



BOARD OF TRUSTEES
MONTGOMERY COLLEGE

PUBLIC BOARD MEETING AGENDA

Room 212 ▪ The Catherine F. Scott Commons Building ▪ 7600 Takoma Avenue ▪
Takoma Park/Silver Spring Campus
[Link to Join via Zoom](#) ▪ Phone: 301-715-8592 ▪ Meeting ID: 969 8535 9065

BOARD OF TRUSTEES

Michael A. Brintnall, Ph.D.
Chair
TERM ENDS JUNE 30, 2029

Frieda K. Lacey, Ed.D.
First Vice Chair
TERM ENDS JUNE 30, 2024

Gloria Aparicio Blackwell
Second Vice Chair
TERM ENDS JUNE 30, 2026

Sheryl Brissett Chapman, Ed.D.
TERM ENDS JUNE 30, 2029

Annice Cody
TERM ENDS JUNE 30, 2028

Judy Docca, Ed.D.
TERM ENDS JUNE 30, 2024

Omar A. Lazo
TERM ENDS JUNE 30, 2027

Robert F. Levey
TERM ENDS JUNE 30, 2025

Maricé I. Morales
TERM ENDS JUNE 30, 2025

Rishi G. Nixon
Student Trustee
TERM ENDS JUNE 30, 2024

PRESIDENT AND SECRETARY-TREASURER

Dr. Jermaine F. Williams

Monday, April 15, 2024

6:00 p.m.

1. Call to OrderProcedural
2. Roll Call Procedural
3. Approval of AgendaProcedural
4. Conversation with ConstituentsInformation and Discussion
5. Reports.....Information
 - A. President's Report
 - B. Committee and Liaison Reports
 - i. Budget Review and Financial Sustainability Committee Report
 - ii. Montgomery College Alumni Association Liaison's Report
 - C. Chair's Report
6. Consent AgendaAction
 - A. Minutes
 - i. March 20, 2024 Public Vote and Closed Session Minutes
 - ii. March 20 2024 Public Meeting Minutes
 - B. Personnel Actions Confirmation Report
7. Policy MattersInformation and Possible Action
 - A. Modifications of Policies
 - i. Policy 11001–Board of Trustees Bylaws
 - ii. Policy 32500–Flexible Work Arrangements
 - iii. Policy 41001–Admission to Montgomery College
 - iv. Policy 41002–Equal Education Opportunity and Non-Discrimination
 - v. Policy 45003–Tuition and Fees; State Aid

vi. Policy 58001–College Calendar

B. Retirement of Policy 58004–Commencement Exercises

8. Award of Contract (Competitive)Action
Award of Contract, High Technology and Science Center Roof
Replacement and Façade Repairs, Germantown Campus, Bid 624-006
9. Rescission and Award of ContractAction
Rescission and Award of Contract, Purchasing and Corporate Credit Card
Program, Bid e523-014
10. Collective BargainingAction
A. Collective Bargaining Agreement Between Montgomery College and
the Montgomery College Chapter of the American Association of
University Professors
B. Memorandum of Agreement, Collective Bargaining Agreement
Between Montgomery College and the American Federation of State,
County, and Municipal Employees, AFL-CIO, Council 67, Local 2380
C. Memorandum of Agreement, Collective Bargaining Agreement
Between Montgomery College and Service Employees International
Union, Local 500
11. Compensation and BenefitsAction
A. Compensation Programs in Fiscal Year 2025
B. Termination of Montgomery Community College Retirement Plan
and Discontinuance of the Aetna Group Annuity Contract
12. Budget MatterAction
Tuition Rates in Fiscal Year 2025
13. New BusinessProcedural
14. Trustee CommentsProcedural
15. AdjournmentProcedural

NOTICES

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

WRITTEN COMMENTS. The Board of Trustees welcomes written comments, which can be sent to trustees@montgomerycollege.edu or to Montgomery College, 9221 Corporate Blvd, Rockville, Maryland 20850, ATTN: Board of Trustees.

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: 6B
April 15, 2024

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

Mr. Collette

RESOURCE PERSON

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 6B
April 15, 2024

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, 2024, through February 29, 2024; 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, 2024, through February 29, 2024

STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Department
02/05/2024	Bouyer, Debra L.	Compliance Specialist	31	Compliance
02/19/2024	Alston, Tanisha	Administrative Aide II	19	CW Dean-Stu. Engage-TPSS
02/19/2024	Dellinger, Heather	International Student Coordinator	29	Records and Registration
02/19/2024	McConkey, Lisa	Enroll. & Student Access Spec.	23	Raptor Central
02/19/2024	Merrill, Kathryn	Community Use Scheduler	15	Facilities Operations – GT
02/19/2024	Mette, Shannon	Administrative Aide II	19	Mathematics Dean
02/19/2024	Nichols, Adria	Graduation Technician	21	Records and Registration

