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Middle States Commission on Higher Education  
3624 Market Street, 2nd Floor West  
Philadelphia, PA 19104

Dear Middle States Commission:

*Nassau Community College* is in receipt of the final report dated January 3, 2017 from the Small Team representing the *Middle States Commission on Higher Education*. We value the work conducted by the Visiting Team, led by Team Chair Dr. Margaret McMenamín, and appreciate the efforts of Dr. McMenamín and the Team Members before and during the visit and in preparing this report. It is my expectation and intent that the Team's report will serve to guide us in a united commitment on the part of the Board of Trustees, Administration, Faculty and other interested parties to address all of the concerns brought to our attention.

We recognize that the requisite work ahead is considerable, and please be assured that these efforts are well underway. Thank you for the opportunity to respond to the Team's Final Report by providing evidence of our progress since the Team visited. We also include evidence that the Team may not have seen due to its not being provided, which omission may have resulted in certain Team misconceptions that we herein attempt to correct.

Following the November 28-30, 2016 Team Visit the College began to address the requirements in the Team's report. A number of areas were specifically identified for inclusion and these are discussed below in response to the Team's Final Report.

**Standard 2, page 7, the second Requirement reads, “The College must integrate and link the Multi-Year Academic, Facilities and Information Technology Plans to operationalize the goals and objectives of the College and incorporate enrollment management as part of the planning process.”**

Following the Team Visit, the College moved forward on this Requirement. First, an Institutional Planning Committee under direction of the President’s Office is being established, as described in Appendix 1 and below under Standard 5. A key aspect of the planning process as noted in the IPC description is a NCC Strategic Plan Integration Map (Appendix 2). The Strategic Plan goals provide the process to link the following NCC Plans: Academic Plan; Assessment Plan; Institutional Effectiveness Plan; Technology Plan; Financial Plan; Enrollment Plan and the Facilities Plan.

Each of these Plans is mapped to one or more of the six Strategic Plan Goals. In each of the Plans, objectives from the Strategic Plan Goals are mapped as well. As the Strategic Plan and its corresponding Plans are finalized, the color coding depicted on the Strategic Plan Integration Map will note the NCC Plan that incorporates the appropriate objective.

During the Spring 2017 semester, the College will convene the Institutional Planning Committee which will evaluate the 2014-17 Strategic Plan. Accomplishments from both the 2014-17 Strategic Plan and the 2014-17 Institutional Effectiveness Plan will be noted in the Institutional Improvement Report. This document will record accomplishments from both of these NCC Plans.

A brief discussion of the Plans noted on the Strategic Plan Integration Map follows.

**Strategic Plan** – Identifies the strategic goals (mapped to the Mission Statement) and objectives of NCC for AY 2018-2020. Each goal is mapped to the Mission Statement and incorporates priority objectives drawn from the Institutional Effectiveness, Academic, Assessment, Student, Financial, Facilities and Institutional Technology Plans. (An early task of the IPC will be to evaluate the existing six goals and propose revision where needed.)

**Institutional Effectiveness Plan** – Mapped to the Strategic Plan and other plans, provides detail on implementation of objectives and strategies including metrics; and identifies the processes and outcomes used to document the effectiveness of the plan.

**Academic Plan** – Mapped to Strategic Plan Goals, the academic plan identifies the strategies, timeline and resource implications of the objectives for each of the four Academic Areas, the library, continuing education, workforce development and online education. The persons responsible for the goal, the assessment method and the priority rank for inclusion in the Strategic and Financial Plan are noted.

**Assessment Plan** – Identifies the process and outcomes of student learning assessment at the course and program levels; describes how assessment data are collected; who is responsible for improvement and how results are interpreted and used on an annual basis to implement curricular improvements and modify programs.

**Financial Plan** – The financial plan connects the strategic plan goals and priorities to the budget process and plan for resource allocation. It builds on assumptions such as enrollment projections and outlines the four year financial plan projections.

