

DATE

EDUCATION & INFORMATION TECHNOLOGY COMMITTEE

OF THE

SUFFOLK COUNTY LEGISLATURE

MINUTES

A meeting of the Education & Information Technology Committee of the Suffolk County Legislature was held in the Rose Y. Caracappa Legislative Auditorium of the William H. Rogers Legislature Building, 725 Veterans Memorial Highway, Smithtown, New York on September 2, 2014.

MEMBERS PRESENT:

Leg. Sarah S. Anker, Chairwoman
Leg. Monica Martinez, Vice Chair (Excused Absence)
Leg. Thomas Cilmi
Leg. Lou D'Amaro
Leg. Robert Trotta

ALSO IN ATTENDANCE:

Presiding Officer DuWayne Gregory
George M. Nolan, Counsel to the Legislature
Terrence G. Pearsall, Chief of Staff
Lora Gellerstein Chief Deputy Clerk of the Legislature
Ben Zwirn, Suffolk Community College
Kevin Peterman, SCCC
Denise Lindsay Sullivan, Appointee/SCC Board
Benny Pernice, Budget Review Office
Tom Vaughn, County Executive's Office
Michael Pitcher, Aide to Presiding Officer
Justin Littell, Aide to Leg. D'Amaro
William Shilling, Aide to Leg. Calarco
Amy Ellis, Aide to Leg. Anker
Greg Moran, Aide to Leg. Trotta
Maria Barbara, Aide to Leg. Cilmi
Rick Brand, Newsday
And all other interested parties

MINUTES TAKEN BY:

Diana Flesher, Court Stenographer

MINUTES TRANSCRIBED BY:

Diana Flesher, Court Stenographer
Denise Weaver, Legislative Aide

THE MEETING WAS CALLED TO ORDER AT 10:00 AM

CHAIRPERSON ANKER:

Welcome to the Education and Information Technology Committee meeting. We're going to begin. Please rise for the Pledge of Allegiance led by Legislator D'Amaro.

SALUTATION

Please remain standing for a moment of silent meditation and prayer as we think of those fighting for our freedom.

MOMENT OF SILENCE OBSERVED

Thank you. Okay, we do not have correspondence. No public comment. We do not have a presentation. We're going to go right to the Tabled Resolutions.

Oh, yes, Monica -- Legislator Monica Martinez has an excused absence.

TABLED RESOLUTIONS

We have Tabled Resolution IR -- **Table Resolution 1513, Appropriating funds in connection with the traffic circle at the Ammerman Campus (CP 2143). (Co. Exec.)** I'm going to make a motion to table it.

LEG. D'AMARO:

Second.

CHAIRPERSON ANKER:

Okay. We have a tabling. All in favor? We have a second. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 4-0-0-1. LEG. MARTINEZ NOT PRESENT)**

We have **Tabled Resolution 1514, Appropriating funds in connection with parking expansion.** And, again, that is at the **Ammerman Campus (CP 2152). (Co. Exec.)** I'll make a motion to table it.

LEG. D'AMARO:

Second.

CHAIRPERSON ANKER:

We have a second. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 4-0-0-1. LEG. MARTINEZ NOT PRESENT)**

INTRODUCTORY RESOLUTIONS

Introductory Resolutions. We have **IR 1674, Accepting and appropriating a grant sub-award amendment from The Research Foundation of SUNY Stony Brook University, the prime recipient of a grant award from the National Institute of General Medical Sciences, for a project entitled, "BioPREP: Biology Partnership in Research and Education Programs". It is 100% reimbursed by Federal funds at Suffolk County Community College. (Co. Exec.)** I will make a motion to approve.

LEG. D'AMARO:

Second.

CHAIRPERSON ANKER:

I have a second. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 4-0-0-1. LEG. MARTINEZ NOT PRESENT)**

Yeah, we're going to skip -- we're going to skip 1685. We're going to -- I'll make a motion -- okay, we're just going to go to **IR 1717,**

Directing the Department of Information Technology to develop policy and Pilot Program to facilitate opening data to the public. (Calarco) We're going to go -- I'd like to make a motion to table that Introductory Resolution.

LEG. D'AMARO:

Second.

