



**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
December 12, 2016**

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

Agenda Item Number: 6A
December 12, 2016

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

Mr. Roop

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

Resolution Number: **16-12-138**
Adopted on: **12/12/2016**

Agenda Item Number: 6A
December 12, 2016

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 October 1, 2016, through October 31, 2016; 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 October 1, 2016, through October 31, 2016

STAFF

STAFF EMPLOYMENTS

Effective

Date	Name	Position Title	Grade	Department
10/10/2016	Darnall, David K	IT Support Specialist	I	OIT Academic Services
10/10/2016	Gomez, Nelson S	IT Support Specialist	I	OIT Academic Services
10/24/2016	Jennings, Cedric L	Academic Coach	K	ACES - Achiev Coll Excell & Success
10/03/2016	Liljestrand, Christie S	Administrative Aide II	G	Social Science Dean
10/10/2016	Shrager, Margaret A	Placement & Learning Advisor	J	Community Based Grants - WDCE

STAFF SEPARATIONS

Effective

Date	Name	Position Title	YOS	Department
10/07/2016	Amara, Amadu	Safety & Security Shift Super	7	Facilities Security - RV
10/31/2016	Berry, Thomas M ¹	Building Maintenance Mechanic	40	Facilities Operations - GT
10/07/2016	Brown, Kimberly L	Instructional Services Program Manager	5	WDCE Central Administration
10/28/2016	Byron, Joshua D	Grounds Maintenance Worker	8	Facilities - Central Administration
10/28/2016	Cannon, Alvin R	Instructional Assistant	3	Assessment Center - RV
10/31/2016	Crawford, Willie D ¹	Building Services Worker	8	Facilities Operations - TP/SS
10/31/2016	Dupree, Henry J ¹	Building Services Worker	41	Facilities - Central Administration
10/13/2016	Ellis, Paulette A	Administrative Aide II	1	Bus/Comp Applications Dean
10/14/2016	Goldsworthy, Scott T	Senior Instructional Assistant	3	GITE - Gudelsky Inst Tech Education
10/10/2016	Hughes, John E	Building Services Worker	7	Facilities - Central Administration
10/21/2016	Marshall, Bruce	Building Services Worker	<1	Facilities Operations - RV

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	0	1	0	0	0	1
Male	3	7	0	0	0	10
TOTAL	3	8	0	0	0	11

FACULTY

¹ Retirement

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

**BOARD OF TRUSTEES
MONTGOMERY COLLEGE**

Agenda Item Number: 6B
December 12, 2016

AMENDMENT TO THE 2013–2023 COLLEGEWIDE FACILITIES MASTER PLAN

BACKGROUND

The Board approved and adopted the 2013–2023 Collegewide Facilities Master Plan and approved its transmittal on February 1, 2016. It was transmitted to the Maryland Higher Education Commission for its review and endorsement immediately thereafter.

The approved and adopted plan must be amended per COMAR 13B.07.04.02, “whenever major changes occur to the role and mission statements, or other plan components which have significant facilities implications.” The amendment is for the consolidation and centralization of administrative units in a new location. This action has significant facilities implications. The administrative units are currently located in the Mannakee Building on the Rockville Campus and in leased buildings at the West Gude Business Park and at Metro Park North. The leases are expiring so the College undertook a market analysis and determined that acquisition of a new building to house administrative units would be prudent at this time given the current low financing rates. The acquisition would save the College several million dollars over 10 years and demonstrate a high level of fiscal stewardship.

Benefits for this acquisition include:

- cost savings of about \$8 million (net present value);
- creation of more instructional space by reprogramming the Mannakee Building on the Rockville Campus;
- consolidation of administrative staff; and
- an opportunity to “reengineer” the office environment and work culture of the administrative units through the consolidation of its central services operations.

RECOMMENDATION

It is recommended that the Board of Trustees approve the amendment to the approved and adopted 2013–2023 Collegewide Facilities Master Plan and approve its transmittal to the Maryland Higher Education Commission on or before February 1, 2017.

