

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of February 9, 2016

The five hundred ninety-third meeting of the Board of Trustees was held on Tuesday, February 9, 2016 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;
John A. DeGrace, Linda H. Green, Wanda H. Jackson,
Edward W. Powers, Donna M. Tuman, Jennifer Borzým, Student Trustee.

Absent: Anthony W. Cornachio

Also in attendance: Interim President Thomas Dolan, EVP Kenneth Saunders

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) 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 and 2) potential litigation with Nassau County Comptroller. Trustee Drucker moved the motion; seconded by Trustee Jackson. Motion carried 9-0.

Chair Gardyn resumed the open meeting at 8:27 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Arnold W. Drucker, Secretary;
John A. DeGrace, Linda H. Green, Wanda H. Jackson,
Edward W. Powers, Donna M. Tuman, Jennifer Borzým, Student Trustee.

Absent: Anthony W. Cornachio

Also in attendance: Interim President Thomas Dolan, EVP Kenneth Saunders

Dr. Gardyn congratulated and introduced the NCC Cheer Team and its advisor Alana Pelizzoli for its 1st Place finish in the Open-All Girl division at the UCA and UDA (Universal Cheerleaders and Dance Associations) College Cheerleading and Dance Team National Championships that took place at the ESPN Wide World of Sports Center in Orlando, Florida from January 15-17. The team performed a cheer for the audience.

Approval of Minutes

Chair Gardyn requested a motion to approve the minutes of January 12, 2016. Trustee Drucker moved the motion; seconded by Trustee DeGrace. Motion carried 8-0-1 (Jackson).

1. Trustee Jackson introduced the following resolution:

RESOLVED, THAT THE RENTAL FEE BE WAIVED FOR USE OF NASSAU COMMUNITY COLLEGE PHYSICAL EDUCATION COMPLEX FOR THE 2016 NASSAU COUNTY EMPIRE STATE GAMES FOR THE PHYSICALLY CHALLENGED, SCHEDULED FROM THURSDAY, JUNE 2 THROUGH SATURDAY, JUNE 4, 2016 AND BE IT

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

Chair Gardyn requested a motion to consider this item. Trustee Weiss moved the motion; seconded by Trustee Borzym. Motion carried 9-0.

Chair Gardyn noted that as Medical Director of these Games for five years he witnessed amazing feats by physically challenged student athletes in swimming and wheelchair basketball.

2. Trustee Weiss introduced the following resolution:

RESOLVED, THAT THE FOLLOWING NAMED FACULTY MEMBERS ARE HEREBY GRANTED SABBATICAL LEAVE AS INDICATED DURING THE 2016-2017 ACADEMIC YEAR TO PURSUE APPROPRIATE EDUCATIONAL OR PROFESSIONAL ACTIVITIES TO ENHANCE THEIR PROFESSIONAL COMPETENCE AND/OR SERVICE TO THE COLLEGE.

One Half-Year Sabbaticals – Fall 2016

| <u>Name</u> | <u>Dept.</u> | <u>Rank</u> | <u>Appt. Date</u> | <u>Previous Sabbatical</u> |
|--------------------|-------------------|---------------------|-------------------|----------------------------|
| Ellen Botkin | Math | Associate Professor | 9/2002 | None |
| Claudia Cage | Art | Associate Professor | 9/2005 | None |
| Gregory Lehenbauer | Physical Sciences | Professor | 9/1997 | None |
| Maureen Palmieri | Art | Professor | 9/2001 | Fall 2009 |

One Half-Year Sabbaticals – Spring 2017

| <u>Name</u> | <u>Dept.</u> | <u>Rank</u> | <u>Appt. Date</u> | <u>Previous Sabbatical</u> |
|------------------------|--------------------|---------------------|-------------------|----------------------------|
| Consuelo Arias | Foreign Languages | Associate Professor | 9/1997 | Spring 2010 |
| Thomas Emmerson | Art | Associate Professor | 9/2003 | None |
| Janet Farrell-Leontiou | Communications | Associate Professor | 9/1995 | Spring 2009 |
| Virginia Hromulak | English | Associate Professor | 9/2001 | Fall 2009 |
| David Pecan | English | Assistant Professor | 9/2008 | None |
| Christopher Poullos | History/PolSci/Geo | Assistant Professor | 9/2003 | None |
| Ann Tabachnikov | English | Assistant Professor | 9/2007 | None |

Chair Gardyn requested a motion to consider this item. Trustee Power moved the motion; seconded by Trustee Tuman. Motion carried 9-0.

Dr. Dolan reported on the following items:

1. Congratulated Frank Frisenda on being newly elected as NCCFT President.
2. Congratulated the NCC Cheerleading Team and its coaches for its 1st Place finish in the Open-All Girl division at the UCA and UDA (Universal Cheerleaders and Dance Associations) College Cheerleading and Dance Team National Championships held January 15 -17, in Orlando, Florida.
3. Congratulated Professor Trent Webb, Department of Communications, and students Randy Perez, Mike Valentino, Jaslin Kaur, Conner Buckley and Thai Branch of the NCC Speech and Debate Team for their victory as Top Community College at the New York/New Jersey State Championship that took place at Hofstra University this past weekend.
4. Mentioned Sunday's March 6th *Newsday* article, *Warriors New Battle*, of which a few NCC students are the focus. The story reports on the public policy issue of volunteer military veterans who, unable to cope with the hostile battle environment, have been compelled to leave service and consequently have been denied full benefits. Kristofer Goldsmith, graduate and former President of the Student Veterans of America at NCC, has been leading the charge from Columbia University on this apparent injustice.
5. Thanked Alicia Steger and her office for timely announcements of class delayed openings and cancellations, and Joe Muscarella and his crew for the clean-up efforts after the January 25th blizzard.
6. Portions of a SUNY PIP (Performance Improvement Plan) were read at the Academic Senate meeting. All present were disturbed by "poorly stated" and "offensive" phrases, and a motion was made and unanimously endorsed to start the process to rescind and/or modify the filed report. Dr. Dolan accepts responsibility for its transmission.

