



BOARD OF TRUSTEES
MONTGOMERY COLLEGE

PUBLIC BOARD MEETING AGENDA

By phone: 1-301-715-8592 • Meeting ID: 999 997 876

BOARD OF TRUSTEES

Gloria Aparicio Blackwell
Chair
TERM ENDS JUNE 30, 2020

Leslie S. Levine, PhD
First Vice Chair
TERM ENDS JUNE 30, 2021

Michael A. Brintnall, PhD
Second Vice Chair
TERM ENDS JUNE 30, 2023

Sarah Haj Hamad
Student Trustee
TERM ENDS JUNE 30, 2020

Kenneth J. Hoffman, MD
TERM ENDS JUNE 30, 2023

Michael J. Knapp
TERM ENDS JUNE 30, 2024

Frieda K. Lacey, EdD
TERM ENDS JUNE 30, 2024

Robert F. Levey
TERM ENDS JUNE 30, 2025

Maricé Morales
TERM ENDS JUNE 30, 2025

Marsha Suggs Smith
TERM ENDS JUNE 30, 2022

PRESIDENT AND SECRETARY-TREASURER

DeRionne P. Pollard, PhD

April 20, 2020

6:00 p.m.

1. Call to Order Procedural
2. Roll Call Procedural
3. Approval of Agenda..... Procedural
4. Comments Period Procedural
5. Approval of Minutes Action
 - A. March 23, 2020 Closed Session
 - B. March 23, 2020 Public Meeting
6. Reports..... Information
 - A. President's Report (Dr. DeRionne P. Pollard)
 - B. Chair's Report (Ms. Gloria Aparicio Blackwell)
 - C. Financial Summary Report for FY20 Third Quarter (Ms. Donna Schena)
 - D. Education and Culture Committee (Dr. Frieda K. Lacey)
7. Consent Agenda Action
 - A. Personnel Actions Confirmation Report
 - B. Graduates Receiving Associate's Degrees and Program Certificates in Spring 2020
8. Awards of Contract (Competitive) Action
 - A. Award of Contract, External Auditing and Tax Services, Bid 520-023
 - B. Award of Contract, Food, Vending, and Beverage Management Services, Bid 920-011
9. Award of Contract (Sole Source) Action

Sole Source Award of Contract for the Continuation of Taleo Talent Management Services and Support
10. College Matter Action

Temporary Authority to Respond to COVID-19 Emergency
11. Policy Matter Discussion and Possible Action

New Policy 11006–Presidential Transition and Succession

12. Budget Matter..... Action

Tuition and Fees for Fiscal Year 2021

13. New Business

14. Trustee Comments

15. Adjournment

NOTICES

BOARD OF TRUSTEES INFORMATION. The board's meeting schedule, agendas, meeting minutes, and records of resolutions are available at www.montgomerycollege.edu/bot.

PUBLIC COMMENTS. The board welcomes public comments, which can be sent to trustees@montgomerycollege.edu or to Board of Trustees, 9221 Corporate Blvd, Rockville, Maryland 20850, ATTN: Public Comments.

PUBLIC TESTIMONY. Persons wishing to speak before the board during a public meeting must sign up no less than seven (7) days before the scheduled meeting by calling 240-567-5272 or emailing trustees@montgomerycollege.edu. An electronic file or a hard copy of the testimony must be provided to the Board of Trustees by 5:00 p.m. on the day of the public meeting. Persons speaking before the board are provided four minutes for comments. The board allots 16 minutes for comments during each public meeting, though this time may be extended for an additional specified period by motion of the board chair and agreement by two-thirds of board members present. Additional comment time may be scheduled at the end of the agenda prior to adjournment.

ALTERNATIVE AGENDA FORMAT. This agenda is available in an alternative format upon request, in accordance with the Americans with Disabilities Act, by contacting 240-567-5272 or trustees@montgomerycollege.edu at least two weeks prior to the scheduled board meeting.

COMMUNICATIONS ACCOMMODATIONS. For special accommodations in communicating with the board, contact 240-567-5272 or trustees@montgomerycollege.edu.

