



Ratified at March 19, 2014 Meeting

**Board of Trustees Meeting
February 19, 2014**

Minutes of the meeting of the Board of Trustees of Westchester Community College held on Wednesday, February 19, 2014 at 2:00 PM in the Foundation Boardroom in the Library.

Trustees Present:

Robin Bikkal, Toni Cox-Burns, Norman Jacknis, Joseph P. McLaughlin, Dr. LeRoy Mitchell, John Nonna, David Swope, Hayden Tse, Pat D'Imperio, Treasurer to the Board of Trustees and Yolanda Howell, Secretary to the Board of Trustees.

Trustees Excused:

Andrew Spano, Betsy Stern

College Administrators Present:

Dr. John F. M. Flynn, Interim President, Dr. Joanne Russell, Vice President/Dean of Academic Affairs, Donald Weigand, Vice President/Dean of Student Affairs, Eve Larner, Vice President, External Affairs, Anthony Scordino, Vice President, Information Technology, Dr. Marge Glusker, Vice-President/Dean, Continuing Education and Workforce Development, Renée Guy, Associate Dean and Director, Educational Opportunity Center, Jeffrey Conte, Associate Dean, Business, Behavioral and Social Sciences, Public and Human Services, Dr. Michael Olivette, Associate Dean, Natural and Health Sciences, Dr. Ted Nygreen, Associate Dean, Computer and Physical Sciences, Technology, Engineering and Mathematics, Veronica Delcourt, Associate Dean, Arts and Humanities, Mario Cavalli, Director, Fiscal Operations, Richard Cashman, Deputy Purchasing Agent, Nancy DeRiggi, Associate Dean, Institutional Research and Planning, Pamela Pollard, Associate Dean, Learning Resources, Library, Media, and Instructional Technology, Talbert Spence, Assistant Dean, Continuing Education, Dr. Saul Yanofsky, Assistant Dean, Academic Affairs, Nicole, Sharpe, Director of Leadership Giving and Campaigns

Members of the College Community:

Mel Bienenfeld, President, Westchester Community College Federation of Teachers, Sean Simpson, President, Faculty Senate, Dr. Iris Cook, Professor, Biology –

Department Chair, Dr. Sheldon Malev, Professor, Psychology, Eric Hvisc, Staff Council President, Lizbeth Falsetti, Westchester Community College Student Deborah Raizes, Chairperson, Westchester Community College Foundation.

Guests:

Johanna Duncan-Poitier, Senior Vice Chancellor for Community Colleges and the Education Pipeline for the State University of New York (SUNY), Dona S. Bulluck Associate Counsel, Albany System Office (SUNY), Jim Castro-Blanco, Office of the County Attorney.

Call to Order

The Meeting was called to order by Chairman David Swope.

Ratification of Minutes

Members Joseph P. McLaughlin, and Toni Cox-Burns made a motion to ratify the minutes of the December 18, 2013 Board Meeting. The motion passed.

SUNY System Liaisons

Chairman David Swope introduced Dona Bulluck and Johanna Duncan-Poitier

Johanna Duncan-Poitier and Dona Bulluck both addressed the Board and all those in attendance regarding the upcoming Presidential search and the process that Westchester Community College will be going through in the next 6-12 months.

Board Chair's Report

David Swope reported:

Committees on the Board

We will setting up several committees. The committees will include members of the board and various college personnel. These committees would meet every other month on the day of the board meeting some time before the start of the meeting. The committees may include the following: Finance, Programs, Academic Affairs and Student success.

The Chairperson convened an Executive Session under provisions of Section 105 of Article 7 of the Public Officers Law to discuss litigation.

Motion to go into Executive Session

****Motion: Nonna/Jacknis - all in favor.**

Motion out of Executive Session

****Motion: Nonna/Bikkal - all in favor.**

After executive session Dr. LeRoy Mitchell chaired the meeting because Chairman David Swope had to leave for an engagement.

