



**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
September 21, 2015**

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**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **05-09-073**
Adopted on: **9/21/2015**

Agenda Item Number: 7
September 21, 2015

Subject: Award of Silver Medallion and Emeritus Status to Trustee Reginald M. Felton

WHEREAS, The governor of the state of Maryland appointed Mr. Reginald M. Felton to the Board of Trustees of Montgomery College on July 1, 2007; and

WHEREAS, Mr. Felton was appointed to the Board by virtue of his management and executive career experiences in the areas of government relations, public policy, advocacy, communications and public affairs, organizational restructuring, and human capital management; and

WHEREAS, During his tenure on the Board, Mr. Felton served as an exemplary Trustee until June 30, 2015; and

WHEREAS, Mr. Felton has served the Montgomery College community with distinction and dedication, consistently demonstrating his belief in and understanding of the guiding principles of governance, scholarship, good stewardship, and a commitment to the fundamental mission of community colleges; and

WHEREAS, During his eight years on the Board of Trustees, Mr. Felton was elected six times to officer roles: twice as second vice chair, twice as first vice chair, and twice as chair of the Board; and

WHEREAS, In his leadership positions, he played a major role in many of the Board's advocacy efforts with the state and county and exhibited his tireless advocacy on behalf of the College by helping to improve and stabilize public funding for the College, especially during times of limited fiscal resources; and

WHEREAS, Mr. Felton played an active role in the selection of the College's ninth president, Dr. DeRionne P. Pollard, with whom he quickly established an exemplary and cohesive working relationship that has positioned the College for a strong future; and

WHEREAS, Together with Dr. Pollard since 2010, Mr. Felton collaboratively led the Board to achieve many significant accomplishments, which included grappling with budgets to meet the increasing needs of a growing student enrollment; forming and revising policies to address emerging issues not previously identified; responding to the calls for new facilities and to modernize old facilities to state of the art status; and meeting the challenges that required expansion in the use of technology related to student learning, instruction, and management; and

WHEREAS, The Board of Trustees, together with Dr. Pollard, were recognized by the American Association of Community Colleges (AACC) by being named one of five finalists in the Exemplary CEO/Board category at the AACC's inaugural Awards of Excellence in April 2013; and

WHEREAS, Mr. Felton has served the College well in deliberations regarding all matters, but especially those related to advocacy, partnerships with community organizations, global initiatives, and supporting higher education in Montgomery County; and

WHEREAS, Mr. Felton has been at the forefront of supporting education for students at all levels, not only in higher education, but also in K-12 through his service on the Board of Education of Montgomery County for 10 years; and

WHEREAS, He has a strong belief in the importance of education and a passion for the mission of community colleges, and has been active in education for 18 years in his professional life and community engagement; and

WHEREAS, Mr. Felton has generously supported the Montgomery College Foundation initiatives such as the Trustees' Circle Endowed Scholarship and the Ike Leggett Fund; and

WHEREAS, He has demonstrated his outstanding leadership skills in the community as a community advocate, an elected official, and a civic organizational leader; and

WHEREAS, Mr. Felton had a stellar career as a government relations professional who focused on the management of the national comprehensive lobbying program representing the interests of over 90,000 local school members in the governance of 13,500 local school districts across the nation; and

WHEREAS, Mr. Felton's integrity, wise counsel, dependability, and devotion to and sincere concern for the welfare of all members of the College community have immeasurably contributed to the decisions of the Board of Trustees; these qualities displayed during eight years of distinctive service will be sorely missed by the Board, the president, and the College community; and

WHEREAS, College policy allows that all Trustees completing at least one full six-year term of service are eligible for Trustee emeritus/emera status at the time of their departure from the Board, and such status shall be granted by a majority affirmative vote of the current Board of Trustees; and

WHEREAS, College policy allows for the awarding of a Silver Medallion in recognition of documented truly outstanding service to the College, the academic profession, the county, the state, or the nation; and

WHEREAS, The members of the Board of Trustees of the College recommend this recognition on the occasion of Mr. Reginald M. Felton's completion of his service on the Board; now therefore be it

Resolved, That the members of the Board of Trustees of Montgomery College express their sincere appreciation and gratitude to Mr. Reginald M. Felton for his conscientious and significant contributions to Montgomery College, its Board of Trustees, its students, faculty, staff, alumni, its community, the Montgomery College Foundation, and the Montgomery County community; and be it further

Resolved, That the Board extends to him its best wishes for his continued good health, happiness, and prosperity, and invites his continued support of the College in the years ahead; and be it further

Resolved, That Mr. Reginald M. Felton is granted the status of Trustee Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That in recognition of his dedicated service and association with Montgomery College and Montgomery County, Mr. Reginald M. Felton is awarded the Silver Medallion for sustained and exemplary outstanding service; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Silver Medallion be presented to Mr. Reginald M. Felton.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 10
September 21, 2015

PERSONNEL ACTIONS CONFIRMATION REPORT

BACKGROUND

The Board of Trustees by state law has the authority and the responsibility for appointments to the College. Each month the Board receives a summary of personnel actions from the Office of Human Resources and Strategic Talent Management on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACKUP INFORMATION

Board Resolution
Personnel Actions Confirmation Report
Policy 34001–Changes in Employee Status

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Ms. Porter

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-074**
Adopted on: **9/21/2015**

Agenda Item Number: 10
September 21, 2015

Subject: Personnel Actions Confirmation

WHEREAS, By state law the Board of Trustees has the authority and responsibility for appointments to the College; and

WHEREAS, The attached summary indicates related personnel actions taken by the College during the period May 1, 2015, through July 31, 2015; and

WHEREAS, The president of the College recommends that the Board adopt the following resolution; now therefore be it

Resolved, That the Board of Trustees accepts the attached reports and confirms the actions of the president.