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

Agenda Item Number: 7A
April 20, 2020

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

Ms. Schena

RESOURCE PERSON

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 7A
April 20, 2020

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 February 1, 2020, through February 29, 2020; 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 February 1, 2020, through February 29, 2020

STAFF

STAFF EMPLOYMENTS

Effective

Date

Name

2/24/2020

Dalgo, Daniel A

2/24/2020

Flores, Robert A

2/24/2020

Stokes, Cierra M

STAFF SEPARATIONS

Effective

Date

Name

Position Title

Grade

YOS

Department

2/14/2020

Ault, Arthur

Senior Research Analyst

31

3

Institutional Research & Analysis

2/8/2020

Edwards, Damon H

Campus Police Officer

19

4

Facilities Security - TP/SS

2/18/2020

Lauman, Beatrice C

Academic Oper & Spec Proj Dir

33

9

VP/Provost - STEM

2/28/2020

Maloba, Mary

Student Services Coord. Lead

21

13

WDCE Central Administration

2/14/2020

Nuell, Nancy J ¹

Assoc Sr VP for Adv & Com Eng

39

31

Advancement/Comm Engage

2/10/2020

Sharpe, James

Public Safety Manager (Major)

31

3

Facilities Security - TP/SS

2/28/2020

Smith, Janette R¹

Enrollment & Stu Access Spec

23

22

CW Response Center

2/28/2020

Tchen, Jane S¹

Admission & Registration Asst

23

14

Admission Services

2/28/2020

Thompson, Sherri L¹

Campus Student Fin Aid Dir

33

31

Financial Aid

2/7/2020

Webb, William L

Building Services Worker Lead

15

3

Facilities Operations - RV

2/28/2020

Wiggins, Cassandra M¹

Financial Aid Assistant

21

33

Financial Aid

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	Haw-PI	TOTAL
Female	0	1	0	0	0	0	1
Male	1	0	1	0	0	0	2
TOTAL	1	1	1	0	0	0	3

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	Haw-PI	TOTAL
Female	3	3	0	1	0	0	7
Male	1	2	0	0	1	0	4
TOTAL	4	5	0	1	1	0	11

¹ Retirement

**MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From February 1, 2020, through February 29, 2020**

FACULTY

FACULTY EMPLOYMENTS: NONE

FACULTY SEPARATIONS: NONE

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

Agenda Item Number: 7B
April 20, 2020

**GRADUATES RECEIVING THE ASSOCIATE DEGREE AND
THE PROGRAM CERTIFICATE IN SPRING 2020**

BACKGROUND

The Board of Trustees is required to ratify the conferral of degrees and certificates by the faculty, as certified by the college registrar, each semester.

RECOMMENDATION

The Board of Trustees is asked to ratify 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 college registrar.

BACK-UP INFORMATION

Board Resolution
List of Expected Graduates (Board members only)

RESPONSIBLE SENIOR ADMINISTRATORS

Dr. Brown
Dr. Rai

RESOURCE PERSONS

Mr. Cartledge
Mr. Dietz

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

Agenda Item Number: 7B
April 20, 2020

**Subject: Graduates Receiving the Associate Degree and the Program Certificate in
Spring 2020**

WHEREAS, It is necessary that the Board take action on the list of certified candidates attached herewith; and

WHEREAS, The College registrar ("the registrar") has certified that the students of Montgomery College, as listed on the attachment, are expected to complete successfully in the spring 2020 semester 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 registrar 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 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.

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

Agenda Item Number: 8A
April 20, 2020

**AWARD OF CONTRACT,
EXTERNAL AUDITING AND TAX SERVICES, BID 520-023**

BACKGROUND

Request:	External Auditing and Tax Services
Office/SVP Originating Request:	Senior Vice President for Fiscal and Administrative Services and Chief Business/Financial Strategy Officer
Award Type:	Competitive
Bid Number:	520-023
Explanation of Request:	<p>The State of Maryland requires that each community college conduct an annual audit of its financial records and enrollment figures by an independent certified public accountant in accordance with generally accepted auditing standards and in compliance with the requirements of the Maryland Higher Education Commission. These audits must be certified by college officials and submitted to the Maryland Higher Education Commission by a statutory date each year. The current five-year external audit services contract awarded by the Board of Trustees under resolution 15-03-022 during their March 2015 meeting expired at the completion of the FY19 audit. The College also has mandatory tax and compliance reporting requirements each year for federal and state regulatory bodies. Efficiency and cost savings can be achieved by having one firm perform both audit and tax services.</p> <p>College Policy 64001–External Audit, requires the issuance of a competitive solicitation for external audit services on a periodic basis, but not less than once every five years.</p>
Reason Being Brought to Board:	Board approval is required for bid awards valued over \$250,000.
Certification:	The director of procurement affirms that specifications were developed by appropriate College staff and the chief business/financial strategy officer certifies that planned funds are available in the FY20–FY21 operating budgets.
Total Dollar Amount:	\$303,900 (three-year total for the College and Foundation audits) plus, an annual not-to-exceed amount of \$35,000 for associated tax services for the College.
Vendor Name:	Clifton Larson Allen, LLP
Vendor Address:	966 Greenspring Drive Timonium, Maryland
Minority Status:	N/A
Term of Contract:	One three-year term, with two additional one-year renewals

