some cases they may help fund GSRs?

13 A. Exactly.

14 Q. Now, you have some flexibility into what
15 extent - how many GSRs you may fund or something like
16 that?

17 A. Complete flexibility. It's entirely my own
18 decision.

19 Q. And you can increase or decrease the number
20 or replace them with postdocs or other faculty?

21 A. Or - or staff. That's often the big - the
22 big decision for us is often because the costs are
23 roughly similar, to get a - a - you know, graduate
24 student or a full-time student - excuse me, a full-time
25 staff person.

1 Q. Now, in the case of a - a training grant -
2 T32 grant, -

3 A. Uh-huh (yes).

4 Q. - you would not have the flexibility to
5 remove a - even a graduate student from that faculty.
6 Would you?

7 A. I'm sorry?

8 Q. In other words, a T32 grant would have to be
9 specifically to fund your graduate students in
10 training?

11 A. Right.

12 HEARING EXAMINER: Did you say yes, sir.

13 THE WITNESS: Yes, sir.

14 HEARING EXAMINER: I said did you say
15 yes, sir?

16 BY ATTORNEY MANZOLILLO:

17 Q. And if you fund somebody for a GSR, for a
18 period of time, for say a couple of years -

19 A. Uh-huh (yes).

20 Q. - on a research project that you've gotten
21 grants, they're - they're working on the subject matter
22 relevant to that grant.

23 Correct?

24 A. Yes.

25 Q. In an R - in the case of an R01?

1 A. Yeah.

2 Q. Okay.

3 That's regardless of whether that leads to
4 their dissertation, that ends up being their
5 dissertation topic or not?

6 A. Yeah, regardless for the dissertation you're
7 - you're correct on that.

8 Q. And if a -?

9 A. Specifically - just - just to clarify.

10 So it is not essential that that project
11 link directly to the dissertation. In my experience,
12 if you broaden the scope of the dissertation to the -
13 the area of - of focus that the student has taken on
14 for the dissertation, it is very often the case -
15 certainly, in my lab I can say with - with great
16 confidence that what they're doing through the GSR is
17 establishing the training and the background that will
18 be essential to -.

19 So for example, if you read the
20 dissertation, you'll see papers cited - that were cited
21 from GSR.

22 Q. Let me stop you there.

23 A. Maybe I jumped ahead -.

24 Q. Let me stop you just a second.

25 A. Sure.

1 Q. So if have a - if you have a GSR working for
2 20 hours a week -

3 A. Uh-huh (yes).

4 Q. - or whatever it is -

5 A. Right.

6 Q. - over a couple of years, -

7 A. Uh-huh (yes).

8 Q. - they've made a significant contribution to
9 the - to the fund?

10 A. Yeah -

11 Q. And I assume -

12 A. - yes.

13 Q. - I assume when you have the successful sort
14 of project or - or -

15 A. Uh-huh (yes).

16 Q. - get through, you know, whatever the - you
17 propose when you sought the F1 grant - or the R01
18 grant, -

19 A. Uh-huh (yes).

20 Q. - you were successful, that leads to a
21 greater likelihood of getting future funding and future
22 grants?

23 A. Yeah, I think that's fair to say.

24 Q. Okay.

25 And that student who has now put in two

1 years of work, if they drop out of the program, you
2 don't go back and delete whatever work they've
3 contributed to the grant.

4 Do you?

5 A. That wouldn't be possible.

6 Q. Okay.

7 So that remains - that remains a part of the
8 research, even though they're never going to become -?

9 A. Right.

10 Nor could I remove their memories of what
11 that they've learned during those years, but true.

12 Q. All right.

13 HEARING EXAMINER: Maybe you could
14 research in class -.

15 THE WITNESS: I'm not smart enough.
16 That's the Center for the Neural Basis of Cognition
17 where, you know -.

18 HEARING EXAMINER: We haven't heard
19 about that.

20 BY ATTORNEY MANZOLILLO:

21 Q. I have to admit, I'm a - I'm a little
22 confused in the Clinical Psychology stuff.

23 A. Okay.

24 See what I can do.

25 Q. So clinical assistant, where is the funding

1 for clinical assistant?

2 A. So where does the funding come from or for
3 this student or where does -?

4 Q. Funding for the student come from.

5 A. So I guess through our department. Again, I
6 - I don't know for sure. I would assume that it was -
7 maybe I shouldn't make any assumptions.

8 Q. Oh, so you're not - you're not sure?

9 A. I'm not sure. But -.

10 Q. And what are - what are their duties again?

11 A. So I don't know all of their duties. But I
12 did look into this a little bit. So essentially what
13 they're doing is, they're helping the - we'll call them
14 clients. But I mention sometimes people call them
15 patients. They'll call the - the clinic up.

16 And the clinic assistants will take the
17 initial contact and will help to sort of figure out
18 what - whether we're an appropriate clinic for this
19 particular person. If the person, for example, is
20 expressing suicidality.

21 In very - in a real crisis, we wouldn't
22 necessarily say, hey, this is the right place for you,
23 we - the clinic assistant would have to make decisions
24 and say, you know, you need to call 911 or whatever
25 they -.

1 Q. Who oversees this?

2 A. So we have a director of the clinic who is a
3 Ph.D.-licensed clinical psychologist, who is the
4 director of the clinic. And he is a faculty member in
5 our department, though he's not a - a tenure streamline
6 research faculty member.

7 Q. Okay.

8 A. But he -.

9 Q. What would his title actually be? What
10 would he be classified as?

11 A. Oh, good question. I -.

12 Q. If you don't know, that's fine.

13 A. I don't know it off the top of my head. But
14 I know he - he's an - at least an associate professor,
15 clinical professor. But I don't want to say it
16 wrongly.

17 But I know recently he was promoted from
18 where he was to the next level. He was just fantastic.
19 But I - I can't - I'm sorry, I don't have the exact
20 name for it.

21 Q. How many of these are there in - typically
22 in a given year, -

23 A. How many clinical assistants?

24 Q. - appointed clinical assistants?

25 A. Again, forgive me. I'm going to say about

1 two per semester. But if someone were to show me that
2 there's three or four, I would say, oh, okay, there you
3 go.

4 HEARING EXAMINER: Ballparks are okay.

5 THE WITNESS: Okay.

6 As long as I'm stipulating it wasn't
7 exact answer.

8 BY ATTORNEY MANZOLILLO:

9 Q. Okay.

10 If you - you had - you talked earlier about
11 the sort of teaching requirement to get a degree. I
12 was unclear. Your - the State's licensures
13 requirements for a clinical psychologist don't require
14 a teaching - don't require that they're taking a course
15 in teaching at the University.

16 Do they?

17 A. The best thing I should say is, I don't
18 know. I suspect you're right, but I don't know for
19 sure.

20 Q. And when somebody who's working as a
21 clinical assistant - who else works in the clinic with
22 them?

23 A. So I think - so I mentioned we have the -
24 the director of the clinic. That person is under the
25 Program Director for the Clinical Psychology Program.

1 So that's a different person. Then we have the
2 director of the clinic. Then we have these clinic
3 assistants.

4 We also have faculty supervisors. And so
5 these supervisors meet with the actual graduate
6 students, who are seeing the - the clients. And so
7 that's really the heart and soul of it.

8 These five or six, I don't know exactly
9 we've have each semester, who are - they work in the
10 community. And they're psychologists. And they - they
11 meet each week with the students to talk about the
12 cases that they're working on.

13 So that's a big part of it. And I don't
14 know if that gets at your question or if I sort of
15 answered a different question than the one you asked.
16 I don't know.

17 Q. Okay.

18 So if a clinic assistant does the intake of
19 a client, who actually sees the client?

20 A. The graduate students will then - will
21 then -.

22 So - and just - just to make sure this is
23 clear. So the - the clinic assistant will then meet
24 with the director of the clinic and say, you know, this
25 looks like the perfect person for this new student to

1 work with. It's a - it's a pretty - the person seems
2 really, you know, verbal and - and has a very
3 circumscribed issue. And it would be a great first
4 case kind of thing.

5 Might talk in a different instance and say
6 this is a - a pretty complicated case. I'm not sure
7 we'd want to give it to someone who is just starting
8 out. We might someone in the clinic who's got a little
9 bit more experience.

10 So there's a - there's a discussion about,
11 you know, triage and - and that sort of thing. And the
12 clinic assistant would have an opportunity - wouldn't
13 be making those decisions, but would be part of that
14 opportunity - part of that experience.

15 Q. Okay.

16 And turning just a little bit to teaching
17 for a second.

18 A. Okay.

19 Q. So you mentioned that - that there's an OMET
20 evaluation?

21 A. Yes.

22 Q. And that's - that's true for every course
23 that's taught at the University.

24 Isn't it?

25 A. Yeah.

1 Q. Okay.

2 A. It's available. I don't know if it's
3 required that every - every course - and - and that may
4 actually have changed. I just don't know the answer.

5 There was a time in - perhaps even into the
6 present where it wasn't something that every single
7 course had to get an OMET, you know. But I think it's
8 certainly encouraged and maybe even required now -

9 Q. Okay.

10 A. - of - of students and faculty.

11 Q. And you had - you had teaching assistants
12 and teaching fellows to teach standalone classes, as
13 well as teach the residents and -?

14 A. So when you say teaching assistant and
15 teaching fellow teach courses, just to be clear, there
16 is a distinction between those two types.

17 Q. Why don't you tell us what they are.

18 A. So a teaching fellow is actually putting the
19 syllabus together and teaching the course.

20 And the teaching assistant is assisting
21 somebody else, a faculty member in - in the teaching of
22 a course.

23 Q. Okay.

24 So that's how you distinguish them apart.

25 A. Yeah, fellow -

1 Q. The teaching fellows -

2 A. - and assistant. Right.

3 Q. - are teaching the actual course?

4 A. Yeah. I mean, I don't think - I could spend
5 more time elaborating on - the - the teaching fellows
6 have to also be enrolled in a class to - on teaching
7 and so forth. But I - I don't think that was what you
8 were curious about so -.

9 Q. But the teaching assistants and - they would
10 just assist in the daily recitation session then?

11 A. They wouldn't - I don't think they'd be
12 leading recitation - well, maybe -

13 Q. You're not sure?

14 A. Forgive me, it's been a while since I
15 looked? I don't know if it's -.

16 Q. You're not - you're not certain whether they
17 would be or not?

18 A. Yeah, I don't - yeah, it might - it might
19 say right in that document whether it's going to help
20 me -.

21 Q. You're not - you're not completely familiar
22 with this document that we have here?

23 A. Yeah. As I said I went to the orientation
24 for directors three weeks ago, so - but it's good.
25 This is getting me a - now, I don't have to print it

1 out.

2 Q. Well, that's - I understand.

3 ATTORNEY FARMER: You don't get to keep
4 that one.

5 ATTORNEY DANTE: You have to leave it
6 here.

7 ATTORNEY FARMER: Yeah.

8 THE WITNESS: Oh, that's the only reason
9 why I'm here today.

10 Al right. Fair enough. Okay.

11 So I'm sorry, I don't think I answered
12 your question.

13 HEARING EXAMINER: Just hold on, wait
14 for him to ask a question.

15 ATTORNEY MANZOLILLO: I don't think I
16 have anything else.

17 HEARING EXAMINER: All right.

18 If you get that 90 in front of you. Go
19 to page 28, please.

20 THE WITNESS: Okay.

21 HEARING EXAMINER: You see workload?

22 THE WITNESS: I do.

23 HEARING EXAMINER: Don't read it out
24 loud. Read - read that first sentence and then tell
25 me, in your opinion, what that means.

1 THE WITNESS: I think it's pretty clear.
2 I think it means what it says, that students should not
3 be expected to spend more than 20 hours a week or on
4 average, on either the TA, TF or GSR appointments,
5 so -.

