

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of May 30, 2013

The five hundred sixtieth meeting of the Board of Trustees was held on Thursday, May 30, 2013 on the eleventh floor of the Administrative Tower.

The meeting was called to order by Vice Chair Gardyn at 6:07 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn - Vice Chair;
John P. Donnelly, Secretary
Mary A. Adams, Anthony W. Cornachio,
John A. DeGrace, Arnold W. Drucker,
Edward W. Powers, Faruque Amin, Student Trustee.

Also in attendance: Kenneth Saunders, Donna Haugen, Chuck Cutolo.

Vice Chair Gardyn called the special meeting to order. He welcomed Johanna Duncan-Poitier, Senior Vice Chancellor for Community Colleges and the Education Pipeline and William Howard, General Counsel who were attending the meeting in order to present Chancellor Zimpher's views on the status of the presidential search at NCC and related matters. Vice Chair Gardyn indicated that afterwards there would be an opportunity for a discussion between the SUNY representatives and Board members followed by those individuals who signed up to speak during the public comment period.

The Vice Chancellor thanked the Trustees for having this special meeting. She began by saying that we all have something in common-the future of Nassau Community College. She then gave an overview of the concerns of the past several years and indicated that she has heard from many individuals over the past two years and knows that everyone in the audience cares very deeply about the quality of instruction, student outcomes and student success. She noted that the integrity of NCC is at stake, and that's why this meeting is so important.

She indicated that the purpose of this conversation relates to the process, and it is not intended to denigrate the integrity of anyone who was involved in the search process. She indicated that the Chancellor believes that the issue relates to the irregularities in the process. The Chancellor, because of those irregularities, asked the former chair of the Board, Geoffrey Prime, to do a review of the process and to report back to her before proceeding further with the search. As a result of his choosing to resign at some time subsequent to that request, the Chancellor concluded that it was time for a new search that the situation was beyond the point of attempting to review and restart the search. The Vice Chancellor stated that Chancellor Zimpher has halted other searches; this is not the first time. Chancellor Zimpher's decision was endorsed by the SUNY Board of Trustees on May 28. Vice Chancellor Duncan-Poitier indicated that she had read every letter and email regarding the search and that she had viewed the You Tube videos of the BOT meetings several times. She stated that the decision has been made by Chancellor Zimpher and that she hopes that moving forward is acceptable to everyone.

William Howard, SUNY Counsel, announced that the SUNY Board of Trustees met earlier this week at a special meeting had passed a resolution relating to Nassau Community College. Copies were handed out.

Trustee Gardyn read the following resolution dated May 28, 2013 from SUNY Board Chair Carl McCall:

Resolved the Board of Trustees hereby supports the recent actions taken by the Chancellor with respect to the presidential search at Nassau Community College, and encourages the Board of Trustees of Nassau Community College to work with the Chancellor and her representative to start a new search process to bring an appropriate final candidate to the Chancellor and this Board.

Trustee Donnelly asked the Vice Chancellor to explain the process going forward.

The Vice Chancellor assured the trustees that if the Chancellor's directive is honored a new liaison from SUNY will be appointed to the committee and SUNY will go over the guidelines with the committee on what groups are to be represented on the search committee.

Trustee Cornachio addressed the Vice Chancellor. He indicated that even though the Vice Chancellor mentioned "irregularities," he believes that the Chancellor has focused on some letters, emails, and newspaper reports which he believes are not factual. He indicated that the members of the search committee were in the process of addressing those documents, but that they never got a chance to complete that task because of the Chancellor's second email, which they interpreted to mean that "we don't want to hear from you." Trustee Cornachio stated that there were no irregularities. He described how a committee was formed consisting of four persons who were members of the Board: Geoff Prime, an Afro American; Faruque Amin, a student who is an Asian born in Bangladesh; Rich Gutierrez a Hispanic American; and himself. He said that they were mindful of what Dona Bullock from SUNY had said about the last search committee -- it was too large.

Trustee Cornachio indicated that every group was represented on this committee and that the sub groups were represented by a larger group. He described how every member of the committee received the SUNY search guidelines, and the guidelines were discussed at the meetings. He indicated that the SUNY representative received the minutes from every meeting. He stated that the committee had done everything right- even down to the detail of the periodicals that were chosen to be advertised in. There was initially a list of 17 or 20 periodicals, and the search committee paired it down to 14. He believed that in doing so, every diverse and ethnic group was covered. Trustee Cornachio indicated that the search committee wrote the presidential profile and the job description. He stated that no one person or no small group controlled the search committee.