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From May 1, 2015, through May 31, 2015

STAFF

STAFF EMPLOYMENTS

Effective

Date	Name	Position Title	Grade	Department
05/11/2015	Appiah, Samuel Y	Computer Support Specialist	I	OIT Academic Services
05/26/2015	Brumfield, Saundra D	Building Services Worker	B	Facilities Operations - GT
05/26/2015	Cerkovnik, Richard	Director II	O	VP/Provost - STEM
05/11/2015	Duncan, Victoria H	Instructional Lab Coordinator	I	Biology & Chemistry Dean
05/11/2015	Falola, Oluwaseun O	Safety & Security Officer	F	Mathematics Dean

STAFF SEPARATIONS

Effective

Date	Name	Position Title	Grade	YOS	Department
05/15/2015	Hornbuckle, Delritta R	Campus Library Manager	M	5	Library - RV
05/08/2015	Maloney, Stephen M	Director I	N	8	Facilities - Central Admin
05/22/2015	Mofarrahi, Cheryl	Nursing Lab and Clinical Assoc	J	3	Health Sciences Dean
05/25/2015	Nunez, Jennifer	Health Science Admission Coord	G	2	Admission Services
05/05/2015	Walker, Joyce D	ACES Readiness Coordinator	L	1	ACES-Achiev College Excell & Success

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	3	0	0	0	3
Male	1	1	0	0	0	2
TOTAL	1	4	0	0	0	5

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	1	2	1	0	0	4
Male	1	0	0	0	0	1
TOTAL	2	2	1	0	0	5

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS

Effective

Date	Name	Position Title	YOS	Department
05/22/2015	Adams, Andrea K ¹	Professor	11	Fine Perform Visual Arts Dean
05/22/2015	Ehrhardt, Kristel K	Assistant Professor	<1	Mathematics Dean
05/22/2015	Jones-Petlane, Avis T ¹	Professor	22	AELP, Linguistics, and Speech Dean
05/22/2015	Kartchner, Jeannette E ¹	Professor	15	Engineering/Computer Science Dean
05/22/2015	Lima, Allyson C	Assistant Professor	<1	Humanities Dean
05/22/2015	McDowall, Raymond G	Professor	14	Engineering/Computer Science Dean
05/22/2015	Singleton, Harry M	Professor	<1	Business/Computer Applications Dean
05/22/2015	Smith, Diana	Assistant Professor	<1	Mathematics Dean
05/22/2015	Swol, Carol-Lynn	Associate Professor	<1	Fine Perform Visual Arts Dean

¹ Retirement

05/22/2015	Tutt, Amy P	Instructor	<1	English and Reading Dean
05/22/2015	White, Robert G ¹	Professor	42	Humanities Dean
05/22/2015	Zimring, David R	Assistant Professor	<1	AELP, Linguistics, and Speech Dean

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	5	1	0	0	1	7
Male	3	1	0	0	1	5
TOTAL	8	2	0	0	2	12

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From June 1, 2015, through June 30, 2015

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Department
06/08/2015	Aung, Salai	Admin Aide I	F	Admission Services
06/08/2015	El Muwaqqat, Mohamed A	Student Info Systems Manager	L	Admission Services
06/22/2015	Jimenez, Ofelia	Building Services Worker	B	Facilities Operations - RV
06/20/2015	Kamen, Seth M	Articula Trans/Aca Svs Manager	L	Senior VP for Academic Affairs
06/22/2015	McNair, Kimberly A	Director II	O	CW Dean Stu Access - GT Stu Services
06/22/2015	Potrzebowski, Alek C	ACES Program Supp Coordinator	I	ACES-Achiev College Excell & Success

STAFF SEPARATIONS

Effective Date	Name	Position Title	Grade	YOS	Department
06/30/2015	Anyanah, Stephen A ¹	Instructional Assistant	G	10	CW Dean-Stu Engag - TP Stu Services
06/12/2015	Gordon, Jana	Course Scheduling Assistant	G	1	Admission Services
06/19/2015	Jayasinghe, Sai G	Instructional Associate	H	1	Mathematics Dean
06/30/2015	Roseberry, Karen A ¹	Dean of Student Access	Q	16	CW Dean Stu Access - GT Stu Services

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	1	1	0	0	2
Male	3	0	0	1	0	4
TOTAL	3	1	1	1	0	6

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	2	0	0	1	0	3
Male	0	1	0	0	0	1
TOTAL	2	1	0	1	0	4

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS

Effective Date	Name	Position Title	YOS	Department
06/30/2015	Hoffman, Susan T ¹	Professor	42	Fine Perform Visual Arts Dean