6 HEARING EXAMINER: All right.
7 And read the next sentence. And then
8 why don't you tell - tell us what you think that means?

9 THE WITNESS: So the next sentence
10 focuses more on the specific type of - of funding
11 through a - a graduate student research position. And
12 it's saying that because effort associated with those
13 appointments can advance a student's milestone
14 progress, then students may choose to spend more than
15 20 hours a week - more than 20 hours to research a
16 project associated with this GSR appointment.

17 HEARING EXAMINER: Have you seen that
18 happen?

19 THE WITNESS: Yeah. So I think it
20 speaks to fluidity of - of the training. So a student
21 in my lab may be working as part of the requirements of
22 the grant, and their funding on a project that's also
23 going to play a major role in where they're headed with
24 their own careers and with their own training.

25 And they may choose to take on a project

1 that is ancillary to the main specific aims of grant,
2 but is using the same participants, the same - you
3 know, the same - much of the same infrastructure.

4 And so it's - it's a bit hard to - to
5 distinguish, okay, that was an hour they were spending
6 on the GSR versus this was an hour they were spending
7 learning how to do this for their dissertation or - or
8 they have a number of projects.

9 And I feel - I feel truly comfortable
10 saying that. Because my experience in my lab, that
11 just comes up again and again and again. That that's -
12 that's how it works. It's very fluid.

13 Again, I don't know if I answered your
14 question.

15 HEARING EXAMINER: You're doing great.

16 THE WITNESS: Yeah.

17 HEARING EXAMINER: This is all about
18 just getting opinions into the record.

19 THE WITNESS: Yeah, sure.

20 HEARING EXAMINER: All right.

21 Skip the next sentence.

22 THE WITNESS: Okay.

23 HEARING EXAMINER: And we're going to go
24 to the first sentence of the next paragraph.

25 Why don't you read that one and then

1 tell me what you think that means?

2 ---

3 (WHEREUPON, WITNESS COMPLIES.)

4 ---

5 THE WITNESS: So this next sentence
6 talks about how the workload that - that was just
7 described, these hours, do not include other efforts
8 that the students invest to meet training and degree
9 requirements, including publication and research and
10 training.

11 So again, I - I think it's - I think we
12 nicely articulate what - what our intention was.

13 HEARING EXAMINER: So would it be fair
14 to say, that this sentence is - is imagining a world
15 where at least it's discernable that a GSR, TA, TF may
16 have workload expectations that are discernibly
17 separate from their research and publication, their
18 efforts to advance their research and publication
19 records?

20 Otherwise, what are we balancing here?

21 Does that question make any sense to you
22 at all?

23 THE WITNESS: I'm not sure I understood
24 exactly what the question was. I guess what I would
25 say is, students certainly can work more than 20 hours

1 a week.

2 And some of what they're doing here - I
3 mean, they can be taking classes, they can be working -
4 you know, sitting in on a class. Or they could be
5 doing research with a second advisor or doing all kinds
6 of things that might go above those 20 hours that were
7 already identified.

8 But I'm not sure that's - so is that -
9 is that what you're asking is -?

10 HEARING EXAMINER: No, no, let's look at
11 the sentence.

12 THE WITNESS: Okay.

13 It's this - I'll read it.

14 Yeah, these TA -.

15 HEARING EXAMINER: You don't have to
16 read it out loud.

17 THE WITNESS: Yeah, okay.

18 HEARING EXAMINER: So it says workload
19 expectations -

20 THE WITNESS: Right.

21 HEARING EXAMINER: - do not include -

22 THE WITNESS: Right.

23 HEARING EXAMINER: - substantial
24 personal efforts they must invest to meet training and
25 degree requirements and to advance their research and

1 publication.

2 THE WITNESS: Yeah, I think that is
3 pretty important there. And that's what I think was
4 getting me a little bit uncertain on how to answer the
5 questions posed.

6 Because the and - if you look at what
7 occurs prior to the and, training and degree
8 requirements include things that I've already
9 mentioned, that are pretty obvious.

10 So if you're in the Clinical Program,
11 you're spending hours working with clients. Even if
12 you're not a - a - if you're not the clinical
13 assistant, you're still getting trained in clinical
14 work, you're still taking coursework.

15 So clearly those exceed those 20 hours.
16 After -

17 HEARING EXAMINER: Let me ask this
18 again.

19 THE WITNESS: - after the and -.

20 HEARING EXAMINER: Hold on. Hold on,
21 let me ask this again.

22 THE WITNESS: Sure. Okay.

23 HEARING EXAMINER: I'm just -

24 THE WITNESS: Sorry.

25 HEARING EXAMINER: - I'm just trying to

1 figure out why this sentence is in this handbook.

2 So it says TA and a T - and GSR? So
3 it's -

4 THE WITNESS: Right.

5 HEARING EXAMINER: - workload
6 expectations.

7 Okay?

8 So that is workload expectations for
9 those two or three, I don't know how you want to
10 qualify, positions. That seems - this sentence seems
11 to be - that is one concept.

12 Okay?

13 And I guess it's referred to up above?

14 THE WITNESS: Right.

15 HEARING EXAMINER: And it's saying, does
16 not include.

17 Right?

18 THE WITNESS: Right.

19 HEARING EXAMINER: And then it says, a
20 substantial personal effort that students must invest
21 to meet training and duty requirements and -

22 THE WITNESS: Yeah, I - I -

23 HEARING EXAMINER: - substantial effort
24 to advance the research -.

25 THE WITNESS: I see where you're

1 heading.

2 HEARING EXAMINER: So my question is,
3 does this sentence seemingly - imagining the world -
4 I'm not asking if the world exists, I'm just asking you
5 if the grammar and -

6 THE WITNESS: Right.

7 HEARING EXAMINER: - if this sentence is
8 imaging a world where the workload expectations are not
9 necessarily the same thing as a substantial effort that
10 students must invest to meet the training and degree
11 requirements to advance the research and publications
12 records?

13 THE WITNESS: Yeah, now I understand.
14 Sorry about that. I -.

15 HEARING EXAMINER: Does that sentence
16 seem to imagine that world?

17 THE WITNESS: It seems to imagine that
18 world. My experience is that it's much more fluid than
19 that.

20 HEARING EXAMINER: Okay.

21 THE WITNESS: But I -.

22 HEARING EXAMINER: That was my second
23 question.

24 THE WITNESS: Yeah.

25 HEARING EXAMINER: My second question

1 is, does this sentence, in your opinion, -

2 THE WITNESS: Right.

3 HEARING EXAMINER: - make sense to the
4 Psychology Department that you, in - in part,
5 administer?

6 THE WITNESS: I would say in my - and
7 certainly, I will be more confident thinking about my
8 own experiences in my lab. The answer is really no.

9 People come in, they're - they're
10 working. They want to - they want to get these
11 experiences.

12 They're working on a GSR. And that's
13 how they're getting funded. That's fine. They're
14 getting those hours in, but it's toward their projects.

15 If they move on to a fellowship, it's
16 not a - a change that I noticed. They're still - they
17 - they came in to work in my lab, so that they can get
18 a record that would make them competitive coming out.
19 They didn't come in because this funding option or that
20 funding option was - was what they were after.

21 So I don't - when I speak to them about
22 their annual work, I'm thinking about, you know, what
23 they've been able to accomplish. And I think that
24 these - I see that we have it in our - in our
25 documentation. And that's great.

1 But in terms of the way it works, at
2 least in my experience, has been that I don't see much
3 of a change.

4 HEARING EXAMINER: Just -

5 THE WITNESS: Yeah.

6 HEARING EXAMINER: - changing subjects.

7 THE WITNESS: Sure.

8 HEARING EXAMINER: Research assistants
9 use - graduate students who do research, let's say it
10 that way.

11 THE WITNESS: Okay.

12 HEARING EXAMINER: You have graduate
13 students who do research.

14 Right?

15 THE WITNESS: Yeah, they all do.

16 HEARING EXAMINER: Do they do things
17 like design academic studies?

18 THE WITNESS: Design academic studies?

19 Like just my graduate students in
20 general?

21 HEARING EXAMINER: Yeah.

22 THE WITNESS: And by academic, you mean
23 a research study?

24 HEARING EXAMINER: Do they design
25 studies?

1 THE WITNESS: Yeah, they can, yeah.

2 HEARING EXAMINER: Do they program
3 computers?

4 THE WITNESS: Yeah.

5 HEARING EXAMINER: Do they design
6 experiments?

7 THE WITNESS: Yeah, with - I mean,
8 certainly with my advising and mentorship, -

9 HEARING EXAMINER: Right.

10 THE WITNESS: - yeah.

11 HEARING EXAMINER: All right.

12 Do they participate in conducting of
13 experiments and also conduct experiments themselves?

14 THE WITNESS: They can at times.

15 HEARING EXAMINER: Do they collect data?

16 THE WITNESS: Some - some do. Many do,
17 yeah.

18 HEARING EXAMINER: They obviously
19 analyze data?

20 THE WITNESS: Yeah.

21 HEARING EXAMINER: That's probably the
22 major critical thinking thing they do.

23 Right?

24 They analyze - they analyze -?

25 THE WITNESS: I would say it's one of

1 them. It's a big one and - but I would - I wouldn't
2 stop - I'm not sure I would say it's the most
3 important. But I can elaborate if you want or -.

4 HEARING EXAMINER: No, that's fine.

5 THE WITNESS: Okay.

6 HEARING EXAMINER: Do they prepare
7 written reports and papers for academic publication?

8 THE WITNESS: Yeah.

9 Again, not independently - not - not
10 entirely on their own, but with my input and multiple
11 drafts. But they are certainly involved in that.

12 HEARING EXAMINER: And then this is
13 going to - just very basically, where - where are they
14 working? Are they working on campus?

15 THE WITNESS: Most of the time they're
16 working in my lab on campus.

17 HEARING EXAMINER: Do they work in the
18 field? What does the field mean to you, in psychology?

19 THE WITNESS: So depending on which lab
20 they're in - so I have colleagues who work in the
21 community with - you know, so the - they will actually
22 be doing interviews in - in homes and things like that.

23 In my lab, it's either - it's
24 participants come to our research lab and that's where
25 the interactions occur.

1 HEARING EXAMINER: Okay.

2 And do they - are they assigned an
3 office space for workspace by the University?

4 THE WITNESS: Yes.

5 HEARING EXAMINER: Where is that?

6 THE WITNESS: In a particular building
7 called Sennott Square is where my lab is, if that's
8 what you mean?

9 HEARING EXAMINER: And then they have
10 the research for the graduate students, who are
11 performing research? They have workspace that is
12 assigned. Is it near your lab, if they're -

13 THE WITNESS: Yeah, -

14 HEARING EXAMINER: - if they're related
15 to your -?

16 THE WITNESS: - exactly. In fact, some
17 of them are actually in my - in my lab space.

18 HEARING EXAMINER: And then who else is
19 in the lab? You got your - you have a secretary or
20 administrative assistant?

21 THE WITNESS: So each lab differs by how
22 large they are. Some labs have someone - like a
23 secretary in the lab. In my - my lab I often have a
24 full-time research staff person. I don't have one -.

25 HEARING EXAMINER: And who is this - who

1 is she?

2 THE WITNESS: So I actually just had one
3 who left and I haven't hired a new one. But her name
4 was M.

5 HEARING EXAMINER: And then does she
6 have - what degree did she have?

7 THE WITNESS: She had a Bachelor's
8 degree from University of Rochester. She worked with
9 me for about four years. And now she is starting a
10 Ph.D. Program in Psychology at the University of
11 Oregon.