CHAIRPERSON ANKER:

Okay. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 4-0-0-1. LEG. MARTINEZ NOT PRESENT)**

SIDEBAR DISCUSSION

LEG. CILMI:

Well, the questions that I have don't really -- aren't questions that she would be able to answer. They're not questions -- I mean I'm sure I might have some questions specifically for her, but -- but I do have questions that are more appropriately directed to Counsel. So I don't know if you want to begin that now or if you want to wait, it's fine with me, too.

CHAIRPERSON ANKER:

You know, I'd rather wait 'til she gets here, just in case she might be able to give you a little bit more information with that.

I guess -- also I did want to mention for the record that we will -- we have tours. And I just want to go back to the Tabled Resolutions. These are appropriating funds for the traffic circle and also the parking expansion at the Ammerman College Campus. We arranged tours so, you know, invited members here with the Education Committee and the full Legislature to attend. And I believe that's going to be what, next week? Yeah, next week. So if you're able -- oh, we rescheduled it, okay. September, you said, 23rd. Okay. So this way the members can really get a full understanding of what's involved with the traffic circle.

We will take a short recess for just a few minutes and hopefully Denise will be here. I know she called. I spoke with her. She is stuck in traffic, but she should be here within the next five minutes.

[RECESS FROM 10:06 AM TO 10:10 AM]

CHAIRPERSON ANKER:

Okay. We're going to continue with the Education Committee. Will the Members please come to the horseshoe. Okay, we're going to continue. We have **IR 1685, Appoint member to the Suffolk County Community College Board of Trustees. We have Denise Lindsay Sullivan. (Anker)** Denise is here. Welcome. Would you -- I'll make -- I'll make a motion to approve.

LEG. D'AMARO:

Second.

CHAIRPERSON ANKER:

And on the motion, if you would like to come on up and tell us about yourself and, you know, why you feel you'll be an asset to the Board at the Community College.

MS. SULLIVAN:

Good morning. My name's Denise Lindsay Sullivan. I have been in education -- this is my 21st year. I'm an Assistant Superintendent for Curriculum and Instruction in Hampton Bays schools, starting my 8th year today.

I think that this opportunity is something that's near and dear to my heart. I'm an alum from Suffolk Community College. It's an institution that I firmly believe is a place where working families can get a college education for their children. And I think that it's vital that our community has that. Fifty percent of the students in my high school, where I work and I've dedicated my life to, go to Suffolk Community College. So it's only in my best interest to ensure that the College is the best place it can possibly be.

I've worked hard the last couple of years to create partnerships between my school district that I work for and the College in order to give my students more opportunities, better chances at doing well in college, being ready for college. And in some instances they earn college credit while they're in high school. So I'm hoping to help the college to see that K-12 perspective and make sure that we're doing everything we can possibly do to make kids successful.

CHAIRPERSON ANKER:

Okay, thanks. We have -- Legislator Cilmi has a question pertaining to your board nomination.

LEG. CILMI:

Sure. Hi, Denise. How are you today?

MS. SULLIVAN:

Good. How are you?

LEG. CILMI:

Fine, thank you. I was going to ask this question of Counsel. And I do still need to ask the question of Counsel. But let me ask you just from your perspective, do you perceive any inherent conflict of interest given that your brother is a member of the Legislature?

MS. SULLIVAN:

You know, it's funny because I think about that often, too. And I -- I would think that if this was a job, like where it was my income, then maybe there would be a conflict. But this is my opportunity to serve my community. I'm giving my time; I'm giving my expertise. I'm not gaining anything personally for this. So I just don't see how there's a conflict. You know, I'm going into this looking at it like I have to look myself in the mirror every day. I have to make sure that I'm doing what I think is right regardless of outside pressures or politics. I'm not a politician. I'm an educator. I do what's right for kids every day, you know, that's my main goal. So whether it's my brother or anyone else, I still have to do what I think is right.

LEG. CILMI:

Yeah, I'm not sure that -- and I really haven't thought all that much about this but -- but I'm not sure that I would be that concerned about the conflict impacting your -- you know, your brother being on the Legislature impacting your decision making on -- on the Board. It's more a question to me of whether your being on the board affects the decision making here on the Legislature and his ability to fairly cast votes on issues pertaining to the Community College. And I guess that's where I -- initially I wasn't really intending on asking you that question. I thought I would ask Counsel that question.

MS. SULLIVAN:

Probably a question for him.

LEG. CILMI:

Yeah.