Chair Gardyn remarked that the SUNY PIP reporting was a new requirement by SUNY and the State last year, and that the Board will establish a review process so that moving forward any statement issued by NCC will be reached through shared governance and will be collegial, informative and productive.

Trustee Weiss, read the following statement:

"I received an email last week that disturbs me greatly. It was an email to Johanna Duncan-Poitier, Senior Vice Chancellor of SUNY. I was blind copied on the email. I sent a copy of the email to my colleagues on February 5th, the same day that I received it. I have not been able to verify who the sender is. However, I feel that I must comment. Within the email, there is an accusation concerning one of the candidates for President and statements that he made concerning his candidacy status. In addition, there is an accusation concerning a member of the administrative staff who has purportedly tainted the search process through his actions. If any of this is true, I am deeply concerned and obviously very upset. We, as a Board, asked two of our colleagues to chair the search committee for a second time and asked two other members to serve on the committee. The time that all of the committee members devoted to the process last year, and again this year, was enormous. If any of my colleagues have verbally or otherwise committed to a candidate prior to our interviewing all four candidates, I urge them to resign immediately. If any Board member has been told by outside parties who they should vote for, then that Board member should admit to that at this time and resign. When we agreed to become Trustees of this College, we did so because we were committed to the education of students and not to further our employment or our political status. I am disgusted that if the allegations are true in whole or in part that we wasted \$100,000 on an ill-conceived search – money that could have been spent to enhance our instructional program."

Trustee Drucker read the following statement:

"I would also like to make some comments. As disturbed as Trustee Weiss is, you can multiply that by a hundred, and that's as disturbed as I am. I can't speak for Trustee Jackson, but I'm sure she's equally as

disturbed – because we have invested, dedicated, devoted a year-and-a-half to this process; and the mere thought that this process could be derailed again sickens me to my core. I don't have a lot of free time, and the fact that I have devoted the time to this – and everyone – the sixteen members of this Search Committee can attest – that the process has been pure, pristine – and for someone, whether it's founded or unfounded, to try to inject some sort of scurrilous or even – just rumors about it being impure – makes me very, very upset. As an attorney by profession I have a real problem with it legally, too, but I'm not going to get into it now. When I first read the email that Trustee Weiss referred to, I immediately informed Chairman Gardyn that the veracity of this email must be investigated, but not by someone affiliated with the College; someone or some entity that is independent – perhaps SUNY or an outside law firm. I'm a firm believer in the adage “where there's smoke, there's fire”, so, although it's unfounded and an anonymous email, I believe it merits investigation. I believe that this email, as unfounded as it may be, has tremendous potential fallout and ramifications as it relates to the current and ongoing Presidential search over which Trustee Jackson and myself, as I said, have devoted a year-and-a-half; and this College has withstood a number of hits over the past couple years because of this process, and the mere possibility that we could have another hit to our reputation sickens me, again. But, again, the process has been unanimously lauded by each and every Search Committee member as pure, pristine and professional; and it pains me to have to make these comments, and I actually lost some sleep over it; but I feel compelled as a member of this Board – and as coming within the ambit of the public office's law – the only way, in my opinion, that we can preserve the integrity of this process, and ensure that all candidates believe that there is a level playing field going forward, is if Dr. Saunders withdraws his name as a candidate immediately. Unfortunately, it is the only way. This would then ensure that our search will not be derailed for a third time, and all of our voluntary time was not wasted. Dr. Saunders, if you care about the reputation of this College and its students, which has taken quite a few hits over these last few years, and you care about that over your own personal advancement, then you should agree with me. “

Trustee DeGrace read the following statement:

“With all due respect to my esteemed colleagues on the Nassau Board, I believe there has been an overreaction to hyped-up rhetoric on the part of a vocal minority of naysayers on this campus. I refer specifically to an email from Andrea Campbell that was forwarded to the Board via Kathy Weiss regarding the Presidential search. The email from Ms. Campbell is nothing more than a rambling string of accusations about perceived improprieties with the search process basically lodged – alleging – over the amount of votes Dr. Saunders expects in the selection process. The last time I checked there was no law about projecting confidence in the outcome of any legally executed search process and subsequent vote. As that is, what she alleges has been alleged. Alleged by whom? Without naming names and getting specific about what wrongdoing occurred, I am perplexed about why we are entertaining this nonsense. I am not sure what Ms. Campbell is alluding to, and what portion of the Presidential Search has been, in her words, “tainted” or “compromised”. I do not know, nor have I known of Ms. Campbell. Is she an employee of the College, a student or perhaps an interested member of the public? I would like to have the opportunity to speak with her in the company of the full Board to learn exactly what her complaint is and the particular sources of this information that cause her such concern. Suddenly an anonymous blog has begun circulating around the campus with vicious character assassinations – another attempt at creating a false scenario to suit a particular agenda, and another example of why we need to remember our cooler, sensible heads. I am disappointed that members of this Board reacted so hastily to Ms. Campbell's email. There will and always will be those who cast aspersions when the political winds blow. However, without specific, credible information to back up their assertions, these allegations should be treated for what they are: factless, baseless and mudslinging. There's no place for such banality on a College campus, and we, as a Board, should rise above the impulse to react and give credence to such juvenile tactics. Everyone is entitled to their opinion and biases, but there is a process in place where candidates

are selected, and a winner emerges. This Board needs to remember that process, adhere to it, and act accordingly with professionalism and the highest ethical behavior even though there are some who might not like the outcome. Thank you very much.”