INFORMATION AND DECISION

A. Interim President's Report

Dr. John F. M. Flynn reported:

Spring 2014 Credit Enrollment Overview

CREDIT HEADCOUNT

- Overall, credit student headcount for spring 2014 is 1 percent higher than spring 2013
- Dual Enrollment headcount (*high school students taking college classes*) is up 14 percent
- First-time in College (FTIC) headcount is down 8 percent
- Transfer headcount is down 9 percent
- Full-time headcount is down 2 percent
- Part-time headcount is up 4 percent

Spring 2013 – 2014
Credit Headcount by Enrollment Type

Type	Spring 2013	Spring 2014	Change N	Change %
FTIC	1,169	1,075	-94	-8%
Transfer	670	607	-63	-9%
Continuing	11,028	11,108	80	1%
Dual Enrollment	2,074	2,359	285	14%
Total	14,941	15,149	208	1%

Type	Spring 2013	Spring 2014	Change N	Change %
Full-time	7,115	6,990	-125	-2%
Part-time	7,826	8,159	333	4%
Total	14,941	15,149	208	1%

CREDIT FTE

- Credit FTE is 0.1 percent (5.4 FTE) higher than spring 2013
- Dual Enrollment FTE is up by 17 percent (45.3 FTE)
- Remedial FTE is down by 9 percent (38.1 FTE)

Headcount and FTE figures are preliminary numbers as of February 12th, 2014.

Adjunct Faculty Report

Dr. Joanne Russell reported:

Adjunct Faculty Data Overview

Adjunct faculty make up a large component of Westchester Community College's credit teaching faculty. The English Language Institute also hires adjunct faculty to teach non-credit ESL courses.

	Full-time credit teaching faculty	Credit adjunct faculty	Non-credit adjunct faculty
Fall 2013	163	771	293

For fall 2013, 72% of instruction in credit classes was done by adjunct faculty and full-time faculty teaching overloads. The chart below shows instruction by full-time faculty, whether part of regular load or overload as compared to the SUNY average (data source: SUNY IPEDS data).

% Instruction Taught by Full-time Faculty						
(FT Regular Load plus FT Overload)						
	2006	2007	2008	2009	2010	2011
<i>SUNY CC Average</i>	57.9%	58.3%	57.1%	54.6%	51.7%	51.7%
<i>WCC</i>	49.4%	49.1%	44.9%	44.2%	35.8%	33.3%

WCC has fewer full-time faculty (and therefore more adjunct faculty) than other institutions of similar size in the state.

Totals	# Full-Time Teaching Faculty (2011-2012)	Fall Credit Headcount (2011)	Fall Credit Headcount/FT Teaching Faculty
Suffolk	313	26,789	86
Nassau	556	23,507	42
Monroe	329	22,973	70
Erie	352	14,405	41
Westchester	161	13,969	87

Hudson Valley	245	13,919	57
Fashion Institute (FIT)	239	10,221	43
Onondaga	202	12,746	63
Dutchess	135	10,334	77
Rockland	140	8,113	58
Mohawk Valley	146	7,662	52
Broome	178	6,595	37
Niagara	107	7,169	67

Despite the growth in enrollment over the last ten years, the number of filled positions has remained substantially the same. Currently, there are 13 searches being conducted for full-time faculty, so the number of filled positions for teaching faculty will increase for Fall 2014.

Employee Type (FT)	2002	2003	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013
Executives	42	44	47	44	46	47	48	49	45	45	42	44
Teaching Faculty	158	157	160	156	161	165	167	170	166	161	161	163
Counselors	29	28	27	26	26	24	25	26	25	25	24	24
Librarians	12	13	12	12	10	11	12	12	12	12	12	11
Academic Support / Hlth Coord.	6	6	6	7	7	7	7	7	7	7	8	8
CSEA	272	291	297	284	285	293	291	299	288	287	288	285
Total	519	539	549	529	535	547	550	563	543	537	535	535
Fall Credit Headcount	11,855	11,981	11,935	11,564	11,579	12,073	12,613	14,147	13,893	13,969	13,997	13,781
Annual Credit FTE	7,612	7,805	7,914	7,711	7,920	8,620	9,116	10,400	10,144	10,103	10,311	TBD

*The numbers reflected in the above chart do not include EOC for this count.