STAFF SEPARATIONS

Effective Date	Name	Position Title	Grade	YOS	Department
02/02/2024	Batselos, Nicholas ¹	Accountant II	27	29	Advancement-Development
02/02/2024	Neill, Timothy	Cyber Defense Analyst II	33	12	OIT – Central Administration
02/05/2024	Sidibe, Ibrahima	Public Safety Officer II	15	0*	Public Safety – TP/SS
02/05/2024	Stafford, Terence	Campus Police Officer	19	6	Public Safety – TP/SS
02/06/2024	Elhanafi, Enas ¹	Community Outreach Advisor	25	20	Advancement/Comm Engage
02/06/2024	Surber, Cynthia ¹	Building Service Worker Lead	15	38	Facilities Operations - GT
02/09/2024	Jeanpierre, Berylynn	Enroll. & Stud. Access Spec.	23	0*	Raptor Central
02/13/2024	Olowofoyeku, Eniola	Stu. Engage. Prog. Coord.	27	11	CW Dean-Student Engag-TPSS Stu
02/23/2024	Diaz, Berenice	Administrative Aide II	19	0*	Biology and Chemistry Dean
02/23/2024	Gordon, Carey	Public Safety Dispatcher	15	0*	Public Safety – Central
02/23/2024	Halligan, Hsiu	Child Care Teacher Assist.	15	0*	Center for Early Education
02/26/2024	Boukharraz, Naana	Prospect Research Spec.	29	12	Advancement-Development

STAFF EMPLOYMENTS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	Other/2 or More	TOTAL
Female	4	2	1	0	0	0	7
Male	0	0	0	0	0	0	0
TOTAL	4	2	1	0	0	0	7

STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	Other/2 or More	TOTAL
Female	2	2	1	2	0	0	7
Male	2	2	0	0	0	1	5
TOTAL	4	4	1	2	0	1	12

¹Retirement

*Less than 1 year

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From February 1, 2024 through February 29, 2024

FACULTY

FACULTY EMPLOYMENTS: None

FACULTY SEPARATIONS: None

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

Agenda Item Number: 7Ai
April 15, 2024

MODIFICATION OF POLICY 11001–BOARD OF TRUSTEES BYLAWS

General Information

Policy Number:	11001
Contained in Chapter:	Chapter One
Policy Title:	Board of Trustees Bylaws
Policy Creation Date:	October 15, 1984
Most Recent Modification Date:	June 22, 2022

Changes, Additions, Deletions

Line Number	Purpose
Lines 303-306	The modified language changes the Second Vice Chair position to be a one-year role, not eligible for re-election in a consecutive term.
Lines 308-309	The deletion removes potentially confusing language regarding a Board member's eligibility to run for an officer position.
Lines 318-319	The modified language changes the minimum required service on the Board for the First Vice Chair from one year to two years.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 11011–Board of Trustees Bylaws.

BACKUP INFORMATION

Resolution
Policy 11001–Board of Trustees Bylaws (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

RESOURCE PERSONS

Mr. Dietz
Dr. Scott

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

Resolution Number:
Adopted on:

Agenda Item Number: 7a1
April 15, 2024

Subject: Modification of Policy 11011–Board of Trustees Bylaws

WHEREAS, The bylaws of the Board of Trustees provide the official framework for its scope of authority and responsibilities, legal obligations, and rules of meeting order; and

WHEREAS, The Board reviews its bylaws from time to time to ensure they are up-to-date and aligned with new practices, standards, laws, and regulations; and

WHEREAS, Revisions proposed for the bylaws address changes in the Vice Chair roles, specifically, to change eligibility of Board members to serve as First Vice Chair from one year of service on the Board to two, and to change the Second Vice Chair role as not being eligible for immediate renewal; now therefore be it

Resolved, That the Board of Trustees adopts the revisions to its bylaws.

Chapter: Board of TrusteesModification No. 012Subject: **Board of Trustees Bylaws**

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I. Board Structure and Operations

These Bylaws are hereby adopted pursuant to the powers vested in the Board of Trustees of Montgomery College under Title 16 of the Education Article of the Annotated Code of Maryland (the "Education Article").; In the event of any conflict between these Bylaws and the Education Article, the Education Article prevails.

1. Name of the College

The name of the College shall be "Montgomery Community College", authorized to do business as "Montgomery College" (and may hereafter be referred to as the "College").

2. Name of the Board

The Board of Trustees shall be styled as "The Board of Trustees of Montgomery Community College" (and may hereafter be referred to as the "Board") or as may be required by land recordation requirements.

A. Establishment

The Board is established pursuant to Sections 16-101 and 16-411 of the Education Article.

B. Composition and Appointment1. Composition

The Board consists of 10 members.

One of the Trustees shall be an enrolled student in good standing at Montgomery Community College. The student Trustee:

- a. shall be a resident of Montgomery County;
- b. may not be employed by Montgomery College;
- c. serves for a term of one year, beginning July 1 and ending on June 30;
- d. shall have cumulative GPA and a current semester GPA of at least 2.0 during the entire term of office;
- e. shall have successfully completed at least 18 credit hours at Montgomery College; and
- f. at the time of appointment and during the term of office (the fall and spring semesters), shall be enrolled in at least six (6) credit hours at Montgomery College.

2. Appointment

All Trustees are appointed or reappointed by the governor from nominees submitted by the nominating committee.

Except for the student Trustee, the Trustees are appointed with the

advice and consent of the State Senate.

Trustees serve without compensation but shall be entitled to reimbursement for their expenses that have been authorized by the Chair.

C. Term of Office and Vacancies

1. Term of Office

Except for the student Trustee and any Trustee completing an unexpired term, each Trustee serves for a term of six (6) years, from July 1 of the year the appointment is made and until a successor is appointed and qualified.

The student Trustee serves a one-year term, beginning July 1 and ending June 30.

A Trustee may be reappointed.

