

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of May 12, 2020

The six hundred thirty-sixth meeting of the Board of Trustees was held on Tuesday, May 12, 2020 via Zoom. The meeting was called to order by Chair Gardyn at 6:36 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
John R. Durso, Secretary Pro Tem;
Linda H. Green, Wanda H. Jackson, Edward Powers,
George Siberón, Donna M. Tuman

Absent: John A. DeGrace, Bridget Russell, Student Trustee.

Also in attendance: President Williams

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) of discussing matters relating to negotiations involving the Nassau Community College Administrators Association (NCCAA); 2) of discussing matters relating to negotiations involving the NCCFT; and 3) of reviewing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Trustee Durso moved the motion; seconded by Trustee Weiss. Motion carried 8-0.

Chair Gardyn resumed the open meeting at 7:58 p.m.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
John R. Durso, Secretary Pro Tem;
Linda H. Green, Wanda H. Jackson, Edward Powers,
George Siberón, Donna M. Tuman, Bridget Russell, Student Trustee

Absent: John A. DeGrace

Also in attendance: President Williams

1. Approval of Minutes
 - a. Chair Gardyn requested a motion to approve the minutes of February 11, 2020. Trustee Tuman moved the motion; seconded by Trustee Powers. Motion carried 9-0.
 - b. Chair Gardyn requested a motion to approve the minutes of April 14, 2020. Trustee Siberón moved the motion; seconded by Trustee Russell. Motion carried 9-0.

2. Trustee Weiss introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves an operating budget for the fiscal year commencing September 1, 2020 in the amount of \$182,119,910, and, be it

FURTHER RESOLVED, that the Nassau Community College Board of Trustees recommends the adoption of the College operating budget by the Nassau County Legislature and the Board of Trustees of the State University of New York.

Chair Gardyn requested a motion to consider this item. Trustee Durso moved the motion; seconded by Trustee Weiss. Motion carried 8-1 (Siberón).

3. Trustee Durso introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby establishes a Tuition and Fees schedule to be effective for the academic year 2020/2021 wherein there shall be an annual increase of \$200.00 in full-time tuition and \$8.00 in part-time tuition commencing with the Fall 2020 semester. In addition, there shall be established for books and course materials a fee of \$26 per credit commencing with the Fall 2020 semester, the fee will not be calculated for courses offering Open Educational Resource (OER) material. In addition, students will have a choice to opt out of the books and course materials fee, and be it

FURTHER RESOLVED, that this Tuition and Fees schedule be forwarded to the State University of New York for approval.

Chair Gardyn requested a motion to consider this item. Trustee Green moved the motion; seconded by Trustee Weiss. Motion carried 8-1 (Siberón).

Chair Gardyn made a motion under Article VIII section C(6) of the Rules of Procedure to allow for the consideration of (3) items that did not appear on the Calendar. Trustee Powers seconded the motion. Motion carried 9-0.

4. First Reading: Policy 2300: Anti-Discrimination and Complaint Procedure

Trustee Weiss introduced for discussion Policy 2300 Anti-Discrimination and Complaint Procedure, stating that it combines two previously established policies at the College. The purpose of the consolidation is to allow individuals to receive information and forms about anything related to discrimination in one user-friendly document containing both policy and procedure. It was discussed at the Policy & Planning Committee meeting earlier in the evening and was recommended to be forwarded to the Full Board for the first reading. Dr. Williams and members of his staff met with faculty in open forums, as well as separately with a cohort of student leaders, to receive input. Several suggested changes were considered, but not every recommendation was enacted. Dr. Williams certified that he reviewed Policy 2300 and it has been submitted for consultation to the appropriate constituencies within the College prior to submission to the Board.

5. First Reading: Policy 5300: Student Health Office

Trustee Weiss introduced for discussion Policy 5300 Student Health Office, a new policy whose purpose is to outline the responsibilities of the Student Health Office and to set out the immunization requirements for College students. It was noted during the Committee meeting that the Policy contains information on the administration of Narcan, as well as on concussion management. The committee recommends the Policy be forwarded to the Full Board for the first reading. Dr. Williams certified that he reviewed Policy 5300 and it has been submitted for consultation to the appropriate constituencies within the College prior to submission to the Board.