Trustee Jackson remarks as presented:

The search process that we conducted, Arnie and I believe, was conducted with the utmost care and intent on finding a President for the College. The search process will continue. There's one more candidate that will come for an open forum, and all of you have the opportunity to meet her and ask her the questions you think are important. Post that, the Board will interview all four candidates, and I'm imploring my fellow Board members to make sure that we walk into those interviews for four people with an open mind seeking the person who will take us into the future. In one of the meetings we had earlier, we talked about the campus, and the need to build dorms and find other ways to bring income to the campus. We need somebody who comes here with a strategic mind: that might not be a solution; there may be another; but I implore all of us to come to those interviews, listen to four people, and make a decision on the person who can take this campus into the future.

Chair Gardyn remarks as presented:

I am deeply saddened and troubled that Trustees Weiss and Drucker have sought to take an unfounded allegation and turn it into a new form of sensationalism for the benefit of the present company. I am also very upset that Trustee Drucker would single out Dr. Saunders as the single candidate and ask him to withdraw from the search based on unfounded allegations from an email that is unsourced, unverified. The fact is that you have run such a fabulous job with Trustee Jackson over this 18-month process – and the only unprofessional thing I've seen has occurred tonight with your statement; and I would call upon you to resign as the Vice Chair of the Presidential Search Committee for the statements that you have issued out in public tonight, singling out a candidate based on unfounded allegations, and I will bring this up to SUNY based on your actions tonight.

Trustee Drucker replied that he is not withdrawing and there's a Presidential Search Committee in place which has the authority to decide who is going to be the Chair.

Speakers

Trustee Powers asked Prof. Mazzola if she knew Andrea Campbell? Prof. Mazzola replied, “No, I don't know why you've asked me that”.

Lynn Mazzola, Chair, Accounting and Business Administration, remarks as presented:

I have been on all four Searches. Trustees Drucker and Jackson have conducted this with the utmost professionalism and brought us together as a Search Committee. I was also on a search where there were unfounded accusations against the Search Committee, and this Board deemed, without even speaking to us, to sully our reputations. So, I really object to that, also; and nothing – no one on this Board, did anything about that at that time; and there were, anonymous accusations made about people on that committee. So, remember that when you go into your deliberations on everything else that has occurred here. And, again, I do want to show my appreciation for all the hard work that all the Board members do; and also for those others, Trustee Powers and the student Trustee, for being on this committee. It is not easy. I can say that from doing it four times; and I swore I wouldn't do it the fourth time, and I will not, I promise you, will not do it, a fifth time.

Trustee Powers asked Prof. Hope, “Do you know Andrea Campbell?” Prof. Hope replied, “Never heard of her”.

Prof. Donna Hope, NCCFT VP Classroom Faculty and Professor of the Marketing Dept., read the following statement:

“At a recent NCCFT Executive Board meeting, several faculty members voiced their concerns, two of which I’d like to bring to you tonight. First, one member said: “I would like to see more collaboration between Union, the Administration and the Board of Trustees. We are all here for the students.” This was disturbing to me. We are all here for the students. We have to improve the “us vs. them” attitude, clearly. Second member said, “As a faculty member of this campus, we do not feel respected. What will it take to get respect back?” And that is something I witnessed myself at one of the Presidential forums. I got there early. There were a lot of administrators, many of whom are my friends, who I respect, and I love personally, but any time the word faculty was mentioned there was jeering, there were little snickers, there was -- you could feel it in the room. Which brings me to the theme of the Presidential forums: two of the candidates were asked about tension and the division on the campus. One said, “We have been brought together since the Astrab days. I brought you together since the Astrab days. You could cut tension on this campus with a knife.” One said she could feel the tension – this is an outside person, not a member of our community: “I could feel and see the tension on this campus”. She said she could see the passion, though, that we all have on this campus and that clearly our students are at the center of that passion, which, as a faculty member, that is my passion, that is the center of my heart. We “are all trying to make a difference”, she said, “but we are all trying to get there in a different way”, and that’s not effective, nor efficient. If faculty and an outside candidate can feel this tension, it's more of a reality to some than they’re willing to admit. Regardless of the outcome of this Presidential search, we need a new leader who can bring us together and not divide us – a leader with vision, with strategy and a plan to help NCC realize its potential – thank you for saying. I've heard several business terms thrown about this campus this year – one, most recently called “Rightsizing” – and for those of you who don’t know, do a quick “Google” search. Maybe it's time to learn a new term, and that new term is called “Disruptive Innovation”. It's time we have to “disrupt” things on this campus to make it “right”, because doing business the way we've been doing business is not successful. Thank you.”

Trustee Powers asked Ms. Smith, “Do you know Andrea Campbell?” Ms. Smith replied, “That’s insulting, it’s insulting.”

Ms. Dawn Smith, NCCFT VP & Coordinator of Testing for Students with Disabilities, read the following statement:

“I’d like to speak to you tonight about one of the most important things that’s currently happening on the NCC campus: the selection of the new President. Our College needs a new permanent President – leadership that is willing to help this school get back to the “jewel” it was. Not only has enrollment been declining steadily, but so has the cooperation and respect between the faculty, the administrators and the Board of Trustees. We need a new permanent President, one that’s going to help us get back to a place where the students’ education is all of our primary concern. I’ve been to the three forums so far – I’m looking forward to the fourth – and I feel to date the best candidate is Gena Glickman. I believe, so far, she is the candidate that can get our College moving in the right direction. I hope when you have all interviewed the candidates that you will choose new leadership, and that your decision will be based on who can work best for our College as a whole, and who will be willing to work with the faculty, the administration and the Board of Trustees so that the students who come to Nassau Community College will receive the high quality of education that NCC is known for. Thank you.”