2. Vacancies

A member appointed to fill a vacancy in an unexpired term serves for the remainder of that term and until a successor is appointed and qualifies and may be reappointed.

D. Powers and Duties

1. General Statement of Powers and Duties

In addition to the other powers granted and duties imposed by State law, and subject to the authority of the Maryland Higher Education Commission, the Board has the powers and duties set forth in this section. The following list of powers and duties is not intended to be comprehensive and the failure to include a power or duty shall not affect the existence or exercise of that power or duty.

2. Authority to Operate

The Board shall exercise general control over the College, keep separate records and minutes, and adopt reasonable rules, regulations, or Bylaws to carry out the provisions of Title 16 of the Education Article of the Annotated Code of Maryland, determines how the statutory mandate and goals of the College are to be carried out, including but not limited to the functions and programs of the College, its overall budget, and its organizational structure.

3. Salaries and Terms of Employment

The Board shall fix the salaries and terms of employment of the President, faculty, and staff of the College.

4. Acquisition of Property

The Board has the authority under state law to purchase, lease, condemn, or otherwise acquire any property it considers necessary for the operation of the College.

5. Disposition of Property

The Board may sell, lease, or otherwise dispose of College assets or property.

The President of Montgomery College and the Chair of the Board of Trustees may execute a conveyance or other legal document pursuant to appropriate resolution of the Board.

6. Cooperative Use of Facilities

The Board may:

- a. with the approval of the Maryland Higher Education Commission permit the County Board of Education to use the lands, buildings, or other facilities of the College; and
- b. with the approval of the County Board of Education, use any land, buildings, assets, or other facilities of the County Board of Education.

7. Gifts and Grants

The Board may apply for and accept any gift or grant from the Federal government or any other appropriate source.

8. Student Entrance Requirements

Subject to the minimum standards of the Maryland Higher Education Commission, the Board may determine student entrance requirements.

9. Curriculum

Subject to the minimum standards of the Maryland Higher Education Commission, the Board may approve offerings that consist of:

- a. transfer programs offering the equivalent of the first two years of a bachelor's degree program;
- b. career programs offering technical, vocational, and semi-professional education; and
- c. continuing education programs.

10. Tuition and Fees

The Board may set student tuition and fees with a view to making college education available to all qualified individuals at a reasonable cost.

11. Agreements

The Board may make agreements with the Federal government or any other appropriate source if the Board considers the agreement in the best interest or for the best operation of the College.

12. Appointment of President

The Board shall appoint the President of the College.

13. Budgetary Approval and Submission

Each year the Board and the President of the College shall direct the preparation, review, and submit to the county governing body:

- a. an operating budget;
- b. a capital budget; and
- c. if required by local law, charter, or regulation, a long-term capital improvement program.

14. Suits

The Board may sue and be sued. In instances of legal action, the authority to accept service of process on behalf of the College, the President and the Board of Trustees, is hereby delegated to the Office of General Counsel of the College.

15. Seal

The Board may adopt a corporate seal from time to time and the Secretary/Treasurer shall have custody of the seal and shall have authority to affix the seal to all instruments where its use is required or appropriate.

E. Ethical Standards and Requirements

The ethics laws provisions of the Annotated Code of Maryland (the "Ethics law") are hereby adopted and made applicable to Montgomery College by the Board of Trustees of Montgomery College, including provisions for conflicts of interest and financial disclosure. This section is intended to be consistent with the Ethics Code requirements and address specific situations encountered in Montgomery College operations; in the event of any conflict between these Bylaws and the Ethics law, the Ethics law prevails.

1. Conduct

- a. The Board of Trustees maintains high ethical standards for its members, for the President, and for the members of the College community.
- b. Board members will not use their position to seek employment at Montgomery College or its associated foundations for themselves, family members, or close associates.
- c. Members of the Board will submit financial disclosure statements to the Maryland State Ethics Commission as required by State law.

2. Conflict of Interest

- a. Members of the Board shall refrain from engaging in any activity that is or could give the appearance of being a conflict of interest; this includes resigning from or refraining from accepting any leadership position of

an organization or group within the College community that represents the interests of faculty, staff, or students.

- b. In cases where the Board of Trustees is not involved in awarding a contract, the College staff will follow the standard Board policy on bidding and purchasing. In cases where the Board makes an award, if a Board member has a possible conflict of interest, he/she will so declare and will abstain from voting or participating in discussion of the matter. The Board minutes will reflect this abstention as well as the reason, if given.
- c. A member of the Board of Trustees shall not participate in any Board proceedings if the result of which proceedings could accrue, to the best of his/her knowledge, to the direct or indirect benefit of the Board member or the members of his/her immediate family. This bylaw shall not act to disqualify the student member of the Board of Trustees for activities arising out of his or her status as a student at Montgomery College. Furthermore, this procedure shall not act to disqualify non-student members of the Board of Trustees in their capacity as occasional students of the College.
- d. In any instance when an individual Board member has a personal or legal status that may be in conflict with the interests of the College, the Board member shall exclude himself/herself from attending any executive session at which the matter is discussed or voted on; he/she may attend public sessions on the matter, but may not participate in discussions or votes.

F. Officers

1. Officers of the Board

At or before the last regular meeting of the Board in each fiscal year, the Board shall elect the officers of the Board except for the Secretary/Treasurer. The elected officers of the Board are the Chair, a First Vice Chair and a Second Vice Chair. The College President serves as the Secretary/Treasurer of the Board, in accordance with State law. These officers also constitute the Board executive committee.

