

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of August 22, 2013

The five hundred sixty-second meeting of the Board of Trustees was held on Thursday, August 22, 2013 on the eleventh floor of the Administrative Tower.

The meeting was called to order by Vice Chair Gardyn at 6:50 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Vice Chair
Anthony W. Cornachio, John A. DeGrace,
Arnold W. Drucker, Edward W. Powers,
Jocelyn Molina, Student Trustee.

Absent: Mary A. Adams, John P. Donnelly, Kathy Weiss

Vice Chair Gardyn requested a motion that pursuant to Section 105 of the Open Meetings Law of the State of New York, the Board of Trustees shall enter Executive Session to interview candidates for the office of the President of Nassau Community College. Trustee DeGrace moved the motion; seconded by Trustee Cornachio. Motion carried 6-0.

Vice Chair Gardyn resumed the open meeting at 10:25 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Vice Chair
Anthony W. Cornachio, John A. DeGrace,
Arnold W. Drucker, Edward W. Powers,
Jocelyn Molina, Student Trustee.

Absent: Mary A. Adams, John P. Donnelly, Kathy Weiss

Vice Chair Gardyn made a statement on behalf of the members of the Board present: "The Board has a Decision to render on the interview process -- the six members of the Board of Trustees who are present tonight did not achieve a unanimous vote on either of the two candidates put forth by the presidential search committee and, as a result, the matter will be put forth at a future board meeting.

Approval of Minutes

Vice Chair Gardyn requested a motion to approve the minutes of June 18, 2013.

Trustee Drucker moved the motion; seconded by Trustee DeGrace. Motion carried 6-0.

Report by the Temporary Committee on the Presidential Search

Trustee Cornachio indicated that there was "nothing much to report." He thanked the presidential search committee's subcommittee of Dr. Kimberley Reiser, Dr. Lynn Mazzola and Professor Jason Gorman for doing marvelous work in preparing for the campus meetings with the two individuals who are the remaining finalists in the presidential search, Dr. Elana Zolfo and Dr. Joyce Ester. He noted that for Board action, six

votes are necessary and that there were not six votes for or against any candidate so it has to refer to a future Board meeting.

Professor Kimberley Reiser, Professor of Biology and a member of the presidential search committee, sought clarification from the Board as to the status of the presidential search and the Board's intentions with respect to Dr. Zolfo and Dr. Ester. In response, Vice Chair Gardyn reiterated that no decision had been reached during Executive Session with respect to Dr. Ester and Dr. Zolfo and that the Board members would continue the discussion at the September meeting of the Board as to how the search process would continue. Dr. Reiser sought further clarification as to whether Dr. Zolfo and Dr. Ester are still under consideration for the office of President of NCC, to which Vice Chair Gardyn indicated they could be considered again. Trustee Cornachio noted that once there are six votes in support of a particular position, the Board would be able to address questions such as is it going to re-interview Dr. Ester and Dr. Zolfo or not re-interview them and is the Board going to conduct a whole new search or not have a whole new search. He again noted the tremendous amount of time that members of the search committee had already spent as part of the process. Vice Chair Gardyn agreed that the search committee had performed a fantastic job on presenting to the Board of Trustees three candidates that were eventually brought down to two. He indicated, however, that the Board required additional legal guidance as to what happens next in the process in the absence of six votes in favor any specific candidate. He stated that the presidential search committee could well be reactivated again to go back and do another search. Dr. Reiser indicated her concern that it would be very important for the Board to be able to give these two candidates information about whether they are still going to be considered for this position or not. She added that it was very validating for the members of the search committee to hear that so many of the people who attended the campus meetings with the candidates thought that the search committee had done a good job, to which Vice Chair Gardyn added, "I think the search committee did an exemplary job."

Dr. Reiser then referred to the search committee's having provided on May 30 the Board with a document containing evidence intended to counter each of the Chancellor's allegations against the search committee that were made by some members of the campus community regarding racism and bias. Dr. Reiser noted that this document had been delivered to the Chancellor, as well as had been sent to each individual SUNY Trustee, and to legal counsel at SUNY, Bill Howard. She stated that Mr. Howard "still has not given our packet to the SUNY Trustees. I think that that speaks volumes and I would think that you our Board representatives would want to know why the Chancellor is interfering with dissemination of information that counters her allegations." In closing, Dr. Reiser urged the Board to reopen the search and noted, further, that the search firm has committed to continuing to assist in the search, thereby removing the need to spend additional money for a new search firm.

Trustee Powers noted that the search committee is still in effect and that there has not been an affirmative vote to undo the search committee. He stated that Dr. Zolfo and Dr. Ester "are neither affirmed nor rejected at this particular point." He indicated that it was a pleasure to work with the search committee members, who had been so fully committed to the search process.

Trustee DeGrace thanked the members of the search committee for their outstanding job.

Thomas Jackson, II, Student Government President: The search committee did a good job in setting up the interviews with Dr. Ester and Dr. Zolfo, thereby allowing various groups on campus to be able to ask them questions and to get a sense of what kind of leader they would be for NCC. He expressed disappointment, however, that the time set aside for students to participate in this process was the last meeting slot of the day. He indicated that he did not know why this was done and that he did not find out about the meetings "until

the illusion that the student input wasn't really wanted," and suggested that the meetings could have taken place earlier in the summer or in September when more of our student population would be around. He noted further that it was more difficult to gather information with respect to students' concerns that he wanted to bring to the meetings with Dr. Ester and Dr. Zolfo because students on campus were focused on final exams for the last summer session. He stated, "This shows a disconnect with the Board and the student body as whole and in my opinion a complete disregard of the most important constituent group on campus...I don't feel that I'm asking too much, every group on this campus has a plethora of people to argue and lobby in their defense and they can all shout from the tower that this is for the benefit of the students but if you don't count them in the simplest part of the process how can that be?"

Dr. Cathy Fagan, Academic Senate vice chair, inquired if a candidate had been approved by the Board and if their name had, then, been sent to the Chancellor, "did we have any expectation that that candidate was going to be affirmed, has something changed with our relationship with the Chancellor?" Vice Chair Gardyn responded, "Not to my knowledge." She then asked what the NCC Board of Trustees intended to do if the Chancellor refused to forward to the SUNY Board of Trustees the name of a candidate who had been approved by the NCC Board of Trustees. Vice Chair Gardyn responded, "we will cross that bridge when we get there."

Trustee Drucker noted that the issue raised by Dr. Fagen was a moot point because the NCC Board of Trustees had not voted to send a candidate to the Chancellor.

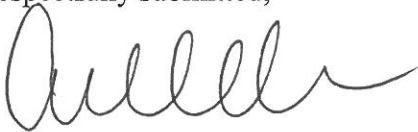
Dr. Fagan, on a personal note, expressed concern that several members of the Board were not present at the meeting this evening. Vice Chair Gardyn responded that one member of the Board was in South America and another had just gotten out of the hospital.

Vice Chair Gardyn announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, September 17, 2013 at 5:00 p.m. followed by the Full Board meeting. The Board will open the public session at 6:30 p.m. and resume the public session at approximately 8:00 p.m.

Vice Chair Gardyn requested a motion to adjourn the meeting. Trustee DeGrace moved the motion; seconded by Trustee Cornachio. Motion carried 6-0.

Meeting adjourned at 10:44 p.m.

Respectfully submitted,



Arnold W. Drucker
Secretary Pro Tem