12 HEARING EXAMINER: Oh, good for her.
13 You wrote - you wrote her a good letter.
14 Right?

15 THE WITNESS: I did.

16 HEARING EXAMINER: Okay. Good.
17 And who else is in - working in there?

18 THE WITNESS: So my - my graduate
19 students. And then I have a number of undergraduates
20 who are doing something called directed research. It's
21 ten hours a week.

22 They get credit for that. And they work
23 with me and my graduate students.

24 HEARING EXAMINER: Is the University
25 paying those undergrad students?

1 THE WITNESS: I'm sorry, sir?

2 HEARING EXAMINER: Is the University
3 paying those undergrad students?

4 THE WITNESS: They're getting course
5 credit for those courses.

6 HEARING EXAMINER: You don't have any
7 undergrads working on work study or something like
8 that?

9 THE WITNESS: I don't in my lab. But if
10 you're asking more broadly, there are work studies in
11 our department, as are postdocs. I didn't mention
12 that. But I don't have any -.

13 HEARING EXAMINER: And so you have had -
14 have you ever had postdocs work for you?

15 THE WITNESS: Only indirectly. I had a
16 couple who were postdoctoral fellows. And so I didn't
17 pay them off my own grant. But they asked if I would
18 mentor them, because they had funding. And they could
19 sort of seek that out. So in absence -.

20 HEARING EXAMINER: Are you aware of
21 postdocs working also throughout your department?

22 THE WITNESS: Yeah, certainly.

23 HEARING EXAMINER: And I've heard
24 testimony already on postdocs.

25 And would it be fair to say that the

1 level of work that they're performing is substantially
2 similar to a fifth, sixth or seventh year graduate
3 student?

4 THE WITNESS: I guess I'm a little bit
5 uncomfortable saying with certainty, because I haven't
6 had that in my lab.

7 HEARING EXAMINER: Then don't say
8 anything.

9 THE WITNESS: But I - but I would not be
10 surprised if that was the case.

11 And if you've been hearing that, that
12 would seem reasonable.

13 HEARING EXAMINER: Maybe I heard that.
14 I think - she's looking at me like I'm crazy, so I
15 might not have heard that.

16 THE WITNESS: Oh, okay.

17 HEARING EXAMINER: And then let me look
18 at my napkin here.

19 THE WITNESS: And I - and just - if you
20 were interested, I could elaborate just a second -

21 HEARING EXAMINER: Of postdocs?

22 THE WITNESS: - more on why I answered
23 the way I did.

24 But if it's - if it's -.

25 HEARING EXAMINER: Is it on postdocs?

1 THE WITNESS: On postdocs.

2 HEARING EXAMINER: Yeah, go ahead.

3 THE WITNESS: So the reason I say that
4 is, postdocs come in with a tremendous - tremendously
5 different experience. Some come in and they're
6 basically ready to go and they just didn't get a
7 faculty position.

8 HEARING EXAMINER: Right.

9 THE WITNESS: Other times they're coming
10 to get retraining in an entirely different area.

11 HEARING EXAMINER: Oh, okay.

12 THE WITNESS: So postdocs -.

13 HEARING EXAMINER: I understand what
14 you're saying.

15 THE WITNESS: Right.

16 So that's why I -.

17 HEARING EXAMINER: My question was, -

18 THE WITNESS: Yeah.

19 THE WITNESS: Yeah.

20 HEARING EXAMINER: - if you're just
21 comparing their ability to do critical thinking, to do
22 writing and to - with training, that they may not have
23 coming in; perform research, would you say that
24 they're -?

25 THE WITNESS: I think that's a

1 reasonable thing.

2 Again, there are exceptions. If they're
3 - if they're embarking on such a departure from what
4 they've done, they may not be -.

5 But I think in general it's a - it's a
6 fair assessment. So I don't -.

7 HEARING EXAMINER: Postdocs are
8 obviously paid by the University?

9 THE WITNESS: Well, again, the only
10 times I've ever been involved with the postdoc, they
11 had NIH - they had NIH postdoctoral training.

12 HEARING EXAMINER: I understand it's -

13 THE WITNESS: Okay.

14 HEARING EXAMINER: - the funding for
15 them comes through a grant. However, their paycheck
16 says University of Pittsburgh?

17 THE WITNESS: I'm guessing you're right.
18 Okay.

19 HEARING EXAMINER: I'm right.

20 THE WITNESS: I am sure you're right.

21 HEARING EXAMINER: I don't know if I'm
22 right.

23 We've had testimony. And I think -

24 THE WITNESS: Okay.

25 HEARING EXAMINER: - that is the case.

1 All right.

2 Any follow-up on my questions, Brad?

3 ATTORNEY MANZOLILLO: No.

4 HEARING EXAMINER: All right?

5 Redirect?

6 And we'll do -

7 ATTORNEY DANTE: Right.

8 HEARING EXAMINER: - lunch after

9 Redirect.

10 ATTORNEY DANTE: Yep. Okay.

11 ---

12 REDIRECT EXAMINATION

13 ---

14 BY ATTORNEY DANTE:

15 Q. There were some questions about lab space.

16 Do you remember those just now, -

17 A. Yeah.

18 Q. - about where certain people have offices
19 and space?

20 So I assume the people who are researching
21 in your lab on GSRs have lab space?

22 A. Uh-huh (yes).

23 Q. And the people who are on training grants
24 would also have lab space?

25 A. Yeah. And there's indistinguishable - and

1 when they move from one type to the other, their space
2 stays the same.

3 Q. And same for someone who is on a fellowship
4 as well?

5 A. Yeah, exactly. So -.

6 Q. Okay.

7 You also mentioned that there are some
8 undergrads in labs getting course credit.

9 Do you remember that testimony?

10 A. Yes.

11 Q. Okay.

12 And are there also individuals with
13 fellowships in your lab who are getting dissertation
14 credit for research?

15 A. Yes.

16 Q. The clinical experience that you talked
17 about with respect to clinical assistants, and the
18 students meeting with the clients and patients, are
19 students required to get that clinical experience in
20 order to receive a license to be a clinical
21 psychologist?

22 A. Yes. Indirectly, because they can't get
23 into the internship without those hours. And then
24 without the internship they couldn't. So absolutely,
25 you're correct.

1 Q. There was also - strike that.

2 If you could take a look at your CV on page
3 three.

4 A. Okay.

5 Q. At the - the second one from the top. 2009
6 to 2011, it starts off with genetic links.

7 Do you see that?

8 A. I do.

9 Q. And then I see at the - underneath there it
10 says F31. And then there's some numbers afterward?

11 A. Yes.

12 Q. What kind - do - are you familiar with what
13 kind of grant that is?

14 A. Yeah. So this is a - a training grant. And
15 what this essentially does is, it allows the student to
16 gain additional training before they receive their
17 Ph.D. So it's a predoctoral training grant. And it's
18 linked to a sponsor. So I was the sponsor.

19 I had a grant that provided data that was
20 essential. So essentially, this - this particular
21 student, who's now a professor at Carnegie Mellon, she
22 wanted to look at the genetics of a - of responding to
23 alcohol.

24 In this particular study, I had collected
25 data, and so - including DNA. And so she learned how

1 to genotype and analyze the data as part of this - this
2 project.

3 Q. And for a student to receive this kind of
4 funding, do they need a faculty sponsor?

5 A. Yes.

6 Q. And does this particular kind of grant cover
7 the actual cost of the research and the lab associated
8 with it?

9 A. No, not at all. It covers her training, her
10 - her own stipends and such. But all the data and all
11 the other stuff came from - from my lab.

12 Q. And is this actually the same - hold on one
13 second.

14 ATTORNEY DANTE: I have no further
15 questions.

16 I would just like to move in Exhibits
17 R-90 through 93.

18 HEARING EXAMINER: Any objection?

19 ATTORNEY MANZOLILLO: No.

20 HEARING EXAMINER: They're admitted.

21 ---

22 (Whereupon, Respondent Exhibit 90, Department of
23 Psychology Graduate Student Handbook, was
24 admitted.)

25 (Whereupon, Respondent Exhibit 91 , Paper, was

1 admitted.)

2 (Whereupon, Respondent Exhibit 92, Dissertation,
3 was admitted.)

4 (Whereupon, Respondent Exhibit 93, Evaluation
5 Letter, was admitted.

6 ---

7 HEARING EXAMINER: Limited Recross
8 Examination?

9 ---

10 RECROSS EXAMINATION

11 ---

12 BY ATTORNEY MANZOLILLO:

13 Q. Your grant that was just referred to in your
14 -

15 A. Uh-huh (yes).

16 Q. - CV - so this was \$84,000, I believe?

17 A. Yeah.

18 Q. So - and it's an F31 grant?

19 A. Yeah.

20 Q. And it was for a two-year period?

21 A. So 2009 to 2011. So I think it was two
22 years. But I mean - yeah, I - I think it's a two-year
23 project, I'm pretty sure.

24 Q. Okay.

25 So if the individual you sponsored decided

1 to run off to Paris to become an artist after the first
2 year, what would have happened to the rest of the
3 funding the second year?

4 A. It's a nice image. No.

5 She would have, I'm sure, forfeited that.

6 Q. And that money would go away?

7 A. Yeah. I'm sorry.

8 ATTORNEY MANZOLILLO: And beyond that,
9 that's all the questions I have.

10 HEARING EXAMINER: Okay.

11 ATTORNEY MANZOLILLO: I just need to
12 move in our Exhibit 236, -

13 HEARING EXAMINER: Sure.

14 ATTORNEY MANZOLILLO: - if I haven't.
15 I think 236 is already in.

16 ATTORNEY FARMER: Yes, it is.

17 ATTORNEY DANTE: No objection.

18 HEARING EXAMINER: 237 - sorry, ma'am?

19 ATTORNEY DANTE: No objection.

20 ATTORNEY FARMER: No objection.

21 HEARING EXAMINER: 237 is admitted.

22 ---

23 (Whereupon, Union Exhibit 237, Curriculum Vitae of
24 Michael Sayette, Ph.D., was admitted.)

25 ---

1 HEARING EXAMINER: And let me look back
2 at my list here.

3 290 (sic) to 93 are admitted, if I
4 didn't already say that.

5 ATTORNEY FARMER: You mean R-90?

6 HEARING EXAMINER: Yeah, R-90.

7 Sir, you are excused. Thank you very
8 much for your testimony.

9 We're off the record.

10 ---

11 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

12 ---

13 HEARING EXAMINER: Back on the record.

14 ATTORNEY FARMER: Dr. Lee, during his
15 testimony, was asked whether the letter that we marked
16 as Exhibit 89 had actually been sent to anybody. He
17 said he did not know.

18 When he got back to his office, he
19 checked, and he sent me one that was used.

20 So we're going to mark that as 94.

21 ---

22 (Whereupon, Respondent Exhibit 94, Letter, was
23 marked for identification.)

24 ---

25 ATTORNEY FARMER: So it's an actual one

1 that is redacted.