Trustee Powers asked Dr. Deluty, “Do you know Andrea Campbell?” Dr. Deluty replied, “I’ve have to say that there are a lot of people on this campus whose names I do not know; I don’t know the name, but there are hundreds of people on this campus who I don’t know by sight and I don’t know their names.”

Dr. Deluty, Academic Senate Chair, read the following statement:

“First, please send our best wishes to Trustee Cornachio for a speedy recovery and tell him we miss him. Next, I want to thank Trustee Drucker and Trustee Jackson for running a Search Committee with integrity – with true integrity – and I truly value their leadership of this Search Committee. I am not going to speak about the SUNY Excels Performance Improvement Plan tonight, because the Senate passed a resolution that we have to address, and we have to follow the process of the Senate to address it; and because we haven’t spoken to Dr. Dolan about this issue, and that’s the next step to do before we would come to the Board with any comments. I am going to speak about proposed degree revision, because I think we’ve been given a rare opportunity to revisit these degrees – these general Liberal Arts degrees – and I’m going to address two aspects of the proposed resolution. The first deals with inaccuracies in the revised proposal. The resolution asserts, and I quote, that “the Academic Senate has not availed itself of the opportunity to provide recommendations to the Board regarding said degree requirements.” However, in keeping with the procedures for communicating with the Board, we provided information to the Interim President, and we were hoping that this information would be reviewed before any decisions were made. In fact, the resolution states that the Senate “failed to provide recommendations” to Dr. Dolan’s letter of October 5; but by October 12, which was the date of the deadline, we did provide data – and data that brings into question the data that was offered last June at the hearing in this room; and we didn’t receive a response indicating whether that additional data had been evaluated. In the same letter we informed Dr. Dolan that the Executive Committee had charged the Senate Curriculum Committee, which is the body that should be looking at curriculum, to review the matter; and we should be considering their findings when we change these degrees. Another inaccuracy occurs in paragraph two of the degree distribution regarding the AS degree. The entry indicates that “the Physical Education requirement be eliminated, as for the AA degree”, which is not at all what I think you intend the resolution to say, but that is in this resolution; so I think we need to clear up these matters before we proceed. My other comment has to do with issues that we should be considering before implementing any degree change. This resolution originally indicated that tomorrow was the date to implement the changes, and there are quite a number of issues that we need to consider operationally in order for a degree to be changed. First, the MAP book that the Academic Advisement Center gives out to students guides them through any degree – through the general Liberal Arts degree. It’s full of information about degree requirements and everything a student needs to take into account in registering and making it through. In light of retention issues, in light of students moving through this College at a good pace, at graduating – I’m happy to say we have three amazing academic advisors here today, at least three who I’ve seen – now, how can academic advisors field student questions about degrees when we haven’t even decided where the extra credits go? The resolution is sending it to the Curriculum Committee to decide this – which is where it should be decided – but how can you implement a degree until the decision is made? And who’s sending this information to the academic advisors? Where are the guidelines for them to tell them what they should be informing students of? Will the College website be updated by the date of implementation? Tomorrow was the date to implement this degree in this resolution. Are we going to implement – update the website by then? The last revision of the AA Liberal Arts degrees were made in 2008: they altered Math and Science requirements. How did the reduction of credits in Math and Science impact recruitment and retention at the College? What did the data show? Is there data? What does it show us? Any change in a degree program requires SUNY, as well as New York State Education Department, approval. Was this approval going to be in effect by tomorrow, the date of implementation and wouldn’t we need this before we implement a degree? Premature action before the College is equipped operationally to deal with the

implications of general liberal arts degree revisions – and remember, this our largest degree on this campus – premature action has the potential of causing confusion that will adversely impact our students. I know that we are united in our commitment to prevent such an outcome. Let’s seize this opportunity now to revisit these degrees together.”

Trustee Powers asked Dr. Deluty about the MAP guidebook for students, and Dr. Deluty explained that there are a number of steps to put into place prior to implementing this change to AA Liberal Arts degree.

Dr. Dolan remarked:

“I agree with one thing that Dr. Deluty said, and that is that this cannot be a rash action; but I do not believe it has been. The fact is that on June 9, 2015 the Board of Trustees of Nassau Community College voted to sustain a veto that indicated that degree revisions were going to be made. I am advised at that time the Academic Senate was asked for input, and I repeated that request in my letter of October 5th. When I shared that with the Academic Senate Executive committee, they indicated to me that they were unaware that they had been asked for that input before; and, because I had heard that, previous to that, I extended the deadline that I had been told did not need to be extended, to October 12th, which is exactly what Dr. Deluty stated. My letter went out on the 5th. On the 12th, I did receive a letter back from Dr. Deluty, and one of the things that I noted is that she said, “We have every reason to believe that the Curriculum Committee will submit their findings in a timely fashion.” We have met with the Academic Senate Executive Committee two times every month since then, and I can demonstrate, by way of the agendas that we have, that this topic was on the agenda for our meeting of 10/20, 11/5 and 12/13, with my request being, “Where are we with the recommendations for degree revisions?” It was also on 12/17, and I was asked on 12/17 not to take action in January; and I did not. In January it did not appear on the agenda, and, no, I did not raise it because I anticipated hearing something from the Academic Senate; and it did appear for a while there on the February agenda. It’s my intention to put this back on the agenda for March; and I am going to request now that we begin an opportunity to meet with the College-Wide Curriculum Committee to talk about this. We have four weeks where we can try to find some common ground, which is what I’ve been trying to do all along. The fact of the matter is that I did submit a resolution, and Dr. Deluty quoted from one or the other at various times tonight. She knows that on the revised resolution that I sent out there was no date on it for it to be acted upon; because I recognized that we needed to decide when it will be acted upon. The original one did have a date of February 10; it was pointed out to me- that could not be done. I would like to have the conversation. I would like to hear how we could act upon the Board of Trustees directive to revise the degree requirements, and I’m looking for the opportunity to do that. I agree: this is an opportunity – we now have another month to do so.”

