

NASSAU COMMUNITY COLLEGE
Garden City, New York

BOARD OF TRUSTEES' MINUTES

Meeting of September 8, 2020

The six hundred thirty-eighth meeting of the Board of Trustees was held on Tuesday, September 8, 2020 via Zoom. The meeting was called to order by Chair Gardyn at 5:56 p.m. followed by a salute to the flag.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Edward Powers, Secretary;
John A. DeGrace, Linda H. Green, Wanda H. Jackson,
George Siberón, vacant, Student Trustee.

Absent: John R. Durso, Donna M. Tuman

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) to discuss matters relating to negotiations involving the Nassau Community College Administrators Association; 2) to discuss matters relating to negotiations involving the NCCFT; 3) to discuss matters involving proposed, pending or current litigation; and 4) of reviewing the medical, financial, credit or employment history of a particular person or corporation, or matters leading to the appointment, employment, promotion, demotion, discipline, suspension, dismissal or removal of a particular person or corporation. Trustee Weiss moved the motion; seconded by Trustee Siberón. Motion carried 7-0.

Chair Gardyn resumed the open meeting at 7:21 p.m.

Present: Jorge L. Gardyn, Chair
Kathy Weiss, Vice Chair
Edward Powers, Secretary;
John A. DeGrace, John R. Durso, Linda H. Green, Wanda H. Jackson,
George Siberón, vacant, Student Trustee.

Absent: Donna M. Tuman

Also in attendance: President Williams

1. Approval of Minutes

Chair Gardyn requested a motion to approve the minutes of June 9, 2020. Trustee Weiss moved the motion; seconded by Trustee Siberón. Motion carried 8-0.

2. Trustee DeGrace introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with RSM USA, LLP. in the amount of \$120,000, as requested by VP Finance Izquierdo. (**FUNDING SOURCE: OPERATING**)

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

3. Trustee Weiss introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with WEB CONSTRUCTION CORP. in the amount of \$500,000, as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

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

4. Trustee Jackson introduced the following resolution:

RESOLVED, upon the recommendation of the Nassau Community College Board of Trustees Finance and Capital Committee, the Nassau Community College Board of Trustees hereby approves the pending college procurement agreement with POLARIS ELECTRICAL CONSTRUCTION CORP. in the amount of \$500,000, as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

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

5. 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 approves the pending college procurement agreement with R.A.M.S. MECHANICAL CORP. in the amount of \$500,000, as requested by VP Facilities Management Muscarella. (**Funding Source:** Capital Project and Operating)

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

6. Trustee Jackson introduced the following resolution:

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

<u>Name</u>	<u>Title</u>	<u>Department</u>	<u>Retirement Date</u>
Victor Abravaya	Professor	Theatre/Dance	9/1/20
Joan Alexander	Professor	Legal Studies	9/1/20
Gregory Arend	Professor	Marketing/Retail/Fashion	9/1/20
Stephen Beck	Professor	Biology	9/1/20
George Bruns	Professor	Math/ITE/CSC	9/1/20
Maryann Capone	Associate Professor	Accounting/Business	9/1/20

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Gail Cavallo	Professor	Music	9/1/20
Dennis Christy	Professor	Math/ITE/CSC	9/1/20
Dominic Ciardullo	Professor	Engineering	9/1/20
Andrew De Joseph	Associate Professor	Accounting/Business	9/1/20
Constance Egelman	Professor	SPS	9/1/20
Cathy Fagan	Professor	English	9/1/20
Rhona Feigenbaum	Associate Professor	HPER	9/1/20
Frank Frisenda	Professor	Engineering	9/1/20
Joseph Gray	Professor	Accounting/Business	9/1/20
Sharon Grossman	Professor	Grants/SPS	9/1/20
Mark Halfon	Professor	Philosophy	9/1/20
Terrance Hoffman	Associate Professor	Criminal Justice	9/1/20
Caroline Kaufmann	Associate Professor	Allied Health Sciences	9/1/20
Barbara Kennedy	Associate Professor	Nursing	9/1/20
Phyllis Kurland	Professor	SPS	9/1/20
Dorotea Litvak	Professor	English	9/1/20
Lois Lucca	Professor	Allied Health Sciences	9/1/20
Jack Mandel	Professor	Marketing/Retail/Fashion	9/1/20
Maryellen McNamara	Professor	Marketing/Retail/Fashion	9/1/20
David Nugent	Associate Professor	Accounting/Business	9/1/20
Mary Peck	Professor	SPS	9/1/20
Wayne Ramsey	Professor	Physical Science	9/1/20
Maureen Reeves	Associate Professor	Nursing	9/1/20
Stephen Rose	Professor	Marketing/Retail/Fashion	9/1/20
Stephen Samuels	Associate Professor	Communications	9/1/20
Chris Schwertman	Professor	English	9/1/20
Jane Segadelli	Professor	SPS	9/1/20
Norman Spencer	Associate Professor	English	9/1/20
Mario Susko	Professor	English	9/1/20
Marguerite Teubner	Associate Professor	Accounting/Business	9/1/20
Huda Touma	Associate Professor	Biology	9/1/20
Joseph Varacalli, Ph.D.	Professor	Sociology	1/21/20
William Zatulskis	Professor	SPS	9/1/20