BACKUP INFORMATION

Board Resolution

2013–2023 Collegewide Facilities Master Plan Amendment

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Mr. McLean

BOARD OF TRUSTEES MONTGOMERY COLLEGE

Rockville, Maryland

Resolution Number: **16-12-139**
Adopted on: **12/12/2016**

Agenda Item Number: 6B
December 12, 2016

Subject: Amendment to the 2013–2023 Collegewide Facilities Master Plan

WHEREAS, In accordance with the Code of Maryland Regulations (COMAR), the Maryland Higher Education Commission requires that each community college prepare a facilities master plan as the foundation of a sound capital budget process for the purpose of establishing a framework for the orderly development of all capital improvements to support the role and mission of the institution, and that institutions regularly review the plans and update them “whenever major changes occur to the role and mission statements, or other plan components which have significant facilities implications;” and

WHEREAS, On February 1, 2016, by Resolution No. 16-01-003, the Board of Trustees approved and adopted the 2013–2023 Collegewide Facilities Master Plan that has guided the development of the College since that time; and

WHEREAS, The vice president of facilities and security requests approval of the amendment to the approved and adopted 2013–2023 Collegewide Facilities Master Plan; and

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

Resolved, That the Board of Trustees approves the amendment to the approved and adopted 2013–2023 Collegewide Facilities Master Plan; and be it further

Resolved, That the president is authorized to transmit the amendment to the 2013–2023 Collegewide Facilities Master Plan to the Maryland Higher Education Commission.

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

Agenda Item Number: 6C
December 12, 2016

**POLICY MODIFICATION: 31006–EQUAL EMPLOYMENT OPPORTUNITY AND
NON-DISCRIMINATION**

General Information

Policy Number:	31006
Contained in Chapter:	Chapter Three
Policy Title:	Equal Employment Opportunity and Non-Discrimination
Policy Creation Date:	September 21, 1987
Most Recent Modification Date:	February 23, 2015

Changes, Additions, Deletions

Line Number	Purpose
1-8	Added clarifying language that references employees and applicants and added examples of equal opportunity related to employment conditions and relationships.
11-12	Clarified that the policy against discrimination will be in accordance with all applicable federal, state, and local laws.
20-21	Added language regarding the College's commitment to access, equality, and diversity.
26-28	Added new language that explicitly prohibits retaliation against employees and students who bring complaints regarding discrimination.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 31006–Equal Employment Opportunity and Non-Discrimination.

BACKUP INFORMATION

Resolution
Policy 31006-Equal Employment Opportunity and Non-Discrimination (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Mr. Roop

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

Resolution Number: **16-12-140**
Adopted on: **12/12/2016**

Agenda Item Number: 6C
December 12, 2016

Subject: Policy Modification: 31006–Equal Employment Opportunity and Non-Discrimination

WHEREAS, The Board of Trustees created Policy 31006–Equal Employment Opportunity and Non-Discrimination in 1987; and

WHEREAS, The policy has served an important purpose in promoting access, equity, and diversity in College employment; and

WHEREAS, The policy has been reviewed by the appropriate College community stakeholders for their feedback and been updated; and

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

Resolved, That Policy 31006-Equal Employment Opportunity and Non-Discrimination 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: 6D
December 12, 2016

POLICY MODIFICATION: 45004–STUDENT INDEBTEDNESS

General Information

Policy Number:	45004
Contained in Chapter:	Chapter Four
Policy Title:	Student Indebtedness
Policy Creation Date:	May 21, 1984
Most Recent Modification Date:	May 21, 1984

Changes, Additions, Deletions

Line Number	Purpose
2	Added language to be consistent with College policy on Employee Indebtedness.
2-4	Deleted this language and moved presidential authorization to new Section IV.
6-7	New policy statement language added to be consistent with College policy on Employee Indebtedness.
9-10	Added new language regarding repayment options consistent with changes in state law and with language in College policy on Employee Indebtedness.
12-13	Added language consistent with other College policies that authorizes the president to establish procedures.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 45004–Student Indebtedness.

BACKUP INFORMATION

Resolution
Policy 45004–Student Indebtedness (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Ms. Sherman

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

Resolution Number: **16-12-141**
Adopted on: **12/12/2016**

Agenda Item Number: 6D
December 12, 2016

Subject: Policy Modification: 45004–Student Indebtedness

WHEREAS, The Board of Trustees created Policy 45004–Student Indebtedness in 1984; and

WHEREAS, The policy has served an important purpose in ensuring prudent fiscal control and the collection of student indebtedness; and

WHEREAS, The policy has been reviewed by the appropriate College community stakeholders for their feedback and been updated; and

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

Resolved, That Policy 45004–Student Indebtedness 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: 6E
December 12, 2016

POLICY MODIFICATION: 62003–COLLEGE RELATIONS

General Information

Policy Number:	62003
Contained in Chapter:	Chapter Six
Policy Title:	College Relations
Policy Creation Date:	March 18, 1968
Most Recent Modification Date:	June 18, 1984

Changes, Additions, Deletions

Line Number	Purpose
Policy Title	Modified the policy title to “Public Information, Communications, and Marketing” to more adequately reflect the scope and intent of the policy.
1-3	Added new language regarding the role that communications and marketing plays in maintaining the College’s brand, image, reputation, and consistent messaging.
6-7	Added new language concerning the importance of public information in connection with public support of and participation in College programs and services.
9	Added language to explicitly reference communications and marketing.
11-12	Corrected a grammatical error.
13-14	Added language about promoting the value of the College and its programs to the public.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 62003–College Relations, henceforth known as Policy 62003–Public Information, Communications, and Marketing.