6. Trustee Jackson introduced the following resolution:

RESOLVED, that upon the recommendations of the college administration, and following a review by the Board of Trustees of a certain proposed agreement between the College and the Nassau Community College Federation of Teachers (NCCFT) establishing an early retirement incentive plan, said agreement is herewith approved by the board of trustees of Nassau Community College, and be it

FURTHER RESOLVED, that Dr. Jermaine F. Williams, President of Nassau Community College, is herewith authorized to execute the aforesaid agreement on behalf of Nassau Community College.

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

President's Report

While hospitalizations for COVID-19 are dropping, more individuals continue to perish daily. This unprecedented and horrible global pandemic has upended our way of life at the College and beyond. He wished everyone well and conveyed grief for all who have been affected.

Student Highlights

- The Class of 2020 will celebrate over 3,100 graduates at the conclusion of the semester in our 60th Commencement ceremony, bringing the total number of students who have received diplomas from NCC to more than 156,000 over the past six decades.
- More than 700 students have ordered regalia for the virtual Commencement.
- A subcommittee of the Academic Senate identified our Valedictorian as Cristian Barrera, who will continue at Baruch as a Marketing major, and our Salutatorian as Gabriela Torrento, a Communication Arts major.

Reimagined Reopening

Wanting to address the progress and conversations on reopening the College in an open, recorded and archived forum, he remarked that we will consider a reinvented and reimagined return to a face-to-face experience predicated on several external elements. Reiterating the Governor's plan, every region must meet seven(7) metrics before Phase 1 of social distancing restrictions may be relaxed. LI has met five(5) of seven(7). Putting this goal into perspective, a region needs to be successful in opening the first three Phases before Phase 4, which includes education.

Along with the State parameters, SUNY has established a SUNY COVID-19 Re-Imagine and Resume Residential Education Task Force, with seven(7) working groups focused on student wellness, academic operations, community engagement, campus resources, physical plant preparedness, and community colleges. SUNY is working in consultation with its 64 campuses, the Governor's New York Forward Advisory Group, New York's private colleges [aka, Commission on Independent Colleges and Universities (CICU)], CUNY, local and State elected officials, etc. This is a complex endeavor that requires communication, collaboration, patience, empathy, and a host of partners.

CARES (Coronavirus Aid, Relief, and Economic Security) Act

- Our CARES Act application is in the process of being reviewed by SUNY, and, once approved, we will disburse funds appropriately.
- At least 50% must be provided for emergency aid to students, who will decide how to spend their share.
- The other portion [Higher Education Emergency Relief Fund (HERF)] allows us to use up to 50% of the funds to cover any costs specifically associated with significant changes to the delivery of instruction due to coronavirus disruption.
- An allocation of funds through our identified waiver status as a Minority Serving Institution (MSI) can be used for student grants and to defray any institutional expenses incurred based on the effects of COVID-19.
- We will be announcing videoconference town halls in our continuing effort to engage the College community in transparent conversation on the budget.

Enrollment

Summer 2020 started slowly, but thanks to the enhanced strategies of so many, particularly those in the areas overseen by the VP of Academic Student Services, there has been a surge in summer enrollment over the past month from almost 50% down to currently approximately 11.2% down.

Closing Thanks

This time has been unprecedented and we must continue to keep students at the core of all we do. We will continue to do our best to pivot, regardless of what challenges are placed in our path, as we provide a resource to our communities which is unique to the County. As the sole community college in the County, we must embrace our comprehensive mission and respond to these times of uncertainty. The world has changed over the past few weeks, and many components of the College have also changed. While we will need to appropriately prepare for and to adapt to how society will be reimagined and reinvented, we must stand firm in our effort to provide equitable opportunities for access, completion, and post-completion success.

