

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of November 13, 2014

The five hundred seventy-fifth meeting of the Board of Trustees was held on Thursday, November 13, 2014 on the eleventh floor of the Administrative Tower.

The meeting was called to order by Chair Gardyn at 6:55 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Arnold W. Drucker, Secretary;
Anthony W. Cornachio, John A. DeGrace,
Wanda Jackson, Edward W. Powers, Patrick Deegan, Student Trustee.

Absent: Mary A. Adams

Also in attendance: Kenneth Saunders, Chuck Cutolo.

Approval of Minutes

Chair Gardyn requested a motion to approve the minutes of September 15, 2014. Trustee Cornachio moved the motion; seconded by Trustee Weiss. Motion carried 8-0.

Chair Gardyn requested a motion to approve the minutes of October 14, 2014. Trustee Weiss moved the motion; seconded by Trustee Drucker. Motion carried 8-0.

1. Trustee Weiss introduced the following resolution:

RESOLVED, THAT THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES APPROVED REQUISITION #64664 IN THE AMOUNT OF \$242,088.05 AS REQUESTED BY VP FACILITIES MANAGEMENT/DESIGN & CONSTRUCTION DEPT. PROVIDED BY LPC, INC. FOR LABOR AND MATERIALS FOR THE INSTALLATION OF BLUE LIGHT EMERGENCY PHONES IN VARIOUS LOCATIONS ON CAMPUS. (FUNDING SOURCE: CAPITAL BUDGET)

Chair Gardyn requested a motion to consider this item. Trustee Deegan moved the motion; seconded by Trustee Cornachio. Motion carried 8-0.

2. Trustee DeGrace introduced the following resolution:

RESOLVED, THE NASSAU COMMUNITY COLLEGE BOARD OF TRUSTEES APPROVES AND ADOPTS THE 2014-2024 NCC FACILITIES MASTER PLAN.

Chair Gardyn requested a motion to consider this item. Trustee Weiss moved the motion; seconded by Trustee Cornachio. Motion carried 8-0.

Chair Gardyn made a motion under Article IV section 3(f) of the Rules of Procedure to allow for the consideration of an item that does not appear on the Calendar. Trustee Weiss seconded the motion. Motion carried 8-0.

3. Trustee Jackson introduced the following resolution:

RESOLVED, THAT THE RENTAL FEE BE WAIVED FOR USE OF NASSAU COMMUNITY COLLEGE FACILITIES BY THE LAKEVIEW YOUTH FEDERATION FOR THE 24th ANNUAL FRIENDSHIP GAMES IN DECEMBER 2014 AND JANUARY 2015, AND BE IT

FURTHER RESOLVED, THAT ALL ASSOCIATED PERSONNEL AND MAINTENANCE COSTS WILL BE BORNE BY THE USER.

Motion carried 8-0.

4. Trustee Cornachio introduced the following resolution:

RESOLVED, THAT THE BOARD OF TRUSTEES HERewith APPROVES AND RATIFIES THE EXECUTION OF A CERTAIN SETTLEMENT AGREEMENT, BY THE CHAIRMAN OF THE BOARD OF TRUSTEES, DR. JORGE GARDYN, RESOLVING IN ALL RESPECTS THE LITIGATION BETWEEN THE COLLEGE AND WITT KEIFFER, WHICH AGREEMENT THE BOARD HAS PREVIOUSLY REVIEWED AND WHICH IS DATED 10/17/2014.

Trustee Cornachio commented that he was pleased with the work done by John Gross regarding the settlement.

Chair Gardyn requested a motion to consider this item. Trustee Drucker moved the motion; seconded by Trustee Jackson. Motion carried 8-0.

5. Multiple Measures of Predicting Student Success – Not Called.

Dr. Saunders reported on the following items:

1. Asked all to support the Middle States kick-off on November 20 because this process involves every constituency on campus. He also urged all to cooperate with the Middle States Steering Committee members who are responsible for each of the Standards and who have been reaching out to the campus community asking questions in preparation of the Self-Study report.

2. Saluted all the NCC Athletic Teams: the football team, which has been invited to Scottsdale, Arizona to represent NCC in a major competition, as well as our Lacrosse, Wrestling, and Soccer teams, which are also doing exceptionally well.

3. On Monday, November 10, the Veterans Resource Facility opened. He thanked Kris Goldsmith (President of the Veterans Club at NCC), Joy DeDonato, Executive Director of the NCC Foundation, and Joe Muscarella, and Chuck Cutolo for their work in preparing for this event.

4. One of the conditions of the new NCCFT contract was to establish a joint committee of the administration and the faculty to address the issue of retention. The first meeting is scheduled for November 25. The committee is to identify issues that impact the retention of our students and make recommendations that will help in addressing these issues.