RECOMMENDATION

It is recommended that the Board of Trustees award a contract to CliftonLarsonAllen, LLP, of Timonium, Maryland, for external audit services for FY20, FY21, and FY22, for the College, for a total three-year price of \$254,000. Separate audit services for the Montgomery College Foundation will be available under the contract, at the discretion of the Montgomery College Foundation, for a total price of \$49,900 for the same three-year period, and an annual not-to-exceed amount of \$35,000 for associated tax services for the College.

It is further recommended that the contract be renewed for FY23 at \$88,000, and FY24 at \$90,000 for the College, provided service is satisfactory, funds are available, and renewals are in the best interest of the College. Separate audit services for the Montgomery College Foundation will be renewed under the contract, at the discretion of the Montgomery College Foundation, for a total price of \$17,300 for FY23 and \$17,700 for FY24, and an annual not-to-exceed amount of \$35,000 for associated tax services for the College.

BACKUP INFORMATION

Board Resolution
Policy 64001– External Audit
Bid Summary (Board Members Only)
Bidders List (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATORS

Ms. Schena

RESOURCE PERSONS

Ms. Greaney
Mr. Johnson

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

Resolution Number:
Adopted on:

Agenda Item Number: 8A
April 20 ,2020

Subject: Award of Contract, External Auditing and Tax Services, Bid 520-023

WHEREAS, The senior vice president for administrative and fiscal services and the chief business/financial strategy officer has requested a contract for external auditing and tax services, along with a provision that allows for use of the contract by the Montgomery College Foundation; and

WHEREAS, College Policy 64001–External Audit requires that an annual audit of the College’s books of accounts and accounting procedures and principles be performed and that the auditor certify the College’s Annual Financial Report to the Maryland Higher Education Commission; and

WHEREAS, The audit is conducted by an independent certified public accountant and in accordance with generally accepted auditing standards and in compliance with the Maryland Higher Education Commission requirements; and

WHEREAS, The current five-year external audit services contract, awarded by the Board of Trustees under resolution 15-03-022, expired at the completion of the FY19 audit; and

WHEREAS, The director of procurement affirms that specifications were developed by appropriate College staff, and the chief business/financial strategy officer certifies that planned funds are available in the FY20–FY21 operating budgets; and

WHEREAS, Pursuant to Md. (Educ.) Ann. Sec. 16-311, a request for bid was issued on February 17, 2020, and posted on the Montgomery College and Maryland State eMMA procurement websites; and

WHEREAS, 29 firms downloaded the solicitation from the procurement website, and six responses were received, publicly opened and recorded, beginning at 3:00 p.m. on March 6, 2020; and

WHEREAS, Upon review of all bid pricing by appropriate College staff, it was determined that the proposal submitted by Clifton Larson Allen, LLC of Timonium, Maryland, has been declared the highest ranked responsive-responsible bidder, meeting all College specifications; and

WHEREAS, Board approval is required for bid awards valued over \$250,000; and

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

Resolved, That a contract to purchase external audit services for FY20, FY21, and FY22 for the College, be awarded to CliftonLarsonAllen, LLC, of Timonium, Maryland, for a total three-year price of \$254,000, and separate external audit services for the Montgomery College Foundation be available under the contract, at the discretion of the Montgomery College Foundation, for a total price of \$49,900 for the same period, along with an annual not-to-exceed amount of \$35,000 for associated tax services for the College; and be it further

Resolved, That the contract be renewed for FY23 at \$88,000, and FY24 at \$90,000 for the College, and an additional annual not-to-exceed amount of \$35,000 for associated tax services for the College, provided service is satisfactory, funds are available, and renewals are in the best interest of the College; and be it further

Resolved, That the contract be renewed for FY23 at \$17,300 and FY24 at \$17,700 for the Montgomery College Foundation, provided service is satisfactory, funds are available, and renewals are in the best interest of the Montgomery College Foundation.