Trustee Powers asked Dr. Rosa, “Do you know Andrea Campbell?” Dr. Rosa replied, “I do not.”

Dr. Paul Rosa, Academic Senate Vice Chair, read the following statement:

“The Academic Senate Executive Committee has submitted a Third Party Comment to the Middle States Commission on Higher Education. We believe the Self-Study Report misrepresents the Academic Senate, the Senate By-Laws, and the shared governance process that has sustained the academic excellence of Nassau Community College for decades. We have shared our Third-Party Report with the Administration, the Nassau Middle States Team, and the campus community, and we hope that Nassau’s Middle States team will share its response to the Comment with the Senate and the campus community before the Middle States team visit. Before we submitted our Third-Party Comment, we attempted to communicate our concerns to the Administration and to the Co-Chairs of the Middle States Steering Committee on several occasions; however, most of our concerns were not addressed. The purpose of the Academic Senate as stated in the By-Laws is to “provide the College community with a voice in general

educational goals and policies.” The Third-Party Comment was sent to Middle States as an extension of this voice. The past four Senate Chairs joined the Academic Senate Executive Committee and co-signed the Third Party Comment. Issues include – issues that we found in the Middle States report – include: 1) misrepresentation of the Academic Senate Bylaws; 2) the Alleged Misappropriation of Powers by the Academic Senate; and 3) the Consistency of Senate By-Laws over the Past Decades. The Academic Senate has been an integral partner in the shared governance process that has consistently facilitated a tradition of academic excellence at Nassau Community College. As a collaborative forum for the formation of academic policy, the Academic Senate encourages discussion amongst faculty, students and administrators. It nurtures “a climate of shared collegial governance,” the ultimate goal of “Standard 4: Leadership and Governance”. We hope that the visit of the Middle States team to Nassau Community College on March 14th, 15th, and 16th will serve to re-establish this effective shared governance process to maintain the continued academic excellence of Nassau Community College. Thank you.”

Trustee Powers asked Prof. Merlo, “Do you know Andrea Campbell?” Prof. Merlo replied, “No, I don’t.”

Prof. Chris Merlo, Academic Senate Secretary, read the following statement:

“I’m going to speak sort of about the topics that Dr. Dolan has brought up tonight and I want to start by telling you a little bit about what I know, which is Computer Science. There’s a category of software called Open Source; and it’s so named because everybody in the world has the opportunity to inspect the source code – that’s the instructions the programmers write before it’s turned into actual machine instructions. Some Open Source software products have become hugely popular and successful. Open Source software powers more than a third of the world’s web servers. Two open-source web browsers, Chrome and Firefox, together account for almost half of all web browser usage across the world. You may have used one of these browsers to create, or at least read, blogs powered by WordPress and other Open Source software projects. These products are so popular because, as software products go, they tend to be more reliable than similar commercial software; not because they’re free – they are free – but that’s not why they’re so popular. It’s because they’re crafted and maintained by literally thousands of programmers, and so problems are found and fixed very efficiently. This led to the formulation of something called Linus’ Law, named after Linus Torvalds, the man who initially created Linux. Linus’ Law, simply stated, says: “given enough eyeballs, all bugs are shallow.” To state it more formally, it says: “Given a large enough beta-tester group and co-developer base, almost every problem will be characterized quickly and the fix will be obvious to someone.” Now, I bring this up because Nassau Community College has historically operated much the same way for decades. The Administration has characterized the Academic Senate as deliberative. This is true, and we take great pride in it. As you know, the Senate is comprised of representatives from all of the College’s academic stakeholders — faculty, students, and administrators. It is our College’s vehicle for the discussion of ideas, policies and suggestions regarding what we should teach, how we should teach it, and who should be in the classroom. Our By-Laws ensure that our results are a product of the work of many rather than the work of few. Our discussions and our documents are open to all for review. The Academic Senate has nothing to hide; on the contrary, we prefer to be conspicuous, because only this ensures that all parties are involved in decision-making, and informed of results, in the appropriate way. It is unfortunate that the work process of this College’s Administration has been rather antithetical to this over the past two years. One needs only to read the resolution that was recently withdrawn. We were apprised of the existence of this resolution about the same time you were – well, maybe not. Dr. Dolan and his administrators had ample time and opportunities to inform us earlier than that, and chose not to. At no time did he or they solicit input or even review from the College. They never asked us if this plan for the General Liberal Arts degree would be approved by SUNY. They never checked to see if Academic Advisement could effectively guide students through this incomplete plan. As a result, the resolution as initially presented to