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	1	0	0	0	0	1
Male	0	0	0	0	0	0
TOTAL	1	0	0	0	0	1

¹ Retirement

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From July 1, 2015, through July 31, 2015

STAFF

STAFF EMPLOYMENTS

Effective

Date	Name	Position Title	Grade	Department
07/06/2015	Andon, Angelica M	Administrative Aide II	G	BITS Dean - WDCE
07/06/2015	Bell, Kenneth E	Building Svs Worker Lead	D	Facilities - Central Admin
07/20/2015	Christy, Lori J	Instructional Lab Coordinator	I	Mathematics Dean
07/06/2015	Herbert, David S	HVAC Mechanic	H	Facilities Operations - TP/SS
07/06/2015	Schlackman, Elizabeth	Librarian II	K	Library - Central
07/20/2015	Shimizu, Miho	Customer Service Rep	F	WDCE Central Admin
07/20/2015	Soe, Sunny K	HVAC Mechanic	H	Facilities Operations - TP/SS

STAFF SEPARATIONS

Effective

Date	Name	Position Title	Grade	YOS	Department
07/31/2015	Borda, Maria E ³	Building Services Worker	B	25	Facilities - Central Admin
07/06/2015	Kwarteng, Maxwell	Senior Instructional Assistant	H	<1	Engineering/Comp Science Dean
07/10/2015	Pineda, Rosa E	Building Services Worker Lead	D	1	Facilities - Central Admin
07/06/2015	Trujillo, Kim E	Recruitment & Coll Access Mgr	J	<1	Admission Services
07/10/2015	White, Lisa	Gift Coordinator	I	1	Advancement/Comm Engagement

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	3	0	0	1	0	4
Male	0	2	0	1	0	3
TOTAL	3	2	0	2	0	7

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	1	1	2	0	0	4
Male	0	1	0	0	0	1
TOTAL	1	2	2	0	0	5

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS

Effective

Date	Name	Position Title	YOS	Department
07/02/2015	Brunner, Wilfred R ¹	Professor	22	Fine Perform Visual Arts Dean
07/23/2015	Makambira, Mireille	Associate Professor	6	Bus/Comp Applications Dean

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	1	0	0	0	1
Male	1	0	0	0	0	1
TOTAL	1	1	0	0	0	2

¹ Retirement

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 11
September 21, 2105

**CONTINUATION OF SOLE SOURCE AWARD OF CONTRACT,
TOUCHNET COMMERCE MANAGEMENT SYSTEM, CASHIERING SERVICES MODULE &
PROFESSIONAL SERVICES**

BACKGROUND

Request:	Continuation of TouchNet commerce management system, cashiering services module and professional services.
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services and the Vice President of Instructional and Information Technology/Chief Information Officer
Award Type:	Sole Source
Bid Number:	N/A
Explanation of Request:	In June 2006, the Board of Trustees approved the sole source purchase of commerce management system software from TouchNet Information Systems under resolution 06-06-055, with additional hosting services being purchased in January 2008 under resolution 08-01-10. Given the continued need for the TouchNet product, the Board approved a sole source award to purchase a five-year software license, along with cashiering equipment and professional services from TouchNet in October 2010, under resolution 10-10-077. The five-year license expires on October 18, 2015.
Reason Being Brought to Board:	Board approval is required for sole source awards valued at \$100,000 and above.
Certification:	The director of procurement affirms that software hosting, maintenance, and subscription services can only be obtained from TouchNet Information Systems due to the proprietary nature of its software. The vice president of finance/chief financial officer certifies funds are available in the FY16 operating budget.
Dollar Amount:	Not-to-exceed \$160,000 annual fee. Total five-year amount shall not exceed \$800,000.
Vendor Name/Address:	TouchNet Information Systems, Inc. 15520 College Boulevard Lenexa, Kansas 66219
Minority Status:	Not Applicable

Term of Contract:	October 18, 2015–October 18, 2020
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RECOMMENDATION

It is recommended that the Board of Trustees approve a five-year sole source contract with TouchNet Information Systems, Inc., of Lenexa, Kansas, for the continuation of use of the TouchNet commerce management system, cashiering services module, and professional services.

BACKUP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSONS

Mr. Johnson
Mr. Whitman

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**

Rockville, Maryland

Resolution Number: **15-09-075**
Adopted on: **9/21/2015**

Agenda Item Number: 11
September 21, 2015

Subject: Continuation of Sole Source Award of Contract for TouchNet Commerce Management System, Cashiering Services Module & Professional Services

WHEREAS, In June 2006, the Board of Trustees approved the sole source purchase of commerce management system software from TouchNet Information Systems under resolution 06-06-055, with additional hosting services being purchased in January 2008 under resolution 08-01-10; and

WHEREAS, In October 2010, the Board approved the sole source purchase of a five-year software license, along with cashiering equipment and professional services from TouchNet under resolution 10-10-077; and

WHEREAS, The TouchNet solution has become an integral part of College operations and ensures that the College is Payment Card Industry (PCI) Level 1 compliant as it relates to the protection of confidential data; and

WHEREAS, The Office of Information Technology has requested the continuation in the usage a five-year software license, along with cashiering equipment and professional services from TouchNet;
and

