

County Community College
Michael J. Grant Campus

Academic Assembly

**Resolution 2019-09 [18]**

**Censuring the Interim College President**

**Whereas** a vacancy search for a full-time faculty position at Suffolk County Community College was convened in Spring 2019 and proceeded as follows:

* in March 2019, the Search Committee was established;
* the Committee followed the College’s *Search Committee Procedures[[1]](#footnote-2)* in creating the “applicable academic qualifications”[[2]](#footnote-3) for the position, as well as criteria and rubrics for evaluating the candidates;
* the qualifications, the evaluation criteria and the rubrics were approved by the Office of Human Resources;
* on March 22, the Search Committee started to review the candidate resumes;
* the Committee selected eleven candidates to be interviewed on campus and to perform teaching demonstrations;
* between April 18 and April 27, six of the eleven candidates were interviewed by the Committee on campus, and provided teaching demonstrations;
* on Saturday, April 27, the names of two[[3]](#footnote-4) finalists, chosen by the Committee among the six interviewed candidates, were submitted to the Campus Executive Dean;
* both finalists had the preferred (rather than just minimal) qualifications for the position;
* by May 3, the Campus Executive Dean completed the interviews of the finalists; and

**Whereas** on August 14, 2019 the Department Chair was notified that a candidate who was not among the two finalists chosen by the Committee was hired, on a full-time tenure-track line, to fill this vacancy; and

**Whereas** the hired candidate

* did not hold the preferred academic credentials for the position;
* failed to meet the approved Search Committee’s resume review criteria for an interview;
* had not been interviewed by the Search Committee;
* had not given a teaching demonstration to the Committee;
* had not passed a Search Committee reference review; and

**Whereas** hiring the candidate who did not meet search committee-approved “applicable academic qualifications”[[4]](#footnote-5) made it impossible to appropriately staff and schedule some required classes during day-time, while adhering to departmental quality standards; and

 **Whereas** the Search Committee was not formally dissolved, and neither was the search formally canceled, prior to the hire, thus creating a false impression of the vacancy being filled as the result of a legitimate search process; and

**Whereas** the Search Committee diligently sought, but never got, an explanation of this decision and redress of its grievances through the appropriate administrative channels; and

**Whereas** the Interim College President rejected suggestions by the Grant Campus Governance leadership of resolving this matter by insuring the integrity of future faculty searches through his agreement with Faculty Association on clarifying relevant contractual language; and

**Whereas** the students of the College deserve the most highly qualified instructors available; and

**Whereas** the Faculty Association Contract and the established College procedures make the Search Committee responsible for judging the academic qualifications of candidates; and

**Whereas** faculty participation in academic vacancy searches, providing expert advice on essential professional qualifications of candidates, is an integral part of the shared governance of an academic institution; and

**Whereas** the Interim College President bears the ultimate responsibility for the hiring decision; and

**Whereas** the Interim College President has an obligation to uphold the principles of shared governance; and

**Whereas** the legitimacy of the search process is fundamental to the ethical integrity of the Institution; and

**Whereas** “as employees of the College, we must all practice honestly and with integrity in fulfilling our responsibilities and complying with all applicable laws and regulations”[[5]](#footnote-6); be it therefore

**Resolved** that the Grant Campus Academic Assembly censures the Interim College President Louis Petrizzo for

* violating the principles of shared governance by hiring a candidate without a legitimate search process, and for
* breach of ethical standards of honesty and transparency by creating a false impression of the candidate being hired as a result of a legitimate search process; and be it further

**Resolved** that the Grant Campus Academic Assembly affirms the importance of high ethical standards of conduct in all College operations; and be it further

**Resolved** that the Grant Campus Academic Assembly commits to genuine participation in, and vigorous support of, shared governance at Suffolk County Community College.

Passed [44-9-12] on December 10, 2019

**Faculty Association of Suffolk County Community College**

**2001-2005[[6]](#footnote-7) Contract[[7]](#footnote-8)**

ARTICLE IV

Conditions of Employment

**J. Vacancies.**

**3. Faculty Vacancies.**

a. Unit III members shall be notified by the College of Unit III openings by utilization of individual faculty mailboxes and/or postings on the College's Human Resources’ home page. Such notification shall include a statement of required qualifications and whether the vacancy is a term line. This notification will be provided two (2) weeks in advance of publication elsewhere, except with the concurrence of the Association. The College shall notify all Unit III members by internal distribution no later than January 15 of each year of anticipated vacancies for the spring semester and by August 15 of the anticipated vacancies for the fall semester. If a position held by a faculty member on a temporary basis is being converted to a term line, and there are other temporary faculty in the discipline, the position shall be announced.

b. Whenever an opening for a full-time position within Unit III occurs, the following procedure shall be followed:

1. The department/discipline faculty shall be notified and a joint faculty/administration search committee shall be appointed for the purpose of determining applicable academic qualifications for the position within approved academic policy, reviewing applications and credentials, interviewing candidates, and making recommendations to the appropriate dean.
2. The joint search committee shall consist of the appropriate departmental/discipline administrators and between three (3) and five (5) full-time faculty members as determined by the full-time members of the department, by mutual agreement with departmental/discipline administrators. Faculty appointments to the committee should include at least one faculty member with the specific expertise in the discipline that is the subject of the search.
3. This search committee shall forward the names of at least three (3) recommended candidates to the appropriate dean for review and recommendation to the President. If a search does not result in three successful candidates, the President may waive the requirement for three candidates. If none of the candidates is found acceptable, the President may direct that the committee reopen the search.

c. Upon written request, interviews of available applicants shall be offered to full-time faculty, adjunct faculty and outside applicants, in such order.

d. Every effort will be made to hire minority group members.

**Middle States Commission on Higher Education**
**Standards for Accreditation and Requirement of Affiliation**

Standard II

Ethics and Integrity[[8]](#footnote-9)

Ethics and integrity are central, indispensable, and defining hallmarks of effective higher education institutions. in all activities, whether internal or external, an institution must be faithful to its mission, honor its contracts and commitments, adhere to its policies, and represent itself truthfully.

**Criteria**

An accredited institution possesses and demonstrates the following attributes or activities:

1. a commitment to academic freedom, intellectual freedom, freedom of expression, and respect for intellectual property rights;
2. a climate that fosters respect among students, faculty, staff, and administration from a range of diverse backgrounds, ideas, and perspectives;
3. a grievance policy that is documented and disseminated to address complaints or grievances raised by students, faculty, or staff. The institution’s policies and procedures are fair and impartial, and assure that grievances are addressed promptly, appropriately, and equitably;
4. the avoidance of conflict of interest or the appearance of such conflict in all activities and among all constituents;
5. fair and impartial practices in the hiring, evaluation, promotion, discipline, and separation of employees;
6. honesty and truthfulness in public relations announcements, advertisements, recruiting and admissions materials and practices, as well as in internal communications;
7. as appropriate to its mission, services or programs in place:
	1. to promote affordability and accessibility;
	2. to enable students to understand funding sources and options, value received for cost, and methods to make informed decisions about incurring debt;
8. compliance with all applicable federal, state, and Commission reporting policies, regulations, and requirements to include reporting regarding:
	1. the full disclosure of information on institution-wide assessments, graduation, retention, certification and licensure or licensing board pass rates;
	2. the institution’s compliance with the Commission’s Requirements of Affiliation;
	3. substantive changes affecting institutional mission, goals, programs, operations, sites, and other material issues which must be disclosed in a timely and accurate fashion;
	4. the institution’s compliance with the Commission’s policies; and
9. periodic assessment of ethics and integrity as evidenced in institutional policies, processes, practices, and the manner in which these are implemented.

**State University of New York**
Campus Governance Leaders Toolkit[[9]](#footnote-10)

Select Quotes

Regardless of the structure of shared governance at your college, faculty should retain purview over and primary responsibility for the curriculum, methods of instruction, academic standards, program development, degree requirements, and academic student affairs.

SUNY Board of Trustees regulations for community colleges *specifically* establishes that faculty has a right *and a responsibility* to speak on policies related to the institution.

A shared governance body cannot negotiate contractual language with either management or the union, but shared governance may have a legitimate interest in the academic implications of labor agreements.

Shared governance should address all important issues of the college, not only employment issues, from a viewpoint that supports the overall academic quality of the institution, not only the fair treatment of employees.

1. Suffolk County Community College *Search Committee Procedures for Advertising and Screening of Candidates for Full-Time Faculty, Counselor and Librarian Positions*, 1/29/2013 [↑](#footnote-ref-2)
2. See the relevant contractual language in item b. 1) on page 4. [↑](#footnote-ref-3)
3. While the *Procedures* stipulate that “Three to five (3-5) recommended candidates … will be forwarded to the Executive Dean/Vice President”, this smaller number was approved by administration. [↑](#footnote-ref-4)
4. See the relevant contractual language in item b. 1) on page 4. [↑](#footnote-ref-5)
5. Suffolk County Community College *Whistleblower Policy*, https://www.sunysuffolk.edu/legalaffairs/documents/whistleblowerpolicyfinal.pdf [↑](#footnote-ref-6)
6. The Faculty Association Contract that covers 2001-2005 is amended by several *Memorandums of Agreement* (all available at <http://fascc.org/documents/contract>), but remains in effect. The portion included here (pp. 14-15 of the contract) has not been changed by the subsequent MOAs. [↑](#footnote-ref-7)
7. Excerpted from <http://fascc.org/sites/default/files/documents/docs/contract.pdf> [↑](#footnote-ref-8)
8. https://www.msche.org/standards/#standard\_2 [↑](#footnote-ref-9)
9. https://www.suny.edu/about/shared-governance/sunyvoices/cgl-toolkit/shared-governance/ [↑](#footnote-ref-10)