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

7. Reading and Discussion of Policy 2210: Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations

Trustee Weiss stated that the purpose of this policy is to ensure that Nassau Community College adheres to the [Final Rule under Title IX of the Educational Amendments of 1972 \(“Final Rule”\)](#) issued by the U.S. Department of Education in response to all allegations of sexual harassment which fall within the definitions included in the Final Rule. It’s important to know that if the College should receive allegations of sexual harassment which are not actionable under the Final Rule, but do constitute a violation of our existing Policy 2200, the College will investigate and respond to the allegations per Policy 2200. Trustee Weiss asked if there were any comments from the Board or Dr. Williams on Policy 2210?

Dr. Williams added that the changes made were aligned with the directive from the federal government and that he certifies that Policy 2210 has been reviewed and submitted for consultation to the appropriate constituencies within the College prior to submission to the Board.

Chair Gardyn made a motion under Article VIII section C(6) of the Rules of Procedure to allow for the consideration of 3-three items that did not appear on the Calendar. Trustee Powers seconded the motion. Motion carried 8-0.

7. Trustee Weiss introduced the following resolution:

RESOLVED, that the Board of Trustees Policy & Planning Committee herewith affirmatively recommends and refers Policy 2210: Grievance Policy for Addressing Formal Complaints of Sexual Harassment Under the Title IX Regulations to the Full Board for discussion and reading, and adoption at its Board meeting scheduled for September 8, 2020, and that the same be subsequently incorporated into the policy manual of the Board of Trustees of Nassau Community College after the passing of the policy by the Board of Trustees.

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

8. Trustee Jackson introduced the following resolution:

RESOLVED, that the Board of Trustees of Nassau Community College, having reviewed a certain Settlement Agreement concerning an instructional employee in executive session, hereby approves the terms of the Settlement Agreement.

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

9. Trustee Weiss introduced the following resolution:

WHEREAS, New York State Education Law Sections 6306 and 6310 permit community colleges to revoke the designation of peace officer status to one or more than one security officer; now therefore be it

RESOLVED, that pursuant to Sections 6306 and 6310 of the New York State Education Law, the Nassau Community College Board of Trustees hereby revokes the designation of peace officer for the following Public Safety Officers: Keith Blum, Christopher Wood, Barbara Arias, Karl Haltenhof, Wayne James, Miguel Otero, Julio Perez, and Charles Dittmar, effective September 9, 2020.

Chair Gardyn requested a motion to consider this item. Trustee Jackson moved the motion; seconded by Trustee Weiss. Motion carried 7-0-1(Durso).

Elections of Officers

Trustee DeGrace made a motion to keep the present 2019-2020 slate of officers in place for the 2020-2021 academic year. Seconded by Trustee Green. Chair Gardyn asked if there were any objections, there being none, motion carried 8-0. The slate of officers for the AY 2020-2021 are: Dr. Gardyn, Chair; Dr. Weiss, Vice Chair; and Edward Powers, Secretary.

President's Report

Dr. Williams welcomed new Vice President for Academic Affairs Dr. Mark Lausch to his first NCC Board of Trustees meeting. Dr. Lausch, who joined the College on July 1, 2020, has hit the ground running and is as excited to meet individual members as much as we are to have him with us. He shared that our Student Trustee has yet to be appointed.