He also expressed gratitude to outgoing NCCFT President Frank Frisenda for his partnership, collaboration, and communication; presented student Trustee Bridget Russell with a certificate of appreciation for her dedication, leadership, active participation, and advocacy for students and the College, noting that it has been his pleasure to work with her; and thanked everyone for all of the good work we do to help students, and conveyed that he remains extremely happy and utterly humbled to serve as President of Nassau Community College.

On behalf of the Board, Dr. Gardyn congratulated and thanked Trustee Bridget Russell for her service to the College.

Speakers

Frank Frisenda announced that this appearance would be his last as NCCFT President, with Prof. Donna Hope becoming Interim President effective June 1st, after which he will speak simply as a professor of the Engineering/Physics/Technology Department. For many years he has appeared before countless Boards to state his case, and, regardless of differences of opinion, the commitment to our students and to the entire College community was constant on both sides. While the COVID-19 pandemic has changed our lives, our values, and our perceptions within and beyond the College, he remains confident our dedication and talent will ensure that we emerge better and stronger. He thanked the Board for its service to the College and to the community, and wished everyone safety and health.

Chair Gardyn thanked Frank Frisenda for his service, adding that his NCCFT successor has a tough act to follow. Discussion was always respectful, and disagreement amicable, with an awareness that all must work together. He stressed the seriousness of the SARS COVID-2 virus from his perspective as a healthcare provider in the trenches every day. He reinforced the imperative to follow standard protocols to wear face masks, practice social distancing, wash hands and clean surfaces frequently, and get tested for anti-bodies to know your status. He has personally tested 2,000 individuals, predominantly from fire companies. Community rates for testing positive have varied from 6% – 43%, which is an alarming range. Even more frightening, 37% – 50% were unaware that they had been infected: asymptomatic transmission is the most dangerous aspect of the virus. He implores all to get tested, and cautions that we do not know whether the presence of antibodies translates into immunity.

Phyllis Kurland, Student Personnel Services thanked Craig Wright, Alla Brodsky and Donna Haugen for their hard work on Draft Policy 2300 Anti-Discrimination and Complaint Procedure, but addressed the following concerns:

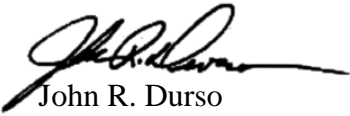
1. Section C. Supervisory Responsibility speaks of “College employees with supervisory or managerial responsibility” having to refer cases. Are all faculty considered supervisors over student aides? All department Chairs? All heads of office elected informally? She requests specification.
2. Sect D.2 cites a statute of limitation of 20 business days (or four weeks) from the time a complaint has been filed for the AAO/CDO to respond to the complainant with its status. She argues that the time should be sooner. Likewise, the CDO has 90 business days (or 18 weeks), which is more than a semester, to complete an investigation. Someone in their final semester could file a complaint and leave the school before the investigation has been completed. Conducting her own online research, she learned that SUNY’s discrimination complaint procedure, operative as of October 18, gives 39 days from the start to the end of the process. For other SUNY campuses: Albany – 70 calendar days; Niagara – 60 working days; Oswego – 90 calendar days; Suffolk CCC – 31 days. The NYS Division of Human Rights also allows individuals one year to file a complaint, whereas we give them 180 days. She asks for reconsideration with more care.
3. Sect F.3 on the completed investigation requires clarification. It states that, “Upon the President’s authorization, the CDO shall notify both parties in writing of the results of the investigation”. It does not indicate that the President must notify them; so both parties could not be notified if the President does not want to notify them. Most policies elsewhere also require notification within a certain time frame.

Chair Gardyn announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, June 9, 2020 at 5:00 p.m. followed by the Full Board meeting. The Board will open the public session between 6:15 and 6:30 p.m. and resume the public session approximately 7:30 p.m.

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

Meeting adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John R. Durso", with a long, sweeping underline.

John R. Durso
Secretary Pro Tem