Trustee Cornachio indicated that no candidate was treated differently. Instead, he said that all candidates were treated alike. Each of the finalists complained about the way in which they were questioned and that they thought the committee members were tough, in particular himself. He indicated that he agreed with that characterization. He indicated that the main questions for the candidates were written out in advance and were given to each of the candidates. He noted that sub questions arose by virtue of what was on someone's resume and by virtue of an answer that was given to a main question. He stated that the questions were approved by the search firm, which is a nationally recognized firm and that has chosen many people who work in the SUNY system.

Trustee Cornachio stated that people worked very hard on this search committee. He noted that one of the allegations was that students were not a part of this search committee, but stated that the allegation was false. He stated that there was a student trustee who is a member of the search committee and that the

president of the student government association (SGA) was also on the search committee. He stated that the SGA president was present at all meetings.

With respect to the scheduling of the interviews, Trustee Cornachio indicated that the search committee approved of the schedule and SUNY was notified of the schedule. He stated that SUNY offered suggestions about the schedule and the schedule was then adjusted to accommodate SUNY's suggestions. Trustee Cornachio indicated that he chose 10 days and asked people to notify him of their availability on those days. He indicated that he received a great deal of feedback and arrived at three dates: Monday, April 29, Wednesday, May 1 and Thursday, May 2, with 6 hours on one day and 5 hours on the other day. Trustee Cornachio stated that Trustee Prime tried to clear his schedule but that, unfortunately, he missed the last two days of interviews due to a trial at which he was representing a client. But Trustee Cornachio indicated that Trustee Prime was present at every single session before that. Trustee Cornachio stated that the president of the Student Government Association told him about a month before that she had Math classes between 9 and 10:30 and that he had mentioned it to Trustee Prime, who was then chair of the Board. He said that Trustee Prime said that he (Trustee Cornachio) should tell the SGA president that she's got to learn to delegate then give it to somebody else. Trustee Cornachio indicated that he told the SGA president that he would try to work with her on the scheduling, but if they ended up interviewing more than 5 or 6 people, it could be very difficult to accommodate her schedule. However, he stated that he told the SGA president that if the number of interviewees was larger than that, then he recommended that she choose someone else and the Board will approve that person to sit on the committee in her place.

Trustee Cornachio stated that the SGA president indicated that she had a Math class and that she had exhausted all her cuts and she couldn't miss the Math class because of that. Trustee Cornachio indicated that when asked by the SGA president to write a letter to the teacher, he agreed to do it, but asked that she send him language that he could include in the letter to the Math professor and that he would send over his (Trustee Cornachio's) letterhead. Trustee Cornachio indicated, however, that after three days, he didn't get the letter from the SGA president, so he then called her and offered to write the letter himself. He stated that about a week or two after that and after other members of the search committee spoke to her about it, he learned that the issue was not her inability to take any more cuts from the Math class, but that she wanted to get an A in the class. Trustee Cornachio stated that, at the same time, the SGA president wanted to sit through the interviews with the candidates. Trustee Cornachio indicated that he had subsequently spoken to the SGA president's Math teacher, who indicated that he does not have a cut policy and that he does not penalized people for missing class. Trustee Cornachio stated to the Board that the SGA president wanted to go to her Math classes and to be present at the interviews. He stated that he told her that other members of the search committee had competing demands on their time and that it made it difficult for them to do everything that they may want to do. So, he said that he told her that she had to make a decision. As a result, Trustee Cornachio indicated that the SGA president told him that she decided not to be present during the interviews. Trustee Cornachio stated that even with that decision the SGA president still had a right to continue on the committee but that she just couldn't vote on the candidate because she didn't have the ability to compare people.

Trustee Cornachio stated that the rules of procedure governing the search process were set when the search committee first met back on January 28. He indicated that all the rules of the search committee were shared with the search committee members on January 28 and that the rules were developed, not by him alone, but in consultation with the Board. He further stated that they were common sense rules and basically the same rules employed by the last search committee.