Adjunct Hiring, Workload and Compensation

- The majority of adjunct faculty have been hired with the same credential requirement as full-time faculty: a Master's degree in their field. They may be retired from their former occupation, have a full-time day job, or are piecing together full-time work with adjunct positions at multiple locations. They frequently bring relevant and diverse work experiences to the classroom and are very dedicated employees.

- At WCC, adjuncts are “at will” employees until they have taught 20 semesters, at which time they achieve senior status. This status provides them with priority choice of courses over non-senior adjuncts.
- Adjunct faculty are limited by contract to 20 workload hours per academic year (excluding summer), which is taken as not “normally more than 10 hours each semester.” This equates to about \$27,000 maximum per academic year for 20 workload hours. No health benefits are included.
- Many adjuncts are willing to participate more in the work of the department and College but are unable to do so because they have conflicts due to other work obligations.

Academic Impacts

- Adjunct faculty are paid only for the time that they teach and the necessary preparation time. They are not paid or expected to hold office hours for students. This is often frustrating to students as they have difficulty finding their instructor outside of class. Some adjuncts do schedule office hours, but the College cannot expect or require them to do so. Adjunct faculty are also not required or paid to advise students.
- Likewise, adjunct faculty are not paid or required to attend adjunct orientation, department meetings, or other college functions. This is a significant issue when the department is working on common curricular expectations and assessments, or when training in new equipment or technology is necessary.
- Because of the sheer number of adjuncts, it is difficult to frequently evaluate their teaching. Large departments (such as math and English) have about 100 adjuncts each semester.
- WCC has one of the lowest full-time faculty ratios in the state. Despite the excellent qualifications of the adjunct faculty, the core academic work (curriculum and program innovation, assessment, advising, participation in Middle States preparation and strategic planning, and other essential committees) is being done by a small percentage of faculty.

Affordable Care Act: Issues and Concerns Related to Adjunct Faculty

- According to the ACA, employers with 50 or more employees will be expected to offer health care coverage to workers who put in 30 hours or more per week, or will pay a penalty. At the start of this year, the IRS noted in the Federal Register that “educational organizations generally do not track the full hours of service of adjunct faculty, but instead compensate adjunct faculty on the basis of credit

hours taught.” Colleges who use adjunct employees were asked by the federal government to make a reasonable determination about how to calculate workload hours for adjunct faculty.

- Just last week, the Treasury Department issued a communication that indicates that an adjunct faculty member should be credited with 2 ¼ hours of service per week for each hour of teaching or classroom time. This information has greatly clarified the College’s responsibilities in calculating workload. WCC’s current faculty contract states that an adjunct faculty member may teach “no more than four courses, or a total of 20 contact hours, whichever is greater, over both Fall and Spring semesters, normally not more than 10 per semester.” Utilizing the most recent calculation by the Treasury Department, 10 contact hours would be calculated as 22.5 hours per week. According to our current interpretation of ACA, the College will be able to abide by the current contract and practice without the obligation to pay for health benefits for adjunct faculty. There are some unique arrangements (such as those for clinical and ESL faculty) that will require additional study.

Recommendations

Middle States Commission on Higher Education (MSCHE) Standard 10 outlines the expectations of an institution of higher education with regard to faculty numbers: *There should be an adequate core of faculty and other qualified professionals that is responsible to the institution, supports the programs offered, and assures the continuity and coherence of the institution’s programs.*

Community colleges who are dependent on adjunct faculty are encouraged to incorporate strategies that recognize the contributions of this group and facilitate engagement with the college community. These recommendations include the following best practices:

- Create dedicated workspaces with desks, computers, printers, and places for adjuncts to meet with students. WCC has a few dedicated spaces for adjunct faculty in several academic buildings. The availability of equipped workspaces varies.
- Consider payment for participation in college meetings that foster good teaching and learning. These activities may include required adjunct orientation, assessment meetings, and department meetings to review assignments (perhaps one per semester).
- Recognize excellence in teaching and service with specific awards for adjunct faculty. Adjunct faculty are recognized for excellence in teaching during the fall convocation.