2 HEARING EXAMINER: And Union is okay
3 with that?

4 ATTORNEY HEALEY: I just want to read
5 it.

6 HEARING EXAMINER: Well, why don't you
7 look at that while we start Direct?

8 ATTORNEY HEALEY: Okay.

9 ATTORNEY FARMER: Yeah.

10 ATTORNEY HEALEY: That's fine.

11 HEARING EXAMINER: All right.

12 Raise your right hand for me, ma'am.

13 ---

14 KRISTIN KANTHAK, PH.D.,
15 CALLED AS A WITNESS IN THE FOLLOWING PROCEEDING, AND
16 HAVING FIRST BEEN DULY SWORN TESTIFY AND SAID AS
17 FOLLOWS:

18 ---

19 HEARING EXAMINER: Spell your name for
20 us.

21 THE WITNESS: Kanthak, K-A-N-T-H-A-K.

22 HEARING EXAMINER: Did you start with
23 your first name or your last name?

24 THE WITNESS: Oh, sorry. That's my last
25 name, Kanthak.

1 HEARING EXAMINER: What's your first
2 name?

3 THE WITNESS: My first name is Kristin,
4 K-R-I-S-T-I-N.

5 HEARING EXAMINER: And last name again?

6 THE WITNESS: Kanthak, K-A-N-T-H-A-K.

7 HEARING EXAMINER: Okay.

8 Your witness, ma'am.

9 ATTORNEY FARMER: Thank you.

10 ---

11 DIRECT EXAMINATION

12 ---

13 BY ATTORNEY FARMER:

14 Q. Dr. Kanthak, where are you currently
15 employed?

16 A. At the University of Pittsburgh.

17 Q. In what capacity?

18 A. I'm an Associate Professor of Political
19 Science.

20 Q. How long have you been at Pitt?

21 A. This is my 11th year.

22 Q. Do you - have you held an administrative
23 role in the Department of Political Science?

24 A. Yes, I have been Director of Graduate
25 Studies twice, once just in this last semester.

1 Q. Are you current -?

2 A. Not currently, but last semester.

3 Q. Okay.

4 And there's a new Director of Graduate
5 Studies who just started -

6 A. Correct.

7 Q. - a little while ago?

8 What school is the Department of Political
9 Science in?

10 A. In The Dietrich School of Arts & Sciences.

11 Q. Can you tell us about your educational
12 background?

13 A. Yeah. I have a B.A. from Columbia, and a
14 Ph.D. and Master's degree from the University of Iowa.

15 Q. What types of degrees are offered in
16 Political Science, graduate degrees?

17 A. Graduate degrees. We have an M.A. and a
18 Ph.D.

19 Q. Do you admit students into the M.A.?

20 A. We do not. The M.A. is a - is a degree that
21 you can get on the way to Ph.D.

22 Q. What's the purpose of having a Ph.D.
23 Program?

24 A. Because we think that's an important part of
25 having an intellectual community.

1 Q. Can you give us an overview of the
2 admissions process for the Ph.D.?

3 A. Yeah.

4 So we get - we get applicants. And then
5 usually sometime in January we have a - an Admissions
6 Committee that goes over the files and makes an initial
7 set of - of admissions decisions.

8 So we have a list of people who we are - we
9 are admitting a list of people we're waitlisting and
10 then a - a list of people that we want to object.

11 And then we go ahead and admit people who
12 got - who we chose to admit. And then as they turn us
13 down, we go to the waitlist.

14 Q. Is undergraduate enrollment a factor in how
15 many students you admit?

16 A. No.

17 Q. Are students paired with a faculty mentor as
18 part of the admission process?

19 A. Not during the admissions process, no.

20 Q. And how does that come about?

21 A. So when you first start, the Director of
22 Graduate Studies serves as your advisor. And the idea
23 is that you will start getting advice sometime during
24 your first year from someone within your sub field in
25 Political Science.

1 And then by your second year you will have
2 chosen someone who - who has similar research interest
3 as you do.

4 Q. Does the department offer funding packages
5 to graduate students?

6 A. We do.

7 Q. Can you explain what they are?

8 A. Yeah. It's - it's five years of guaranteed
9 funding. And so they differ a little bit from student
10 to student. So everyone is on a fellowship the first
11 year. So they're - they're just taking courses at that
12 point.

13 And then starting with the second year,
14 they're either teaching or - or working as a research
15 assistant.

16 Q. If they are teaching, what are they
17 appointed as?

18 A. So they would be TAs or TFs.

19 Q. Okay.

20 And what's the distinction between the two
21 in your department?

22 A. Our distinction is that TFs have Master's
23 degrees.

24 Q. And if they are doing research with a
25 faculty member, how are they appointed?

1 A. So they're - in terms of - so we have - our
2 research assistants are called GSAs. So as far as the
3 students who have GSA appointments, they're assigned by
4 the Director of Graduate Studies.

5 HEARING EXAMINER: Can we take a
6 five-minute break?

7 ATTORNEY FARMER: Sure.

8 ---

9 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

10 ---

11 HEARING EXAMINER: All right.

12 Back on the record, everyone.

13 BY ATTORNEY FARMER:

14 Q. Is it generally the case that students come
15 into the program wanting to get teaching experience?

16 A. Yes.

17 Q. Why is that?

18 A. Most on our students are interested in
19 getting academic appointments when they're done with
20 our program. And it's essentially a necessity to get
21 that kind of job to have some kind of teaching
22 experience.

23 ATTORNEY FARMER: This will be 95.

24 ---

25 (Whereupon, Respondent Exhibit 95, Page from

1 Website, was marked for identification.)

2 ---

3 BY ATTORNEY FARMER:

4 Q. I'm showing you what we've marked as Exhibit
5 95.

6 Can you identify this document?

7 A. Yes. It's a copy of our - a page from our
8 website.

9 Q. With you in the picture?

10 A. With me in the picture.

11 Q. Ironically.

12 Does this lay out the core components of the
13 Ph.D. Program?

14 A. It does.

15 Q. Okay.

16 On the bottom of the front of this page -

17 A. Uh-huh (yes).

18 Q. - it says supervised teaching experience.
19 Can you explain what that's?

20 A. Yeah.

21 So it really has kind of two components. So
22 the - the first part of it is leading recitation
23 sessions, which our graduate students do starting in
24 their second year.

25 So these are our large lecture classes that

1 - so I'll use as an example -.

2 HEARING EXAMINER: 150 students?

3 THE WITNESS: Sorry.

4 HEARING EXAMINER: 150 students?

5 THE WITNESS: Sometimes, yeah.

6 Sometimes more, sometimes less. So I'm currently
7 teaching Intro to American Politics to a hundred
8 students that has recitation sessions.

9 HEARING EXAMINER: Good luck.

10 BY ATTORNEY FARMER:

11 Q. It's an interesting time to be teaching
12 that, I would imagine?

13 A. Yes. Yeah.

14 Q. So you were saying students will - will -
15 will teach recitation sessions, for example?

16 A. Right.

17 Q. Okay.

18 A. And so I have - I have a graduate student
19 who's working with me who teaches sessions on Fridays,
20 actually. And so I'm supervising him while he's doing
21 that teaching.

22 And then the idea is, eventually after he's
23 gotten a little bit of experience, then he will be able
24 to teach his own course. Which he needs to get an
25 academic job.

1 Right?

2 He'll need to show, this is the syllabus
3 that I've used in the course and that kind of thing.

4 Q. So to satisfy the supervised teaching
5 requirement, do students have to teach their own
6 independent course or is it flexible based on the needs
7 of the student?

8 A. It is - it's somewhat flexible, based on the
9 needs of the student. We think that it's
10 pedagogically-important. And so we don't - we think
11 students should teach courses, even if they're not
12 interested in going into academia.

13 But there are times when we haven't like
14 refused to give - we've never refused to someone a
15 Ph.D., because they met all of the requirements except
16 the supervised teaching requirement. Because a lot of
17 times we - there aren't enough students to take a
18 course.

19 Q. So for - so when students are teaching a
20 course independently, do they get to design the course?

21 A. Yes.

22 Q. So they pick the - the course topic?

23 A. No, they don't - they can within sort of
24 some parameters. We're trying to - it's not good for -
25 for anyone if we - if we offer - try to offer a course

1 and then it doesn't get enough enrollments.

2 And so it will often happen that students
3 want to teach, you know, a course based on their
4 dissertation. And we know that that's just not going
5 to have enough interest from the undergrads.

6 So they don't get free rein, because that's
7 really not a realistic course that they will be
8 teaching anywhere.

9 Q. Okay.

10 A. It's not going to help them.

11 Q. So then do you guide the students to trying
12 to - to come up with a course that reflects their
13 interest but also would get undergrad enrollment?

14 A. Right.

15 So what we're looking for is a course that
16 they can - that they'll have prepped, ready to go, out
17 the door when they hit the job market. And they can -
18 and so, you know, when they're applying for jobs,
19 people can say, oh, okay, so this is someone who has
20 taught American Political Parties. And so we know they
21 can teach it here right away.

22 Q. And is that valuable to students, even if
23 they're not looking for academic jobs?

24 A. I think so, yeah. I mean, you tend to - you
25 know, every time I teach Intro to American Politics, I

1 kind of learn something new.

2 And undergraduates are actually great
3 sources of research ideas, because stuff is new to
4 them.

5 Q. When students - going back to talking about
6 students doing recitation sessions.

7 Can you explain more about what they're
8 doing in connection with those recitation sessions?

9 A. So they are - they are all leading four
10 50-minute recitation sessions. What that looks like
11 can - can differ somewhat from faculty member to
12 faculty member and class to class.

13 All right?

14 So some people have a very - some faculty
15 have a very clear sense of the kinds of things they
16 think should be included in that and some don't. My
17 way of doing it is just to leave it up to the graduate
18 student.

19 Like I can tell you exactly what to do every
20 week or you can do your own thing. And you know, I can
21 check off on it, whichever you prefer.

22 Q. And so you would leave it up to the student
23 how much independence they have in their recitation
24 session?

25 A. Right.

1 They can't do whatever any want. But yeah,
2 I mean, they - they're - the one that I'm currently
3 doing, he - he set up what he wanted to do and I
4 approved it.

5 Q. So he wrote, for example, a syllabus for the
6 recitations -

7 A. Right, -

8 Q. - and then you reviewed it?

9 A. - right.

10 Q. Do students get evaluated during these
11 supervised teaching experiences?

12 A. I mean, they do in the sense that - like I
13 will go in and watch and teach, right, and - and give
14 him feedback on it. But it's not - not evaluation in
15 terms of - I mean, it's evaluation in the sense that
16 we're trying to make him better. They don't - they
17 don't get a grade.

18 Q. And when students are doing these supervised
19 teaching experience, are they getting course credit for
20 it?

21 A. Yes, yeah.

22 Q. Can you explain how that works?

23 A. Yeah. So there's a - a course on the books,
24 the number of which I never ever, ever remember. But
25 they can, if they are - if they're teaching recitation

1 sessions, they can sign up for the - that three-credit
2 course, whatever number that is. And that's a pass,
3 fail course that the Director of Graduate Studies is in
4 charge of.

5 Q. And that course is - if I say it's Teaching
6 and Research in Political Science, does that -

7 A. Yeah.

8 Q. - sound right for the name of the course?

9 A. Yeah.

10 Q. Okay.

11 Can they sign up for those three credits
12 every semester when they're acting as a TA?

13 A. Yes, they can.

14 In reality, they don't always do. There are
15 sometimes reasons why they - it doesn't work for their
16 schedules to - to get those credits. If they don't
17 need the credits, they don't necessarily take them.
18 But they - but they can, yeah.

19 Q. And in order to get those credits, do they
20 have to do anything other than act as a TA?

21 A. No.

22 Q. There's no like classroom component of it?

23 A. No.

24 Q. Is that also true if a student is serving as
25 a GSA? Can they take that same course to get credit?

1 A. Yes.

2 Q. Without any additional requirements?

3 A. No, that's right.

4 Q. How do you determine - when - when we're
5 talking about students acting as a TA, how does the
6 Department determine what student a class is going to
7 TA for?

8 A. So the Director of Graduate Studies figures
9 that out often sort of in conjunction with -.

10 HEARING EXAMINER: Isn't that you?

11 THE WITNESS: Yes. Yeah, yeah.

12 So any director - I'm speaking -.

13 HEARING EXAMINER: I got it.

14 THE WITNESS: It was the royal we.
15 Yes.

16 So the Director of Graduate Studies, me,
17 in the case of last semester will do that in
18 conjunction sometimes with the Director of
19 Undergraduate Studies or -. But when I did it this -
20 this last time, I knew there was a new DGS coming in.
21 And so she and I worked on it together, because she was
22 going to have to live with those decisions.