Student Highlights

Fall 2020 classes started last week on Tuesday, September 1st, and he has been walking around to classes and offices talking with students, faculty, and staff, although opportunities are fewer since 93% of classes are remote or online. The conversations continue to be informative and robust. While preparing on last Friday for our upcoming 9-11 ceremony, he ran into a couple students who were seeking support: one, a student at Syracuse University who was with his father and looking to enroll at NCC for a semester; and another aiming to pay his bill. These encounters underscore that we are engaging with students and identifying needs, and, moreover, how we need to be prepared that life happens for our students in different ways. This preparation has been the focus for the past several months.

As he walked around campus, he was gratified to see students and faculty embracing appropriate health and safety parameters. Due to the vigilance of all, we have not had one NCC community member who has been on campus test positive for COVID-19.

The *NCC Access: Course Materials on Day One* program has emerged in its debut as an immense challenge and opportunity. While there are many factors beyond our control which have contributed to the current situation and the program has worked well for some, it has missed the mark more than expected. Administration is in constant contact with the Bookstore to address issues as expeditiously as possible. This program will need to improve if it is to stay at the College and to support students the way in which it was envisioned.

Enrollment

- **Summer 2020**
 - Enrollment fantastically finished around 5% higher than last summer.
 - He thanked all involved who worked so diligently.
- **Fall 2020**
 - At the time of the Board meeting, credit enrollment was down by approximately 17.5%, which may not make us feel good, but, along with our determination to aggressively address enrollment issues that impact new and continuing students, we must remain cognizant of context:
 - A few short weeks ago, we were down by more than 20%.
 - As a further point of reference, according to a preliminary report, approximately half of all SUNY community colleges are down in enrollment between 10–19% for the Fall.

Budget

The FY2021 approved budget was based on a 10% decrease in enrollment and a substantial reduction to the College's two largest budget lines of Salary and Benefits. At this time, enrollment is less than projected. Furthermore, the reduction to the Salary and Benefits lines, which was borne from the Early Retirement Incentive Plan and other forms of separation from the College, has not covered the projected decrease in these two budget lines.

In regards to State appropriations.

- We experienced a 20% decrease in the last quarter installment for FY2020 budget.

- The expectation is that there will be at least a 20% reduction for FY21 budget, which will have a monumental impact on us.
- There has been some discussion about State funded aid (e.g., TAP, STEP, Liberty, and Excelsior) and we are awaiting more concrete information on its availability.

We are experiencing a budget situation unlike any other. While the response to this situation will need to be measured, the implications are that the College will see drastic changes this year and most likely next year. Many are diligently working on enhancing access to education in order to increase Winterim, Spring, and Summer enrollments. At the same time, we will need to move swiftly and, in some cases, before these numbers are known, in order to ensure that the College remains fiscally solvent.

Vision and Four Pillars

Having spoken with many individuals throughout the past year has helped him shape a vision for the College to continue to provide academic excellence and student support while advancing an equity agenda that is data-informed.

- The four pillars of this vision were introduced the week prior to classes, starting with a full description of Pillar 1: *Equitable Student Opportunities*.
- Pillar 2: *Academic Excellence and Student Support* was introduced last week.
- Pillar three, *Post-Completion Success*, and four *Community, Business, and Industry Partnerships*, will be shared this week and next, respectively, by video link.
- Our vision represents many voices, and he hopes you all see yourselves as contributing members in advancing our College.

A Look towards the Year Ahead

Board members received in their meeting packets an executive summary of the College's AY2019–2020 highlights. This report, which was sent to SUNY and is available for the entire College on the portal, provides considerable insight into what occurred last year, and he encouraged everyone in the College community to review it.

