

NASSAU COMMUNITY COLLEGE

Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of January 11, 2022

The six hundred fifty-first meeting of the Board of Trustees was held on Tuesday, January 11, 2022 via Zoom. The meeting was called to order by Chair Gardyn at 6:50 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Wanda H. Jackson, George Siberón,
Donna M. Tuman, Carl Denaud, Student Trustee.

Absent: John A. DeGrace, John R. Durso, Linda H. Green, Edward Powers

Also in attendance: President Williams, VPs Conzatti, Izquierdo, Kerrigan, Lausch, AVP Wright, D. Haugen

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 for the following purposes: 1) to discuss matters relating to negotiations involving the Nassau Community College Administrators Association; 2) to discuss matters relating to negotiations involving the NCCFT; and 3) of reviewing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Trustee Weiss moved the motion; seconded by Trustee Siberón. Motion carried 6-0.

Executive Session

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Wanda H. Jackson, George Siberón,
Donna M. Tuman, Carl Denaud, Student Trustee.

The Board of Trustees deliberated to discuss the position of Officer-in-Charge of Nassau Community College.

The following resolutions were drafted to be read and voted on during open session:

1. **WHEREAS**, Dr. Jermaine F. Williams has announced his resignation as President of Nassau Community College on a date to be determined, and

WHEREAS, it is the responsibility of the Nassau Community College Board of Trustees to provide continuous leadership of the College until a permanent president is appointed,

NOW THEREFORE BE IT RESOLVED that the Nassau Community College Board of Trustees appoints Donna Haugen as Officer-in-Charge of Nassau Community College beginning on the day next following the effective date of resignation of Dr. Jermaine F. Williams, subject to full execution of an employment agreement between Nassau Community College and Donna Haugen, and the Board of Trustees grants the said Officer-in-Charge a leave of absence from her position as College Counsel, and

BE IT FURTHER RESOLVED that the Chair of the Nassau Community College Board of Trustees is herewith authorized to negotiate and execute on behalf of the Board of Trustees an employment agreement between Donna Haugen and the Board for the position of Officer-in-Charge of Nassau Community College, and

BE IT FURTHER RESOLVED that the Chair of the Nassau Community College Board of Trustees is herewith authorized to negotiate and execute on behalf of the Board of Trustees a termination agreement with Dr. Jermaine F. Williams seeking his departure from the position of President post haste.

2. **RESOLVED**, that the College Administration is herewith directed to prepare an appropriate Request for Proposal seeking executive recruiting services from qualified consultants to assist the Board of Trustees with the selection of a new President.

No formal action was taken during Executive Session.

Chair Gardyn resumed the open meeting at 8:37 p.m.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Wanda H. Jackson, George Siberón,
Donna M. Tuman, Carl Denaud, Student Trustee.

Absent: John A. DeGrace, John R. Durso, Linda H. Green, Edward Powers

Also in attendance: President Williams, VPs Conzatti, Izquierdo, Kerrigan, Lausch, AVP Wright

1. Approval of Minutes
 - a. Chair Gardyn requested a motion to approve the minutes of November 9, 2021. Trustee Jackson moved the motion; seconded by Trustee Weiss. Motion carried 6-0.
 - b. Chair Gardyn requested a motion to approve the minutes of December 14, 2021. Trustee Tuman moved the motion; seconded by Trustee Weiss. Motion carried 6-0.
2. Trustee Jackson introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Marshall & Sterling Upstate for insurance and brokerage services in the amount of \$280,000 as requested by VP Izquierdo. (**Funding Source:** Operating)

Chair Gardyn requested a motion to consider this item. Trustee Tuman moved the motion; seconded by Trustee Weiss. Motion carried 6-0.

3. Trustee Siberón introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Total Environmental Restoration Solutions, Inc. in the amount of \$250,000 as requested by VP Izquierdo. (**Funding Source:** Operating)

Chair Gardyn requested a motion to consider this item. Trustee Jackson moved the motion; seconded by Trustee Tuman. Motion carried 6-0.