WHEREAS, The director of procurement affirms that TouchNet commerce management system software, cashiering services module, and associated professional services can only be obtained from TouchNet Information System due to the proprietary nature of its software, and the vice president of finance/chief financial officer certifies funds are available in the FY16 operating budget; and

WHEREAS, College policy states that the formal bidding process may be dispensed with in the event of a sole source procurement; and

WHEREAS, The president of the College recommends the following action; now therefore be it

Resolved, That a contract be awarded to TouchNet Information Systems, Inc., of Lenexa, Kansas, for the continuation of software license and cashiering services module use and associated professional services for a five-year term beginning October 18, 2015, the annual amount shall not exceed \$160,000, and the total five-year amount shall not exceed \$800,000.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 12A
September 21, 2015

FY15 OPERATING FUND FUNCTIONAL TRANSFER

BACKGROUND

The operating budget of the College is prepared and approved by major functions established by the Maryland Higher Education Commission. State law requires that transfers of funds between the major functions of the current operating fund be submitted in writing and approved by the county governing body, and, if the county governing body fails to act on a request for a transfer within 30 days, the request is automatically approved as requested.

It is common for actual expenditures to be different from planned expenditures. Therefore, at the conclusion of a fiscal year, institutions transfer funds from category to category to align actual expenditures to budget. This action is an annual action brought to the Board at its first meeting each year to address the previous fiscal year's budget.

During FY15, the College reallocated additional resources to support the 2015 Affordable Care Act reporting requirements for the Internal Revenue Service, and to support recruitment staff augmentation services.

A functional transfer is necessary to assure that the College's expenditures do not exceed the functional appropriation approved by the county council. The Education Article of the Annotated Code of Maryland provides guidance on how this transfer is to be accomplished.

Since the College has sufficient expenditure authority in other functions, it is only necessary to request that the county council approve a transfer between functions. The request is automatically approved after 30 days if the council fails to take action.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the attached operating fund functional transfer resolution for submission to the county council for approval.

BACKUP INFORMATION

Resolution
Policy 61001–Fiscal Control
Section 16-304 of the Education Article of the Annotated Code of Maryland

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Ms. Sherman

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-076**
Adopted on: **9/21/2015**

Agenda Item Number: 12A
September 21, 2015

Subject: FY15 Operating Fund Functional Transfer

WHEREAS, Section 16-304(c)(1) of the Education Article of the Annotated Code of Maryland, provides that a community college may not spend more on any major function than the amount appropriated for it; and

WHEREAS, Section 16-304(c)(2)(i) states that transfers of appropriations between major functions shall be submitted in writing and approved by the county governing body before they are made; and

WHEREAS, Section 16-304(c)(2)(i) further states that if the county governing body fails to act on a request for a transfer within 30 days, then the request is automatically approved as requested; and

WHEREAS, During FY15 the College reallocated resources to support the 2015 Affordable Care Act reporting to the Internal Revenue Service; and

WHEREAS, During FY15 the College reallocated resources to enhance recruitment staff augmentation services to improve time to fill vacancy, provide metrics and improve compliance; and

WHEREAS, The College has made concerted efforts to reallocate excess funding to support high priority institutional initiatives; and

WHEREAS, The College will exceed the county's approved functional appropriations if proper action is not taken; and

WHEREAS, The president recommends that the Board of Trustees approve the following resolution; now therefore be it

Resolved, That the Board of Trustees hereby authorize, subject to county council approval, a functional budget transfer as listed below; and be it further

Functional Category	Approved FY15 Budget	Transfer from (-) to (+)	Amended FY15 Budget
Instruction	\$78,790,380	-	\$78,790,380

Academic Support	\$40,643,867	(\$369,694)	\$40,274,173
Student Services	\$30,877,517	-	\$30,877,517
Operation/Maintenance	\$35,077,823	-	\$35,077,823
Institutional Support	\$54,643,323	\$369,694	\$55,013,017
Scholarships & Fellowships	\$3,737,545	-	\$3,737,545
Total	\$243,770,455	-	\$243,770,455

Resolved, That a copy of the resolution be transmitted to the county executive and county council for approval.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland**

Agenda Item Number: 12B
September 21, 2015

**CAPITAL BUDGET FUND TRANSFER
ROCKVILLE SCIENCE EAST BUILDING RENOVATION PROJECT
TO THE COLLEGEWIDE SITE IMPROVEMENTS PROJECT**

BACKGROUND

In accordance with Montgomery County fiscal procedures, the Board is authorized to transfer funds among College projects within the capital budget, as long as the transfer does not exceed 10 percent of the total appropriation.

The Rockville Science East Building Renovation Project has been completed; the renovated building opened in spring 2014. All purchases associated with the renovation have been completed. With a transfer of \$1,400,000 from the renovation project to the Site Improvement Project, campus signage improvements can be made.

This transfer is within the parameters set by the county, and the funding sources for both projects are compatible. The vice president of finance/chief finance officer certifies that funds are available in the appropriate capital funds budget.

RECOMMENDATION

It is recommended that the Board of Trustees approve a transfer of funds of \$1,400,000 from the Rockville Science East Building Renovation Project to the Site Improvements Project. The addition of funds to the Site Improvements Project will be used for campus signage.