- Invite adjunct faculty to participate in all department and college events. At WCC, we include adjunct faculty in the announcement of many college and department meetings and events, but they are not compensated for their participation.
- Include adjunct faculty in recognized decision making bodies of the college, such as faculty senate and union governance. At WCC adjunct faculty are represented by the union, and the WCCFT Constitution requires that at least one Board member be an adjunct. An adjunct faculty member may serve as a senator to the faculty senate. However, this time is not compensated.

Definitions:

Workload hours: The typical 3 credit course has 3 workload hours per week (equivalent to 45 hours of paid time over the course of a 15-week semester)

Regular load: a faculty member is required to teach 15 hours of class per week (approximately 5, 3-credit classes) and hold 5 hours of office hours. Class preparation, grading, meetings, and college and community service constitute the balance of the faculty time.

FT Overload hours: By contract, a full-time faculty may teach up to 10 workload hours of overtime (equating to slightly more than 3 additional 3-credit classes)

B. Student Trustee Report

Hayden Tse reported:

Student Government Association

- Student Government Association Executive Board has appointed a New Treasurer: Tom Cobb to fulfill the duty of the former Treasurer Steven Aranda.
- Student Government Association Executive Board is still debating on getting a new Director of Public Relations since our former Director of Public Relations Jessica Gramajo has resigned.
- Student Government Association Special election for Senators was held at Club Council two weeks ago and three appointments have been made.

Student Trustee

- Met with Dr. Russell during the break and shared all the reports and ideas that we have of forming a Sustainability Committee that has representation from a variety of constituencies across campus. We will arrange an initial

meeting of campus students, staff, faculty, and administrators who are interested in participating.

- A thorough Wi-Fi Report has been put together by the Campus Affairs Committee and has been sent to Anthony Scordino. He will meet with his department to discuss ways to improve wireless access in these areas and get back to me in a few weeks
- Renewed the change machines at the Student Center and got an extra one for the Technology Building at the Tech lounge.
- I benefited a lot from the ACCT conference at Washington DC. I will have the conference report ready to share by the next Board meeting.

C. Programs

Articulation Agreements

Dr. Joanne Russell reported:

Westchester Community College A.A.S. Nursing to The College of New Rochelle B.S. Nursing

Summary

Westchester Community College students who graduate with an A.A.S. degree in the Nursing, R.N. program with a cumulative GPA of 2.0 will be granted “junior” or upper-level status in the BSN program at **The College of New Rochelle**.

Upon transferring into The College of New Rochelle, qualified Westchester graduates will be awarded up to a maximum of 90 credits earned at Westchester as applicable the RN to BSN program at The College of New Rochelle. SUNY Westchester graduates who hold either an A.A. or A.S. degree will be deemed to have fulfilled all General Education requirements at The College of New Rochelle.

Each transferring student with a SUNY Westchester GPA of 2.5 or higher will be eligible for a merit scholarship. One transferring SUNY Westchester student each academic year will be eligible for a CNR Presidential (full-tuition) scholarship, with the recipient nominated by Westchester Community College, and approved and notified by The College of New Rochelle.

I. Westchester Community College A.A.S. Fashion Merchandising to Fashion Institute Of Technology B.S. Textile Development and Marketing

Summary

The **Fashion Institute of Technology** agrees to accept as juniors those **Westchester Community College** students from the A.A.S. program in Fashion Merchandising who have successfully completed the courses outlined in the degree program and who have graduated with an A.A.S. in Fashion Merchandising degree from Westchester Community College. The grade point average for Westchester Community College A.A.S. in Fashion Merchandising degree graduates for acceptance to the Fashion Institute of Technology's B.S. in Textile Development and Marketing shall be 2.8 or above.

Additionally, students must attain grade of "C" or better in all General Education courses applied to the Fashion Institute of Technology for transfer credits.

Every two years, faculty and administrative staff from both institutions will confer on matters of curriculum content and other program details.