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

Agenda Item Number: 8B
April 20 , 2020

**AWARD OF CONTRACT,
FOOD, VENDING, AND BEVERAGE MANAGEMENT SERVICES, BID 920-011**

BACKGROUND

Request:	Purchase of food, vending, and beverage management services
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services
Award Type:	Competitive
Bid Number:	920-011
Explanation of Request:	The College's current food and vending services contract will expire on May 31, 2020. In light of current student enrollment trends, along with the attractiveness of the College to food, vending, and beverage management service providers, the institution has elected to move away from the current profit and loss revenue model to a widely used management fee-based solution. Under this arrangement, the College will receive an annual estimated \$100,000 or more in commission on all vending sales, minus a management fee, and any operating losses incurred by the contractor, during the contract term. Vending commissions are structured on a tier basis, with more commission on higher sales levels. It is anticipated that operating losses will occur in years one and two of the contract, approximately \$267,000 and \$111,000, respectively. The College anticipates an operating surplus in year three of the contract of approximately \$49,000. Operating surpluses are retained by the College.
Reason Being Brought to Board:	Board approval is required for all contract awards valued over \$250,000.
Certification:	The director of procurement certifies that specifications were developed by appropriate College staff and the chief business/financial strategy officer certifies that expenditures are available in the FY20 and FY21 auxiliary services budget.
Dollar Amount:	Over the three-year term, the College anticipates incurring a net operating loss of approximately \$329,000.
Vendor Name:	Metz Culinary Management

Vendor Address:	Two Woodland Drive Dallas, Pennsylvania 18612
Term of Contract:	One three-year term (July 1, 2020 – June 30, 2023), with two one-year renewal options
Minority Status	NA

RECOMMENDATION

It is recommended that the Board of Trustees approve a three-year (July 1, 2020 – June 30, 2023) award of contract for food, vending, and beverage management services to Metz Culinary Management of Dallas, Pennsylvania.

It is further recommended that the contract be renewed for two additional one-year periods under the terms and conditions, at the sole discretion of the College, provided services are satisfactory, funding is available, and renewals are in the best interest of the College.

BACKUP INFORMATION

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

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSONS

Ms. Greaney
 Mr. Johnson

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

Resolution Number:
Adopted on:

Agenda Item Number: 8B
April 20, 2020

**Subject: Award of Contract, Food, Vending, and Beverage Management Services,
Bid 920-011**

WHEREAS, The senior vice president for administrative and fiscal services is requesting an award of contract for the purchase of food, vending, and beverage management services; and

WHEREAS, The current food and vending services contract will expire on May 31, 2020; and

WHEREAS, The College will receive an annual estimated \$100,000 or more in commission on all vending sales, minus a management fee, and any operating losses incurred by the contractor, during the contract term; operating surpluses are retained by the College; and

WHEREAS, The director of procurement certifies that specifications were developed by appropriate College staff, and the chief business/financial strategy officer certified that expenditures are available in the FY20 and FY21 auxiliary services budget; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for proposal was publicly advertised on November 20, 2019, on the Montgomery College Procurement and the State of Maryland eMaryland Marketplace Advantage websites; and

WHEREAS, 47 firms downloaded the request for proposal, and eight responses, including seven no bids, were received, read aloud, and recorded, beginning 3:00 p.m. on December 20, 2019; and

WHEREAS, Upon evaluation of submitted proposal by appropriate College staff, it was determined that the sole proposal submitted by Metz Culinary Management of Dallas, Pennsylvania, was considered fair and reasonable, meeting all College requirements; and

WHEREAS, Awards resulting from competitive sealed solicitations valued above \$250,000 require Board of Trustees approval; and

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

Resolved, That the Board of Trustees approves an award of contract for the purchase of food, vending, and beverage management services to Metz Culinary Management of Dallas, Pennsylvania, for one three-year term, starting July 1, 2020 – June 30, 2023; and be it further

Resolved, That the contract be renewed for two additional one-year periods under the same terms and conditions, at the sole discretion of the College, provided services are satisfactory, funding is available, and renewals are in the best interest of the College; and be it further

Resolved, That the president is authorized to sign the contract on behalf of the Board of Trustees.