BACKUP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSONS

Dr. Yeatts
Ms. Sherman
Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-77**
Adopted on: **9/21/2015**

Agenda Item Number: 12B
September 21, 2015

Subject: Capital Budget Fund Transfer, Rockville Science East Building Renovation to the Site Improvements Project

WHEREAS, In accordance with College policy on the capital budget, a movement of funds between projects authorized in the capital budget must be consistent with county fiscal procedures authorizing such transactions; and

WHEREAS, The county has indicated that the Board is authorized to transfer a maximum of 10 percent from any one College project to projects within the College's capital budget; and

WHEREAS, The addition of funds to the site improvement project will be used for campus signage; and

WHEREAS, Funds totaling \$1,400,000 are available in the FY16 capital budget Rockville Science East Building Renovation Project that can be used for this purpose; and

WHEREAS, The vice president of finance/chief finance officer certifies that the funds are available in the FY16 capital budget for this transfer and also certifies that the amount to be transferred, \$1,400,000, is within the 10-percent limit; and

WHEREAS, The president of the College recommends the following action; now therefore it

Resolved, That \$1,400,000 is transferred from the Rockville Science East Building Renovation project in the FY16 capital budget to the Site Improvements Project in order to provide additional funds for campus signage; and be it further

Resolved, That the county executive and the county council be notified of this action.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 13A
September 21, 2015

**ACCEPTANCE OF
2015 MHEC PERFORMANCE ACCOUNTABILITY REPORT**

BACKGROUND

The Performance Accountability Report (PAR) is the College's annual report on progress toward reaching benchmarks in key indicators of operations. The report is submitted to the Maryland Higher Education Commission (MHEC) each year. PAR indicators have universal statewide definitions. Each college plays a major role in determining its benchmarks, which are re-set every five years. We are currently in the final year of the current five-year cycle.

This accountability reporting system has been in place since the 1996, when it was implemented by MHEC. The reporting structure is based on requirements in the Maryland Higher Education Reorganization Act of 1988. At Montgomery College, the Office of Institutional Research and Analysis (OIRA) assumes the primary role for providing the quantitative content of the PAR and coordinating the contributions from administrative offices, individual campuses, and Workforce Development & Continuing Education.

In addition to a narrative reporting on significant student characteristics and performance issues, community outreach efforts, use of public funding, and cost containment efforts, the report contains recent trend data on a number of specific quantitative indicators that reflect progress towards benchmarks set by the Board of Trustees on each indicator. MHEC considers the College's performance on these indicators as the primary component of assessing the institution's effectiveness, and, at the College, the president incorporates the PAR results in monitoring and assessing institutional performance on relevant internal dimensions, such as in the *Montgomery College 2020* "Performance Canvas."

Upon acceptance of the report by the Board of Trustees, the Performance Accountability Report will be submitted to the Maryland Higher Education Commission.

RECOMMENDATION

It is recommended that the Board of Trustees accept the 2015 Montgomery College Performance Accountability Report, and that the president be authorized to submit the report to the Maryland Higher Education Commission.

BACKUP INFORMATION

2015 Performance Accountability Report (Trustees only)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSONS

Dr. Blaylock
Ms. Wessman
Dr. Lynch

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-078**
Adopted on: **9/21/2015**

Agenda Item Number: 13A
September 21, 2015

Subject: Acceptance of 2015 MHEC Performance Accountability Report

WHEREAS, The Maryland Higher Education Commission requires the submission of an annual Performance Accountability Report from the state's public colleges and universities; and

WHEREAS, The 2015 Montgomery College Performance Accountability Report contains benchmarks for a series of quantitative performance indicators and reports the College's progress toward reaching these benchmarks; and

WHEREAS, The president recommends acceptance of the College's 2015 performance accountability report; now therefore be it

Resolved, That the Board of Trustees accepts the 2015 Montgomery College Performance Accountability Report; and be it further

Resolved, That the president is authorized to submit the report to the Maryland Higher Education Commission.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 13B
September 21, 2015

**GRADUATES RECEIVING THE ASSOCIATE DEGREE AND
THE PROGRAM CERTIFICATE IN SUMMER 2015**

BACKGROUND

The Board of Trustees is required to ratify the conferral of degrees and certificates by the faculty, as certified by the chief enrollment services and financial aid officer, each semester. In the event that the ratification by the Board of Trustees takes place after the date of conferral of the degrees and certificates to the graduates, the Board of Trustees must ratify, confirm, and authorize the conferral retroactively ("nunc pro tunc") to the past date of conferral.

RECOMMENDATION

The Board of Trustees is asked to ratify, confirm, and authorize the conferral of degrees and certificates by the faculty on the list of proposed graduates who have successfully completed the requirements of a program, subject to certification of the chief enrollment services and financial aid officer, nunc pro tunc to the date of such conferral action.