23 BY ATTORNEY FARMER:

24 Q. We've talked about students designing their
25 own courses. Is that something that students want to

1 do, to get to design their own class to teach?

2 A. Yeah, absolutely.

3 Q. How does the Department prepare students for
4 these teaching experience? Is there training that they
5 get?

6 A. Yes. So we have - at the start of - of
7 every year, we have training that's done by Andrew
8 Lotz, who is a - well, he - he's many things, including
9 like about the best teacher on the planet. He is one
10 of our advisors and does a lot of teaching for us.

11 And he - he essentially puts together a -
12 sort of a day-long mugshot on - on teaching. And so -
13 and there are kind of two components to that. The
14 first one is for people who are teaching for the first
15 time.

16 And then the second - there's a second one,
17 which was kind of a - like a refresher course.

18 So you know, things change sometimes super
19 fast in Political Science. And so we want to be able
20 to have conversations about what concerns have come up
21 with respect to teaching and that kind of thing.

22 And usually as part of that, there's a - a
23 roundtable of faculty who talk about different teaching
24 issues. And that's mostly just answering students'
25 questions.

1 Q. And if students are going to teach a course
2 independently, do they get additional training?

3 A. So they - they need to have already taken
4 the - the FACDEV course, which, again, I don't remember
5 the number of.

6 Q. Would that be the FACDEV 2200?

7 A. Yes.

8 Q. - that has been referenced in other
9 testimony?

10 A. Yeah.

11 So they will - they have to have taken that
12 class already or be taking it concurrently with - when
13 they're teaching. But there's not another component
14 within the department.

15 Q. Are there students that take advantage of
16 programs that are offered by the Center for Teaching
17 and Learning and the grad student initiative for
18 additional training?

19 A. They do, yeah. They're not required to, but
20 many of them do.

21 Q. How do students start doing the research
22 which leads to their dissertation?

23 A. So the idea - I'm sort of laughing because
24 there's kind of the perfect picture and then there's
25 reality.

1 So the - so the perfect picture is - you
2 know, they'll come in - and it's not the case in
3 Political Science, like I think it is in some other
4 fields, where people come in with a clear sense of what
5 they're going write their dissertation about. It's not
6 at all uncommon for Political Sciences graduate
7 students to change course completely.

8 But they come in and in their first year
9 they're taking a set of classes. And one of those
10 papers, the - the hope is will be good and needs some
11 more work. And then they will continue to work on that
12 paper in the second year. And then present that at the
13 end on the second year as an MA paper. And then that
14 will kind of turn into, you know, part of if
15 dissertation.

16 In reality, it - it doesn't necessarily
17 always work out that way. It's pretty common for
18 students to, during their MA paper realize that there
19 are some - some issues with their questions or find
20 other questions that they find more interesting and
21 their interests change.

22 Q. So you mention that students can be
23 appointed to GSAs to do research for the faculty
24 member?

25 A. Right.

1 Q. If they're on that kind of an appointment,
2 how does the research that they're doing contribute to
3 what they're doing in their courses?

4 A. Well, so it's - it's kind of that learning
5 by doing sort of idea. So that you're seeing - I mean,
6 they - you know, they - they're putting in effort.
7 They're not sort of - they're not just bystanders -
8 bystanders.

9 But the idea is that they'll be working
10 together with the faculty member on some research that
11 will help them get a sense of - of what it's like to do
12 research in a way that's different from what you're
13 doing in a classroom. It's a very different thing to
14 write a paper for a class when somebody is required to
15 read it.

16 And writing a paper of - for publication,
17 that you're hoping people will read and cite. And so
18 that's what - that component of it is what we're hoping
19 they get out of that experience.

20 Q. And do student publications come out of
21 those experience -

22 A. Yes, -

23 Q. - with faculty members?

24 A. - yes.

25 Q. Can that research also become part of the

1 students' dissertations?

2 A. It can, yeah.

3 HEARING EXAMINER: Can we stop if you're
4 going to ask -?

5 What is Poli Sci research?

6 ATTORNEY FARMER: We certainly can.

7 Go ahead.

8 HEARING EXAMINER: Yeah, it's a good - I
9 think a good time to ask it.

10 ATTORNEY FARMER: Yeah, so -.

11 HEARING EXAMINER: We've - oh, you can
12 ask.

13 ATTORNEY FARMER: No, you can ask her.

14 HEARING EXAMINER: We've heard from
15 professors across the University, research is different
16 in every field?

17 THE WITNESS: Right.

18 HEARING EXAMINER: And I'm just talking
19 like literally what buildings do they go into? What
20 verbs are they doing? You know, -

21 THE WITNESS: Right.

22 HEARING EXAMINER: - are they doing
23 studies? I'm guessing from Poli Sci, you're sitting in
24 a room and thinking a lot. What are you actually
25 doing?

1 THE WITNESS: So you can - so this is -
2 there's actually a lot of debate about this in
3 Political Science.

4 HEARING EXAMINER: Okay. Good.

5 THE WITNESS: So putting it on the
6 record about this is going to get me into trouble.

7 HEARING EXAMINER: We can go off the
8 record.

9 THE WITNESS: So the kind of work that I
10 do is very quantitative. So it's a lot of data
11 collection. It's a lot of mathematical and statistical
12 models.

13 There are other people who - who I love
14 and respect dearly - I want that on the record - who do
15 interviews or do fieldwork. And all of that -

16 HEARING EXAMINER: There is fieldwork?

17 THE WITNESS: - contributes to Political
18 Science. There is fieldwork, yeah.

19 HEARING EXAMINER: And then the - the
20 modeling data sets, that's going to be on campus?

21 Do you have a lab?

22 THE WITNESS: Mostly.

23 Do I -?

24 We have - there's a - the Economics
25 Department has a Behavioral Economics lab that we use.

1 HEARING EXAMINER: Okay.

2 But as - as a rule, Poli Sci faculty
3 don't have labs?

4 THE WITNESS: They - no, we don't have
5 our own labs.

6 HEARING EXAMINER: You have assigned
7 office space somewhere?

8 THE WITNESS: Yes.

9 HEARING EXAMINER: Where are you?

10 THE WITNESS: Posvar Hall.

11 HEARING EXAMINER: And then your - your
12 graduate assistants are assigned workspace somewhere?

13 THE WITNESS: Yes.

14 HEARING EXAMINER: And then the fields -
15 fieldwork, that can be anywhere in the world?

16 THE WITNESS: Yes.

17 HEARING EXAMINER: Do they go to the
18 library?

19 THE WITNESS: They - yeah, sometimes.

20 HEARING EXAMINER: Okay.

21 I think we've got it, -

22 ATTORNEY FARMER: Okay.

23 HEARING EXAMINER: - what they do.

24 BY ATTORNEY FARMER:

25 Q. We were talking about students publishing

1 with faculty.

2 Is that something that happens regularly?

3 A. Yes.

4 Q. Is there a - a goal that students will come
5 out of the program with coauthored publications with
6 faculty?

7 A. Yes.

8 Q. How does it benefit students if they publish
9 with faculty?

10 A. Well - so beyond what they're learning about
11 the research process, it goes on their VITAs. And -
12 and that's important.

13 I was just e-mailing with a former student
14 of mine who was asking some questions about how to
15 classify one of our papers, that he's - that he has to
16 explain to his department what it is for promotion.

17 ATTORNEY FARMER: I'm moving over here.

18 COURT REPORTER: I got that.

19 ATTORNEY FARMER: Okay.

20 BY ATTORNEY FARMER:

21 Q. So when you're working with a student on a
22 publication, can you talk about what the process is of
23 helping the student go from, we did this research, to
24 there being a physical publication?

25 A. Yeah.

1 So I mean, I - I can only really talk about
2 how I do it -

3 Q. Yeah.

4 A. - and how I see sort of other people doing
5 it.

6 But a lot of it is - you know, you start
7 with kind of the research question, the thing that
8 you're interested in. And part of it is refining your
9 research question.

10 Because there's still sort of learning about
11 what are interesting and important questions in the -
12 in the - in the literature, what's already been done
13 and that kind of thing.

14 So you're sort of helping them with that.
15 And then there's the data collection component, which
16 will be different for different projects. And then
17 analysis, which, again - what I generally try to do
18 with my students is, when it comes to analysis, and
19 writing and presentations is ask them to do it first,
20 to take sort of a first crack at it.

21 And then I kind of go back after they're
22 done and - you know, so if we're doing say - say
23 statistical analysis, we keep - do files, so that we
24 can see all of the codes, so that we can go through the
25 code. And this is how I would do it differently or

1 something like that.

2 Q. And when your students come in, do most of
3 them already know how to do that coding and statistical
4 analysis or do they learn that through the process of
5 degree?

6 A. They learn - so they're learning a lot of it
7 their first year. And we don't have GSAs until the
8 second year. So GSAs do - they understand, you know,
9 at least the basics of how to do statistical analysis.

10 Q. Is that something that - it helps you to
11 learn also by doing learning and getting the hands-on
12 experience?

13 A. Oh, yeah, yeah, you absolutely have to do it
14 to understand how it works.

15 Q. So when you are doing publications with your
16 students, is that related to their student - your
17 students areas of research interest?

18 A. Hopefully, yeah. I mean, they're - you
19 know, it kind of - it sort of depends.

20 Right?

21 So I'm working on a project right now that
22 came out of that class that I was teaching a couple of
23 years ago, where, you know, a couple of the students
24 were debating about whether or not a particular study
25 would replicate today. And we started thinking about

1 it and decided to replicate it.

2 And so they were first year graduate
3 students. And this was a very early discussion. So
4 they didn't really have research interests. And now,
5 you know, we're a couple of years into the project. At
6 this point we presented it and stuff. And it's not
7 really in any of their wheelhouses, but it's - but it's
8 close.

9 Q. And it's something that they're interested
10 in pursuing?

11 A. Right. Yeah.

12 Q. Do you sometimes do - take on publication
13 projects in order to give students the opportunity to
14 have publications?

15 A. Yeah, yeah.

16 Q. Can you give an example, -

17 A. Yes.

18 Q. - without using any student names?

19 A. Okay.

20 So one student, who's actually the - I
21 didn't name the student before, I don't think. So the
22 student that I was e-mailing with before, I was invited
23 to submit a paper for an edited volume.

24 And I was sort of on the fence about it.
25 And then I - you know, I sort of like - well, under

1 what circumstances would this be fun to do?

2 And I kind of thought, well, it would be
3 more fun if - you know, it would be worth my while if I
4 - if this was something this student would be
5 interested in and we can work on it together.

6 And so I approached him about it. And he -
7 he said yes. And so we worked on that project
8 together.

9 Q. Do you have others in your research group
10 besides graduate students?

11 A. So I - I have like a small like - a small
12 research group, I guess, yeah, that has graduate
13 students and undergraduates in it.

14 Q. And what do the undergraduates do?

15 A. So they're doing mostly data collection. So
16 we have - we have - they're - and we just sort of talk
17 about research.

18 And so the graduate students - a lot of what
19 the students are doing is - is helping collect - a lot
20 of what - sorry - the undergrads are doing is helping
21 the graduate students collect data that they need for
22 their research.

23 So kind of the idea is hopefully everybody
24 gets something out of it. The graduate students get
25 some data. The undergraduates get a sense of what - of

1 what research like - is like. They get some mentoring.
2 The grad students get some experience mentoring. And I
3 get to hear interesting ideas about stuff.

4 Q. When the undergraduates are doing this, are
5 they getting paid? Are they getting credit? How does
6 that work?

7 A. So some of them are getting credit, some of
8 them -. But I like it better when they're getting
9 credit. Sometimes they're just doing it for fun.