Trustee Cornachio indicated that he did not know what the other allegations there were, but that there were no irregularities. He stated that the members of the search committee were good people and broadly representative: the chair of the Academic Senate; the president of the NCCFT; the president of the Adjunct Faculty; the chair of the department chairs- there's 20 or 30 chairs in this college and they have a chair who represents them, all highly independent people; three government people on the search committee, one from the majority caucus on the County Legislature, one from the minority caucus on the County Legislature and a representative from the County Executive; the College's Affirmative Action Officer; and a representative of the community at large, whom Trustee Cornachio said he had never met before and who was on the committee at Trustee Prime's recommendation. Trustee Cornachio reiterated that these are very highly independent people.

Trustee Cornachio then stated that the next step in the process was for all of the committee members to come to a common agreement on interviewing 10 candidates. He said that after the interviews, seven of them were almost universally rejected. He stated that for these seven there was 1 yes vote the rest were no. He indicated that three of the candidates received either all yes votes or 1 no and the rest yes votes.

Trustee Cornachio reiterated that he did not know what SUNY was referring to when it spoke of "irregularities," and that fundamental due process and fairness requires that both sides of an issue have the opportunity to say what happened. He expressed his concern that the search committee had not had that opportunity and that judgment is being rendered now. He said that he recognized that the statute does say the SUNY Board must approve the candidate, but he also stated that there's a right way and a wrong way to do things.

Trustee Cornachio said that there is already an existing search process and that it's the feeling of most of the people in the audience and in the search committee that the process should go forward so that the three candidates recommended by the search committee can be interviewed by the Board. He indicated that the Board is entitled to do the following: they can reject all of the three candidates or they can choose one. He stated that if the Board sent a name to SUNY, then SUNY could follow its own judgment in accordance with the proper procedures. He stated that this is a nation of laws, rules, regulations and procedures and that the proper procedure is that if there is to be an investigation, then it should take place when SUNY receives the name of a candidate from the Board. He stated that people should be given an opportunity to defend themselves, and he expressed his concern that the search committee was never given an opportunity to do that. He indicated that with all of his experience in the law and in government, he took his responsibilities with respect to the search committee very seriously.

Trustee Cornachio stated that SUNY's representative, Lee Riddell, was not excluded from any meeting, including that Friday meeting when the members of the Board who were not on the search committee gathered and Trustee Prime had the opportunity to describe to them what had transpired, except for the last two days of interviews at which Trustee Prime was not present.

Trustee Cornachio stated that he asked Trustee Prime that Friday whether anything happened at any of those times (meetings or telephone conference calls) he was present that were inappropriate, wrong, or improper. Trustee Cornachio indicated that Trustee Prime responded "no" to that question.

Trustee Cornachio stated that the remaining question relates to the last two days (the meetings at which Trustee Prime was not present). As to that issue, Trustee Cornachio said that the other members of the search committee wanted to state strongly that they felt insulted by any suggestion that anything inappropriate had

happened that they had a real desire to explain how this was a clean operation, and how the suggestions that it was not clean or not appropriate were untrue.

Trustee Cornachio indicated that he has a series of emails with Lee Riddell. He stated that on the Friday meeting she called in and she asked whether the search committee was meeting. Trustee Cornachio indicated that he said that present were Trustee Prime and trustees were not on the search committee and about half of the search committee, with the other half of the search committee meeting on the following Tuesday. Trustee Cornachio said that when Lee Riddell heard that, she indicated that she did not have to be part of this meeting and hung up. Trustee Cornachio said that on the following Monday he had received an inquiry from Lee Riddell about the Tuesday meeting. He indicated that he told her that he had sent her an e-mail that indicated that the meeting was at 6:30. He stated to the Board that he had had other e-mail correspondence with her as well regarding this meeting: one in which she asked what was the conference room phone number; another in which she indicated that she would join the meeting; another one in which she inquired about whether there were any minutes of the Friday meeting, to which he responded it wasn't that type of meeting but that minutes could be drawn up if she wanted, although it really wasn't that type of meeting because it wasn't a search committee meeting. With respect to that last e-mail, Trustee Cornachio stated that Lee Riddell indicated that she needed to check further with Albany. About 10 minutes later (which was about 35 minutes before the meeting), Trustee Cornachio stated that she called back and stated that she would not be part of that conference call after all.