you was severely flawed, and had to be edited at the last minute. Now, the Senate's deliberative process is designed to protect – to prevent exactly this sort of embarrassment. I could cite further examples of current Administration's failure to vet its documents for factual errors, or unchecked vitriol for this College's faculty, or plain old 70's-era sexism, but I won't. I will tell you that my mother has been teaching at Molloy College for forty-plus years, and she loves to share the gossip about how area colleges are declining. The conversations have always been: "Did you hear what Adelphi's President did?" or "Can you believe what they're doing at Old Westbury?" but now the conversations are about us – about you. "What were you thinking", my Mom said, "not giving placement exams anymore?" "What do you mean you're taking STEM classes away? Do they know its 2016?" Shared governance isn't just a saying, and it isn't just a reason to have meetings. Its result is not just to make decision-making take longer, or give us something to write about in our promotion applications. It helps us get decisions right. It forces us to get them right. It helps us to avoid becoming an embarrassment. They're talking about us out there, and it isn't good. The Administration has been attacking shared governance for two years now. How is the College doing over that time? Do we have more students? Are they in the right classes? Can they even sit down in those classes? Are they finishing those classes? Are they graduating more? Do we have more revenue? Do we have better morale on campus? Are the stories about us in *Newsday* any more positive? Are our colleagues around the Island saying nice things about us? Would you send your kids here to take classes? Would you advise your loved ones to apply for a faculty job here? Members of the Board please tell us how you're going to fix our College. Thank you."

Dr. Dolan remarked:

I agree, but that first iteration that I distributed was – I don't know what your phrase was "seriously flawed, fatally flawed"? It was flawed and only because faculty members came to me and said, "Ooo, Ooo – what about this, what about that?" was I able to offer a second iteration. That'd be great – if we continue that dialog over the next month: and, in fact, that second iteration is the one that you have; and Evelyn, I apologize; there is a third iteration that does not have the date on it. The third iteration, I assure you, this could not be acted upon, upon February 10 – something else that the faculty was good enough to point out to me, and the reasons why; and hopefully, before we're done by next March, we can have a document that is not flawed at all, and we can do that by way of working together on it so, Chris, thank you.

Dr. Dolan was invited to attend the CWCC meeting on Thursday, February 25.

Prof. Merlo thanked Dr. Dolan for saying that, and hopes that Dr. Dolan will find that the plan for collaboration is the shared governance process we have.

Trustee Powers asked Prof. Cohen, "Do you know Andrea Campbell?" Prof. Cohen replied, "No, I do not."

Prof. Richard Cohen, Department of Physical Sciences and Honors Program Co-Coordinator, remarks as presented:

There are two things I want to address, so I'll talk very, very quickly. First of all, I'm paraphrasing based upon what someone was talking about before in terms of the blog post and the accusations that are being made about the Presidential Search and the people involved. I believe people called them "baseless accusations" or something to that effect – I'm sorry if I'm getting the language incorrect. The fact of the matter is the blog post that I read had names, had organizations, had, I believe, dates; it had a ton of information. That is not "baseless". There is a base to those accusations. I do not know if they are correct. None of us probably know if they are correct, right now.

Trustee DeGrace and Professor Cohen had a difference of opinion on whether or not the facts in the Andrea Campbell email are baseless.

Prof. Cohen continued with his remarks:

OK, so let's accept the fact that that one statement is incorrect. That does not mean everything else is incorrect. There's other aspects of that blog post that have nothing to do with Trustee DeGrace that have called into question everything that's going on; and we need to know the truth – we have to investigate it. Now I also want to speak quickly about the Science and Math standards. It's something that's very near and dear to my heart, as I am part of a Science Education doctoral program at Stony Brook University; and actually looking at how Science courses impact graduation rates is the basis of my research. The fact of the matter is, if you go back years to the original Board of Trustees' resolution, if I remember correctly, part of the reason why they were saying that we should change degree patterns is based upon improving graduation rates – that Science and Math cause students to not graduate. We do not know this – OK – I have done the literature search. I am happy to sit down with you and go through the literature search with you. The literature does not exist; this has not been studied. Having one set of data that says how many – oh, I'm sorry – which requirements students have not completed prior to graduating is not a connection. That's not what's causing students not graduating. We don't know; we need to find out, because we're here to serve the students. We need our students to graduate, because that's in their best interest; and we're here for the students to do what's in their best interest. We need to investigate why students are not graduating; and that's what I'm investigating, and I'll be very happy to be part of this conversation – to go through the literature and see why students are not graduating. Thank you.

Trustee Borzym announced that the SGA will be having a bake sale Thursday during club hour in the CCB, and the money will go to a scholarship given out by the Foundation.

Trustee Powers asked Prof. Frisenda, "Do you know Andrea Campbell?" Prof. Frisenda replied, "I don't know – I don't know."

Frank Frisenda, NCCFT President, read the following statement:

"What an interesting week and interesting day we've all had. All these emails and accusations being made concerning the Presidential Search has my head spinning. If there is no truth to them, shame on the accuser; if there is truth to them, Yikes! To dismiss them is unconscionable. However, listening to you all tonight is more telling than anything Ms. Campbell could ever say. Either way, I urge this Board to recognize the level of distrust and lack of confidence permeating all our ranks. This is not occurring because time for selection of a President is getting close, and folks are "afraid". Rather, it's a culmination of years of misguided leadership, politically expedient decisions and resulting chaos. At the last Board meeting, I heard you say that the campus has had leadership. Talk about damning with faint praise. It is incredulous to take credit for the Police Academy, emergency shelter or free tuition for firefighters, as these were works in progress and would have happened under anyone's watch. Yet, if Dr. Saunders wants to take credit, he must also take blame:

- It is under his watch that the cost-cutting has allowed student services to be unable to assist our students and stay in school;
- It is under his watch that, for whatever reasons, we have been unable to attract more High School students and adding to historically low enrollment;
- It is under his watch that every year we have to hear how our budgetary plans have failed;
- It is under his watch that has allowed this Board of Trustees to have to interfere in academic issues that we struggle with constantly because he cannot articulate an academic vision, resulting in the breakdown of a once functional Senate.