10 Q. When students are doing research, are they
11 getting academic credit?

12 A. The graduate students?

13 Q. Graduate students. I'm sorry.

14 A. So if they're - I mean, not associated with
15 the research team. But they don't have to be on
16 research team, if they don't want to. If they're
17 working on research. They have - I mean, they can sign
18 up for like sort of independent study-type credits.

19 Q. Can they also take those - that Teaching and
20 Research -

21 A. Yeah.

22 Q. - and Political Science for credit, if they
23 want to?

24 A. Yeah, yeah.

25 Q. And that would be - would that be true of

1 the research that they're doing on a GSA?

2 A. Yeah.

3 Q. How are students evaluated regarding
4 progress towards their degree?

5 A. So we have - there are essentially two big
6 points as - at which we do a big evaluation. The first
7 is after the first year, where we look at their
8 performance in their first-year classes.

9 And then the second is after their second
10 year, where we have a little bit more information about
11 how they're doing in classes. And they also have this
12 MA paper. So these are the two big evaluations.

13 There's also comps that they have to pass.
14 But once they pass comps, then it's really up to their
15 Dissertation Committee to -. So they don't - they -
16 they don't really have another evaluation in the same
17 kind of meaningful way after the second year.

18 Q. Are there - after - so after that second
19 year, are there sort of informal - or evaluations that
20 are done by the advisor or the Dissertation Committee,
21 to see if they're still on track?

22 A. Yeah.

23 So we have to meet with our advisees. The
24 Dissertation Committees have to meet once year to make
25 sure that that student is on track with their research.

1 Q. And when these evaluations are done of the
2 student, whether that's, you know, throughout the
3 program, is teaching experience included in what's
4 discussed in the - covered in the evaluation?

5 A. It can be. But not necessarily, because a
6 lot of these people are still learning how to teach.
7 So you know, if your - if your first class doesn't go
8 great, that's - that's not indicative of - you know,
9 that you're not going to be able to teach.

10 Q. Is the research included in the evaluation?

11 A. Well, in terms of the - are you talking
12 about - I'm sorry, are you talking about the second
13 year evaluation or the evaluations after that?

14 Q. Both.

15 A. So in the second - in the second year, no,
16 not really. We'll give them feedback, if there are
17 particular issues.

18 Q. Okay.

19 A. But they're not - they're not really being
20 evaluated in terms of whether or not they can stay in
21 program with respect to that.

22 After that it doesn't really play a role.
23 It's just - it's up to the advisor and the - and the
24 Dissertation Committee at that point how to evaluate
25 the student.

1 Q. Do you need graduate students to teach in
2 the department?

3 A. Do we - do we need them to teach? No.

4 Q. Are there -?

5 A. But there would be - I mean, it would be a
6 different place if they didn't teach. It would be - it
7 wouldn't be as cool, but -.

8 Q. Does the department offer graduate students
9 professional development opportunities?

10 A. Yeah.

11 So a part of the first-year curriculum is a
12 - is a one-credit course called Profession of Political
13 Science, which meets once a week. It's a pass/fail
14 one-hour course, that - essentially, it has different
15 faculty members come in every week and talk about some
16 particular set issue. But they're often kind of very
17 wide-ranging conversation.

18 So it might be that, you know, I'm assigned
19 to talk about the publication process. And so I'll get
20 into talking about the publication process. And then
21 they might - the students might ask questions about
22 other things. So that means every week in the - in the
23 first year.

24 After that there's not a - a set
25 professionalization thing that people do every week.

1 But there are kind of professionalization opportunities
2 that we have from time to time.

3 Q. Could you do your research without graduate
4 students?

5 A. Yeah.

6 Q. So why do you choose to mentor graduate
7 students?

8 A. Well, the - I mean, because - I mean, it's -
9 because it's just more fun that way. I mean, I think
10 that it's - we're all - the whole reason that I do this
11 is because I want to be part of an academic community.
12 And that's part of it.

13 And so if I don't mentor new people, then I
14 won't have anyone to talk to, once all the other people
15 retire.

16 ATTORNEY FARMER: I have nothing
17 further.

18 HEARING EXAMINER: Really?

19 ATTORNEY FARMER: Yeah.

20 HEARING EXAMINER: That's fantastic.
21 Fifteen (15) minutes.

22 ATTORNEY FARMER: We can get our fourth
23 witness back, if you want?

24 HEARING EXAMINER: What do you need?

25 ATTORNEY SHARMA: Forty-five (45). I

1 just - yeah - well, I want to say 3:00. And I'll be
2 sure that we're out of here by 3:30.

3 HEARING EXAMINER: Okay. All right.

4 Three o'clock - back on the record at
5 3:00.

6 ---

7 (WHEREUPON, A SHORT BREAK WAS TAKEN.)

8 ---

9 HEARING EXAMINER: Back on the record.

10 Would you like another couple minutes to
11 get ready?

12 ATTORNEY SHARMA: No, I'm ready.

13 HEARING EXAMINER: Okay. Go ahead.

14 ---

15 CROSS EXAMINATION

16 ---

17 BY ATTORNEY SHARMA:

18 Q. All right.

19 Dr. Kanthak, my name is Maneesh Sharma. I'm
20 an attorney with the United Steelworkers. I just
21 wanted to ask you a few questions.

22 I want to start with -.

23 ATTORNEY FARMER: 238.

24 ATTORNEY SHARMA: 238 would be the next
25 one or the last one?

1 ---

2 (Whereupon, Union Exhibit 238, Departmental
3 Handbook for Grad Students, was marked for
4 identification.)

5 ---

6 ATTORNEY FARMER: This is 238.

7 ---

8 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

9 ---

10 BY ATTORNEY SHARMA:

11 Q. Dr. Kanthak, do you recognize that document?

12 A. Yes. This is our Departmental handbook for
13 Grad Students.

14 Q. And is this the one currently intact?

15 A. I don't know for sure. I think so.

16 Q. And if I turn - so you have to earn a - or
17 as you're going through the Ph.D. Program, you earn a
18 Master's degree.

19 Is that correct?

20 A. Correct.

21 Q. And when I turn to page six, I see the
22 requirements there for earning that Master's degree.

23 Is that right?

24 A. Right.

25 Q. And one of those is that you have to

1 complete 30 credit hours, at least?

2 A. Correct.

3 Q. And it says here that credit for the
4 Teaching and Research in Political Science does not
5 count towards those 30 hours.

6 A. Right.

7 Q. Is that correct?

8 And then if I turn to page nine, I see - you
9 see where it says the Ph.D. Program?

10 A. Uh-huh (yes).

11 Q. And below that, do - would I see the
12 requirements for earning - for completing the Ph.D.?

13 A. Right.

14 Q. Do you see supervised teaching experience
15 anywhere on either of those lists?

16 A. No.

17 Q. Thank you.

18 Let's see. You said in your Direct
19 testimony, you don't need grad students to teach.

20 Is that right?

21 A. No.

22 Q. Someone else would have to take those
23 assignments.

24 Correct?

25 A. Right.

1 Q. And you don't need grad students to
2 research.

3 Correct?

4 A. No.

5 Q. Someone would have to perform that research.
6 Correct?

7 A. Right. Like the undergrads.

8 Q. One of the undergrads who - is paid, -

9 A. No.

10 Q. - receives credit?

11 A. Possibly.

12 ATTORNEY SHARMA: Exhibit 239.

13 ---

14 (Whereupon, Union Exhibit 239, Page from Website,
15 was marked for identification.)

16 ---

17 BY ATTORNEY SHARMA:

18 Q. I'm handing out what's marked as Union
19 Exhibit 239.

20 Tell me if you recognize this.

21 A. I'm not sure.

22 HEARING EXAMINER: Take one minute to -.

23 THE WITNESS: It looks like it may be
24 from the - from our website.

25 BY ATTORNEY SHARMA:

1 Q. I'll represent that it is from the website.

2 A. It just doesn't have my picture on it, so I
3 don't know. It's clear on that part of the website.

4 Q. Yeah.

5 So this describes the financial assistance
6 that's offered to graduate students, is that right, -

7 A. Uh-huh (yes).

8 Q. - in the Ph.D. Program?

9 A. Right.

10 Q. And if I skip down to where it says
11 specifics year by year, -

12 A. Right.

13 Q. - in the first paragraph it says in most
14 cases first-year students will receive a fellowship.

15 A. Right.

16 Q. Does that sound right?

17 A. Yes.

18 Q. And is that fellowship usually the A and S
19 fellowship for the Umberger Department (sic)?

20 A. For the Umberger Fellowship, yeah.

21 Q. And that says these fellowships do not carry
22 the work requirement?

23 A. Right.

24 Q. Is that - and that's your understanding of
25 those fellowships?

1 A. Yeah, they don't have any assignment over
2 their - the four courses they have to take. Those - in
3 your first year you're taking four rather than three
4 courses.

5 Q. Sure.

6 And you have no work requirement?

7 A. Right.

8 Q. And then in the next paragraph - we can skip
9 that one. I think we can skip the first sentence.

10 So then the second sentence says, funding in
11 years two, three and four typically takes the form of
12 an assistantship. And then in parentheses it says,
13 teaching, research, administrative.

14 And then it describes that you can take some
15 different fellowships?

16 A. Uh-huh (yes).

17 Q. So the assistantships described here, are
18 those in contrast to the fellowships that are described
19 in the first paragraph?

20 And I'm asking in the sense that the
21 fellowships say they do not carry a work requirement.
22 The assistantships, therefore, do.

23 Is that correct?

24 A. Right. Yes.

25 Q. Okay.

1 And then the next paragraph. Some fourth
2 and fifth year students receive fellowships, -

3 A. Right.

4 Q. - thereby enabling them to focus entirely on
5 dissertation research?

6 A. Yeah.

7 Q. And so if they had an assistantship instead
8 or a fellowship, they would not be able to focus
9 entirely on a dissertation research.

10 Is that correct?

11 A. Sure.

12 HEARING EXAMINER: You have to say yes
13 or no.

14 What did you say?

15 THE WITNESS: Yes.

16 BY ATTORNEY SHARMA:

17 Q. And going back to Union Exhibit 238. I flip
18 to page 13 at the top there.

19 You can take a second to review it, if you
20 want. But I - the only question I have is these first
21 sort of three photographs. This is kind of what's
22 reflected in the fellow - in the web page that we just
23 reviewed.

24 A. Uh-huh (yes).

25 HEARING EXAMINER: Yes or no?

1 THE WITNESS: Yes. Sorry.

2 HEARING EXAMINER: That's okay.

3 ATTORNEY SHARMA: Thank you.

4 BY ATTORNEY SHARMA:

5 Q. I'm going to ask you to look at three
6 different letters that are in the binders that are up
7 there.

8 HEARING EXAMINER: I'll help you out.

9 THE WITNESS: Thank you.

10 BY ATTORNEY SHARMA:

11 Q. Virtually, they're going to be between two
12 different binders. So you could take a look at -

13 HEARING EXAMINER: Which one first?

14 BY ATTORNEY SHARMA:

15 Q. - binder two first. We're going look at Tab
16 119.

17 And that's Union Exhibit 119.

18 A. Okay.

19 Q. If you take a second to review that.

20 Do you recognize this letter?

21 A. This - I have seen a letter like this.

22 Q. Sure.

23 A. But I - I don't know if it's - if this is
24 the exact one.

25 Q. Sure.

1 But you recognize the letter generally as a
2 letter that goes out from your school?

3 A. From the - right from the Deans.

4 Q. Sure, sure.

5 And this is a letter that is appointing
6 someone to the Arts & Sciences graduate fellow in the
7 Political Science Department.