Trustee Cornachio stated that an hour after the meeting (7:30 p.m.) that night, the Chancellor sent a second e-mail in which she indicated that things have gone too far. Trustee Cornachio indicated that he had given Lee Riddell a series of emails earlier that day that reported what happened at the Friday meeting and that indicated that the trustees who were not part of the search process were extremely impressed with what they had heard and were convinced that the allegations were not true. Trustee Cornachio said that he inquired whether she had shared that information with someone at SUNY and whether someone at SUNY had, nevertheless, indicated that there should not be any further investigation and that SUNY was not interested in hearing what the search committee members had to say, even though that material could have been provided within one or two days after that Tuesday meeting.

Vice Chancellor thanked Trustee Cornachio and said that she appreciated his comments and for his time and efforts that went into this search. She indicated that she had no doubts that Mr. Cornachio took this task seriously. With respect to Trustee Cornachio's question on how an assessment was made to halt the search, the Vice Chancellor responded that, there were some letters and concerns and that SUNY did have a representative, Lee Riddell, at the table during the search who was in a position to make her own observations. The Vice Chancellor indicated that she had intentionally asked Lee Riddell not to be present at this Board meeting because the purpose of her (the Vice Chancellor's) presentation was to move forward not to engage in a "he said/she said" discussion.

The Vice Chancellor further stated that the decision has been made by the Chancellor and that she doesn't make those decisions lightly, either. The Vice Chancellor stated that the Chancellor does not make her decisions without information and that the review and due process included concerns by SUNY's representative (Lee Riddell) who is only a liaison to the committee. The Vice Chancellor stated that Lee Riddell provided information to SUNY. She indicated that it was at that point the Chancellor asked Trustee Prime, as Chair of the Board, to do a review/investigation. When he resigned, it was the Chancellor's view that at that point, the search was compromised.

Trustee De Grace stated when the Board was requested to investigate; he had brought up the concept of having our own internal investigation. He and Trustee Drucker conducted the meeting that Friday night and thought it went well. Trustee DeGrace further stated that after Trustee Prime had resigned, the Board members should have continued their internal investigation but SUNY did not give it the opportunity. He indicated that it was wrong not to give the Board that opportunity.

Trustee Cornachio stated that he believed the Vice Chancellor read everything she had but that he was not sure if everything had reached her. He said that he knows that she was sent letters from the AFA and NCCFT unions, the Chairs, and esteemed faculty.

Trustee Cornachio and the Vice Chancellor then engaged in a dialogue as to what the process was going forward and what were the powers of the Chancellor under the law with respect to the search. The Vice Chancellor gave her assurance that going forward the process will be proper and that SUNY Guidelines will be followed to the letter of the law.

Trustee Powers asked under what provision of the statute did the Chancellor direct the Board to suspend the search.

The Vice Chancellor responded that the Chancellor wants a new search and that she would not put forth to the SUNY Board of Trustees any candidate unless she is confident in the new search. She read from the email of May 14 from Chancellor Zimpher.

Trustees Powers asked the following questions: what in the law authorized the Chancellor to suspend the search? Is she guiding us to end the search? What did Trustee Prime's resignation have to do with suspending the investigation? The Vice Chancellor responded that she had already responded to those questions.

Trustee Donnelly asked why, in Chancellor Zimpher's mind, was the search compromised.

Trustee Drucker expressed his concern that there were allegations and that members of the search committee and the Board had not been given a chance to respond. He stated that it is necessary to come to a valid conclusion that is satisfactory to all. He indicated that for that to occur, it was necessary to know why the search and when the search was compromised. He stated that when SUNY can provide those answers, then it would be possible to move forward.

The Vice Chancellor indicated that there were things that she could not discuss in public session relating to this situation because they are personnel matters. She added that the Chancellor has written on two occasions about these irregularities (in her emails) and that it is not her objective to embarrass anyone. The Chancellor just wants to move forward.

Trustee Drucker stated that he was not satisfied with that response.

The Vice Chancellor further responded that she was impressed by what Trustee Drucker said, but that the Chancellor has the authority to reject the search or to charge a local BOT to redo a search.

Trustee Drucker further responded that there has been collateral damage to the reputations of the members of the search committee and that "to pull the plug is basically besmirching the reputations of the search committee."

The Vice Chancellor then stated that she was not questioning the integrity of the search committee and neither was the Chancellor.