2. Special Election of Officers

In the event of a vacancy prior to the regular election, the Board shall conduct a special election for the vacant position of Chair, First Vice Chair, or Second Vice Chair.

3. Term of Office

Except for the Secretary/Treasurer, the officers are elected for a term of one year. The Chair and First Vice Chair positions shall be eligible for re-election for one additional consecutive term. The Second Vice Chair position shall not be eligible for re-election for a consecutive term in that position, but shall be eligible to be elected as First Vice Chair or Chair. A member who fills a partial term may fill that term either immediately before or after a full one-year term. After a period of one year of not serving as an officer of the Board, a member is eligible again to be nominated as an officer.

4. Qualifying Service Requirement

To qualify for service as a board officer, a Trustee should demonstrate leadership ability, exemplary governance philosophy and judgment, stellar past performance as a Trustee, and must have the availability of time and willingness to serve and commit the required time.

Prior to election as Chair or First Vice Chair of the Board, a member shall have served a minimum of two years on the Board. Prior to election as a Second Vice Chair of the Board, a member shall have served a minimum of one year on the Board.

5. Duties of Officersa. Chair

The Board Chair presides at all meetings, signs authorized or approved contracts and other documents on behalf of the Board when required, has the right to vote on all questions, and performs such other duties as are prescribed by law or by the Board. The Chair ordinarily serves as the public spokesperson for the Board.

b. Vice Chairs

The vice chairs consist of the First Vice Chair and Second Vice Chair. In the absence of the Chair, the First Vice Chair performs the duties of the Chair and in the absence of the First Vice Chair, the Chair shall designate the Second Vice Chair to perform the duties of the Chair in his/her absence including the signing of various documents on behalf of the Chair.

c. Maryland Open Meetings Act Training

Upon election, any officer who has not previously completed the Maryland Open Meetings Act training provided by the Maryland Attorney General's Office shall complete such training prior to the first Board meeting of the subsequent fiscal year. Certificates of completion shall be submitted to and maintained by the Secretary/Treasurer.

d. Secretary/Treasurer

The Secretary/Treasurer:

- (1) attends meetings of the Board. The President may not attend a meeting of the Board as Secretary/Treasurer when the meeting involves the personal position of the President. In the absence of the President, an administrator designated by the President attends as Secretary/Treasurer;
- (2) maintains a record of the proceedings of each meeting of the Board and of all actions taken and is the official custodian of this record;
- (3) in consultation with the Board Officers, prepares an agenda for

each meeting and distributes it in advance to each Trustee of the Board;

- (4) is general and official custodian of Board funds, signs checks as appropriate, and periodically reports to the Board on the financial standing of the College;
- (5) submits to the Board, for its consideration and approval, by the late spring of each year, a calendar of meeting dates and major items of business for the ensuing College year to serve as a framework for planning Board agendas throughout the year. Other matters are scheduled during the year when monthly agendas are prepared;
- (6) uses a signature facsimile stamp of the signature of the Chair of the Board on professional employment contract documents, diplomas, certificates of appreciation, and the official copy of the Board minutes when the President of the College countersigns each of the aforementioned documents with an original signature of his/her own. Also uses this stamp for the acknowledgment of such correspondence from the general public and for other specific purposes, as the Chair may direct and authorize;
- (7) provides staff assistance for official Board business;
- (8) acts as the official custodian of the Seal of the College and applies the Seal as authorized;
- (9) certifies documents, resolutions, and actions of the Board as may be required for certain transactions; and
- (10) performs other duties as assigned.

G. Committees

1. Audit Committee

a. Committee Structure

The Board shall constitute itself as a committee of the whole to perform the duties of the audit committee, which shall be a standing committee of the Board and be chaired by the First Vice Chair. The audit committee shall meet at least twice per year with the external auditors, once at the commencement of the annual audit, and once at the conclusion of said audit. The purpose of the meetings is:

- (1) to review the scope of work for the independent audit; and
- (2) to review the annual financial report and the results of the audit.

b. Committee Role

The Audit Committee will review the audit process, the financial reporting process, the system of internal control and management risks, and the process for monitoring compliance with laws and regulations. In performing its duties, the committee will maintain effective working and communications relationships with management and the internal and external auditors.

On or before September 30, or within three months after the close of the College's fiscal year, subject to certain extensions, the auditors shall submit the audited financial statement to the Board of Trustees.

2. Ad Hoc Committees

Ad hoc or special committees or subcommittees of two, three, or four Trustees may be formed by the Board Chair as necessary to consider and to report or recommend to the Board as a whole on particular areas of interest or concern.

H. Board Webpage

The College shall maintain on its website a webpage dedicated to the Board that will include a repository of information regarding the Board, including meeting notices, agendas and minutes as required by State law.

I. Meetings

Meetings of the Board of Trustees shall be held in accordance with the provisions in Title 3 of the General Provisions Article of the Annotated Code of Maryland (the "Open Meetings Act"). In the event of any conflict between these Bylaws and the Open Meetings Act, the Open Meetings Act prevails.

1. Regular Meetings

Regular monthly meetings of the Board are held at such time and date as the Board may determine. The Board does not normally hold regular meetings during July or August.

2. Notice of Meetings

The Board shall give written notice of the date, time, and place of any meetings by posting notice on the Board website or by any other reasonable method. If appropriate, such notice should include a statement that a part or all of a meeting may be conducted in closed session. A copy of any notice provided under this section shall be maintained for at least three years after the date of the meeting.