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

Agenda Item Number: 9
April 20, 2020

**SOLE SOURCE AWARD OF CONTRACT,
CONTINUATION OF TALEO TALENT MANAGEMENT SERVICES AND SUPPORT**

BACKGROUND

Request:	Continuation of Taleo talent management services and support
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services and Interim Chief Information Officer
Award Type:	Sole Source
Bid Number:	Original bid 510-001
Explanation of Request:	<p>In December of 2009, the Board of Trustees approved the competitively awarded purchase of the Taleo talent management system for the Office of Human Resources. In March of 2015, the Board approved the continuation of the sole source award of contract for Taleo talent management services and support for an additional five-year period. These services will expire in April 2020.</p> <p>The Taleo talent management services and support is being replaced by the Workday enterprise resource program system; however, due to the re-launch of the Workday implementation project, the go-live date for this system has been delayed until January 2021. For this reason, it is being requested that usage of the Taleo talent management services and support be continued for up to two years, until the transition to the Workday system is fully stabilized.</p>
Reason Being Brought to Board:	Board approval is required for bid awards valued over \$250,000.
Certification:	The director of procurement affirms that Oracle America Inc. is the only available source that can provide the Taleo product due to its proprietary nature, and the chief business/financial strategy officer certifies that funds are available in the Information Technology FY20 operating budget.
Total Dollar Amount:	\$250,000 (Not-to-exceed)
Vendor Name:	Oracle America, Inc.
Vendor Address:	7777 Gateway Blvd. Newark, California 94560
Minority Status:	N/A
Term of Contract:	One year, with additional one-year renewal option

RECOMMENDATION

It is recommended that the Board of Trustees approve a one-year sole source award of contract to Oracle America Inc. of Newark, California, for the continuation of the Taleo talent management services and support, for a not-to-exceed amount of \$250,000.

It is further recommended that the contract be renewed for an additional one-year period, if needed, under the same terms and conditions, provided services are satisfactory, funding is available, and renewal is in the best interest of the College. The total two-year not-to-exceed amount is \$500,000.

BACKUP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSONS

Ms. Miller
Mr. Johnson

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

Resolution Number:
Adopted on:

Agenda Item Number: 9
April 20, 2020

Subject: Sole Source Award of Contract, Continuation of Taleo Talent Management Services and Support

WHEREAS, The senior vice president for fiscal and administrative services and the interim chief information officer have requested the continued use of the Taleo talent management services and support on a sole source basis; and

WHEREAS, In December of 2009, the Board of Trustees approved the competitively awarded the purchase of a talent management system for the Office of Human Resources under resolution 09-11-112 from Oracle America, Inc., (formerly Taleo Corporation); and

WHEREAS, In March 2015, the Board of Trustees approved the continuation of the sole source award of contract for Taleo talent management services and support for an additional five-year period, under resolution 15-03-021; and

WHEREAS, The Taleo talent management services and support are being replaced by the Workday enterprise resource program system; however, due to the re-launch of the Workday implementation project, the go-live date for this system has been delayed until January 2021; and

WHEREAS, It is being requested that usage of the Taleo talent management services and support be continued for up to two years, if needed, until the transition to the Workday system is fully integrated; and

WHEREAS, The director of procurement affirms that Oracle America Inc., of Newark, California, is the only available source that can provide the Taleo product due to its proprietary nature, and the chief business/financial strategy officer certifies that funds are available in the Information Technology FY20 operating budget; and

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

WHEREAS, Board approval is required for all sole source awards valued over \$100,000; and

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

Resolved, That a sole source award of contract for the continuation of the Taleo talent management services and support be awarded to Oracle America Inc. of Newark, California, for a one-year term beginning on April 27, 2020, for a not-to-exceed amount of \$250,000; and

Resolved, That the contract be renewed for an additional one-year period, if needed, for a not-to-exceed amount of \$250,000, under the same terms and conditions, provided services are satisfactory, funding is available, and renewal is in the best interest of the College.

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

Agenda Item Number: 10
April 20, 2020

TEMPORARY AUTHORITY TO RESPOND TO THE COVID-19 EMERGENCY

BACKGROUND

The world is in the midst of a declared global pandemic virus, COVID-19. A State of Emergency was declared by the Governor of Maryland on March 5, 2020, and the President of the United States on March 13, 2020. In response, institutions of higher learning throughout the nation and the State are taking steps to protect students and employees from the spread of the virus, while maintaining the continuity of educational services.