William Howard, SUNY Counsel explained that this is an administrative process, not a court of law, with multiple laws of governance. He said that the Chancellor had direct and indirect evidence, not just media reports. He noted that the Chancellor does not have to meet the rules of evidence in a court. Mr. Howard said that the issue is not about integrity of any individual; he said that it's about the process. He indicated that the Chancellor believed that it is a favor to the candidates to stop the search now because if the Board puts forth a name of a candidate and the Chancellor rejects him or her, then it could be perceived as being about the individual and not the process.

Trustee Drucker then asked what is the legal authority under which Chancellor Zimpher suspended the search.

William Howard responded that the statute says that searches shall be conducted by guidelines by the Board and the Chancellor and the ultimate authority/approval of a candidate is subject to the recommendation of the Chancellor.

Trustee Cornachio explained that the search had cost \$150,000 and under the contract if the Board rejects all candidates or if a president isn't selected, then, pursuant to the contract, the search firm would be obligated to do up to three searches at no additional cost. He stated that if, however, the Board did not go through with its obligations then the College would have to incur the cost all over again. Trustee Cornachio also indicated that he is concerned for the three finalists. He indicated that Elana Zolfo told him that the Dowling Board hired a different interim president (note--see article in the May 30 "Newsday") because they knew she was a finalist. Trustee Cornachio stated that Joyce Ester is concerned because her Board fired an administrator who was looking for another job and her Chancellor knows she is a finalist. The other candidate has a job.

Trustee Cornachio stated that there is nothing in the statute that gives the Chancellor the right to suspend a search or to order a new search. He said that she could at the end of the process influence the Board at SUNY, but that's all she can do. He further stated that the search committee needs to do what its conscious tells it to do, which is to follow the lawful procedure that's been started. He indicated that he believed once the inquiry was going in a way that was not satisfactory to SUNY, SUNY decided to suspend it.

Trustee DeGrace commented that this is an expensive do-over.

Trustee Powers cited Section 5 of the SUNY Guidelines recommending that a temporary or interim executive not apply for the permanent position as president.

Vice Chancellor responded that when Pres. Astrab left, she had met Trustee Prime and gave him options--SUNY could appoint an interim president or you can go with an internal appointment. She noted that the Board had made the choice to offer Dr. Saunders the job. Section 5 is a guideline and recommendation, not a law.

Trustee Powers replied that, if, therefore everything is a recommendation, then the Board could continue the search. He added that if there is a new search, the Board will require that the guidelines be followed to the letter of the guidelines. He concluded that the Board could continue with the search.

Trustee Adams said that she cringes when she hears about untrue comments about the Astrab search committee. She stated that it was not too large and it did not encounter the difficulties that are present today.

Trustee Cornachio responded that Trustee Adams should speak to SUNY Associate Counsel, Dona Bulluck, who has said that the committee for the previous search was much too large.

Trustee Amin stated that he provided the student perspective on the committee as to what is needed for the College. He said that what is at stake here is our students. He expressed a concern that the Vice Chancellor was not at the Board meeting to listen, but, instead, to tell people at the College about a decision that was made. He added that what was needed was to move forward together, and that he was not seeing that.

The Vice Chancellor thanked Trustee Amin for his passionate comments and restated that it is time to move forward.

Speakers

Faren Siminoff, NCCFT Secretary, expressed her concerns with the Chancellor's decision to halt the search and requested that the Chancellor put forward the credible evidence based on named sources to support her contention that the presidential search was mishandled. She added that the search process must stand and that it was necessary to respect Nassau Community College's right to home rule as well as our process of shared governance.

Kimberley Reiser, Prof. of Biology and member of the presidential search committee, read a statement attesting to the integrity of the search process; asked the Chancellor to incorporate the evidence she was providing to the Board that addressed each of the Chancellor's allegations into her reasoning when judging the integrity of the search process; and stated that the search process should proceed and honor the recommendations of the search committee.