**Enrollment Plan** – Incorporates the goals for recruiting and enrolling students at NCC and identifies the objectives to achieve these goals. The Plan provides data and analysis for annual budget enrollment assumptions.

**Facilities Plan** – The Facilities Plan is linked to the Institutional Technology Plan for campus improvements. These improvements include academic program improvements as well as quality of campus life projects such as parking lots, safety and security projects, or projects for other administrative and student support areas. The Plan provides a comprehensive analysis for development of facilities, equipment, and maintenance that is mapped to the priorities of the Strategic Plan.

**Institutional Technology Plan** – Identifies the goals and strategies to enhance teaching and learning through the use of technology; align technology with institutional priorities; maintain existing technology infrastructure in a secure environment and plan for emerging technologies in a cost effective manner.

Additionally, and related to institutional strategic planning, the following two requirements were noted in the Team’s final report.

**Standard 4, page 10, the Requirement reads, “While the Board Policy 1200 has been approved, at the time of this visit it has yet to be fully operationalized. The College must continue to move forward, with each constituency group embracing their roles and responsibilities as outlined.”**

**Standard 5, page 11, the first Requirement reads, “The College must provide evidence of adequate information and decision / making systems to support the work of Administrative leaders.”**

Following the Team’s visit, the College moved forward on both of the requirements above. The formation of the new Institutional Planning Committee acknowledges the roles of the Board of Trustees, Administration, and Faculty in the planning process at Nassau Community College. A draft copy of this policy is attached (Appendix 1).

We believe that implementation of the Strategic Plan Integration Process will meet the Requirements identified by the Middle States Commission on Higher Education and move NCC into compliance with Accreditation Standard 2 and toward compliance with Standards 4 and 5.

**Standard 3, page 8, second paragraph, second sentence reads, “As such reserves earmarked to cover the cost of the buyout were inadequate, requiring short-term financing of approximately \$7.5M.”**

No reserves were ever earmarked towards the retirement incentive. Reserves were only earmarked for the projected regular retirements. Incentives were always projected to be financed via issuance of the debt instrument. Page 10 of the 2017 NCC Fiscal Year official adopted budget (Appendix



3) specifically addresses this and incorporates an estimate of the debt service expense for the related borrowing and the projected payment of the debt. **Standard 3, page 8, third paragraph reads,** *“Financial statements for the fiscal year ending August 31, 2015 were not available for examination during the March 13 - 16, 2016 Middle States Evaluation Team’s visit; as such, inclusion of the results of that document were not part of the evaluation team’s report. The August 31, 2015 audited statements, issued by the external auditor on May 31, 2016, included three financial statement findings governing internal control over financial reporting. The auditors’ observed ‘the College was unable to produce reliable year-end close information in a timely manner.’ Missing financial reporting deadlines ‘could impact future funding for the College.’ The institution has agreed to modify the timeline of the year-end close to have items prepared earlier going forward.”* Included in the Summary of Key Evidence and Developments in the Middle States Team’s final report is a partial quote taken from the 2015 Financial Statements (Appendix 4), page 51: Auditors Financial Statement Finding. The quote reads *“the...College was unable to produce reliable year-end close information in a timely manner.”* Questions or concerns regarding this portion of the auditors’ comments were not addressed to the Vice President of Finance in any meetings that occurred during the November visit, nor was any corrective action plan discussed or suggested, as suggested on page 8 of the Team’s report (*“The institution has agreed to modify the timeline of the year-end close to have items prepared earlier going forward.”*).

Standard 3 of the Middle States Commission on Higher Education Characteristics of Excellence in Higher Education states:

*“An accredited institution is expected to possess or demonstrate the following attributes or activities: .... an annual independent audit confirming financial responsibility, with evidence of follow-up on any concerns cited in the audit’s accompanying management letter; “*

There is, in fact, clear evidence of follow-up by the institution regarding any concerns cited in the 2015 audit’s accompanying management letter.