3. Location of Meetings

The Board normally holds its regularly scheduled monthly meetings in the Board Room of the College's Central Services Building located at 9221 Corporate Boulevard in Rockville, Maryland, but it may from time to time hold meetings on the campuses or at a designated site off campus.

4. Special Meetings

The Board may hold additional meetings, called "special meetings," which provide an opportunity for the Board to discuss and/or take action on

475 unanticipated, important items. The need for special meetings is determined by
476 the Board or by the Board Chair. Whenever possible, at least 24 hours public
477 notice of a special meeting will be given.

478
479 5. Conference Sessions
480

481 A conference session is a meeting held to discuss general background
482 information of interest to the Board. No official action is taken by the Board
483 during these sessions. Conference sessions shall be called by the Board
484 Chair at the request of any member or of the President of the College. The
485 conduct of conference sessions shall conform to State law.
486

487 6. Closed Sessions
488

489 The Board may convene in closed sessions for the specified purposes and in
490 accordance with the procedures set forth in State law.

491
492 Closed sessions are attended only by the Trustees, the President, and other
493 persons invited to attend. Closed sessions shall be called by the Board Chair at
494 the request of any Trustee or of the President of the College. Notice must be
495 given of the closed session as required by State law.
496

497 Before the Board meets in closed session, the Board Chair or presiding officer
498 shall conduct a recorded vote on closing the session and make a written
499 statement of the reason for closing the session, including a citation of the
500 authority for closing, and a listing of the topics to be discussed. A copy of the
501 written statement shall be maintained for at least three years after the date of the
502 closed session. To the extent practicable, a copy of the written statement shall be
503 posted on the Board webpage.
504

505 Board members and any others invited to attend a closed session shall maintain
506 the confidentiality of any matters discussed at a closed session.
507

508 7. Records of Meetings
509

510 The Board shall keep minutes of its proceedings. The minutes of open session
511 meeting shall reflect each item considered by the Board, any action that the
512 Board took on each item, and each vote that was recorded. When the Board
513 meets in closed session, the minutes for its next open session shall include a
514 statement of the time, place, and purpose of the closed session, a record of the
515 vote of each member as to closing the session, a citation to the statutory
516 authority for closing the session, and a listing of the topics of discussion, the
517 persons present, and any action taken during the session. Minutes of public
518 session meetings will be posted to the Board's webpage after approval by the
519 Board, and shall be open to public inspection during ordinary business hours,
520 except that the minutes of a closed session meeting shall be sealed and not
521 open to public inspection in accordance with State law. The minutes are
522 maintained by the Secretary/Treasurer for at least five (5) years after the date of
523 the meeting.
524

525 8. Quorum and Adoption of Motions and Resolutions
526

527 A quorum shall consist of the number of trustees equal to half the number of duly
528 appointed and serving members (and then rounded down if the calculation results
529 in a fraction) plus one. Motions or resolutions of the Board are adopted by a

majority vote of those present and voting after the establishment of a quorum.

9. Conduct of Meetings

Except as otherwise specifically provided by statute or by resolution of the Board, meetings of the Board, generally, shall be conducted in accordance with the most recently published edition of *Robert's Rules of Order*.

J. Public and College Personnel Attendance at Meetings

Regular and special meetings are open to the public as provided by law. Members of the staff, faculty, student body, and community are invited and encouraged to attend and observe open meetings of the Board. Except in instances where the public is invited by the Chair or presiding officer to provide testimony or other forms of participation, no member of the public attending an open meeting may participate in such meeting.

1. Written Testimony

Any member of the public may submit written testimony for consideration by the Board by submitting such testimony via email to trustees@montgomerycollege.edu.

2. Recording of Meetings

A member of the public, including any representative of the news media, may record, photograph, videotape, broadcast, televise, or webcast the proceedings of the Board at an open session by means of any type of recorder or camera, if these devices:

- a. are operated without bright light that disturbs the Board or other persons attending the session; and
- b. do not create excessive noise that disrupts the Board or other persons attending the session.

The presiding officer may restrict the movement of a person who is using a recording device, camera, broadcasting, televising, or webcasting equipment if it is necessary to maintain the orderly conduct of the session.

3. Meeting Decorum

If, in the judgment of the presiding officer, a person's behavior is disruptive to the meeting, that person may be asked to leave. If that person does not leave as requested, the person may be removed.

K. Agendas

1. Preparation of Agendas

The Secretary/Treasurer is responsible for preparation of the agenda.

The agenda may include a "consent agenda," which may contain routine actions, such as approval of Board meeting minutes, and other noncontroversial items that will be grouped together and decided by the

Board under one motion without discussion or debate. Any board member can request that an item be removed from the consent agenda. No reason is required for such a request and no vote on the request shall be taken. Once removed, the item becomes a standard standalone agenda item.

2. Agenda

The regular agenda for each Board meeting shall include known items of business or topics for discussion and action at the portion of the meeting that is open, and indicate whether the Board expects to close any portion of the meeting in accordance with applicable State law.

New policy or significant policy modifications are normally first listed on an agenda as a discussion item and at a successive regular meeting for action. Policy modifications may be included on the consent agenda.

3. Distribution of Agendas to Trustees

Agendas and meeting materials shall be distributed to Board members on the Board's electronic portal. Distribution will normally occur one week, or as soon as practically possible, before the scheduled meeting.