Jason Gorman, Prof. of Art, stated that the process already allows for there to be a new search if none of the current candidates are approved by the Board; that Chancellor Zimpher has determined that there should be a new search, during which time Dr. Saunders would, as she prefers, continue as Acting President, and that she did this without evidence and in defiance of the SUNY guidelines; that some members of the administration of the College have taken an active role in Dr. Saunders bid for president and there is obviously financial motive for them in terms of job security and that a small number of people have attempted to discredit the three candidates and the members of the search committee, even though these individuals had not participated in the interviews or have access to applications; that a wide majority of the search committee did not think that Dr. Saunders presented well and that there is a lack of evidence and a lack of motive in any wrong doing; and that the Chancellor has sided with those who all have motive to influence who is the next president by using deception and corruption instead of first trying to reason with the Board.

Ed Boyden, Academic Senate Chair, commented that SUNY and Nassau Community College are governed by a set of shared values, set of shared ideas, and a set of shared concerns and it is his belief that SUNY has lost sight of that. One of those ideas is that those decisions are supposed to be made on a basis of facts and evidence. He said that the Chancellor's decision to order the cancellation of the search was on the basis of no evidence. He also feels it is impossible to attack the integrity of the process without attacking the integrity of the search committee members.

Philip Nicholson, Prof. of History, expressed his concerns that this shameful and disgraceful process that was initiated in Albany is not going to be forgotten.

Robert Gaudino, Adjunct Prof. of History and Vice President of AFA, stated that challenging the integrity process does challenge the integrity of the committee and its members. He said that the search process should continue as is.

Debra DeSanto, President of NCCFT and member of the search committee, expressed her concerns with Chancellor Zimpher's decision to conduct a new search. She stated that only those of us who served on the search committee really know what happened, only those of us who served on the search committee and signed confidentially and held up to that confidentially have the facts. She noted that there are allegations of bias and racism but asked where are the facts. She said that all candidates were asked the same questions in the same order by the same person and asked how someone can claim that he or she was treated differently without knowing how the others were treated. She urged that the search move forward. She said that she is disappointed that this search has brought such bad press to NCC.

Evelyn Deluty, Professor of Philosophy, expressed her concerns with the Chancellor's actions which constitutes an assault on the integrity of the members of the search committee and the autonomy of the college and the Board of Trustees. She requested that the Chancellor wait for the results of the investigation before cancelling the search

David Stern, Prof. of Physical Sciences, thanked the Board for having this open meeting. He asked a question for the Chancellor, "Why do you want to diminish community colleges especially the best community college in the state?" He added that this is not the first time the Chancellor has shown a disdain for community colleges. He stated that she has also shown that with respect to the Seamless Transfer issue, this is the biggest threat to community colleges. It is his belief that the Chancellor made a mistake and that unless she admits she made a mistake, the College can't move forward.

Victor Abravaya, Prof. of Theatre, read a statement on behalf of Prof. Lynn Mazzola, who is the Chair of Chairs, questioning the actions of SUNY representative Lee Riddell during the search process. Prof. Mazzola noted that Lee Riddell addressed the search committee advising them that they did an excellent job in choosing three outstanding candidates from a good pool of candidates. In addition, Prof. Mazzola stated that never in public or in private discussions did Lee Riddell ever express any concern with the search process, candidate interview, or the recommendations of the committee. Prof. Mazzola then asked whether Lee Riddell has now changed her mind, or did someone change her mind for her, or did the Chancellor not ask her own SUNY representative what happened? Prof. Mazzola said that the process should move forward with the campus interviews.

Victor Abravaya, Prof. of Theatre, asked the Vice Chancellor what are the alleged irregularities and does she have a list and on what basis did the alleged irregularities become fact? He stated that the only irregularities in the process have been by the Chancellor's office and Carl McCall in arriving at a conclusion through a process that most resembled a kangaroo court.

Trustee Conachio added that he heard most of the conversation between Lee Riddell and Prof. Mazzola and that Prof. Mazzola's description reflects what he heard.

Frank Frisenda, NCCFT Vice President, voiced his concerns with the racist and sexist remarks mentioned by previous speakers. He asked if there is another search committee, will it have to be vetted and will the

vetting process be supervised by the Chancellor? He, then, addressed the Vice Chancellor and stated that it is remarkable how much evidence was presented to the Chancellor and how difficult it was to have her come to NCC when there was a vote of no confidence in Dr. Astrab and yet now, with nothing but shameless unsubstantiated accusations, you come with your legal representative.