****Motion: Jacknis/Cox-Burns- all in favor**

D. Personnel and Organization

Dr. Flynn presented the following candidates for Retirement

1. Dr. Marjorie Glusker – effective 7/4/14 (18 years of service)
2. Renée Guy – effective 7/4/14 (24 years of service)

****Motion: McLaughlin/Nonna – all in favor**

E. Foundation Report

Eve Larner reported:

Eve introduced the Foundation's newest employee Nicole Sharpe.

Nicole gave a brief description of her job responsibilities as Director of Leadership Giving and Campaigns and her prior employment.

Upcoming Events

- **Celebrity Salons**
 - Invitations have been sent out
 - We will be having thirteen Salons this year
- **Spring for Scholarships**
 - May 7th at Tappan Hill
 - Honoring Dr. Joseph Hankin and David Swope

F. Facilities

Pat D'Imperio reported:

Capital Projects - (Overview)

- WCC75 – Technology Upgrades off Campus
 - Wireless Enhancements
 - Replacements of PC/Laptops
 - Four new Smart Rooms at the Ossining Extension Center
- WCC76 – Technology Upgrades on Campus
 - Replacements of PC/Laptops/Printers
 - Server and switch replacements
- WCC80 – Planning Studies
 - Planning and Feasibility studies and Infrastructure improvements
 - We are currently studying what the cost would be to have solar panels on all of our buildings.

Resolution - Gateway Center Construction Lawsuit

Pat D'Imperio reported:

ADOPTED ON: February 19, 2014

SUBJECT: SETTLEMENT OF LAWSUITS FILED BY CLEAN AIR QUALITY SERVICE, INC. and WEST-FAIR ELECTRICAL CONTRACTORS, INC. RELATED TO THE CONSTRUCTION OF WCC'S GATEWAY CENTER

WHEREAS, pursuant to public bid, in or about July 2007, the County and WCC entered into contracts for the construction of WCC's Gateway Center, a 70,000 square foot building located at WCC's campus in Valhalla, which provides classrooms, student and instructor lounges, computer labs, a 175 seat theatre/lecture hall, and a cafeteria, among other facilities contained within and which has since received a Gold LEED (Leadership in Energy & Environmental Design) rating by the United States Green Building Council (hereinafter the "Project"); and

WHEREAS, the total construction cost of the Project was projected to be approximately \$39 million; and

WHEREAS, on or about August 23, 2007, West-Fair Electrical Contractors, Inc. ("West-Fair") and WCC entered into a prime contract, in writing, for the furnishing and installation of equipment, materials and labor required for the electrical work necessary for the Project, for an agreed price, exclusive of extras, of Three Million Five Hundred Eighty-Nine Thousand Two Hundred Dollars (\$3,589,200.00); and

WHEREAS, on or about August 23, 2007, Clean Air Quality Service, Inc. ("CAQS") and WCC entered into a prime contract, in writing, for the furnishing and installation of equipment, materials and labor required for the Heating, Ventilation and Air Conditioning work necessary for the Project, for an agreed price, exclusive of extras, of Four Million Two Hundred Ten Thousand Nine Hundred Six Dollars (\$4,210,906.00); and

WHEREAS, West-Fair and CAQS each commenced an action against WCC and the County in the Supreme Court of the State of New York, County of Westchester, entitled West-Fair Electrical Contractors, Inc. v. Westchester Community College and Westchester County, Supreme Court, Westchester County Index No. 20116/10 and Clean Air Quality Service, Inc. v. Westchester Community College and Westchester County, Supreme Court, Westchester County Index No. 25451/2010, which actions were later consolidated (hereinafter the "Lawsuits"), wherein WFEC and CAQS seek damages in the sums of \$1,808,484.00 and \$1,851,784.58, respectively as the unpaid portion of their Contracts and other costs allegedly incurred by West-Fair and CAQS in the construction of the Project; and