4. Trustee Weiss introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college

procurement agreement with Belfor Long Island, LLC in the amount of \$250,000 as requested by VP Izquierdo. **(Funding Source: Operating)**

Chair Gardyn requested a motion to consider this item. Trustee Weiss moved the motion; seconded by Trustee Siberón. Motion carried 6-0.

5. Trustee Weiss introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with L. Martone & Sons in the amount of \$200,000 as requested by VP Izquierdo. **(Funding Source: Operating)**

Chair Gardyn requested a motion to consider this item. Trustee Weiss moved the motion; seconded by Trustee Jackson. Motion carried 6-0.

6. Trustee Tuman introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with Watermark Insights, LLC in the amount of \$52,000 as requested by VP Izquierdo. **(Funding Source: Operating)**

Chair Gardyn requested a motion to consider this item. Trustee Tuman moved the motion; seconded by Trustee Jackson. Motion carried 6-0.

7. Trustee Jackson introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Personnel, Affirmative Action & Labor Committee, the Nassau Community College Board of Trustees hereby approves that in recognition of distinguished and meritorious service to Nassau Community College, and upon the recommendation of the president of Nassau Community College, the following named retired faculty members of Nassau Community College, who retired after attaining the academic rank of professor or associate professor, are hereby granted the permanent academic title of professor emeritus with all the privileges and rights accruing thereto.

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Retirement Date</u>
Elizabeth Abele	Professor	English	9/1/2020
Laurie Delitsky	Associate Professor	Math	1/1/2022
Jean Miller	Associate Professor	Critical Reading & Academic Advancement	8/2/2021
Heidi O'Connell	Associate Professor	Marketing/Ret/Fashion	9/1/2021
Paul Schmidt	Professor	Criminal Justice	1/1/2022
Ethel Weeks	Professor	Economics	9/1/2021

Chair Gardyn requested a motion to consider this item. Trustee Weiss moved the motion; seconded by Trustee Siberón. Motion carried 6-0.

Chair Gardyn made a motion under Article VIII section C(6) of the Rules of Procedure to allow for the consideration of two items that do not appear on the Calendar. Trustee Tuman seconded the motion. Motion carried 6-0.

8. Trustee Weiss introduced the following resolution:

WHEREAS, Dr. Jermaine F. Williams has announced his resignation as President of Nassau Community College on a date to be determined, and

WHEREAS, it is the responsibility of the Nassau Community College Board of Trustees to provide continuous leadership of the College until a permanent president is appointed,

NOW THEREFORE BE IT RESOLVED that the Nassau Community College Board of Trustees appoints Donna Haugen as Officer-in-Charge of Nassau Community College beginning on the day next following the effective date of resignation of Dr. Jermaine F. Williams, subject to full execution of an employment agreement between Nassau Community College and Donna Haugen, and the Board of Trustees grants the said Officer-in-Charge a leave of absence from her position as College Counsel, and

BE IT FURTHER RESOLVED that the Chair of the Nassau Community College Board of Trustees is herewith authorized to negotiate and execute on behalf of the Board of Trustees an employment agreement between Donna Haugen and the Board for the position of Officer-in-Charge of Nassau Community College, and

BE IT FURTHER RESOLVED that the Chair of the Nassau Community College Board of Trustees is herewith authorized to negotiate and execute on behalf of the Board of Trustees a termination agreement with Dr. Jermaine F. Williams seeking his departure from the position of President post haste.

Chair Gardyn requested a motion to consider this item. Trustee Weiss moved the motion; seconded by Trustee Tuman. Motion carried 6-0.

9. Trustee Weiss introduced the following resolution:

RESOLVED, that the College Administration is herewith directed to prepare an appropriate Request for Proposal seeking executive recruiting services from qualified consultants to assist the Board of Trustees with the selection of a new President.

Chair Gardyn requested a motion to consider this item. Trustee Jackson moved the motion; seconded by Trustee Weiss. Motion carried 6-0.

Dr. Williams reported on the following items:

He wished all a Happy New Year with the hope that everyone is remaining as healthy and safe as possible given the multiple COVID variants amidst the typical cold and flu season. Representatives from the student body, academic leadership, union leadership, and administration continue to meet regularly to discuss recent changes, guidance, and any potential pivots. He appreciates everyone's dedication and efforts to consistently adapt to the ever-evolving COVID situation. In his final report to the Board and College community, he focused on a few of the accomplishments realized through partnership and process, starting with student highlights, our purpose.