Pursuant to College Policy 11005–Formulation and Issuance of College Policies and Procedures, the Board of Trustees, in consultation with the President of the College, develops and establishes policies that serve as the general principles for operations and decision-making, and, where appropriate, for delegating authority to the President. However, neither Policy 11005 nor any other College policy specifically address policy and procedural issues that arise when educational services are intended to continue during a declared emergency. In addition, due to the quickly evolving nature of the emergency, guidance from federal, state and local officials changes almost daily.

The President and her senior leadership team believe that time and resources should not be expended in this time of crisis debating who has the authority to make decisions or drafting changes to existing policies and procedures, but rather on making the best decisions for the College under the circumstances. In the context of a declared emergency pandemic, where unnecessary policy or procedural barriers to the continuity of operations and educational services exist, the President should have clear authority to remove them. The proposed emergency regulation would provide that authority on a temporary basis.

RECOMMENDATION

It is recommended that the Board of Trustees approve the resolution to grant temporary authority to the President of the College to respond to the COVID-19 emergency.

BACKUP INFORMATION

Board Resolution
Policy 11005–Formulation and Issuance of College Policies and Procedures

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Dietz

RESOURCE PERSON

Dr. Cain

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

Resolution Number:
Adopted on:

Agenda Item Number: 10
April 20, 2020

Subject: Temporary Authority To Respond To The Covid-19 Emergency

WHEREAS, On January 30, 2020, the coronavirus outbreak was declared a Public Health Emergency of International Concern by the World Health Organization; and

WHEREAS, On March 5, 2020, Governor Larry Hogan announced a Declaration of State Emergency and Existence of Catastrophic Health Emergency—COVID-19; and

WHEREAS, On March 11, 2020, the World Health Organization officially declared COVID-19 a pandemic; and

WHEREAS, On March 13, 2020, President Donald Trump declared a National State of Emergency over COVID-19; and

WHEREAS, While Dr. Pollard and College faculty and staff are making extraordinary efforts to prevent and mitigate the effects of COVID-19 in the College community, while at the same time maintaining the continuity of operations and educational services during this health emergency, strict compliance with various existing College policies and procedures would prevent, hinder, or delay these efforts; and

WHEREAS, Pursuant to Policy 11005–Formulation and Issuance of College Policies and Procedures, the Board of Trustees, in consultation with the President of the College, develops and establishes policies that serve as the general principles for operations and decision-making, and, where appropriate, for delegating authority to the President; and

WHEREAS, The Board recognizes that flexibility is imperative in adapting to this public health emergency and therefore wishes to temporarily delegate to the President or designee during this declared state of emergency, broad authority to take any and all actions necessary to help ensure the continuation of operations and educational services, and the health and safety of students and employees, even if such actions contradict currently established policies and procedures as set forth in the Collegewide Policy and Procedures manual; now therefore be it

Resolved, That the Board of Trustees, notwithstanding the language of any current College policies including but not limited to Policy 11005, hereby temporarily delegate to the President or designee broad authority to place into immediate effect any temporary lawful policies, procedures, or other measures which in the judgment of the President or designee are necessary or appropriate to meet the public health emergency associated with COVID-19, including but not limited to safeguarding persons and property and maintaining the continuation of College operations and educational services, as appropriate; and be it further

Resolved, That any temporary lawful policies, procedures, or other measures implemented by the President or designee under this authorization shall be effective notwithstanding any contrary provisions of the Collegewide Policy and Procedures manual, are not subject to

subsequent ratification by the Board, and shall remain in effect until such time identified by the President or designee, or until such time as the Board withdraws the authority granted in this resolution, or until the termination of all national, state, or local emergency declarations regarding COVID-19, whichever is first; and be it further

Resolved, That the President or designee, in exercising this emergency authority, should consult with College administrators, health officials and/or other government officials as the President or designee deems necessary, as well as the Board Chair and, where possible and/or practicable the Board Executive Committee; and be it further

Resolved, That the President or designee is authorized to apply to the Maryland Higher Education Commission, the United States Department of Education, the Middle States Commission on Higher Education, or any other regulatory body for waivers of regulations or requirements, the compliance of which is impacted by COVID-19; and be it further

Resolved, That the President or designee is authorized to cancel and to reschedule regular Board meetings, to convene Special Meetings of the Board, and to develop the agendas for Board meetings; and be it further

Resolved, That the President or designee is directed to keep the Board of Trustees informed of any actions taken under this emergency authority as soon as is practicable in light of the circumstances; and be it further

Resolved, That the authorizations reflected in this resolution remain in effect until rescinded by majority vote of the Board of Trustees, or until the termination of all national, state, or local emergency declarations regarding COVID-19, whichever is first; and be it further

Resolved, That the President shall keep the Board of Trustees advised as to policies, procedures, or other measures adopted under this resolution.