Florence Boodakian, Prof. of English, expressed her concerns that any investigation be conducted very carefully and urged the Board to be very cautious about who and when they investigate because there's a lot of things going on here that are not transparent to the faculty but which should be transparent to the faculty.

Esther Bogin, Prof. of Communications, requested that the Trustees take a unified protest to Chancellor Zimpher's sudden turnaround decision now supported by the SUNY Board of Trustees. Acting President Saunders chose not to take the advice of the SUNY recommendation by applying for the position of president. He also chose to go out of the college community and draw negative attention to NCC. She urged the Board to stand up for the reputation of the search process and the committee.

Charles Loiacono, President of AFA and member of the search committee, expressed his belief that the search should not be abandoned. He stated that the Chancellor had made a mistake – she shot from the hip and she missed the mark. He added that he believed the Chancellor would probably have a hard time now backing off, but also that those supporting the continuation of the search process were not going to back off, either.

Anissa Moore, Prof. of Communication and President of ALANA, read a letter expressing her gratitude to Chancellor Zimpher for her decision to suspend the search. She also said that it was ALANA's mission to point out the lack of representation on the presidential search committee and that the unfair allegations against ALANA had divided the NCC community on racial grounds.

Phyllis Kurland, Prof. of Student Personnel Services, supported Prof. Moore's call for civility and equality on campus. She noted that this all started with an email from one of the Trustees. She stated that he may not be a racist or sexist, but that the language in his e-mail was. She added that it disturbed her that no one on the Board has commented and that some members of the faculty are not recognizing that that language was offensive.

Kimberley Reiser, Prof. of Biology, responded to Phyllis Kurland's comments saying that the Academic Senate Executive Committee had sent out an e-mail reminding the college community of the process and of the procedures in place when there are issues of Bias and Discrimination. She also responded to Prof. Moore's comments and asked the Board to refer to appendices D, E, F, G, H, I, and L in the documents she provided which address many of the issues to which ALANA claim.

Trustee Amin voiced his opinion that the search should stand as is and the three candidates are diverse and qualified. He stated that it is his opinion that we are now not going to get the kind of candidate NCC is looking for since no one in their right mind would apply for the position. He noted that NCC has a highly educated faculty who are qualified to run NCC, but none of them had applied for the position of president.

Trustee Cornachio suggested that people who were concerned about the Chancellor's actions should go to the legislative oversight committees. He noted that there are four NYS Senators who are in the Nassau/Suffolk region – they are on the Senate Committee on Higher Education and on the Assembly Committee on Higher Education -- and that any one of those committees could start an investigation. They could ask the Chancellor and her staff why did they send those e-mails to the College. He said that after reviewing the

situation, they may conclude that there's a need for a legislative change. He stated that people, as taxpayers and as constituents, can contact their senators and their assemblymen and say "what's happening here is wrong – it's an insult to the integrity of Nassau Community College and the people who make it what it is today and we want something done about it". He indicated that the result of this effort might be that the SUNY Trustees would no longer have the right to approve or reject a president that is recommended by a local Board of Trustees.

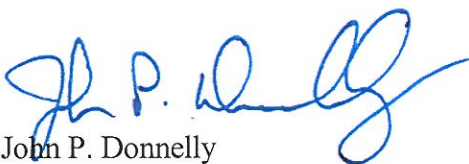
Ed Powers commented that summer and fall registration is way down. He said that the proposed budget projects a 1% drop in the FTE, but at this point the indication is that the drop in enrollment could be double digits, which would have major ramifications for the College's budget. He said that because of the controversy and innuendo in the press regarding the integrity of the search committee member's people are holding back from having their kids come to the College. He expressed concern that when the budget is considered, as it will be soon, there may have to be major, major cuts. He reiterated that the Chancellor has no authority to stop this search. He stated that the Chancellor should get all the facts and, then, contact the Board again. He noted that several of his fellow search committee members are present in the audience and that although they can speak for themselves, he would also vouch for them as persons of the highest integrity and who took this process seriously and came to it with an open mind. He stated that for the sake of the College and the sake of the \$213 million budget there is the need to move forward with the presidential process.

The next Finance and Capital Committee meeting is scheduled for Tuesday, June 18, 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 Donnelly moved the motion; seconded by Trustee Amin. Motion carried 8-0.

Meeting adjourned at 8:42 p.m.

Respectfully submitted,



John P. Donnelly
Secretary