- Engaged in Guided Pathways, a practice focused on holistically reimagining the community college experience to enhance equitable student access, completion, and post-completion success.
- Developed the Nassau-Adelphi Gateway, which is unique to Long Island and one of the few partnerships of its kind in the nation. NCC students can earn their Associate degree while living on campus and being a part of university life at Adelphi. This opportunity created a housing option for NCC students and is leveraged as a recruitment tool for international students, student-athletes, and other student populations.
- Creation of the Baldwin Nassau Partnership, West Hempstead Nassau Partnership, and Mineola Nassau Partnership, three first of their kind partnerships at the College where students spend their high school day at

NCC taking college-level courses. Many students will be on target to complete their senior year of high school with sophomore college status and/or deep in pursuit of an Information Technology certificate.

- There are now six new pathways in Allied Health Transfer Agreements with Empire State College.
- Enhanced articulation agreements with several local colleges and universities to ensure that NCC students transfer with junior status.
- The College hosted a number of COVID-19 initiatives for the County, including Vaccination Distribution and Booster Distribution, and served as a site to launch the County's 18+ COVID-19 initiative.
- Created an academic advising structure that will support the advisement of all first-year students and will help place them on a clear academic path prior to their taking any courses at the College.
- Managed the herculean effort, especially by faculty, to transition 2,231 courses to remote instruction in a matter of days in Spring 2020, as well as to ensure all student support services were accessible remotely.
- Addition of new academic programs.
- We have posted for and pursued Full-Time faculty roles.
- There is now a new Marketing and Advertising firm which is a contributing factor to an overall increase in new student enrollment for Fall 2021 and Spring 2022 when compared to prior Falls.
- Workforce Development initiatives have been enhanced, especially with training grants that have supported multiple companies and their employees in the region.
- Created or enhanced partnerships with local business organizations such as Northwell Health, United Way of Long Island, and Bank of America to address equity gaps and advance student access, completion, and post completion success.

These are just a few of the positive outcomes stemming from collaboration across the College (faculty and staff and inclusive of the student voice) and within the County and communities we serve.

He thanked the Trustees for entrusting him with the opportunity to lead NCC and the partnership of so many individuals and groups, both internal and external to the College, who diligently work to support students and advance the College. There is so much more to accomplish, and he looks forward to seeing NCC prosper. He will take so much away from this experience and will always reflect upon and appreciate how diversity of thought helped us address complex situations and create dynamic responses. He expressed sincere appreciation for all that we were able to accomplish together.

Speakers

Stuart Kaplan, Chair, Math, Comp Sci, IT Department, stated that, after the loss in October 2020 of two Full-Time TAs, he has now lost the remaining six non-classroom faculty who provide support in student math and computer learning centers. On December 6, 2021, despite his direct appeal for prior consultation on June 10, 2021, an all campus email that all technologists would be permanently transferred to ITS effective December 23 was issued with neither advance notification to the Department, nor discussion of duties, nor discussion of how the transfer would affect Department operations and would help learning centers support students in their studies. Technologists were hired to provide daily tutoring service remotely in addition to face-to-face during their shifts; are on course committees providing insight into curriculum and identifying struggles in student learning objectives; and provide quick assistance to teaching faculty to minimize loss of instructional time to our students and of advisement for our majors. Deployment "as needed" is not an appropriate management of our help facilities. For Winterim, no one was assigned to assist students, who went 8 of 13 sessions without any help. He hopes administration will permanently return technologists to departments by which they were hired and will seek a more collaborative approach to solving issues rather than hurting academic areas to address shortfalls elsewhere.

Stef Krompiew, AFA President, has 10 – 15 questions related to marketing and health and safety that he will send in a letter to the Board. In the meantime, he publicly asked the following two: why will the Fall 2022 marketing campaign commence in May when by then most high school students will have already made their choice; and

why does our marketing report cite our primary targets as 18 – 34 year-olds when 16 and 17 year-old high school juniors and seniors comprise the majority of those entering college? While he applauds the College's and Board's approval of the formation of a Health and Safety Committee significantly consisting of faculty who understand problems to be able to devise short- and long-term solutions, he questions why it had not been created years ago? With so much information to digest, he proposes developing a similar committee from field practitioners on campus to review the effectiveness of our marketing efforts.