It is unfathomable that this Board, with any sense of reason and responsibility, can choose to continue on this path. While we take into consideration the hiring of Dr. Dolan, which might have been meant to take the heat off of Dr. Saunders during the search, and press the new Acting President to carry the Board's water – hopefully not water-boiling – it obviously isn't working. We need a new leader, and so far the other new candidates have been exceptionally qualified, competent and impressive, and I look forward to hearing from Ms. Lee. I feel compelled to discuss with you a situation that recently came to our attention. As you are aware, our faculty are a diverse, intelligent and talented group of individuals. This is demonstrated in the countless activities, projects, seminars, research and positions we hold. We provide multitudinous services in the classroom, labs, technical centers, counseling centers, library and Tower. We provide incalculable services to student clubs, organizations, athletes, Senate committees, department committees, community service. Our contributions are so evident; they are memorialized in our contract: *“The College recognizes an obligation to make available to the community the professional competence and technical knowledge of faculty members. The potential value of such outside employment to the faculty and College is recognized.”* Most of what we do outside our employment is voluntary; some is compensated. This compensation usually comes in the form of Release Time. While the Administration grants Release Time from contractual obligations to do jobs that they feel are important to them, we also have release time delineated in our contract that we all believe is critical to perform services not beholden to the campus politics. This semester, Executive Vice President Ken Saunders directed the Deans not to approve Day Adjunct contracts to NCCFT members on Release Time. While I certainly don't speak for the AFA, I have filed a grievance with them, and I will file a grievance under the NCCFT contract. However, the issue I want to bring up is a comment made by Dr. Saunders at the Academic Affairs Committee. When I asked him about this decision, he mentioned that the County Comptroller was reviewing all our work hours, and that his decision is “anchored” to the Comptroller. If, in fact, the Comptroller is engaged in an investigation, and, since, contradictory to Dr. Saunders “No Day Adjunct” policy, the Administration *has* approved many Day Adjunct contracts for NCCFT members on Release Time, so my concern is that he has set them up for legal action that will be taken against them by the County Comptroller. So, while I suppose I should express my appreciation to Dr. Saunders for denying *my* Day Adjunct, protecting me from legal action being brought by the Comptroller and providing me more time during the day to wreak havoc – or, perhaps I was singled out, and denial of my contractual rights can be construed as union animus. If you are aware of an investigation of Time Sheets by the County Comptroller, can you provide us with some information; and, if not, as I've heard it in Administrative circles, “What the...?”

Trustee Powers asked Mr. Stark; “Do you know Andrea Campbell?” Mr. Stark replied, “No, I don't.”

Scott Stark, AFA Vice President, remarks as presented:

I'd like to reiterate what Stefan Krompfer, the President of the AFA, said last month, and I'll paraphrase that: everyone in this room has the best interests of the students at heart; and the AFA will pledge to work in the best interests of the students. What I would like to also state is that I hear a number of people come up here and talk about all the stakeholders in the College, and I just want to point out that the AFA and the adjuncts here are a large stakeholder in this College; and I'd like that put in the record. Thank you very much.

Trustee Powers asked Prof. Reiser, “Do you know Andrea Campbell?” Prof. Reiser replied, “I do not.”

Kimberley Reiser, Professor of Biology & President of NCC AAUP, read the following statement:

“First, I would like to thank the members of the Search Committee. Clearly, it is not easy. I was on the

Search Committee, the first Search Committee, prepared that 30-page document countering the bogus charges of bias; so, I know how hard, how time consuming – and the energy that goes into the search process. I would like to discuss the current Presidential Search by referring to an article published in *Inside Higher Education* on June 17th. It was entitled “The Three Year Search”. It detailed NCC’s three-year ordeal to find a permanent President. We think the article illustrates how Dr. Saunders used his insider position as Acting President to promote his ongoing quest for the NCC Presidency. He touts his fitness for the job, both fiscal and academically. We see things differently. He states: “*I’m committed to this institution, and in my three years serving as Acting President I’ve done, in my estimation and according to others, an exceptional job.*” In support of this he asserts he’s raised over \$11 million in grants, and more than \$20 million for capital projects and \$50 million for on-campus training facility for the Nassau County Police force. These claims are misleading. In fact, the project for the Police was in the works for a long time. Most of the grant monies have been in place for years and were the result of ongoing work of faculty committees – programs driven by faculty initiatives and the Grants Office. Moreover, NCC’s capital budget has been well-funded thanks to Dr. Muscarella’s efforts. The issue is not how we are going to “fix the fountains”, but how to secure the needed revenue to operate the College. It is the operating budget that is problematic. We find it remarkable that in-house, Dr. Saunders’ asserted we were in dire fiscal straits, yet when interviewed for a national audience he extolled our fiscal stability. Which is it? We need a President who is proactive, not reactive. What we do not need is a President who closes operating budget gaps on the backs of our students with annual tuition increases while depleting Full-Time faculty lines, whittling away the College’s fund balance and cutting academic department budgets. Dr. Saunders defends his record in this article and suitability for the position, stating that: “*The faculty weren’t challenged under Fanelli, but Astrab and he began to question the logic and reasoning behind some faculty initiatives*”, and subsequently he put forth some of his own. We’d like to know what they are. Most egregious of all the changes he has instituted has been the systematic destruction of shared governance. Case in point: what happened with the SUNY Excel PIP report? The resolution, by the way, was passed in -- a year ago, January 2015, under Dr. Saunders watch. In the article, he states that, those who are against him are in the minority. We do not agree. The main representatives of the NCC faculty are not in favor of Ken Saunders becoming NCC’s permanent President. At this point, we urge you, our Trustees, to put political agendas aside, and do the right thing, and choose the most qualified candidate – that’s the words – qualified candidate for the position. By your actions, you can demonstrate that, at last, we will have a genuine search unmarred by the appearance of favoritism or internal wrangling. Only in this manner can we begin to return our campus to a semblance of normalcy. In the interview Dr. Saunders stated, “*My record speaks for itself.*” We agree. It does.”