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

Agenda Item Number: 11
April 20, 2020

NEW POLICY 11006—PRESIDENTIAL TRANSITION AND SUCCESSION

General Information

Policy Number:	11006
Contained in Chapter:	Chapter One
Policy Title:	Presidential Transition and Succession
Policy Creation Date:	April 20, 2020

Reason for Policy

This proposed policy articulates the processes that will be utilized by the Board of Trustees to facilitate the continuity of operations due to the planned or unplanned departure or temporary unavailability of the president. The potential loss of a chief executive is inevitable in any organization. Good stewardship requires that the Board of Trustees have a transition or succession plan in place to mitigate against this risk. This policy will ensure the seamless transition of executive power and continuity of operations should the president be unable to exercise the duties and functions as required by law and as noted in College Policy 24101—President.

Purpose of Each Policy Element

Section	Purpose
I.	College's commitment to ensuring the continuity of operations and recognition that executive leadership is critical to the College's mission.
II.	Statement of legal authority that establishes the Board of Trustees and authorizes the Board to select and appoint the president.
III.	Statement that the purpose of the policy is to ensure continued stability and accountability through developing a clear plan for presidential transition and succession.
IV.	Articulates the process the Board will utilize to hire or replace the president when the departure of the president is planned and known in advance.
V.	Articulates the process the Board will utilize when there is an unplanned departure of the president and duties need to be transitioned to ensure continuity of operations.
VI.	Articulates the process the Board will utilize when the president is temporarily unavailable to perform duties for a period that exceeds thirty-one (31) days.

Section	Purpose
VII.	Authorizes the president to appoint an individual or individuals to act on the president's behalf during any short-term leave by the president that does not exceed thirty-one (31) days.

RECOMMENDATION

It is recommended that the Board of Trustees adopt Policy 11006–Presidential Transition and Succession.

BACKUP INFORMATION

Resolution
Policy 11006–Presidential Transition and Succession

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Pollard

RESOURCE PERSON

Mr. Dietz

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

Resolution Number:
Adopted on:

Agenda Item Number: 11
April 20, 2020

Subject: New Policy 11006–Presidential Transition and Succession

WHEREAS, The Board of Trustees and the president have identified the need for a policy to articulate and establish clear guidelines on presidential transition and succession to ensure the continuity of College operations; and

WHEREAS, The issues related to presidential transition and succession processes and the continuity of operations have been researched under the direction of the president; and

WHEREAS, A draft policy statement was reviewed by the appropriate College community stakeholders for their feedback; and

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

Resolved, That Policy 11006–Presidential Transition and Succession be adopted as indicated in the attachment; and be it further

Resolved, That the president is authorized to implement this policy.

Chapter: Board of Trustees

Modification No. 001Subject: **Presidential Transition and Succession**

- I. The Board of Trustees is committed to ensuring continuity and high quality of operations and services. The Board also recognizes that a change in executive leadership is inevitable and that providing continuous coverage of leadership duties is critical to the mission of the College and its commitment to its students, employees, and the county.
- II. The Education Article of the Annotated Code of Maryland (the "Education Code") establishes the Board of Trustees of Montgomery College and authorizes the operation of Montgomery College, including the selection and appointment of the president by the Board of Trustees.
- III. The purpose of this policy is to ensure the continued stability and accountability of College operations and to ensure a clear plan for delegation of management authority in an efficient and legally responsible manner until such time that the president can reassume duties or permanent leadership is identified.
- IV. Planned Departure of the President
 - A. To ensure an orderly transition of leadership, the president's contract shall contain a provision requiring notice of no less than 60 days prior to departure, not to include the use of any accumulated leave.
 - B. A presidential search may be conducted using the services of a firm specializing in presidential searches. These services would include advertising, screening, verifying credentials, reference checks, and preliminary interviews and narrowing the list to a group of finalists.
 - C. In the event that the presidential search is not completed prior to the departure of the current president, the Board of Trustees may grant a temporary contract extension to the current president or may appoint interim leadership from among the senior vice presidents or chief of staff/chief strategy officer, who will serve until the search and selection of a new president is completed or until further action of the Board.
- V. Unplanned Departure of the President
 - A. In the event that the current president is suddenly incapacitated and unable to permanently perform the duties of office (ex., illness, emergency, disability, death), or otherwise makes an unplanned departure from the College, the chief of staff/chief strategy officer will notify the Board.
 - B. Should the president be unable to perform the duties of the position, the duties and responsibilities in College Policy 24101, shall be delegated to the senior vice president or chief of staff with the most years of service who is available and able to assume the duties until either the president is able to be fully functional or the Board of Trustees takes a formal action appointing an acting or interim president.
 - C. During this period, the Board may consult with appropriate higher education organizations to identify and subsequently appoint an interim president, which