The finding mentioned by the Middle States Team in the final report (*“...the College was unable to produce reliable year-end close information in a timely manner.”*) was first presented by the Auditors, RSM US LLP, and discussed with the NCC Board of Trustees at their June 22, 2016 meeting. Auditors’ concerns and management’s response were discussed at that time as well. An Audit Timeline for the fiscal year 2016 audit was prepared in June 2016, with the goal of facilitating the audit process. This topic was revisited again at the September 13, 2016 meeting of the Board of Trustees. Minutes of the September 13, 2016 Board of Trustees meeting (Appendix 5) state: *“VP Reznik submitted response to auditors in writing. As audit begins, auditors will be able to see how NCC is doing with corrective action*

*plan and report back to BOT.” We believe that this evidence of previous follow-up on concerns cited in the audit’s accompanying management letter addresses the findings described in the Team’s final report.*

**Standards 4, 5, & 6, pages 8-12 inclusive, addressing issues of integrity in hiring and in policy development overall related to institutional functions, especially in the context of the Middle States Policy on Political Intervention in Education.**

We continue to progress in this area. Subsequent to the Team Visit on November 28-30, the Policy and Planning Committee of the Board of Trustees met on December 13, 2016 and recommended to the full board for discussion at the January 10, 2017 Board meeting the following three policies: Policy 3100 News Media Relations (Appendix 6), Policy 3200 Marketing, Advertising and Promotional Materials (Appendix 7), and Policy 5600 Protection of Minors on Campus (Appendix 8). In addition, the Policy and Planning Committee of the Board of Trustees is scheduled to review the following policies at the January 10, 2017, Policy and Planning Committee meeting: Policy 6100 Detecting and Reporting Fraud, Policy 6200 Travel, Policy 6300 Minimum Fund Balance, Policy 6310 Petty Cash Fund, Policy 6400 Grants, Policy 6500 External Audits, Policy 6600 Capitalization, Policy 6700 Investments, Policy 6800 Procurement, and Policy 6900 Tuition and Fees.

Also attached are the Board of Trustees Annual Acknowledgement and Certification of Compliance Form (Appendix 9) related to Trustees Rules of Procedure and Code of Ethics and the Search Committee Acknowledgement and Certification of Compliance Form (Appendix 10) related to compliance with the Middle States Policy on Political Intervention in Education (Appendix 11).

**Standard 6, page 12, paragraph 5, the sentence reads:** *“Finally, interviews with employees revealed some concern about the adequacy of the College’s current policies on Title IX compliance.”*

**Standard 6, page 12, the third Requirement reads,** *“The College should review and revise all relevant Title IX policies to ensure compliance with Title IX requirements.”*

Regarding the two related items above, the College is and has been in full compliance with Title IX, and it appears there may have been some misunderstanding or misinterpretation by Team Members of comments made by interviewees in the context of a discussion of Title IX that occurred during the campus visit. The interviewee comments referred only to our current lack of an approved campus policy which would address allegations of bullying and/or stalking of a non-sexual nature and which are committed by employees. This type of incident is separate and apart from Title IX, which addresses only sexual harassment, and sexual assault, and the College is therefore in full compliance with all Title IX requirements. Our campus Sexual Harassment/ Sexual Assault policy covers all discrimination based on sex, as well as sexual assault, as well as stalking with intent to sexually harass. This policy is in full

compliance with Title IX and with Article 129-B of the New York State Education law. The intent of Title IX is to ensure that an institution has mechanisms for responding to, preventing and redressing allegations of sexual harassment and sexual assault, which our campus Sexual Harassment/ Sexual Assault policy does ensure. Regarding a policy on bullying and/or stalking of a non-sexual nature, this issue is under consideration in the governance system for establishment of a policy.