Liz Hynes-Musnisky, Academic Senate Chair, reiterated her invitation from months ago to join her in building a coalition to benefit all who serve the NCC community. She read from a manual: "Coalition-building is an art requiring individuals and groups to be willing to rise above their feelings of separateness and to actively collaborate in a spirit of mutual understanding, patience, and flexibility. When members share responsibility, goals, decisions, and leadership, and energetically and enthusiastically work toward a common goal, the coalition has the potential for great success." The Academic Senate is interested in working with others to advance the mission of the College, respecting that individual colleagues share their respective expertise and, by pooling this collective knowledge, we can achieve great things in the spirit of shared governance, a system wherein faculty, professionals, staff, administration, governing boards, and students work together in developing policies and in decision-making which affect our institution.

Tom Bruckner, Chair, Physical Sciences Department, stated that many things need fixing at NCC. In 2011, enrollment was 24,700; and we are headed for under 10,000 for the first time. He feels insulted by the Board's dismissive suggestion in response to the faculty leaders' Letter of Discontent which bluntly expressed legitimate concerns. While the Trustees have not been on campus for the past two years, the Chairs were here daily for last semester contending with mold. He caught COVID here despite having been vaccinated, and during the last week of the semester he handed a student a mask, which he constantly encourages all to wear, and the student, who refused, assaulted him. He appealed to the Board to consider the morale of the faculty who are on the front lines and who want NCC to thrive and to succeed. The choice of a non-academic with a law degree to run the College troubles him.

Evelyn Deluty, Professor, Philosophy Department, stated that on December 16, 2021 the Board issued a letter reminding us that the Trustees are the stewards of this institution. She implored the Board not to make excuses that changing demographics and the pandemic are the main reasons why enrollment is roughly half of what it was when she started here in 1996. She asked why is the College not promoting graduate profiles that convey NCC's impact? Why are we not using data that documents colleges to which our students transfer in order to market our cost-effective quality education? Our 2020 gala highlights 1968 graduate Billy Crystal, who credits his choice of a Theatre elective in a liberal arts degree program for having propelled him into his career. Why are we not enlisting them to share success stories with their high school communities, which may be done remotely at low cost? She entreated the Board to take its responsibility seriously: if enrollment continues to decline at this rate, there will not be a College left to oversee.

Gary Ostertag, Chair, Philosophy Department, expanded on a letter he sent to the Trustees last month in which he outlined how he has never worked in such an inhospitable environment. Up until a few years ago, there was a general impression that faculty and administration were working together with common purpose to provide a quality education for our students even if there were disagreements on how to achieve this goal. He feels undermined by unreceptive leadership. For instance, last month he was charged with informing his adjuncts that they would be required to teach classes remotely from an on-campus location starting the Spring 2022 semester, which would have been burdensome to enforce and an unnecessary inconvenience, and would have resulted in widespread cancellations. Although since resolved, this issue is indicative of daily obstacles with no foundation in logic and decisive reasons against them. The problem is constant mismanagement and interference diverts us from providing the proper environment to provide the education our students deserve.

Suzanne Kaebnick, Professor, English Department and Communications Director of the NCCFT, asserted that the decision in December 2021 to move 27 Technologists from their academic departments to ITS does not make sense pedagogically or fiscally. Such shortsightedness suggests ignorance of the distinct expertise of ITS, where Technologists' degrees and passion are in computer programming and network engineering, versus the diverse expertise of academic department Technologists who often have degrees in their departments' respective disciplines. ITS needs more staffing due to the loss of three full-time supervisors plus several employees. The current manager-consultant, John Petkash, has been on campus only two days since having taken over in mid-November. On January 7, 2022 a blanket letter told Technologists to work in departments until further notice, but they remain uninformed about Spring schedules and responsibilities. By not returning Technologists to their respective department, student retention will suffer with the loss of a dedicated individual to support faculty and students and lab curriculum. The move of Technologists out of Distance Education is poorly timed, as SUNY is in transition from Blackboard to D2L this upcoming August. NCC's improvement in online student retention from 60% – 80% owes greatly to the online instructional design specialists work of classroom faculty.