MR. NOLAN:

Well, I guess the question is there a conflict of interest running either way. And I have -- and I'll share these with you after the meeting, but I actually did researches and found three Attorney General opinions kind of right on point where there's no -- there's no personal conflict of interest here for either party as I see it.

We have one opinion here where the Attorney General said a Town Supervisor may take part in the determination of the Town Highway Department budget even though his brother was the Superintendent of Highways. So like in broad governmental matters, Legislator Lindsay could vote on matters pertaining to the Community College. He wouldn't be barred from doing so.

If Miss Lindsay-Sullivan was, let's say salaried, he couldn't vote on her salary. That would be prohibited. But in the broad matters relating to the Community College, there's no conflict problem from Legislator Lindsay.

LEG. CILMI:

So you found some case law that -- that supports that position. Is there any case law that -- that doesn't support that position?

MR. NOLAN:

I couldn't find any. And it's usually -- it's not going to be a case. Normally it's going to be these type of opinions, you know -- they always say -- and these opinions look at your own code of ethics and see if there's anything that applies. And in our case there's nothing that applies in the situation. That being the case, then there's a broad principle that's enunciated in these Attorney General opinions, which where there's really no personal conflict where Legislator Lindsay's not voting on matters pertaining to his sister specifically. You know, he would have to recuse himself on that type of vote. But, if let's say, you were voting on the budget of the Community College, he's permitted to vote on that notwithstanding the fact that his sister may be on the Board of Trustees. There's no -- there's no prohibition.

*(*PO Gregory has entered the meeting*)*

LEG. CILMI:

Well, I mean, clearly the nature of the relationship between Miss Lindsay, I want to get this right, Miss Lindsay-Sullivan and her brother, you know, could lead to some information-sharing, let's say, that may not be otherwise -- or may not be appropriate. Certainly, unintentionally. I'm not suggesting that there would be any intent here at all, certainly, you know, I have no reason to question Bill's integrity nor do I have reason to question Denise's integrity. But -- so I just -- for him to be able to vote on budgets and appropriating resolutions and all the different things that we have to vote on pertaining to the College -- it's just -- it seems a little -- the relationship seems a little awkward there for me.

CHAIRPERSON ANKER:

Can I -- I just wanted to mention too, you know, it's sort of like having a child maybe go into Community College. You know, it's maybe being alumni, you know, the alumnus from a community college. People have interests in certain things. And I think, you know, if we could see this as, you know, you're going to be a board member and your focus will be the Community College, you know, we talk about the assets that Denise brings, her background is incredible. I don't know of any person personally, at least going through the interview process, because we did open the interview to other people. You were up here before. And we added additional people to interview, you know, just make sure that we had a fair process. But when you were interviewed the amount of experience and time that you have taken and the relationship between your school, you personally,

and the Community College, is just -- it's just amazing that you personally have spent so much and trying to make the College a better place and connecting it with the schools. And we really need to do more of that. When I'm hearing the job situations, the kids don't have the skills they need to get the jobs that are available because technology is changing so rapidly.

We need to start when the kids are young, even going back to middle school, going to high school. Denise, you were looking into this. It's, you know, the STEM Program, I know it's in Newsday today talking about how we need to really focus on the educational needs of our kids. You are doing that. And I can see, again, how important this element is to our Community College and to all colleges across the country.

So I understand, Legislator Cilmi, your concerns about, you know, the brother/sister thing. But, you know, again, legally we seem to be in a good place. But professionally, and the ultimate idea, is to make our College a better place. Denise has the skills and the ability to do this, again, to connect high school skills and understanding that -- those elements and bringing them into the college level. And that way we'll make our College more successful.

MS. SULLIVAN:

I think it's also -- you know, I work in a K-12 world. So for me my first priority is to make sure that my students are ready for college. Career is probably going to be later, but college is the next step.

We had -- four years ago 60% of our students had to take remedial math classes before they could take a college-level course. And that's the statistic across the nation. It's not just Hampton Bays, it's not just Suffolk Community College. So I worked with people at the College. And I said, *what is it that you're doing, what are you doing with my kids when they come to you and get them -- how are you getting them ready for these college-level classes?* And I worked with them. We partnered. They came to my school. I went there, we -- in the end I adopted their curriculum. Every student in my senior -- in their senior year takes this curriculum now. And now the percentage is down to 24%. So in just four years, it went from 60% of kids taking remedial classes to 24%.