**Standard 14, page 14, third paragraph under Summary of Key Evidence and Developments, the third sentence reads, “These anecdotal reports indicated that course level assessment has been in progress since 2008.”**

It appears there may have been some misunderstanding caused by the College’s provision of a document that records the ongoing annual process of student learning assessment at the course and program level. This continuous record began in 2008 with the advent of the dedicated Office of Academic Assessment and Program Review. However, this record should not be taken to indicate that systematic course level learning assessment efforts were not in place for many years prior to 2008. In fact, the beginning of these efforts dates to 1998.

On December 15, 1998 the State University of New York Board of Trustees adopted a resolution which required all system campuses to develop plans for the assessment of General Education learning outcomes. NCC’s efforts regarding systematic learning assessment date to this resolution, following which work on assessment began. Since little or no digital or hard copy evidence was preserved by the College during the time period between 1998 and 2008, we attach an archived report, the Campus Report-General Education Assessment 2002-06: Executive Summary (Appendix 12), the first to aggregate the results of implementation of General Education learning assessments across the campus. The implication of this document is that between 1999 and 2002 the College identified SUNY-designated General Education courses and subsequently developed and implemented assessment plans for these. Clearly, course level assessment of student learning, especially for General Education learning outcomes, was ongoing from 1999.

**Standard 14, page 14, last paragraph, the first two sentences read, “It was reported to the team that the institution conducts Academic Program Review, a SUNY requirement. The small team was unable to find evidence that these program reviews are completed.”**

There may have been a failure of communication regarding SUNY Program Review. The reviews have been conducted annually since 2000, in staggered cycles, with each degree and certificate program on its own 5-year cycle. The Annual Program Review Summary Executive Report on the process and outcomes of program reviews for the current year is generated each year at the conclusion of the program

review cycle for that year. We attach the two most recent (2015, 2016) of these reports in evidence (Appendices 13 and 14). It is true that these reviews have historically focused on outcomes other than student learning at the program level, at least insofar as the self-study process is concerned. However, during the full-day site visits much of the conversation with the external program reviewers often centers around student learning outcomes performance and ways to improve it.

We continue to strive to make the results of program level learning assessments a more central concern during the SUNY Program Review process, a goal that has been supported over the past several years by the inclusion of program level learning in the annual assessment process documented in Taskstream, our assessment management system. The implementation and results of these program level learning assessments are now provided to our external program reviewers ahead of the site visit, along with outcomes data and self-studies. We attach two recent examples of program level learning assessments and findings, which were provided to the programs' external reviewers (Appendices 15 and 16). We attach also the two most recently generated annual Summary Reports of the Annual Departmental Assessment Reporting process (2013-14, 2014-15) (Appendices 17 and 18).

**Standard 14, page 15, the Requirement reads, “The College must implement a documented, organized and sustainable student learning outcomes assessment process that makes use of both direct and indirect measures to evaluate and improve teaching and learning in all programs, including general education.”**

The College had observed in the November 1, 2016 Monitoring Report, that administrative oversight of students not enrolled in specific programs needed to be strengthened. We are very concerned that all of our students have appropriate administrative oversight to facilitate learning, retention and completion. The retention and completion outcomes have been particularly worrisome in relation to our students in the Liberal Arts AA and AS degree programs. We plan to address this issue through academic administrative reorganization of the corps of Liberal Arts students not adequately engaged in their academic programs. The College has committed to identifying appropriate administrative oversight for both General Education assessment and the progress of our LAAA and LAAS degree seeking students.

**HEOA Compliance re: Institutional Record of Student Complaints: In accordance with 34 CFR 602.16(a) (1) (ix), the Commission must confirm that institutions have effective policies and procedures for tracking and resolving student complaints.**

We also include here a response to an issue of HEOA non-compliance cited at the time of the March 2016 Team Visit, this related to our previous inability to provide evidence of an Institutional Record of Student Complaints. In the report to the College following the November 28-30 Team Visit, the Team noted that the HEOA Student Complaint Form has been created and is now on the College's



website to facilitate resolution of student complaints. The College needs to now create effective policies and procedures for tracking these complaints.