8 Is that right?

9 A. Right.

10 HEARING EXAMINER: She said yes.

11 THE WITNESS: Yes. Sorry.

12 BY ATTORNEY SHARMA:

13 Q. Is that - I'm sorry.

14 Is that the - in the - going back to Union
15 Exhibit 239, it describes the - so you can get one of
16 these two fellowships your first year?

17 A. Right. Yes.

18 Q. And is this the person who's being appointed
19 to one of those fellowships?

20 A. Probably. It seems consistent with that.

21 Q. Okay.

22 And if you go down to the paragraph - so
23 one, two, three, four - the fifth paragraph.

24 You see that, where it -

25 A. Yes.

1 Q. - starts with Arts & Sciences graduate
2 fellows?

3 A. Uh-huh (yes).

4 Q. And it says that they're expected to
5 register and then devote full time to their doctoral
6 study?

7 A. Uh-huh (yes).

8 Q. And then maintain an academic average 3.0?

9 A. Uh-huh (yes).

10 Q. Therefore, during the period of your
11 fellowship you're not committed to hold a teaching or
12 other remunerative, sorry, position at the University
13 of Pittsburgh or elsewhere?

14 A. Uh-huh (yes).

15 Q. And that's consistent with what's on the web
16 page in Union Exhibit 239; in the handbook in Union
17 Exhibit - oh, 238. Sorry.

18 HEARING EXAMINER: Start the question
19 over.

20 ATTORNEY SHARMA: I'm sorry.

21 HEARING EXAMINER: It's all right.

22 BY ATTORNEY SHARMA:

23 Q. I just - that paragraph there, where it says
24 that they will devote their - full time to their
25 doctoral study, and they will not hold a teaching or

1 other remunerative position -?

2 HEARING EXAMINER: Is that spelled
3 wrong?

4 ATTORNEY SHARMA: It's remunerative.

5 HEARING EXAMINER: Yeah, I thought so
6 to.

7 We got to start the question over again.

8 ATTORNEY SHARMA: I was told that - that
9 we've always been pronouncing it incorrectly.

10 ATTORNEY FARMER: It's - yeah, it's
11 remunerative.

12 ATTORNEY SHARMA: It is?

13 ATTORNEY FARMER: Uh-huh (yes).

14 ATTORNEY SHARMA: That's encouraging.

15 BY ATTORNEY SHARMA:

16 Q. But what this paragraph here is expressing
17 is consistent with what was expressed as part of work
18 requirements in Union Exhibit 239 and Union Exhibit
19 238.

20 A. I don't know.

21 Q. Is that correct?

22 A. I don't know.

23 ATTORNEY FARMER: Are you just asking if
24 all three documents say the same thing?

25 ATTORNEY SHARMA: That's essentially

1 what I'm asking.

2 HEARING EXAMINER: He's asking were the
3 documents consistent with regards to the description
4 and requirements for fellowship.

5 THE WITNESS: I honestly would have to
6 go back and look at them.

7 BY ATTORNEY SHARMA:

8 Q. Will you take a second and do that?

9 A. I -

10 HEARING EXAMINER: Yeah.

11 THE WITNESS: - yeah, sure.

12 HEARING EXAMINER: We'll go off the
13 record at this time.

14 Take your time, ma'am. And then when
15 you're ready, let me know.

16 ---

17 (WHEREUPON, WITNESS REVIEWS DOCUMENT.)

18 ---

19 HEARING EXAMINER: Back on the record.

20 All right. Go ahead.

21 THE WITNESS: I can't find anything
22 where the - where the word remunerative is used.

23 BY ATTORNEY SHARMA:

24 Q. In any of these documents or you can see it
25 in -

1 A. Well, I can see it in this letter, -

2 Q. - you can see it in the letter?

3 Okay.

4 A. - but I don't - I don't see it in these two.

5 And I don't mean to be pedantic, but -

6 Q. No, that's fine.

7 A. - but I'm not sure - I don't know that -
8 that those words are in there.

9 Q. Sure, sure. That is fine.

10 I'm going to ask you - I guess as long as
11 you have that binder in front of you - to look at Union
12 Exhibit 69.

13 HEARING EXAMINER: Is that the same
14 binder?

15 ATTORNEY SHARMA: Yeah.

16 THE WITNESS: Yeah.

17 HEARING EXAMINER: Do you have it,
18 ma'am?

19 THE WITNESS: I do.

20 HEARING EXAMINER: Okay. Go ahead

21 BY ATTORNEY SHARMA:

22 Q. Okay.

23 Do you recognize this letter?

24 A. I have seen them in something that looks
25 like in students' files, yeah.

1 Q. Okay.

2 And do you understand what this letter is?

3 A. This is the appointment letter that comes
4 from the Dean's Office.

5 Q. Okay.

6 And generally - and this is an appointment
7 letter to someone who's going to be a TA in the fall
8 and a GSA in the spring.

9 Correct?

10 A. Right.

11 Q. And that typically in the Poli Sci
12 Department occurs in students' second, third and fourth
13 years, -

14 A. Right.

15 Q. - that they get appointed to positions such
16 as this?

17 A. Right, some combination -

18 Q. Okay.

19 A. - of TA or GSA.

20 Q. And this would - it would be expected that
21 there's some work requirement that goes along with this
22 appointment?

23 A. Yes.

24 Q. And I'm just going to ask you to go to
25 Volume 1 - binder Volume 1 -

1 A. Oh, my God.

2 Q. - and Union Exhibit 50.

3 A. Fifty (50) you said?

4 Q. Yeah.

5 A. Okay. I have it.

6 Q. And do you recognize what this letter is?

7 A. I've seen letters like that, yeah.

8 Q. It's a similar appointment letter.

9 Is that right?

10 A. Yes.

11 Q. And this one appoints someone to a GSA in
12 the fall and GSA in the spring.

13 Is that right?

14 A. Right.

15 Q. And similarly, this would have a work
16 requirement that is attached to it at this point?

17 A. Right.

18 Q. Thank you.

19 What was 2 -?

20 HEARING EXAMINER: I got it. We're
21 good.

22 BY ATTORNEY SHARMA:

23 Q. I'm providing what's marked as Union Exhibit
24 240.

25 ---

1 (Whereupon, Union Exhibit 240, Handbook, was marked
2 for identification.)

3 ---

4 BY ATTORNEY SHARMA:

5 Q. Do you recognize that?

6 It might help if you flip to the second
7 page.

8 A. Yes.

9 Q. Okay.

10 What is this?

11 A. So that would be - I suspect an older
12 version of the handbook.

13 Q. And one that was issued at a time in which
14 you were serving as Director of Graduate Studies?

15 A. Correct.

16 Q. And if we flip to page 14 in this one.

17 You see at the top there under year-by-year
18 funding?

19 A. Right. Yes.

20 Q. And it says Political Science Department at
21 the University of Pittsburgh is unusual.

22 Do you see that?

23 A. Yes.

24 Q. And then they posit why it's unusual?

25 A. Right.

1 Q. Can you tell us why that is?

2 A. That we have fellowship funding available
3 for students.

4 Q. Such that it may only require two years of
5 working as a TA, TF and graduate research assistant.
6 Is that right?

7 A. Right. It allows them more flexibility.

8 Q. And it says - you see the sentence where it
9 says, in other words, students qualify for -?

10 A. Yeah, for three of five years -

11 Q. So you can get -?

12 A. - defending the scholarship. Right.

13 Q. And that would require - and that would come
14 with no work obligation?

15 A. Right.

16 Q. Right?

17 And that's fairly unique?

18 A. At schools of our level, yeah.

19 Q. And that's desirable, correct, to have?

20 A. To have more flexibility, absolutely, yeah.

21 Q. Yeah.

22 And so - so in other words, to have - to be
23 on fellowships for more time than to be appointed to a
24 TA, TF or graduate research position?

25 A. I don't know if I would agree with - with

1 the time issue, but I see it as a flexibility issue.
2 Particularly to the question of field research came up.

3 Q. Uh-huh (yes).

4 A. And so students are a little bit more
5 flexible in terms of how they - they can do their field
6 research -

7 Q. Right.

8 A. - when they're on fellowship.

9 Q. Okay.

10 You talked about students who - who can
11 design and teach their own course.

12 A. Right.

13 Q. Is that right?

14 Is that - would those be considered a
15 teaching fellow at that point?

16 A. Yes. I'm trying - I was trying to think of
17 a circumstance in which it would not be. I don't think
18 there is. I think they would all be teaching fellows.

19 Q. They would all be teaching fellows?

20 A. Right.

21 Q. Okay.

22 And you gave an example of a course called
23 American Political Parties -

24 A. Right.

25 Q. - as a type of course that a teaching fellow

1 might teach?

2 A. Right.

3 Q. Is that American Political Parties an
4 elections -?

5 A. Yes, -

6 Q. Is that the same course?

7 A. - yeah, yeah.

8 Q. Okay.

9 And that is often taught by - by lectures
10 or -?

11 A. It - it can be. It depends on our - our
12 faculty changes and their interests change.

13 Q. Sure.

14 But that's a course that's offered fairly
15 frequently.

16 Would you say?

17 A. It has been in the past. The only reason I
18 say that is because the two faculty who mostly taught
19 it have - have left. And we have junior folks who are
20 now teaching - junior faculty who are now teaching it.

21 Q. Okay.

22 Do you know someone named Meredith Long?

23 A. Yes.

24 Q. Who is that?

25 A. She's one of our graduate advisors who also

1 does teaching. I'm actually not sure exactly what her-
2 what her - her title is.

3 Q. Okay.

4 But she's a full-time employee at the
5 University?

6 A. That's my understanding, yes.

7 Q. And you mentioned that every time you teach
8 Intro to American Politics, you gave that as an
9 example, you learn something new yourself.

10 Right?

11 A. Right.

12 Q. So you learn new things, get new ideas, gain
13 value by teaching courses.

14 Is that right?

15 A. Yes.

16 Q. Oh, you mentioned that there was a - a
17 training that's offered by a particular - I forget
18 whose name -?

19 A. Right.

20 Andrew Lotz.

21 Q. Yeah.

22 Is that something that's required for all of
23 the Ph.D. students to attend?

24 A. Yes, they're -.

25 Q. Okay.

1 A. And the reason I - I hesitate a little bit
2 is, every once in a while someone will not be available
3 that day. And we don't then tell them they have to
4 leave the program, -

5 Q. Okay.

6 A. - so -.

7 But the assumption is, if you're in the
8 program, you will be there that day for that - that
9 training.

10 Q. And you do it once or do you have to do
11 it -?

12 A. You - there's a - there are two components
13 to it. So one component you do once and the second
14 component you do every year.

15 Q. Okay.

16 And you testified that students often take
17 advantage of the Center for Teaching and Learning.

18 Do you take advantage of the Center for
19 Teaching and Learning?

20 A. I do.

21 Q. Because it's available to faculty.

22 Right?

23 A. Yes.

24 ---

25 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

1 ---

2 BY ATTORNEY SHARMA:

3 Q. I'm handing out what's marked as Union
4 Exhibit 241.

5 ---

6 (Whereupon, Union Exhibit 241, Curriculum Vitae of
7 Kristin Kanthak, was marked for identification.)