4. Posting of Agendas

In accordance with State law, the agenda for regular and special public meetings shall be posted on the Board's website as soon as practicable after the agenda has been determined, but no later than 24 hours before the meeting.

L. Remote Meetings

The Board may conduct business remotely using audioconference or videoconference platforms. Such a meeting shall be conducted in accordance with State law. Participating Trustees must have simultaneous aural communication with one another and with the public, if required by law, by means of telephonic or Internet connection.

1. Quorum

Trustees participating in a meeting by audioconference or videoconference shall be considered present for purposes of determining a quorum.

2. Minutes

Meeting minutes shall indicate how Trustees, who were not in the meeting room, participated in the meeting.

3. Types of Remote Meetings

a. A "complete remote meeting" is one in which all Trustees participate and members of the public observe through an audioconference or videoconference platform.

b. A "hybrid remote meeting" is one in which one or more Trustees participate or members of the public observe through an

audioconference or videoconference platform, while others convene in a meeting room.

4. Device and Communication Service

Trustees participating in meetings remotely will normally provide the device and communication service subscription necessary to connect to the meeting.

5. Method of Trustee Connection

a. Audioconference

The Secretary/Treasurer will designate a phone number or audioconference bridge for audioconference participants and, in the case of a hybrid remote meeting, will provide a speaker phone to be placed in the meeting room in such a way that Trustees there have simultaneous aural communication.

b. Videoconference

The Secretary/Treasurer will designate a system, typically a service operating on the Internet, for videoconference participants and, in the case of a hybrid remote meeting, a projection system to be placed in the meeting room in such a way that Trustees there can see the videoconferencing participant(s) and have simultaneous aural communication.

6. Notification

a. Trustee notification

When remote methods are an option, Trustees intending to participate remotely should notify the Secretary/Treasurer before the announcement is posted.

b. Public notification

When an open meeting is planned as a complete or hybrid remote meeting, the Secretary/Treasurer will announce it as such and provide a uniform resource locator (URL) web link for members of the public to observe the meeting.

7. Participation

a. Trustees

The Board chair shall provide full participation rights to Trustees participating by remote means.

b. Public observers

When the Board holds open meetings in a complete or hybrid remote format, public observers will be provided simultaneous aural communication.

8. Technical Malfunctionsa. Technical Support

The Secretary/Treasurer will provide for technical support during remote meetings for the portion of the communication system within the College's control.

b. Malfunctions Affecting Trustee Participants

In the event of a technical malfunction that prevents a Trustee participating remotely from hearing or being heard, at the discretion of the Chair, the meeting may be paused or suspended until the malfunction is corrected. If a remote participant's connection cannot be restored in a reasonable period, the chair can proceed if a quorum is otherwise established by Board members remaining in the meeting room plus other remote participants who have simultaneous aural communication.

c. Malfunctions Affecting Public Observers

During the conduct of a complete remote meeting open to the public, the Secretary/Treasurer will provide a means to monitor the conferencing platform. In the event of a malfunction preventing the public observers from hearing the proceedings, the Secretary/Treasurer will notify the Chair as soon as practically possible. The Chair must suspend the conduct of the meeting until the aural communication is restored.

M. Email Communications1. Communications for Board Business

- a. The College will provide each Trustee with a College email address for the duration of the Trustee's term. This will be the preferred account for email communications, though a Trustee may choose to use a forwarding configuration to a personal account.
- b. Upon completion of a Trustee's term, the account and its contents will be deactivated.
- c. All communications with and among Trustees shall be conducted in accordance with the Maryland Open Meetings Act. Trustees will refrain from engaging in discussions of substantive matters by email. Board members should not use email to interactively communicate among themselves concerning Board business and should avoid using the forward and reply-to-all functions.
- d. Official communications with Trustees regarding Board business will be managed by the president or designee.
- e. The Chair may set additional expectations or standards regarding email communications.

2. Communications with the Public, College Employees, and Students

a. The Board will provide an email address on its website for public comment. This is the official method for the public, employees, and students to communicate with the Board. The account will be monitored by the chief of staff or designee. These communications will be reported to the Board Chair on a regular basis, who will direct distribution to the board.

b. Trustees will not ordinarily conduct email communications directly with College employees or students. If a Trustee receives a communication on his/her College-provided email address from the public, employees, and/or students, the Trustee will not respond or participate in a discussion, but report the communication to the Board Chair.

N. Comprehensive Liability Insurance and Defense of Sovereign Immunity

The Board may carry comprehensive liability insurance to protect the Board, its agents and employees, and the agents and employees of any community college under its jurisdiction. The purchase of the insurance is for an educational purpose and is a valid educational expense. The Maryland Higher Education Commission may adopt standards for the policies, including a minimum liability coverage which may not be less than \$100,000 per occurrence. Any policy purchased after the adoption of these standards shall conform to them.

The Board complies with this section if it is self-insured, for at least such amounts per occurrence as may be required by applicable State law and the rules and regulations of the State insurance commissioner.

This section does not prevent the Board, on its own behalf, from raising the defense of sovereign immunity in a proper case and to any amount of a claim in excess of the limits of an insurance policy or in excess of \$100,000 in the case of self-insurance.