BACKUP INFORMATION

Board Resolution
List of Graduates (Board members only)

RESPONSIBLE SENIOR ADMINISTRATORS

Dr. Brown
Dr. Rai

RESOURCE PERSONS

Ms. Gregory
Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-079**
Adopted On: **9/21/2015**

Agenda Item Number: 13B
September 21, 2015

**Subject: Graduates Receiving the Associate Degree and the Program Certificate in
Summer 2015**

WHEREAS, It is necessary that the Board ratify, confirm, and authorize the past conferral of degrees and certificates on the list of certified candidates attached herewith; and

WHEREAS, The chief enrollment services and financial aid officer ("the Officer") has certified that the students of Montgomery College, as listed on the attachment, are expected to complete successfully in the summer 2015 session the courses and curriculum prescribed by the faculty, and to meet all other requirements of the College, for the degrees and certificates that those students are seeking; and

WHEREAS, The faculty has thereby conferred upon the students of Montgomery College, as listed on the attachment, their respective associate's degrees and certificates, subject to certification by the Officer that such students have met all applicable requirements; and

WHEREAS, The president recommends that the Board approve the following resolution; now therefore be it

Resolved, That the Board of Trustees ratifies, confirms, and authorizes the faculty's conferral upon the students of Montgomery College, as listed on the attachment, of their respective associate's degrees and certificates, subject to certification by the officer that such students have met all applicable requirements, nunc pro tunc to the past date on which such conferral took place.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland**

Agenda Item Number: 13C
September 21, 2015

**AFFIRMATION OF POLL OF THE BOARD OF TRUSTEES,
ACCEPTANCE OF ANNUAL PROGRESS REPORT
ON PROGRAMS OF CULTURAL DIVERSITY PLAN**

BACKGROUND

A poll of the Board of Trustees was taken on June 29, 2015, to obtain acceptance for the Annual Progress Report on Programs of Cultural Diversity Plan. Maryland state legislation passed in 2008 requires every higher education institution to develop and implement a plan for a program of cultural diversity. Accordingly, each “cultural diversity plan must include an implementation strategy and time line for meeting the goals.” The Montgomery College plan was adopted by the Board in June 2013. The plan is a multi-year action plan that the College is implementing over a period of seven years—fiscal years 2014 through 2020.

In addition, the Maryland Higher Education Commission (MHEC) requires an annual progress report from institutions. Reports must be approved by the governing boards prior to submission. Specifically, as required by section 11-406 of the Education Article, the governing body of each Maryland public college and university is required to submit, by September 1 of each year, a report summarizing institutional progress toward the implementation of its plan for cultural diversity. As per the statute, the Commission is required to review each plan, monitor each institution’s progress toward achieving the goals outlined in its plan, and assess each plan’s adequacy and compatibility with the state’s goals for higher education. Additionally, the Commission is required to report its findings to the Senate Education, Health, and Environmental Affairs Committee; the Senate Budget and Taxation Committee; the House Appropriations Committee; and the House Committee on Ways and Means by December 1 of each year. In order to fulfill this reporting requirement, MHEC asks that all reports be submitted on or before the September 1 deadline specified in the statute.

As required by section 11-406 of the Education Article, the attached report is Montgomery College’s annual progress report of its program of cultural diversity and provides a report on progress made during fiscal year 2015. The Office of Human Resources and Strategic Talent Management (HRSTM) has prepared a report that summarizes institutional progress toward implementing the College’s plan for cultural diversity. The report highlights some of the ways Montgomery College addresses diversity among its students, faculty, and staff through programming, training, professional development, recruitment, support, retention, financial assistance, and access. Because of the importance of implementing this plan and producing measurable results, annual reports will be presented to the Board of Trustees for submission to MHEC.

RECOMMENDATION

It is recommended that the Board of Trustees affirm the acceptance of the Montgomery College

Programs of Cultural Diversity Annual Progress Report for 2015.

BACKUP INFORMATION

Board Resolution

Montgomery College Programs of Cultural Diversity Annual Progress Report (Board members only)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Dr. Williams

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-080**
Adopted on: **9/21/2015**

Agenda Item Number: 13C
September 21, 2015

Subject: Affirmation of Poll of the Board of Trustees, Acceptance of Annual Progress Report on Programs of Cultural Diversity Plan

WHEREAS, A poll of the Board of Trustees was taken on June 29, 2015 to obtain acceptance of the Annual Progress Report on Programs of Cultural Diversity Plan; and

WHEREAS, Maryland legislation requires each higher education institution to have a cultural diversity plan; and

WHEREAS, In June 2013, the Board of Trustees approved a College plan aligned with *Montgomery College 2020* to cover fiscal year 2014 through fiscal year 2020; and

WHEREAS, Annually each Maryland institution's governing board must approve and submit to the Maryland Higher Education Commission a progress report on the institution's implementation of the cultural diversity plan; and

WHEREAS, The Maryland Higher Education Commission must review the progress report and monitor compliance; and

WHEREAS, Montgomery College has developed the annual progress report of the College's programs of cultural diversity that provides insight into the way the College addresses diversity among its students, faculty, and staff through programming, training, professional development, recruitment, support, retention, financial assistance, and access; and

WHEREAS, The annual progress report demonstrates the College's commitment and good faith efforts for removing barriers to expand and sustain diversity and producing measurable results; and

WHEREAS, The Office of Human Resources and Strategic Talent Management has coordinated contributions from administrative offices and each campus in the development of the annual progress report; and

WHEREAS, The president recommends that the following action be taken; now therefore be it

Resolved, That the Board of Trustees affirms the acceptance of the Montgomery College Programs of Diversity Annual Progress Report.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 14
September 21, 2015