The HEOA-required Student Complaints function is now accessed as a Complaint/ Feedback web form (Figure 1). It can be accessed in several ways, including through the *About NCC* button on the Nassau Community College homepage (Figure 2). The form can also be accessed directly via a link at the bottom of the College’s homepage (Figure 2). In addition, when students log on to the NCC Student Portal, the Complaint/Feedback web form is accessible via a direct link located there.

**Figure 1. Complaint/Feedback Form as it appears online to the student/guest.**

**Feedback and Complaint Process**

Nassau Community College takes complaints and concerns very seriously. Nassau Community College provides students with a mechanism for giving feedback and submitting complaints concerning the College's operations.

**Do you wish to be contacted regarding your submission?**  
 Please Note: Submitting your feedback/complaint anonymously will not give us the ability to contact you about the resolution.

Yes, Please contact me about the resolution  
 No, I would like to remain anonymous

**Personal Information**

First Name:   
 Last Name:   
 Phone Number:   
 Email Address:   
If you are a current student, please provide your NCC student email address.

**Best time for communication with you?**  
Please choose a time when you are most likely to be available to receive a call.  
 Select

**Relationship to College**  
 Select

**Figure 2. The Complaint/Feedback Form can be accessed via the *About NCC* button on the College homepage or via a direct link to the web form at the bottom of the NCC homepage.**





The complaint/ feedback process begins when a student accesses and completes the online web form and selects one of the following areas:

☞ **Academic Affairs**

*(Complaints concerning institutional accreditation, Distance Education, Workforce Development and Continuing Education, educational programs and standards, etc.)*

☞ **Affirmative Action Office**

*(Discrimination and/or harassment complaints based on race, color, national origin, sex, sexual harassment, age, disability, religion, gender identity and other protected status designations)*

☞ **Facilities**

*(Complaints concerning College buildings and grounds, dangerous or hazardous campus conditions, etc.)*

☞ **Public Safety**

*(Crime reporting, suspicious/aggressive behavior of individual(s) on campus)*

☞ **Student Services**

*(Admissions, Academic Advisement, Registrar, Center for Educational Retention Counseling, Dean of Students, Office Psychological Counseling, Job Placement, Student Activities, Center for Students with Disabilities, Career Counseling, Transfer Office and Student Counseling Offices)*

☞ **Student Financial Services**

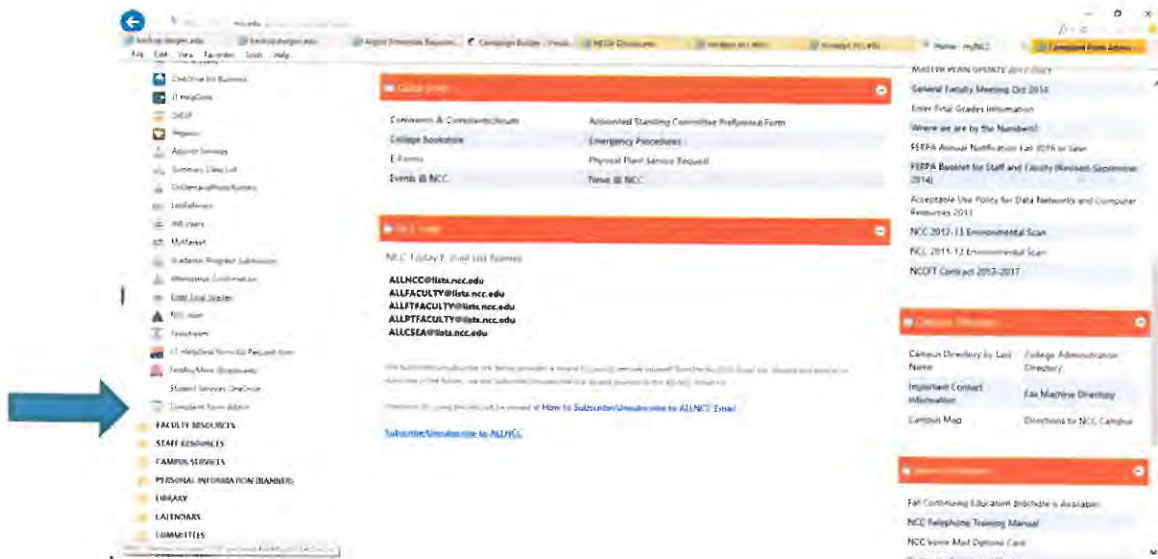
*(Financial aid, loans, payment plans, etc.)*