And that was huge because the percentage of students who graduate, if they take two or more remedial classes at Suffolk Community College, they have a 3% chance of graduating with a two-year degree. Three percent. So for me that sense of urgency was huge. They -- we had to do something. No other school district on Long Island is doing this. And I've been talking about this for four years. The reason they're not doing it is because there's no accountability for it. The State's not going to come down and say, *well, 60% of your kids had to take remedial math in college*, so they're going to get slapped on the wrist. They're going to look at that. It's a moral obligation. I don't feel like I did my job if my kids are leaving and they can't take a college class. They have to pay full tuition for a remedial class. It puts them way behind and they don't have a chance.

That's the kind of thing I want to do. So is there a -- I don't know. You know, there's conflicts -- I have a Board member on my Board who's married to a teacher. Is it awkward? Yes, it's awkward. But I think that my experience and my dedication to the school is something that will help me to overcome maybe that piece.

LEG. CILMI:

So I know Counsel had -- just wanted to respond to an earlier question; but then I want to follow-up with you on what you just said.

MR. NOLAN:

I was just going to add, you know, in terms of the conflict, when you analyze a conflict, usually it's driven by a -- doing something in your official capacity that's benefitting you in a personal way usually financially. So that's the way you got to look at the conflict. In this particular case, as I

mentioned earlier, if Legislator Lindsay's voting on the budget of the Community College or a Capital Project, nobody is gaining any type of personal benefit and it's not a conflict problem. Again, as I mentioned earlier, if it is a vote, for the sake of argument where the Trustees were paid something and he had to vote on that, he would have to recuse himself on that particular vote. But nobody is gaining any personal benefit for the service here.

LEG. CILMI:

Okay, I'm satisfied with that. I -- not being an attorney myself, I have to rely on your counsel as far as this goes so I appreciate your response.

Let's just follow up on what you said a minute ago, Denise. Certainly your experience in the public school arena and grades K-12, certainly gives you excellent perspective in making decisions that impact the College and your desire to impact readiness rates from the secondary education level to college education level is -- certainly has a lot of merit. The question is, how do you expect to do that as -- and I'm not saying it's a qualification, but you indicated a desire to be able to impact that in a greater capacity than at your school in Hampton -- in Hampton Bays, how do you do that as a member of the Community College Board?

MS. SULLIVAN:

To be honest with you I don't know because I --

LEG. CILMI:

It's fair.

MS. SULLIVAN:

-- I haven't served in that capacity yet. I don't really know that much about it. I learned from reading Newsday that it's a seven-year term. (Laughter) So I don't know that much about it. All I do know is that I have a passion for it and I want to help in any way that I can. You know, if that means that maybe somebody will get interested in it because I am a trustee -- I will be a trustee. You know, maybe someone on the faculty in Suffolk will say, *hey, let's do something with this* and partner with me. I think it's just a matter of getting exposure and getting out there that will give me opportunities that I may not have if I was in Hampton Bays and not venturing out.

LEG. CILMI:

Okay, thank you very much.

CHAIRPERSON ANKER:

Okay. Do you have any other questions? Okay.

LEG. TROTТА:

I have a question.

CHAIRPERSON ANKER:

Legislator Trotta.

LEG. TROTТА:

How do you pick -- how do we pick a Board member? Do you put out an ad or something?

CHAIRPERSON ANKER:

Legislator Gregory.

P.O. GREGORY:

Thank you. Thank you, Madam Chair. The majority caucus puts a committee together. And, you know, we reach out to -- to the Legislators to -- if they're, you know, any requests, if they have any -- any people that are interested in the Board, whatever the appointment is. Then we interview

them. And then we make a recommendation. And then we see -- Denise was amongst several people. Don't ask me to recite all of them because I don't know them off the top of my head, but there were several people, superintendents from various school districts throughout the County who expressed an interest. Denise was by far -- she's an extremely qualified candidate who has, I think, 30% -- or a significant percent of her students go to the College.

MS. SULLIVAN:

Fifty.

P.O. GREGORY:

She has shown to -- she has a creative mind and has implemented creative programs to address the challenges that they face in her school district. And we think she will be a tremendous addition to the Trustee Board.

CHAIRPERSON ANKER:

Legislator D'Amaro.