O. Trustee Emeritus/Emerita Recognition

1. Eligibility

a. Trustees completing at least one full six-year term of service are eligible for Trustee Emeritus/Emerita status at the time of their retirement from the Board. Granting of Trustee Emeritus/Emerita status will be determined by a majority affirmative vote of the current Trustees.

b. Trustees who do not complete a full six-year term may be nominated at the time of their departure from the Board for Trustee Emeritus/Emerita status by a current member of the Board of Trustees. A nominee may be designated as Trustee Emeritus/Emerita by a majority affirmative vote of the current Trustees.

2. Recognition

The recognition attending this title includes:

- a. presentation of the recognition at a public board meeting,
- b. a framed copy of the board resolution for the recognition,
- c. a medallion to commemorate the recognition, and

- d. listing of the recognition in the College Catalog and other publications.

II. Responsibilities and Obligations of the Board, Individual Trustees and the President

A. Board and Individual Trustees

There are a number of responsibilities and obligations of the Board which are the foundation of trusteeship. Some of these responsibilities and obligations must be observed by Board members from the standpoint of the Board as a whole and others must be observed from the standpoint of Board Trustees as individuals.

1. Board Responsibilities and Obligations

The Board shall:

- a. define the role and mission of the College and establish institutional objectives;
- b. be responsible for selecting, evaluating, and, if necessary, terminating the President;
- c. demonstrate and ensure fiduciary responsibility and appropriate stewardship of College financial, physical, and human resources;
- d. monitor the instructional programs including academic policy and the evaluation of current curricular offerings and consider recommendations for the addition of new programs and termination or major modification of existing programs;
- e. ensure that comprehensive and continuous short and long-range institutional planning occurs;
- f. maintain appropriate relationships with the associated foundations and other support organizations of the College;
- g. ratify the conferral of degrees and certificates by the faculty;
- h. approve all honorary degree recipients;
- i. ensure that the College is managed in a professional and business-like manner;
- j. engage in positive public relations for the College;
- k. preserve institutional independence from encroachment of that independence from whatever source it might come;
- l. evaluate periodically how well the institution is performing in relationship to the established role and mission of the College;
- m. maintain an atmosphere that encourages innovation and change;
- n. insist on being completely informed about all aspects of the

College;

- o. regularly engage in Board self-evaluation;
- p. establish policies for the conduct of the activities of the College; and
- q. establish and follow a communication protocol that ensures appropriate channels of communication between the Board and the faculty, students, staff and the surrounding community.

2. Individual Trustee Responsibilities and Obligations

Each Trustee shall:

- a. prepare for Board meetings by reviewing materials furnished in advance of the meeting;
- b. communicate recommended Board agenda items to the Board Chair in advance;
- c. maintain confidentiality on all matters discussed at closed meetings of the Board;
- d. participate in board development and continuing education functions and education conferences held by various professional organizations or as required by law;
- e. attend at least fifty percent (50%) of the meetings of the Board during any consecutive 12-month period to appropriately perform the responsibilities of a trustee and to avoid the resignation provisions of Section 8-501, State Government Article;
- f. request Board approval (through the Board Chair) before engaging in any individual activity (other than local travel) that will result in expenditure of College funds;
- g. refrain from involving members of the College staff in Board, College or other activities without consultation with the College President and the Board Chair;
- h. refrain from interfering in the day-to-day administration or activities of the College; and
- i. speak and act only in the best interests of the College and in harmony with the Board chair.

B. The President

1. General Responsibilities and Obligations

There are a number of responsibilities and obligations of the President, not only to the Board, but also to the College as an institution and to the constituent parts of the College and the community. The President shall serve as the chief administrator of the College and the Secretary/Treasurer to the Board. In all of

these capacities, the President shall seek to maintain and develop the College as an educational institution of superior quality instruction; as a community institution of higher education whose educational programs and services are responsive to the community; and as an effective and efficient institution within the role and scope of a community college in Maryland. The President shall seek to provide an environment of continuing renewal for the College so that its orientation is consciously to the future as well as the present. These responsibilities and obligations include the following:

- a. oversight over the day-to-day operations of the College as the chief administrative officer of the institution. This includes responsibility for the conduct of the College and for the administration and supervision of its various components;
- b. implementation of the policies of the Board through development and efficient, effective execution of procedures and processes;
- c. leadership and vision to inspire and motivate positive, creative, student-centric results by faculty and staff for the benefit of students and the community; and
- d. effective exercise of all executive and administrative authority and duties associated with the role and purposes of the College, as guided by its mission statement, by direct personal action or through delegation to those the President may designate from time to time.

2. Administrative Structure; Advice

- a. The President shall develop and implement an appropriate organizational structure for the College and shall provide for the creation, maintenance, and when necessary, the abolishment of such College administrative offices as may be needed from time to time for the effective and efficient provision of academic, administrative, and student services for the campuses of the College, for the Workforce Development & Continuing Education operations of the College, and for the general functioning of the College as a community college under the laws of the State of Maryland.
- b. The President, in developing recommendations for consideration of the Board, shall seek advice as appropriate from administrators and from such other persons as the President believes appropriate for the particular education or administrative matter under consideration. Such advice is intended to assist the President in making sound and wise decisions and recommendations relative to the College and its responsibilities.