☞ **Not Sure**

The goal of the Complaint/Feedback web form is to efficiently and effectively "close the loop" on any complaint or inquiry from a student, or from a professor or community member. Aggregation of complaints and inquiries into a database provides for ongoing Cabinet evaluation of complaints and feedback. This process will inform Cabinet decisions regarding institutional planning and remediation actions to be taken for long term resolutions and continuous institutional improvement. Attached is the back-end spreadsheet that is produced as complaints are filed and resolved (Appendix 19).

Via email notification the complaints and feedback collection process routes each complaint or inquiry to the appropriate Vice President as well as the respective administrative assistant for that Cabinet member's office. The Vice President accesses the complaint or inquiry via a link in the NCC Portal (Figure 3).

**Figure 3. The Complaint/Feedback Web Form administrative link for Vice Presidents is located in the NCC Portal.**

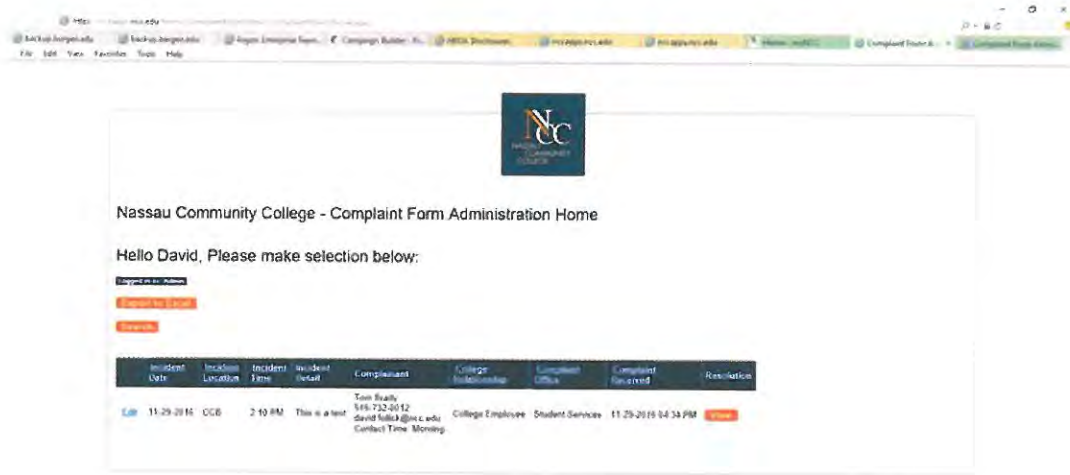


The referred complaint or inquiry then undergoes further review and investigation by the appropriate Vice President or a designee. Following review of the complaint or inquiry, the Vice President provides prompt feedback to the individual who submitted the inquiry, assuming the individual provided contact information. In addition, whether or not the complainant provides contact information the Vice President enters the resolution into the administrative panel, closing the loop on the complaint or inquiry.