BACKUP INFORMATION

Resolution
Policy 62003–College Relations (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Nuell

RESOURCE PERSON

Mr. Gilmer

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

Resolution Number: **16-12-142**
Adopted on: **12/12/2016**

Agenda Item Number: 6E
December 12, 2016

Subject: Policy Modification: 62003–College Relations

WHEREAS, The Board of Trustees created Policy 62003-College Relations in 1968; and

WHEREAS, The policy has served an important purpose in promoting College programs and services to the public; and

WHEREAS, The policy has been reviewed by the appropriate College community stakeholders for their feedback and been updated; and

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

Resolved, That Policy 62003-College Relations be renamed “62003–Public Information, Communications, and Marketing” and 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: 6F
December 12, 2016

POLICY MODIFICATION: 68101–USE OF COPYRIGHTED MATERIALS

General Information

Policy Number:	68101
Contained in Chapter:	Chapter Six
Policy Title:	Use of Copyrighted Materials
Policy Creation Date:	May 15, 1989
Most Recent Modification Date:	May 15, 1989

Changes, Additions, Deletions

Line Number	Purpose
1-11	Modified the purpose statement to more accurately reflect the use of copyrighted works to further the College’s mission. Deleted some language that is addressed in Section III.
13-20	Created a new policy statement that references the updated applicable sections of the federal copyright law.
22-25	Added reference to digital materials, contractors, and owned or leased College equipment.
27-36	Moved the reference to “fair use” from previous Section IV to earlier in the policy to make a general reference to “copying/reproducing.” Deleted outdated references to specific types of copying machines.
38-43	Condensed previous Section III regarding applicability to reduce repetition.
45-48	Added new language regarding education on copyright issues.
49-57	Deleted this language and moved it to new Section IV.
59-61	Deleted this language and moved it to revised Section III.
63-70	Deleted this language and moved it to appropriate sections in the new procedure to provide clear guidance on the use of different types of copyrighted materials.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 68101–Use of Copyrighted Materials.

BACKUP INFORMATION

Resolution
Policy 68101–Use of Copyrighted Materials (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Rai

RESOURCE PERSON

Mr. Wray

Mr. Dietz

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

Resolution Number: **16-12-143**
Adopted on: **12/12/2016**

Agenda Item Number: 6F
December 12, 2016

Subject: Policy Modification: 68101–Use of Copyrighted Materials

WHEREAS, The Board of Trustees created Policy 68101–Use of Copyrighted Materials in 1989; and

WHEREAS, The policy has served an important purpose in facilitating the teaching, learning, and research mission of the College while ensuring compliance with applicable federal law; and

WHEREAS, The policy has been reviewed by the appropriate College community stakeholders for their feedback and been updated; and

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

Resolved, That Policy 68101–Use of Copyrighted Materials 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: 8
December 12, 2016

**AWARD OF CONTRACT,
UNIFIED COMMUNICATIONS AS A SERVICE, BID 517-004**

BACKGROUND

Request:	Unified Communications as a Service (UCaaS)
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services, and Vice President of Instructional and Information Technology/Chief Information Officer
Award Type:	Competitive
Bid Number:	517-004
Explanation of Request:	The College's current private branch exchange (PBX) telephone system is 17 years old and is based on obsolete technology. The new system which is consistent with the College's strategy of using cloud-based services wherever possible, will require no locally installed hardware, simplify maintenance and increase reliability. It will also integrate with desktop software such as the recently deployed Microsoft Office 365, and combine telephones, voicemail, instant messaging, conferencing, video and cell phones into a single unified service. The use of this technology will enhance productivity and provide a wide variety of collaboration tools. Without this new technology, the College will be reliant on aging communication equipment that will become costly to maintain, unable to integrate with cellphones, voice and video administrative applications, and would require continued usage of space and utilities to house and operate the old equipment.
<u><i>Reason Being Brought to Board:</i></u>	<u>Board approval is required for bid awards valued over \$250,000.</u>
Certification:	The director of procurement certifies that specifications were developed by appropriate College staff and the vice president of finance/chief finance officer certifies that funds are available in the FY17 operating and capital budgets.
Total Dollar Amount:	Year 1: \$653,568 Year 2: \$606,840 Year 3: \$606,840 Year 4: \$606,840 Year 5: \$606,840 Total Five-year amount: \$3,080,928
Vendor Name:	Atlantech Online, Inc.
Vendor Address:	1010 Wayne Avenue, Suite 630 Silver Spring, Maryland 20910
Minority Status:	NA
Contract Term:	One year with four one-year renewal options

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract to Atlantech Online, Inc. of Silver Spring, Maryland, for hosting unified communications as a service (UCaaS) solution for a total amount of \$653,568 for the first year.