LEG. D'AMARO:

Legislator Cilmi, I'll defer to you, go ahead.

LEG. CILMI:

Thank you. I just wanted to ask the Presiding Officer, you said the majority caucus puts a committee together and you interview candidates. Is that exclusive to majority caucus?

P.O. GREGORY:

No, we've received recommendations from the Minority Leader as well in the past.

LEG. CILMI:

Did we -- I mean, did -- you'll have to forgive me, I wasn't aware that there was a -- that we needed to fill this position or that you were -- you were accepting applications for this position. I guess this is -- this position will replace Artie Cliff.

P.O. GREGORY:

Yes, who -- yeah, his appointment lapsed. He chose not to, you know --

LEG. CILMI:

Right, re-up. Did you reach out to the Minority Leader in an effort to solicit applications for this particular position?

P.O. GREGORY:

No, I don't believe so. I might have, I don't believe so. But in the past we have. Actually, we're putting forward a -- an appointment, Dr. Dewey, who was approved for the Board of Health -- was a recommendation by Legislator Kennedy, which we'll be seeing probably later in the week in the Health Committee.

CHAIRPERSON ANKER:

And I also want to --

LEG. CILMI:

Are there --

CHAIRPERSON ANKER:

Let me interject, too, though that this is the second round that Denise has gone through because we kept open the nomination to allow the Legislators, especially our Committee, to submit additional applicants. So, you know, there was -- there was a whole additional round to acquire more

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nominations. And I think we got one or two more, but it was open publically to have more nominations.

LEG. CILMI:

So -- but if the public was interested, to follow-up on Legislator Trotta's question, if members of the public in general were interested in applying for this position, let's say there was somebody who, you know, who -- who graduated from Suffolk County Community College, whose child graduated from Suffolk Community College, whose grandchild graduated from Suffolk Community College who is also a teacher, maybe an administrator in a school district, if they wanted to -- if they had visions of serving the County and serving the College in this way, how would they know that such a position was available to them?

P.O. GREGORY:

Yeah, I don't know -- I don't know what the Board does as far as notice for -- you know, notifying the general public or anyone for that matter that there's a vacancy. I'm not familiar with that type of process.

LEG. CILMI:

But it seems to me in order -- in order to get a broad-based applicant pool, a more -- a more public request for interest should be -- would be appropriate. It's just my opinion.

CHAIRPERSON ANKER:

But, you know, again, this nomination's coming directly from the Legislature. So, you know, again we did open this to the entire Legislator pool. But, again, that's something we can look into as far as how the College nominates or puts in the nominations for other -- other board members.

LEG. D'AMARO:

Yeah, I just want to --

CHAIRPERSON ANKER:

Legislator D'Amaro.

LEG. D'AMARO:

Thank you. I just want to briefly say to Miss Sullivan, thank you for being willing to serve; appreciate that very much. And your credentials are excellent.

MS. SULLIVAN:

Thank you.

LEG. D'AMARO:

Probably some of the better credentials that we've seen for individuals going onto the Board so I think that your commitment to education speaks for itself.

MS. SULLIVAN:

Thank you.

LEG. D'AMARO:

And your history and your career speak for themselves as well and I think you'd be a great asset to the College Board.

With respect to conflict, this Legislature really does not have much oversight, if any, over the College. So as the governing board of the College you would be doing that independent of the Legislature oversight so I'm not too concerned about it. But being in the arena myself, I will caution you that if you ever have a gut feeling that there's some kind of conflict, just recuse. That's the best way to go. All right? So I wish you good luck.

MS. SULLIVAN:

I appreciate that. Thank you.

LEG. D'AMARO:

Thank you.

CHAIRPERSON ANKER:

And, again, I'm looking forward to working with you on so many parts of the College. And I got to say I think your -- your Dad will be very proud of you as I said here. So, thank you. Okay, so, let's see, I have a motion. All in favor? Opposed? Abstention? Motion carries. **(VOTE: 5-0-0-1. PO GREGORY INCLUDED IN VOTE. LEG. MARTINEZ NOT PRESENT)**

Congratulations, you do not have to come to the full Legislature. If you'd like to, you're more than welcome to, but we appreciate your time. Thank you.

With that there is no more business, the meeting is adjourned.

**THE MEETING CONCLUDED AT 10:32 AM
{ } DENOTES SPELLED PHONETICALLY**