David Stern, NCCFT Classroom VP, provided an update on campus health and safety issues, which compel a re-assessment of current policy requiring faculty, staff, and students to maximize their time at campus facilities. Employees and students should limit their time on campus until these conditions, especially with regard to inadequate ventilation, are improved. He represents the NCCFT in the newly reformed Health and Safety Committee, which held its first meeting on December 22, 2021, at which discussion resolved that all departments would not be able to commit to provide the Committee with any requested information, contrary to what had been discussed with the Board. He asked the Trustees to direct the administration to require that health and safety information be transparent and that all departments comply with Committee requests for any information, including classroom capacity analysis and the methodology used to determine air exchanges. Over many years, the Board has approved the annual expenditure of millions of dollars to remediate the unhealthy conditions stemming from the general disrepair and poor operations of College facilities, and yet we witness the same leaks and moldy areas over and over. He pleaded with them not to repeat the misinformation that these problems have been caused by closures during the pandemic; to read the CDC report from 20 years ago highlighting these problems; to direct administration to proactively repair the causes of these problems instead; and to immediately authorize portable HEPA air filters to anyone who will be on campus. It is the Board's responsibility not to keep wasting money.

Faren Siminoff, NCCFT President, discussed the Board's December 23, 2021 response to the December 22, 2021 letter sent by elected faculty leadership expressing legitimate concerns about the state of the College. She read a section of the reply: "The Board of Trustees is the governing body of the College. Our role in governance encompasses many duties and responsibilities. As the final authority for College business, Trustees make all legal and fiduciary decisions. The Board is responsible...." She appreciates the acknowledgment, as this Board, as led by its current Chair for the past decade, must be held accountable for its decisions and the current state of the College, which is not good. The Board's years of mismanagement, failure to secure an increase in County funding for an operating budget 14 years ongoing, and support for administration's ill-conceived policies, such as the recent transfer of Technologists, and for the diminished faculty voice in academic-related decisions have resulted in 47% loss of enrollment in the last decade, and this semester will witness steep declines, as well. The Board has faulted COVID as the culprit, but most of this debacle, as data demonstrates, has been ongoing and growing for a decade. She had hoped the Board would reflect on the poor judgment, losing strategies, and mismanagement, but apparently has chosen the opposite: with the appointment of a non-academic as presiding officer, the Board has bypassed all qualified academics and is determined to continue down its same misguided path.

Jason Gorman, Professor, Art Department, echoed Dr. Siminoff's statement of the failures over the last decade resulting in the loss of half our students. He feels the Board's actions have not been working. Listening to administrators' self-congratulation on a great job is senseless; they need to stop asking what are we doing and ask what are we not doing; and need to ask students, teachers, student advisors, counselors, parents, and employers.

He also feels the past President and VPAA served at the Board's pleasure and, hence, were not allowed to fulfill any vision or make decisions and were not informed on how decisions were made. He asked the Trustees to listen to faculty suggestions for the next President, hire a fair firm, establish a fair search committee, and allow the next President and administrators to do their jobs. What has driven this decision to select a lawyer rather than the VPAA for an academic institution? Please read the letter [January 11, 2022] from FIRE (Foundation for Individual Rights in Education), which notes that "Teachers are, as a class, the members of a community most likely to have informed and definite opinions". He suggests in order to improve enrollment, we should be utilizing big data-algorithmic methodologies for tracking, micro-targeting, look-alike audiences, machine learning algorithms, affinity groups, and better marketing.

Chair Gardyn thanked President Williams for his time here, for trying to impart his vision for the College, and for the good work he accomplished.

Chair Gardyn announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, February 8, 2022 at 5:00 p.m. followed by the Full Board meeting. The Board will open the public session between 6:15 and 6:30 p.m. and resume the public session approximately 7:30 p.m.

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

Meeting adjourned at 9:28 p.m.

Respectfully submitted,



Kathy Weiss
Secretary Pro Tem