**RESPONSE TO CITY OF ROCKVILLE’S MANDATORY REFERRAL CONDITIONS,
ROCKVILLE CAMPUS STUDENT SERVICES CENTER PROJECT,
APPLICATION STP2016-00263**

BACKGROUND

Montgomery College and the city of Rockville have reached an agreement that the College’s renovation and construction projects on the Rockville Campus that are within the Rockville city limits would be subject to the mandatory referral process under Article 66B, Section 3.08 of the Maryland Code. This section, which specifies and limits the zoning powers and authority of the city, provides that before a state instrumentality can construct (or renovate) a public improvement in the city, that instrumentality must submit plans for that construction to the planning commission of the city for advice as to whether, “...the location, character, and extent of the development...[is consistent with] the plan [of the city].”

This mandatory referral process applies to the College’s Student Services Center Building Project on the Rockville Campus and is reflected in application STP2016-00263. This action would authorize the president to respond to the city of Rockville regarding the conditions placed by the city of Rockville on the Student Services Center mandatory referral application, given Montgomery College’s status as a state instrumentality. The letter will inform the city of the College’s intentions as to each of the conditions as outlined to demonstrate the College’s commitment to meet the spirit of a majority of the conditions.

Board approval is required for non-acceptance of the conditions of mandatory referral by a two-thirds vote.

RECOMMENDATION

It is recommended that the Board of Trustees approve the College’s responses to the mandatory referral application STP2016-0023 and authorize the president to send a letter to the city informing it of this action with further information relating to the College’s intentions as to each of the conditions as outlined to demonstrate the College’s commitment to meet the spirit of a majority of the conditions.

BACKUP INFORMATION

Letter from the president to the City, dated September 22, 2015
Attachment I – Letter from the City of Rockville, dated August 12, 2015
Attachment II – College Response to City Conditions, dated September 22, 2015

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSONS

Dr. Yeatts

Ms. Sherman

Mr. Sorrell

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-081**
Adopted on: **9/21/2015**

Agenda Item Number: 14
September 21, 2015

**Subject: Response to City of Rockville's Mandatory Referral Conditions, Rockville
Campus Student Services Center Project, Application STP2016-00263**

WHEREAS, On July 7, 2015, the College submitted a mandatory referral application to the city of Rockville for the proposed construction of the Rockville Campus Student Services Center, the first phase of the student commons on the Campus; and

WHEREAS, On August 5, 2015, the city of Rockville planning commission met to consider the application and voted unanimously to approve the College's application, finding that the location, character, and extent of the development represented by the project in the application was consistent with the applicable city master plan; however, the city's approval also contained several conditions beyond the statutory standards specified for mandatory referral; and

WHEREAS, On August 12, 2015, the College was officially notified in writing of the Planning Commission's actions; and

WHEREAS, Article 66B, Section 3.08(c)(2) of the Annotated Code of Maryland requires a local legislative body having jurisdiction to respond within 60 days of receipt of the recommendation of the planning commission, or the body having jurisdiction shall be considered to have concurred with the recommendation of the planning commission; and

WHEREAS, A response from the Montgomery College Board of Trustees is required on or before October 6, 2015; and

WHEREAS, The president of the College, on advice of the College's general counsel, recommends that the College's response indicate that conditions placed on the Student Services Center Project mandatory referral application STP2016-00263 by the city of Rockville planning commission are not acceptable as a binding requirement from the city, given Montgomery College's status as a state instrumentality, the lack of authority of the city to impose those conditions and the conditions being inappropriate subjects of city enforcement through the mandatory referral process; nevertheless, the College intends to meet the spirit of a majority of the conditions; and

WHEREAS, The Board of Trustees desires to communicate this additional information with respect to the intentions of the College regarding each of the conditions; now therefore be it

Resolved, That the Board of Trustees finds that conditions placed on the Student Services Center Project mandatory referral application STP2016-00263 by the city of Rockville planning commission, in recognition of Montgomery College's status as a state instrumentality, are not accepted as they are beyond the authority of the city to impose those conditions and the conditions being inappropriate subjects of city enforcement through the mandatory referral process; nevertheless, the College intends to meet the spirit of a majority of the requirements of the conditions; and be it further

Resolved, That the president of the College is authorized to send a letter to the city informing it of this action together with further information relating to the College's intentions as to each of the conditions.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 15A
September 21, 2015

POLICY MODIFICATION: 31001-Sexual Misconduct

General Information

Policy Number:	31001
Contained in Chapter:	Chapter Three
Policy Title:	Sexual Misconduct
Policy Creation Date:	December 14, 2014
Most Recent Modification Date:	December 14, 2014

Changes, Additions, Deletions

Line Number	Purpose
78-84	Added language that clarifies the role of recently developed "Confidential Resources" to ensure compliance with all US Office of Civil Rights and Maryland Higher Education Commission recommendations.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 31001–Sexual Misconduct.