could come from the current senior vice presidents or chief of staff/chief strategy officer until the search and selection of a new president is completed or until further action of the Board.

D. The appointment of an internal interim president from among the current senior vice presidents or chief of staff/chief strategy officer will be based upon an interview by the Board of Trustees and a review of their personnel records.

E. The individual selected will perform all duties and functions of the presidency, as required by law and as noted in College Policy 24101-President.

F. In the event that the selected individual is unable to or desires not to fill the position of interim president, the board will appoint an interim president from the other current senior vice presidents or chief of staff/chief strategy officer, or have the option to hire an interim from outside the College.

VI. Temporary Unavailability of the President

A. To ensure a continuity of leadership during an extended period (more than 31 days) in which the current president is temporarily unable to exercise the duties of office (ex., illness, emergency, extended leave) and to support professional development and growth of future leaders, the Board will select an acting president from among the College's senior leadership.

B. The acting president selected will perform all duties and functions of the presidency as required by law and as noted in College Policy 24101-President until such time as the president returns to duty or further action of the Board.

C. The current president is authorized to appoint an individual to act on behalf of the president or to appoint an acting president for shorter periods not to exceed thirty (30) days.

VII. Short-Term Leave by the President

The current president is authorized to appoint an individual(s) to act on behalf of the president or to appoint an acting president for shorter periods of leave (ex., sick, personal, bereavement, or other leave) not to exceed thirty-one (31) days.

Board Approval: _____, 2020

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

Agenda Item Number: 12
April 20, 2020

TUITION RATES FOR FISCAL YEAR 2021

BACKGROUND

The Board of Trustees adopted the College's FY21 operating budget at its meeting on January 29, 2020. The adopted budget prioritized fiscal restraint while maximizing existing resources to protect affordable tuition and fees. Thus, the president is recommending no increase in the in-county, in-state, and out-of-state tuition rates for FY21. Additionally, the current mandatory fees will remain at their current levels. Students will pay \$132 per-hour tuition rates for in-county, \$269 per-hour tuition rates for in-state, and \$374 per-hour tuition rates for out-of-state.

RECOMMENDATION

It is recommended that the Board of Trustees approve the current cost of tuition per-hour beginning with the fall 2020 semester and that students will pay \$132 per-hour tuition rates for in-county, \$269 per-hour tuition rates for in-state, and \$374 per-hour tuition rates for out-of-state.

BACKUP INFORMATION

Board Resolution
Policy 45001—Tuition, Fees, and Refunds

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Schena

RESOURCE PERSON

Ms. Greaney

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

Resolution Number:
Adopted on:

Agenda Item Number: 12
April 20, 2020

Subject: Tuition Rates for Fiscal Year 2021

WHEREAS, The Board of Trustees adopted the FY21 operating budget at its meeting on January 29, 2020; and

WHEREAS, The adopted FY21 budget prioritized fiscal restraint while maximizing existing resources to protect affordable tuition; and

WHEREAS, The president recommends no increases in per-hour tuition for in-county, in-state, and out-of-state rates, and that fees remain at their current levels; and

WHEREAS, With no increases in tuition or fees, in-county students will pay \$132 per-hour, in-state students will pay \$269 per-hour, and out-of-state students will pay \$374 per hour beginning in the fall 2020 semester; and

WHEREAS, The Board of Trustees has a deep commitment to keeping Montgomery College affordable to all students; and

WHEREAS, The Board of Trustees has the authority to set tuition; now therefore be it

Resolved, That the Board of Trustees adopts the current tuition rates per-hour for in-county, in-state, and out-of-state students, effective with the fall 2020 semester; and be it further

Resolved, That this action reestablishes the per-hour credit tuition rates at \$132, \$269, and \$374 for in-county, in-state, and out-of-state residents, respectively.