5. Academic Senate passed a resolution today for a modification of the Seamless Transfer process that requires each of the areas to modify the requirements for graduation to 64 credits. This is a resolution supported by the administrative representatives who were present at the Academic Senate meeting. However, the Administration believes that there are still issues raised by the resolution that require further discussion. He applauded the CWCC and the Academic Senate on moving this to this point.

Speakers

Bruce Urquhart, Chair of the Academic Senate Developmental Committee, commented that good research cannot be rushed and the time limit the Board has given is unreasonable. He stated that the Committee should be following the academic calendar that it was given and that was agreed to through that governance process to complete its work. He stated that administrators were petitioned to serve on the Committee and to provide us information. He reported that the Committee has met several times, but still doesn't have that much information to work with. He indicated that the Committee needs that information and that the College Administration has a lot more resources than he does as chair of Developmental Education Committee. Good research, good information would be very helpful. He believes that a March deadline is completely unrealistic.

Trustee Cornachio urged the Developmental Education Committee to do the best it can. He noted that the Committee is going to have an opportunity to make monthly status reports, so that if there's a problem that comes up, the Committee can tell the Board's Academic Affairs Committee about it.

Cathy Fagan, Assistant Professor in the English Dept. and Coordinator of English Writing Placement for the past eleven years, Ph. D., two master's degrees, and 35 years or more experience in teaching composition, literature, grammar, and students. Read the following statement:

"Tonight you have determined that the faculty of the Developmental Education Committee must do the bidding of the BOT.

To wit:

- You have articulated that our work in determining assessment of incoming students is not "rocket building" and can be done immediately since it is "simple."
- You have made that determination with no conception what so ever of what we do or how we do it.
- You have determined that, incapable as you judge us to be, we must make monthly reports to you—our probation officers—so you will know that in the TWO meetings we have until March, we are doing what we've been told.
- You have determined without understanding the exemption policy, that you are talking about that we are keeping many many students from coming to the college; and therefore, we must adopt scores so low that the College Board itself determines that over 60% of students taking the tests score higher.
- You would like us to replicate CUNY's exemption levels which are essentially the basis of functional illiteracy.

I suggest the following as a much simpler and more straightforward:

- Eliminate placement testing completely; save the money, fire all the people overseeing placement testing, and relegate all of our students to credit-bearing, college level courses, where they will either:
- EXCEL
- DROP OUT
- FAIL . . . *the way our high school students now do.*"

Professor Edward Boyden, Academic Senate Chair, spoke of his concerns regarding the two recent Board of Trustees resolutions: Seamless Transfer and the one tabled during the Academic Affairs Committee earlier in the evening (Multi Measures). He noted that Dr. Saunders had said earlier that the College is now preparing the self-study for the NCC's decennial review by the Middle States Association of Schools and Colleges who is our accreditor. Professor Boyden said that since the Middle States visiting team is expected to be at the College in the Spring of 2016 he wanted everyone to hear his concerns since NCC is governed by Middle States. He quoted the following excerpts from Middle States:

“Middle States Standard #3 on Leadership and Governance and this refers to the Board of Trustees or whatever the Governing Board of the College is. Of the Board, this is quoting: “*should not manage, micro manage, or interfere in the day-to-day operation of the institution,*” that’s a direct quote. Another direct quote: “*In financial affairs, the members of the governing body (that’s you) should confine themselves, as they do in academic matters, to a basic policy-making role.*” He then stated that his concern is that by the Board interjecting itself to this degree in the internal matters of the College there is a risk that NCC will potentially be *out of compliance* with Standard #3 according to Middle States.

Professor Boyden then spoke of his concerns with Standard #4: Fundamental Elements of Leadership and Governance: He quoted, “*An accredited institution is required by Middle States to demonstrate these qualities: An institution must have a well-defined system of collegial governance including written policies outlining governance responsibilities of administration and faculty and readily available to the college campus community. The written governing documents should delineate the governance structure and provide for collegial governance, and the structure’s composition, duties and responsibilities. The governing document should assign authority and accountability for policy development and decision making, including a process for the involvement of appropriate institutional constituencies in policy development and decision making.*”

He then indicated that Middle States requires the College to have a collegial system of governance and in his view, if the faculty feels that a gun is being held to their heads, then he questions whether that is what Middle States considers -- a collegial governance. He also stated that this standard requires the College to assign particular responsibilities to particular bodies within the College -- the Academic Senate, the academic senate committees, the college administration as reflected in the Academic Senate by-laws -- and they need to be respected.