BACKUP INFORMATION

Resolution
Policy 31001-Sexual Misconduct (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Ms. Porter

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-082**
Adopted on: **9/21/2015**

Agenda Item Number: 15A
September 21, 2015

Subject: Policy Modification: 31001–Sexual Misconduct

WHEREAS, The Board of Trustees created 31001–Sexual Misconduct in 2014; and

WHEREAS, The policy has served an important purpose in establishing and maintaining an environment in which all members of the Montgomery College community can work or participate in College education programs and activities free from all forms of sexual misconduct; and

WHEREAS, The College recognizes that allegations of sexual misconduct are a sensitive subject for all parties involved and is committed to maintaining the privacy of the parties involved to the fullest extent possible, consistent with applicable law and the need for investigation and resolution; and

WHEREAS, The policy has been reviewed and updated; and

WHEREAS, The president recommends that the Board adopt the modifications; now therefore be it

Resolved, That Policy 31001–Sexual Misconduct be amended as indicated in the attached draft; and be it further

Resolved, That the president is authorized to implement these changes.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 15B
September 21, 2015

POLICY MODIFICATION: 75001–Use of Facilities

General Information

Policy Number:	75001
Contained in Chapter:	Chapter Seven
Policy Title:	Use of Facilities
Policy Creation Date:	February 25, 1985
Most Recent Modification Date:	February 25, 1985

Changes, Additions, Deletions

Line Number	Purpose
4-8	Added language to clarify primary use of College facilities and prioritization; defined College facilities; defined “user” for purposes of the policy.
10-25	Imported language on restrictions from previous College Policy 75002–Restrictions on Use of Facilities.
29-30	Modified language to encourage appropriate use to capture entrepreneurial approach in line with mission.
32-37	Edited language to better clarify that permission to use College facilities does not constitute endorsement.
39	Added new language regarding facility availability and community use.
41-44	Clarified language regarding limitations on use of space provided that it does not interfere with the educational mission of the College.
46-61	Deleted this language from the policy since broader conditions on use have been added in sections above..
63-64	Added new language that requires use of facilities in accordance with procedures approved by the president.

Line Number	Purpose
66-76	Clarified the language regarding user reimbursement to the College for property loss, damage, or replacement and future refusal to users who damage College property or fail to reimburse the College.
78-90	Deleted this language as it is redundant with the changes in lines 66-76 noted above and the new language noted below in lines 92-102.
92-102	Added language to fee schedule authorization and clarified that the fee schedule does not include direct costs, which may be charged.
104-115	Added language to require all user agreements to indemnify and hold harmless the College as well as compliance with Policy 75005–Protection of Minors.
117-123	Added presidential authorization to approve the sale and/or consumption of alcoholic beverages in accordance with all applicable laws and College policies. Clarified that the responsibility to obtain permits and licenses is that of the user and may require users to utilize designated third-party providers with whom the College has existing contracts.
125-128	Inserted standard Board language that authorizes the president to establish procedures for consistency with other policies.
130-132	Deleted this language as unnecessary.
134-138	Deleted this language as it was moved into new section starting on line 117.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 75001–Use of Facilities.

BACKUP INFORMATION

Resolution
Policy 75001–Use of Facilities (modified version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Dr. Yeatts

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-083**
Adopted on: **9/21/2015**

Agenda Item Number: 15B
September 21, 2015

Subject: Policy Modification: 75001–Use of Facilities

WHEREAS, The Board of Trustees created 75001–Use of Facilities in 1985; and

WHEREAS, The policy has served an important purpose in guiding the educational, community, and entrepreneurial use of College facilities; and

WHEREAS, The policy has been reviewed and updated; and

WHEREAS, The president recommends that the Board adopt the modifications; now therefore be it

Resolved, That Policy 75001–Use of Facilities be amended as indicated in the attached draft; and be it further

Resolved, That the president is authorized to implement these changes.

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Agenda Item Number: 15C
September 21, 2015

POLICY RETIREMENT: 75002–Restrictions on Use of Facilities

General Information

Policy Number:	75002
Contained in Chapter:	Chapter Seven
Policy Title:	Restrictions on Use of Facilities
Policy Creation Date:	February 25, 1985
Most Recent Modification Date:	June 15, 1992

Changes, Additions, Deletions

Line Number	Purpose
1-11	This language and topics in this policy have been incorporated into the modified Policy 75001–Use of Facilities, also before the Board for its consideration.

RECOMMENDATION

It is recommended that the Board of Trustees retire Policy 75002–Restrictions on Use of Facilities.

BACKUP INFORMATION

Resolution
Policy 75002–Restrictions on Use of Facilities

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Dr. Yeatts

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**
Rockville, Maryland

Resolution Number: **15-09-084**
Adopted on: **9/21/2015**

Agenda Item Number: 15C
September 21, 2015

Subject: Policy Retirement: 75002–Restrictions on Use of Facilities

WHEREAS, The Board of Trustees created 75002–Restrictions on Use of Facilities in 1985; and

WHEREAS, The policy has served an important purpose in guiding the educational, community, and entrepreneurial use of College facilities; and

WHEREAS, The language and prohibitions have been incorporated into the revised version of 75001–Use of Facilities; and

WHEREAS, The policy has been reviewed; and

WHEREAS, The president recommends that the Board retire the policy; now therefore be it

Resolved, That Policy 75002–Restrictions on Use of Facilities be retired as indicated in the attached draft; and be it further

Resolved, That the president is authorized to implement these changes.