WHEREAS, CAQS and West-Fair agreed to discontinue the Lawsuit by payment from the County to West-Fair in the amount of One Million Forty One Thousand (\$1,041,000.00) Dollars and to CAQS in the amount of One Million One Hundred Fifty-Seven Thousand Four Hundred Fifty-Eight (\$1,157,458.00) Dollars and; and

WHEREAS, settlement of the Lawsuits is in the best interest of the County, WCC, West-Fair and CAQS; and

WHEREAS, Dr. John F. M. Flynn, WCC Interim President, approves the settlement of the Lawsuits by payment in the aforesaid amounts;

NOW, THEREFORE, be it

RESOLVED that the Westchester Community College Board of Trustees approves the settlement of the Lawsuit entitled West-Fair Electrical Contractors, Inc. v. Westchester Community College and Westchester County, Supreme Court, Westchester County Index No. 20116/10 by payment from the County to West-Fair in the amount of One Million Forty One Thousand (\$1,041,000.00) Dollars; and

RESOLVED that the Westchester Community College Board of Trustees approves the settlement of the Lawsuit entitled Clean Air Quality Service, Inc. v. Westchester Community College and Westchester County, Supreme Court, Westchester County Index No. 25451/2010, by payment from the County to CAQS in the amount of One Million One Hundred Fifty-Seven Thousand Four Hundred Fifty-Eight (\$1,157,458.00) Dollars; and

RESOLVED that the Westchester Community College Board of Trustees authorizes the Chairperson of the Board to take any action necessary to implement this Resolution.

*****Motion: (As Amended) McLaughlin/Bikkal - all in favor***

G. Finance

Pat D'Imperio reported:

Resolution: Contract Ratification

WHEREAS, Westchester Community College is required to enter into agreements for the continued operation of the College; and

WHEREAS, the attached schedule represents those agreements approved by the College since the last meeting of the Board of Trustees; therefore

BE IT RESOLVED, that the Board of Trustees of Westchester Community College hereby ratifies the aforementioned agreements.

<u>CONTRACT #</u>	<u>CONTRACTOR NAME</u>	<u>CONTRACT DESCRIPTION</u>	<u>TERM</u>	<u>AMOUNT</u>
140310577	DANA ROMANELLO-FLYNN	Provide sign language interpreting	1/1/14 -12/31/14	\$55 per hour
140310578	NANCY KAPLAN	"	1/1/14 -12/31/14	\$55 per hour
140310580	FRED WOLINSKY	"	1/1/14 -12/31/14	\$55 per hour
140310581	LYNNE MARTIRANO	"	1/1/14 -12/31/14	\$55 per hour
140310582	DANA FONTANA	"	1/1/14 -12/31/14	\$55 per hour
140310585	SHARON CHASAN	"	1/1/14 -12/31/14	\$55 per hour
140310586	CHRISTINE FICO	"	1/1/14 -12/31/14	\$55 per hour
140310587	LENORE CILMI	"	1/1/14 -12/31/14	\$55 per hour
140310588	CATHERINE F. ROY	"	1/1/14 -12/31/14	\$55 per hour
140310590	DEBORAH KAIR	"	1/1/14 -12/31/14	\$55 per hour
140310593	BARBARA PFINGST	"	1/1/14 -12/31/14	\$55 per hour
140310594	ANGELIKI NAKOS-PARASHIS	"	1/1/14 -12/31/14	\$55 per hour
140310595	JENNIFER SILVERSTEIN	"	1/1/14 -12/31/14	\$55 per hour

The above contracts are to provide sign language interpreting services for people with hearing impairments dependent on non-verbal communication

140130600	R. H. PERRY & ASSOCIATES	Presidential search firm	2/24/14 -12/31/14 not to exceed \$60,000
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****Motion: Bikkal/Tse – all in favor**

Adjournment

****Motion: Tse/Nonna – all in favor.**

In the Folder

The Viking News – 2/5/14

The next meeting of the Board of Trustees is scheduled for Wednesday, March 19, 2014 at 3 pm at the Mount Vernon Extension Site.

Respectfully submitted,

Yolanda Howell

Yolanda Howell
Secretary, Board of Trustees