It is further recommended that the contract be renewed for four additional one-year renewals at \$606,840 per year for years two through five, as long as service is satisfactory, funds are available, and it is in the best interest of the College. The total five-year contract award shall not exceed \$3,080,928.

BACKUP INFORMATION

Board Resolution
Bid Summary (Board Members Only)
Bidders List (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSONS

Mr. Johnson
Mr. Whitman

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

Resolution Number: **16-12-144**
Adopted on: **12/12/2016**

Agenda Item Number: 8
December 12, 2016

**Subject: Award of Contract, Unified Communications as a Service Solution,
Bid 517-004**

WHEREAS, The senior vice president for administrative and fiscal services and the vice president of information technology/chief information officer has requested the replacement of the College's existing PBX telephone system; and

WHEREAS, The College's current PBX telephone system is 17 years old and is based on obsolete technology; and

WHEREAS, Consistent with the College's strategy of using cloud-based services wherever possible, the new system will require no locally installed hardware, simplify maintenance, and increase reliability; and

WHEREAS, The director of procurement certifies that specifications were developed by appropriate College staff, and the vice president of finance/chief finance officer certifies that funds are available in the FY17 operating and capital budgets; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec.16-311, a request for proposal was publically advertised in a local Montgomery County newspaper on October 13, 2016, and posted on the Montgomery College procurement website and eMaryland Marketplace; and

WHEREAS, 71 companies downloaded the solicitation from the procurement website, and on November 7, 2016, four responses were received and recorded in the Office of Procurement; and

WHEREAS, Upon evaluation of submitted proposals by appropriate College staff, it was determined that the proposal submitted by Atlantech Online, Inc., of Silver Spring, Maryland, was the highest ranked, meeting all College requirements; and

WHEREAS, Board approval is required for bids valued above \$250,000; and

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

Resolved, That the Board of Trustees approve an award of contract to Atlantech Online, Inc. of Silver Spring, Maryland, for hosting unified communications as a service (UCaaS) solution for a total amount of \$653,568 for the first year; and be it further

Resolved, That the contract be renewed for four additional one-year terms at a rate of \$606,840 per year for years two through five, as long as service is satisfactory, funds are available, and it is in the best interest of the College; and be it further

Resolved, That the total five-year contract award shall not exceed \$3,080,928.

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

Agenda Item Number: 9
December 12, 2016

**ACCEPTANCE OF THE MONTGOMERY COLLEGE AUDITED FINANCIAL
STATEMENTS FOR JUNE 30, 2016 AND 2015**

BACKGROUND

Montgomery College is required to conduct an annual audit of the College's financial statements.

The audit of financial statements for June 30, 2016 and 2015 was conducted by CliftonLarsonAllen, LLC Certified Public Accountants and Consultants, and certified by the vice president of finance and by the president.

The annual audit report was presented to the Board's Audit Review Subcommittee and to the Board's Audit Committee for review and comment.

RECOMMENDATION

It is recommended that the Board of Trustees accept the audited financial statements for June 30, 2016 and 2015.

BACKUP INFORMATION

Board Resolution
Audited Financial Statements for June 30, 2016 and 2015 (Board Members only)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

RESOURCE PERSON

Ms. Sherman

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

Resolution Number: **16-12-145**
Adopted on: **12/12/2016**

Agenda Item Number: 9
December 12, 2016

Subject: Acceptance of the Montgomery College Audited Financial Statements for June 30, 2016, and 2015

WHEREAS, Montgomery College is required to conduct an annual audit of the College's financial statements; and

WHEREAS, The audit of financial statements for June 30, 2016, and 2015, was conducted by CliftonLarsonAllen, LLP, Certified Public Accountants and Consultants, and certified by vice president of finance and by the president; and

WHEREAS, The audit report was conducted in accordance with auditing standards generally accepted in the United States and the standards applicable to financial audits contained in Government Auditing Standards, issued by the comptroller general of the United States; and

WHEREAS, The annual audit report was presented to the Board's Audit Review Subcommittee and to the Board's Audit Committee for review and comment; and

WHEREAS, The Board of Trustees was informed that the College's financial statements are free of material misstatement and that a deficiency in material controls was identified during the audit process which was corrected by management; and

WHEREAS, The president of the College and the Audit Committee recommends that the Board of Trustees accept the following resolution; now therefore be it

Resolved, That the Board of Trustees accepts the audited financial statements for June 30, 2016 and 2015.