Trustee Powers asked Prof. Kurland, “Do you know Andrea Campbell?”

Prof. Kurland replied: If you want to know who Andrea Campbell is, I suggest you ask HR to look it up and see if she’s an employee, or look on the list of all current students to see if she’s a current student, and then you’ll know if she’s associated with the College. In terms of if I know her, if she’s not at the College, it’s no one’s business.

Trustee Powers replied: Thank you. For a point of information, I don’t ask this flippantly. At this meeting tonight, somebody asked one of the Presidential candidates to not be involved and not go forward. Others are attacking the Presidential Search Committee, which I was on, and Trustee Borzym; and I can say that Trustees Jackson and Drucker, the Co-Chairs, did a wonderful job. So, we’re trying to find out first, to do an investigation, is find out who’s making the allegations; if it’s anonymous, then there’s an issue. Just because there’s a name there doesn’t mean anything’s true, part of it’s true – or not. So, the first thing we need to know is who is making the allegations; and if we don’t find out who that is, or this is a fictitious name, then it’s completely erroneous, and has no bearing. This is a serious matter. This is not funny. This is impugning

the reputation of people here, from a frivolous, so far – we don't know who she is. We're going to find out if she's real or not; but this is serious business – serious; and I'm not kidding. Thank you.

Prof. Kurland replied: Trustee Powers, we're not under investigation here in the audience.

Trustee Powers replied: Ms. Kurland, nobody, you're not under interrogation. I asked a question – free speech – you have the right to answer, you have the right not to answer; I'm just asking a question. You can just say, "I don't feel like answering." That's all, it's no big deal; this is – I'm not a lawyer; I'm not interrogating anybody. I want to know who this person is because it has huge ramifications for a lot of people – including in this audience. Thank you.

Prof. Kurland, Student Personnel Services, remarks as presented:

"You know, you withdrew a resolution tonight, but people are talking about this resolution – about the two Math, two Science, one Math, one Science. I have to say in the last year listening to the discussion about it I've heard a lot of cogent arguments from the faculty, the curriculum experts, about this issue; but you've decided that you want to go with less than two Math and two Science. You decided that last year; and I think you decided that for retention and enrollment purposes. So, I want to give you lots of ideas about simple things you can do, most of which don't cost money, and which are entirely within your purview as Trustees to take care of, that would affect retention and enrollment a lot more than one Math and One Science. Let me start with telling you some of the simple ways we turn off students and their families:

- The College switchboard closes at 4:15pm most days;
- Most department offices are closed by 3:15 or 3:45 most days;
- There are offices on this campus where they don't answer phones on a regular basis by choice. Customer service on this campus is rotten.

Here's some of the ways we give students the ideas we don't care about you; you're not worth anything too much – to us:

- The cafeteria is closed by 3pm;
- The furniture's dirty;
- In the rest rooms you find broken urinals and toilets, broken hooks, broken locks on stalls that are stuffed up with toilet papers for years – years;
- Elevator buttons that don't light up – for years.

Here are some of the ways we make things difficult for students:

- Our registration system, Banner, crashes in the first hour of registration every semester – never fixed;
- Our Banner degree evaluation screen that students can use to see what they need to graduate gives inaccurate information.
- Do we have a plan for helping the thousand academically dismissed students every year? No.
- Do we have an enrollment management plan? No – or if we do, it's a really well-kept secret.
- Do we have a marketing plan for the College? Never.
- Do we have a tiny advertising budget? Yes.
- Are these all Board of Trustees issues that you can directly finish – fix – without having to step on shared governance issues? Yes.
- Will all of these issues have a major impact on enrollment and retention? You bet they would.

Here are some things that, if we had some funding for, would have a major impact on enrollment:

- a mandatory orientation for all students;
- a mandatory course introduction to the College – NCC 101;

- the most important thing: require students to meet with an advisor before registering, so they don't do it themselves and make mistakes; and so that they have personal contact. Right now we have stopped requiring students to meet with an advisor; they do it themselves. No wonder our retention is bad.
- Adjunct faculty should be paid and have office hours: right now they're not required to have office hours; we Full-Time faculty do.
- Try getting services around here in the late afternoon, on the weekend or in the evening. It's almost impossible; students wander around looking for help – working students, students who could have a class at 5 o'clock, etc. All these are things you can do that everyone would applaud – applaud, thank you, you see – and would really have a major impact on what we do here.

Pay attention to what is going on on this campus, and how we are falling apart and not serving students, and you will begin to see our enrollment begin to rise instead of falling by two, three, four now five percent semester after semester. That was my bitter part. Now for the sweet part: the Office of Student Activities and Student Personnel Services wishes you a Happy Valentine's Day. Chocolate was handed out to the Trustees."

Trustee DeGrace thanked and commended Prof. Kurland for her constructive comments but asked would there be a need with regard to the College being open later that the contract would have to be renegotiated.

The next Finance Capital Committee meeting is scheduled for Tuesday, March 8, 2016 at 5:00 p.m. followed by the Full Board meeting. The Board will open the public session between 6:15 and 6:30 and resume the public session at approximately 7:30 p.m.

Chair Gardyn requested a motion to adjourn the meeting. Trustee DeGrace moved the motion; seconded by Trustee Powers. Motion carried 9-0.

Meeting adjourned at 9:56 p.m.

Respectfully submitted,

Arnold Drucker
Secretary