8 ---

9 BY ATTORNEY SHARMA:

10 Q. Do you recognize that?

11 A. I do.

12 Q. What's that?

13 A. That's my CV.

14 Q. And if we flip to page five, we can see your
15 work experience listed there?

16 A. Yes.

17 Q. And do - and we see that from fall of 1995
18 to spring of 2000 you worked as a research and teaching
19 assistant -

20 A. Yes, -

21 Q. - at the University of Iowa?

22 A. - yes.

23 Q. Were you a member of the Graduate Student
24 Employee Union at the time?

25 A. I'm sorry?

1 Q. Were you a member of the Graduate Student
2 Employee Union at the time?

3 A. I don't remember. And I was thinking about
4 this just today. I don't remember. I may have been.

5 HEARING EXAMINER: Wait. Where is she?
6 Where are we on here?

7 THE WITNESS: So I - I was at the
8 University of Iowa -

9 HEARING EXAMINER: Oh, yeah.

10 THE WITNESS: - when they started a
11 Graduate Student Union.

12 HEARING EXAMINER: Okay.

13 BY ATTORNEY SHARMA:

14 Q. And just curiously, you started off at the
15 University of Arizona.

16 Is that correct?

17 A. Yes.

18 Q. And then moved here to Pitt?

19 A. Right.

20 Q. And at the time, did you submit a CV as part
21 of your application?

22 A. To the University of Pittsburgh? Yes.
23 Yeah.

24 Q. And you would have highlighted things like
25 your work experience in it?

1 A. Right.

2 I don't know for sure if it was - if it
3 looked like this -

4 Q. Sure, -

5 A. - because I revised it, -

6 Q. - sure.

7 A. But yes, absolutely.

8 ---

9 (WHEREUPON, AN OFF RECORD DISCUSSION WAS HELD.)

10 ---

11 BY ATTORNEY SHARMA:

12 Q. Okay.

13 Just to sort of clarify for the record,
14 because sometimes these terms get confused.

15 A teaching fellow is - will teach a course
16 independently, but it also could just mean anybody who
17 had a teaching assignment after they have a Master's
18 degree?

19 A. Correct.

20 Q. So they could be leading recitations as part
21 of a lecture course and still be a teaching fellow.

22 Correct?

23 A. Right.

24 ATTORNEY SHARMA: Okay.

25 I just need to move my exhibits, -

1 HEARING EXAMINER: Yes, sir.

2 ATTORNEY SHARMA: - which numbers I had
3 forgotten.

4 ATTORNEY FARMER: 238 and 241.

5 ATTORNEY SHARMA: 238 to 2410.

6 HEARING EXAMINER: Any objections?

7 ATTORNEY FARMER: No?

8 HEARING EXAMINER: 238 to 241 are
9 admitted.

10 ---

11 (Whereupon, Union Exhibit 238, Departmental
12 Handbook for Grad Students, was admitted.)

13 (Whereupon, Union Exhibit 239, Page from Website,
14 was admitted.)

15 (Whereupon, Union Exhibit 240, Handbook, was
16 admitted.)

17 (Whereupon, Union Exhibit 241, Curriculum Vitae of
18 Kristin Kanthak, was admitted.)

19 ---

20 HEARING EXAMINER: Why don't we just do
21 - while we're thinking of exhibits - 94 to 95, any
22 objections?

23 ATTORNEY MANZOLILLO: No.

24 HEARING EXAMINER: They're admitted.

25 ---

1 (Whereupon, Respondent Exhibit 94, Letter, was
2 admitted.)

3 (Whereupon, Respondent Exhibit 95, Page from
4 Website, was admitted.)

5 ---

6 ATTORNEY FARMER: Okay.

7 I just have a couple brief questions.

8 ---

9 REDIRECT EXAMINATION

10 ---

11 BY ATTORNEY FARMER:

12 Q. You were asked about whether the credits
13 that were taken - the student can take for teaching a
14 research in that Teaching and Research course where
15 they can - it says a TA, or a TF or a GSA?

16 A. Right.

17 Q. The - you pointed to a section in the
18 handbook where it says they don't count towards the 30
19 credits for a Master's?

20 A. Right.

21 Q. Do those credits count towards full-time
22 enrollment at the end of a semester?

23 A. Yes. And they count toward the 72 credits
24 for -.

25 Q. For the dissertation?

1 A. Yeah, yeah.

2 Q. You were asked about - you were asked about
3 if somebody is on an assistantship, can they focus
4 entirely on their dissertation research.

5 Do you remember that question?

6 A. Yes.

7 Q. Can the research that they're doing on an
8 assistantship be used in their dissertation?

9 A. Yes.

10 Q. You were also asked about whether you go and
11 take advantage of services at the Center for Teaching
12 and Learning.

13 Do you remember that?

14 A. Yes.

15 Q. Okay.

16 Do you take advantage of the Graduate
17 Student Programs in the Center for Teaching and
18 Learning?

19 A. No.

20 Q. Are you aware that there's a separate
21 graduate student initiative?

22 A. Yes.

23 ATTORNEY FARMER: Nothing further?

24 ATTORNEY SHARMA: Just a couple.

25 HEARING EXAMINER: Go ahead.

RE CROSS EXAMINATION

BY ATTORNEY SHARMA:

Q. The 72 hours for Ph.D. that's a universitywide requirement.

Right?

A. Yes.

Q. And if the requirement was more, let's say it was 90, people would have to take longer to get their Ph.D.

Correct?

A. Or take more classes.

Q. Or take more classes?

A. Right.

Q. Sure.

And how long is the average person - how long does the average Ph.D. candidate take to get their Ph.D. in the Political Science Department, if you know?

A. Our average time to degree is a little over six years. Our median is just under that.

ATTORNEY SHARMA: That's all I got.

ATTORNEY FARMER: I just have two.

HEARING EXAMINER: They're multiplying.

ATTORNEY FARMER: Sorry.

1

2

REDIRECT EXAMINATION

3

4 BY ATTORNEY FARMER:

5

Q. All right.

6

7 Students are required to take, is it nine
8 credits a semester to be considered full time?

8

A. Yes.

9

Q. Okay.

10

11 This is going to require a little bit of
12 math.

12

A. Oh, God. I was told there would be none.

13

Q. I'm sorry.

14

15 How long does it take to meet the 72-credit
16 requirement if nine - if they just take nine credits a
17 semester?

17

18 A. Oh, my God. You're not kidding. A long
19 time.

19

20 HEARING EXAMINER: Why don't you do math
21 in your brief?

21

THE WITNESS: I'm really bad at math.

22

23 HEARING EXAMINER: Take judicial notice
24 of arithmetic.

24

BY ATTORNEY FARMER:

25

Q. Is dissertation research the only component

1 of a Ph.D. student's education?

2 A. No.

3 ATTORNEY FARMER: Nothing further.

4 HEARING EXAMINER: All right.

5 Just to go back real quick.

6 We were talking about flexibility in
7 comparison of fellowships that don't have work
8 requirement and to the other appointments that do.

9 And you said that one of the benefits of
10 the fellowship was that it allows flexibility to a
11 graduate student.

12 Correct?

13 THE WITNESS: Right. Yes.

14 HEARING EXAMINER: All right.

15 So conversely, what is it about the
16 graduate appointments or teaching assistant, teaching
17 fellowship, GSR which creates inflexibility for the
18 graduate student?

19 THE WITNESS: That creates
20 inflexibility. Well, they - so if they're teaching
21 assistants, they need to meet with their classes. And
22 so that keeps them from being able to travel.

23 HEARING EXAMINER: Uh-huh (yes).

24 THE WITNESS: If they're GSAs, they need
25 to meet with their faculty members.

1 I think the - the - the issue that I had
2 with it is the idea that people on fellowship aren't
3 working. And they're - they're working their butts
4 off.

5 HEARING EXAMINER: Right.

6 THE WITNESS: Right?

7 It's just doing different things.

8 So the idea that they're not -

9 HEARING EXAMINER: What are they doing?

10 THE WITNESS: - you know, they're not
11 sitting around eating bonbons.

12 HEARING EXAMINER: I understand
13 everybody is working real hard.

14 THE WITNESS: Right.

15 HEARING EXAMINER: And I'm asking very -
16 I can probably - and no one wants me to do this, but I
17 can an assume the answers to these questions.

18 THE WITNESS: Right.

19 HEARING EXAMINER: However, I'm not
20 really allowed. So I've got to ask you.

21 THE WITNESS: Okay.

22 HEARING EXAMINER: And you said there's
23 differences. What are the differences that you're
24 referring to between the students that are on those
25 fellowships with no work requirement and the ones that

1 are?

2 THE WITNESS: What are the differences?

3 So I was saying in terms of
4 flexibility -

5 HEARING EXAMINER: Yeah.

6 THE WITNESS: - that they can - that
7 they can, you know, sort of travel more, if they have -
8 a lot of our students are doing comparative politics,
9 so -.

10 HEARING EXAMINER: You mentioned
11 traveling and then we've mentioned that -?

12 THE WITNESS: Right.

13 They can work at home. A lot of us who
14 are academics like having big fat periods of time that
15 aren't -

16 HEARING EXAMINER: Yeah.

17 THE WITNESS: - like - so that's why I
18 like being on a research leave, where I - I don't
19 teach.

20 HEARING EXAMINER: Would the flexibility
21 include the - the ability to chose what she is
22 researching?

23 THE WITNESS: Yes. But it's not the
24 case that other people don't choose what they're
25 researching.

1 HEARING EXAMINER: All right.

2 So that was not that a fair accurate -?

3 THE WITNESS: Right.

4 HEARING EXAMINER: All right.

5 So we mentioned that they get tied down
6 by office hours and class times.

7 Right?

8 That's one?

9 THE WITNESS: That's - yeah, that's one
10 - yes, that's one aspect of it.

11 HEARING EXAMINER: And then you just
12 mentioned that they can - they don't have work
13 requirements, they can flee the campus out to the
14 field?

15 THE WITNESS: Right.

16 HEARING EXAMINER: All right.

17 Anything else?

18 THE WITNESS: I mean, I - they're - they
19 are different.

20 Right?

21 It's a -.

22 HEARING EXAMINER: Let's put it another
23 way.

24 What is - I've heard from a lot of
25 professors. I've heard from students. And everyone

1 agrees that there's an appeal -

2 THE WITNESS: Right.

3 HEARING EXAMINER: - to having a
4 fellowship with no work requirement.

5 And I get the impression it's just
6 understood why that's the case.

7 THE WITNESS: Right.

8 HEARING EXAMINER: But I haven't heard
9 anyone say explicitly what's - what's the difference
10 between being on a fellowship with no work requirement
11 and being on a GSR with a work requirement.

12 THE WITNESS: Right.

13 HEARING EXAMINER: And so you've
14 mentioned being tied down by class hours or -?

15 THE WITNESS: Right.

16 So I see it -

17 HEARING EXAMINER: Is there anything
18 else?

19 THE WITNESS: - I mean, I see it as the
20 difference between when I am on leave, right, and I can
21 focus entirely on my research. And I like doing that.

22 And when I'm not on leave, and I need to
23 go to meetings and teach and that kind of thing. I
24 like being - it's nice to be on leave. I consider it a
25 good thing. It's not like I would want to do that

1 forever.

2 HEARING EXAMINER: Like leave - leave in
3 the context of professors - it doesn't mean you go
4 home.

5 Right?

6 What does leave mean?

7 THE WITNESS: No.

8 Well, it means that you don't - that you
9 don't have teaching or - or committee obligations. And
10 so you can focus entirely on your research.

11 HEARING EXAMINER: Understood.

12 Do you have any follow-up? Anybody?

13 ATTORNEY FARMER: I don't.

14 ATTORNEY SHARMA: I don't.

15 HEARING EXAMINER: All right.

16 We are off the record.

17 Thank you, ma'am.

18 * * * * *

19 HEARING CONCLUDED AT 3:25 P.M.

20 * * * * *

21

22

23


24

25

CERTIFICATE

I hereby certify that the foregoing proceedings, hearing held before Stephen Helmerich, Hearing Examiner, was reported by me on 10-05-18 and that I, Valerie Beth Gregory, read this transcript, and that I attest that this transcript is a true and accurate record of the proceeding.

Dated the 5th day of November, 2018


Court Reporter
Valerie Beth Gregory