Professor Boyden then quoted the following from Standard 10 Faculty, “*An accredited institution is required to have educational curricula designed, maintained, and updated by faculty and other professionals*”. He states that Middle States clearly says that that kind of thing is the responsibility of the faculty. He also quoted from Standard 11 – Educational Offerings, “*requires an accredited institution to have a clear distinction between pre-college and college level study.*”

He concluded that his concern is that the sum total of the Board's actions recently may put the College out of compliance with one or more of these standards and therefore jeopardize our accreditation, and he urged the Board to take his concerns into consideration as it moves forward. He also reiterated what Prof. Urquhart said and what he said earlier with respect to the fact that the faculty involved with the Academic Senate's activities all teach, all have classes that they have to get to, and all have other things to do. He urged the Board to recognize that if it wants something done, then it’s necessary for the Board to understand that the faculty have other things to do other than just Academic Senate work and committee work. He stated that the Board can make all the deadlines it wants, but speaking for himself, if the deadlines are not realistic given the faculty’s other commitments, then the work is not going to happen. He urged the Board to consider whether any of its actions will put the College in trouble with Middle States.

Dr. Gardyn asked speakers to provide copy of their written statement in order for their comments to be entered into the minutes in their entirety as presented. The Board does not want to redact them.

Professor Phyllis Kurland, Student Personnel Services, had a question and a statement. Her question referred to the resolution that was passed at the Academic Affairs Committee meeting. She indicated her uncertainty as to the result of that resolution. Specifically, she noted that the resolution calls for the Development Education Committee to work on a particular issue and she noted that in its discussion, the Academic Affairs Committee members spoke about collaborative work, but the resolution didn't speak about that. Therefore, her question was- what happens if faculty do not come up with the result that the administration seems to want and if the faculty has data to back that up what will happen. She asked what will the Board do in March if it doesn't get the result that maybe it and the administration are looking for.

Trustee Cornachio indicated that the Board will cross that bridge when it comes.

Professor Kurland indicated that the reason she was asking this question is that the resolution that was tabled in Committee really called for a particular result. She stated that she did not believe that there exists an era of collaboration. She asked whether the result of the discussion in the Academic Affairs committee was merely to say that the Developmental Education Committee must come up with the same result but it must do it by March. She indicated that was her interpretation of what had happened in the Academic Affairs Committee.

Dr. Gardyn commented that he has the utmost confidence that the faculty will with renew vigor work with Administration to try to discuss and come up with the appropriate answers to present to the Board in a timely fashion.

Professor Kurland responded that she hoped that the Board will be open to all perspectives at the time. She also noted that she was saying this in light of Acting President Saunders' remarks about a Retention Committee that's about to start working. She stated that she is the Chairperson from the union side of that retention committee and it is her belief that the members of the Committee would not take kindly to having these kinds of deadlines and mandates imposed upon it. She stated that if we're going to look at retention then we have to look at it openly and with all possibilities available and that it can't have any mandated results in advance.

Trustee Cornachio responded that what is being considered does not call for designing a new system. Instead, what is at issue relates to what has been the imposing of requirements, rules and regulations upon the student body for any number of years now. He stated that what the Board is now saying is that it would like to see the data produced that supports these requirements, rules and regulations and that the Administration should provide the information as to what other universities and colleges are doing. He stated that there has to be a rational basis for the current policies. He indicated that he hopes there are good sound reasons for what's being done and that he hopes that they are in some written form.

Professor Kurland responded: "As long as you're interested and open to seeing whatever the committee comes up with- that's great!"

Trustee Cornachio stated that he thought Trustee Weiss was very, very clear that there's a tremendous amount of deference that this Board and the Academic Affairs Committee is giving to the people who are being charged with that responsibility.

Professor Frank Frisenda, NCCFT Vice President, stated the following: "I've gone from disappointment to depression to anger to rage and now I'm listening to my mother's voice telling me, Frankie don't do it. When I

speak to someone and they come to me and say, 'we don't want to get involved in the academics and the academic affairs of this college because we really don't understand it and we are only passing a resolution because we are trying to nudge you along to pass a mandate that has to be done, that sound familiar to anyone?'"

Dr. Gardyn replied that he had said those words.

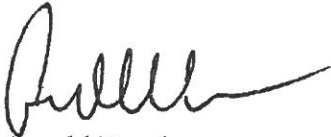
Professor Frisenda responded that those words sounded differently than what he was hearing during the Academic Affairs Committee and the Board meeting this evening and that is a concern to him.

Chair Gardyn announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, December 9, 2014 at 6:15 p.m. followed by the Full Board meeting. The Board will open the public session between 7:30 and 7:45 p.m. and resume the public session approximately 8:15 p.m.

Chair Gardyn requested a motion to adjourn the meeting. Trustee Cornachio moved the motion; seconded by Trustee Jackson. Motion carried 8-0.

Meeting adjourned at 7:25 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Arnold Drucker', with a long, sweeping horizontal stroke extending to the right.

Arnold Drucker
Secretary