Since we are engaging the first regularly scheduled Board of Trustees meeting for the AY2020–2021, he shared a few large-scale items to be addressed in future reports:

- Guided Pathways – work will continue with a focus on curricular mapping and student support redesign
- Equity Agenda – work will be elevated within our Diversity, Equity, and Inclusion planning, including:
 - an equity scorecard
 - learning and development opportunities focused on Diversity, Equity, and Inclusion, such as Public Safety training
 - conversations about equity gaps that lead to actionable next steps
- Data-Guided Decisions – The creation of dashboards that will:
 - help the College identify opportunities and challenges that need to be addressed
 - provide a benchmark for year-to-year assessment of progress towards goals that can be utilized throughout the College
 - Be presented to Board of Trustees for inquiry and conversation
- Strategic Planning – The College's current Strategic Plan and other plans encompass 2018-2021, which means we will engage in the strategic planning process this year. Furthermore, we will ensure there is a mechanism to produce area-specific plans, such as the Master Academic Plan and Enrollment Management Plan, with a robust review and response process.
- Enhanced Partnerships – We will seek to bolster partnerships across the College and with external constituents in order to:

- lean into our shared governance process so it can be utilized to catapult us forward
- address systemic and systematic challenges we face that negatively impact access and completion
- ensure an equity-focused agenda that places students at the center of our decisions
- ensure responsiveness to the needs of the County and communities we serve

He thanked the Trustees for their continued support as we continue during unprecedented times, as well as all the individuals at the College who work day in and day out to advance the College. This will be a year of flexibility and pivoting as we endeavor to equitably enhance access, completion, and post-completion success. It will be challenging, and there will be change. It will focus on equity and on placing students first as we muster the strength, determination, empathy, and other tools we need to forge forward with courage. He remains extremely happy and utterly humbled to serve as President of Nassau Community College.

Speakers

Donna M. Hope, NCCFT Interim President, thanked the following people:

- President Williams, Chair Gardyn, and General Counsel Donna Haugen for having signed the Memorandum of Agreement (MOA) on behalf of the College and the Board of Trustees, as the NCCFT, three months after having resumed contract negotiations in June, is pleased to have reached agreement and to have ratified it with members, and is awaiting final County authorization;
- Donna Haugen and Assistant VP Labor Relations Laurie Pezzullo and HR VP Dorlena Dunbar for working with the P&T Committee members to ensure that the promotion process moved forward;
- Joe Muscarella, VP for Facilities Management, for walking through the Student Services Center with Dawn Smith, NCCFT VP of Non-Classroom Faculty, to ensure that safety protocols were being followed for reassurance that concerns were being addressed;
- All who implemented plans to ensure the campus community's health and safety.

She expressed appreciation that the administration will review the *NCC Access* bookstore program, as some students are still without textbooks after more than a week of classes, which has caused added stress and concern. She conveyed gratitude for President Williams' willingness to build a positive relationship with the NCCFT and campus leaders and recognized that the year will be filled with challenges requiring everyone's cooperation to support the best interests of our students as we move the College forward.

Richard Newman, NCCFT Secretary and Acting VP of Classroom Faculty, in addition to reinforcing Donna Hope's sentiments, took note of the important development of President Williams having shared the first two of his vision statement videos, a process that had been interrupted by the pandemic shutdown, but is necessary to advance the College. They have been viewed with care, interest, and appreciation. He looks forward to the release of the final two videos and to the ensuing discussion once the presentation of his entire vision has been completed.

Gregg Gudelinis, Student Personnel Services, thanked the NCCFT for fighting for his instructor reappointment from a temporary line, as well as President Williams, the Board, and the administration for recognizing the importance of what the NCCFT is fighting for. He has enjoyed various roles in: the classroom; offices in student services, grants, student activities, and Center for Students with Disabilities; and club advisement. He looks forward to doing his part to further the mission of the College.

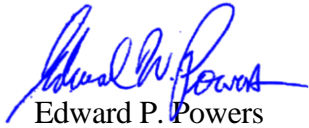
Chair Gardyn commented how we as a County, State, and nation have been enduring a very difficult and extremely stressful year managing with COVID-19. We now must focus on educating our students while looking to maintain safety and hoping for successful vaccinations and extensive testing programs to ensure the health of students, faculty, and administration. President Williams' Task Force has been addressing these concerns, and we look forward to their future recommendations.

Chair Gardyn announced the next Capital and Finance BOT Committee meeting is scheduled for Tuesday, October 13, 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 Jackson. Motion carried 8-0.

Meeting adjourned at 7:55 p.m.

Respectfully submitted,



Edward P. Powers
Secretary