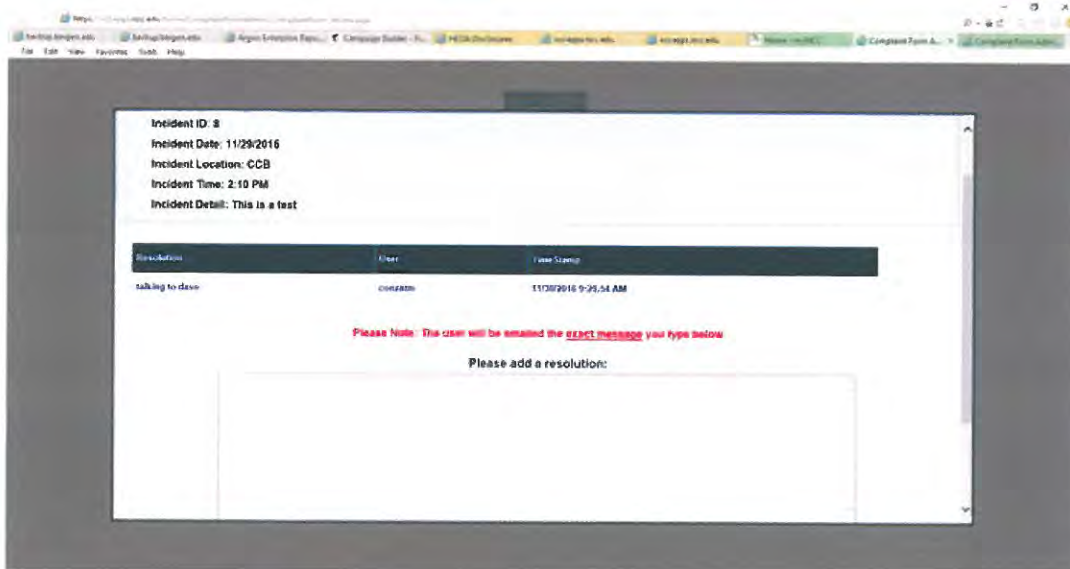
Any complaint or inquiry from a student who selects “unknown” is routed to the Registrar’s Office where the determination is made as to which Vice President should be designated to review it. If no resolution has been documented two weeks after the complaint or inquiry was submitted, the designated Vice President receives an email reminder to enter a resolution to close the loop on the complaint or inquiry and to follow up with an email to the student if contact information was provided. If desired or necessary, a designated Vice President can also update a resolution by recording additional follow-up information after the complaint or inquiry has been reviewed.

The process is intended to ensure that every complaint or inquiry is (1) documented and (2) reviewed in a timely manner. Figure 4 shows the administrative panel in the NCC Portal in which complaints and inquiries are reviewed and documented by the designated Vice President. Figure 5 shows the administrative panel in the NCC Portal in which the designated Vice President enters the resolution for the complaint or inquiry.

**Figure 4. View of complaint/ inquiry in administrative panel for Vice President’s Review.**



**Figure 5. View of administrative panel for Vice President’s documentation of resolution of complaint/ inquiry.**



At the end of each semester, the Dean of Admissions and the Registrar will compile an aggregate report from the Administrative Database. This report will be emailed to the Vice Presidents in order to allow the Cabinet to review the set of complaints and inquiries for trends with possible strategic planning implications for the longer term.

Related to other HEOA compliance issues, Academic Student Services managers are in the process of developing an FAQ section to help students with common questions regarding the campus. In



addition, the required *Consumer Disclosure* section is now accessible via the College homepage and is located under the *Quick Links* section.

In closing, I point out that some portion of the Team's Final Report has been due to either a failure on our part to be thorough in provision of information or on the part of the Team in not requesting available information. In any case, I assure the Commission that we are committed to continuing our progress toward full compliance with all Middle States standards, by fulfilling the requirements and recommendations as directed by the Commission and its Teams. Once again, we thank Dr. McMenamini and the Members of the Team for their guidance and counsel. I appreciate the careful narrative of the Final Team Report and expect it to be of help to Nassau Community College as we move forward in the spirit of continuous self-improvement.

Sincerely,

A handwritten signature in black ink, appearing to read "W. Hubert Keen". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

W. Hubert Keen, Ph.D.  
President  
Nassau Community College