3. Roles and Duties

The roles and duties of the President shall include the following:

- a. To be concerned foremost with the overall functioning, development, and leadership of the College in its educational service to the community, within the role and scope of the College as defined by the Board and the appropriate State agencies;

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- b. Provide for the ongoing evaluation of the effectiveness of the College and the institutional responsiveness of the College to the community and to the requirements of appropriate groups and agencies;
 - c. To be responsible for planning and implementing administrative action supportive of and consistent with the policy determinations of the Board and for appropriate planning and servicing for the official conduct of the responsibilities of the Board, the legal governing board of the institution;
 - d. Provide direction and recommendations for the educational development of students and for the appropriate increased public awareness of and interest in the College;
 - e. Review the overall effectiveness and conformance of various College operations, programs and services, campus and community services administration, and central office functioning;
 - f. Provide for the general allocation, assignment, and reassignment of the resources of the College to attempt to achieve maximum utilization of institutional resources to serve the community, in response to changing conditions, within the fiscal limits of the Board's approved budgets;
 - g. Provide administrative assistance to the Board when the Board, as a corporate body, initiates or responds on behalf of the College to various governmental and policy regulating groups and organizations;
 - h. Recommend to the Board from time to time appropriate policies and modifications to policies that will provide for the effective and efficient operation of the College as a community higher educational institution;
 - i. Provide for orientation and ongoing development of Board members and officers relative to the nature and status of the College, trusteeship, and board leadership;
 - j. Recommend to the Board appropriate operating and capital budgets and long range plans, in conformance with the policies of the Board and the requirements of the law;
 - k. Provide for legal counsel to the Board in appropriate matters requiring Board consideration;
 - l. Provide for the coordination of the College with appropriate requirements of the local, State, and Federal governments;
 - m. Represent the College to and foster cooperation with the local, state, regional, and national communities and educational endeavors;
 - n. Provide appropriate coordination and management of the negotiations and contract administration associated with collective bargaining agreements; and
 - o. Perform such other duties as may be established or agreed upon.
4. Delegation of Authority to the President

1024 The Board hereby delegates to the President the authority to execute all legal
1025 documents related to the administration and operation of the College. The Board
1026 also delegates to the President to authority to take personnel actions, including
1027 the authority to accept resignations of College employees, without prior Board
1028 approval, consistent with policies authorized by the Board. The President will
1029 provide a written report of all hirings and separations to the Board at each
1030 regularly scheduled meeting.

1031 III. Amendment, Severability and Effective Date

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1033 A. Amendment to the Bylaws

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1035 These Bylaws may be amended at any regular meeting of the Board by the affirmative
1036 vote of the majority of the members present, provided a majority of the membership is
1037 present, and provided further that notice of the proposed change has been given at least
1038 seven days before the meeting, such notice to be given by the Secretary/Treasurer of the
1039 Board.

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1041 B. Bylaws Severability

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1043 If any provision of these Bylaws should be found contrary to law, the other provisions
1044 shall continue in full force and effect.

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1046 C. Effective Date and Repeal of Inconsistent Provisions

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1048 These Bylaws shall become effective July 1, 2022, and shall repeal, supersede, and
1049 replace any bylaws adopted prior to that date.

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1054 Board Approval: October 15, 1984; June 17, 1985; June 16, 1986; November 15, 1993; June 19,
1055 2000; September 18, 2000; July 9, 2001; May 16, 2005; February 28, 2011; June 10, 2013; May
1056 15, 2017; September 9, 2021; June 22, 2022; **DATE**

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

Agenda Item Number: 7Aii
April 15, 2024

MODIFICATION OF POLICY 32500–FLEXIBLE WORK ARRANGEMENTS

General Information

Policy Number:	32500
Contained in Chapter:	Chapter Three
Policy Title:	Flexible Work Arrangements
Policy Creation Date:	March 19, 2001
Most Recent Modification Date:	October 19, 2020

Changes, Additions, Deletions

Line Number	Purpose
Lines 4-5	The change deletes outdated language, which was a major factor considered when the policy was created over two decades ago.
Line 12	This change updates terminology.
Line 16-17	This deletion removes reference to specific information that is relevant for implementation.
Lines 21-42	This modification reflects standardized language being implemented across all policies.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 32500–Flexible Work Arrangements.

BACKUP INFORMATION

Resolution
Policy 32500–Flexible Work Arrangements

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSON

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 7Aii
April 15, 2024

Subject: Modification of Policy 32500–Flexible Work Arrangements

WHEREAS, The Board of Trustees created Policy 32500–Flexible Work Arrangements in 2001;
and

WHEREAS, The policy has served an important purpose in meeting the needs of the College
and its workforce, including recruiting and retaining excellent employees, providing flexibility for
eligible employees, and maintaining excellent instruction and services for students; and

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

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

Resolved, That Policy 32500–Flexible Work Arrangements be amended as indicated in the
attached draft; and be it further

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

Chapter: Personnel

Modification No. [004005](#)Subject: **Flexible Work Arrangements**

I. Flexible work arrangements are intended to help the College meet the changing needs of our students and our workforce; recruit and retain excellent employees; provide more flexible work arrangements for eligible employees; and provide a way to conserve office space; ~~and assist in the community effort to reduce outdoor air pollution and traffic congestion attributable to automobile travel.~~

II. It is the policy of the Board of Trustees to offer flexible work arrangements as an effective way to meet the needs of the College, its students, its employees, and the community. The Board of Trustees expects that the implementation of flexible work arrangements will enhance the availability and quality of College services, as well as employee productivity.

III. Flexible work arrangements include telecommute/telework, remote work, and alternative work schedules. Flexible work arrangements are not universally available in all occupational job classes and/or positions. Flexible work arrangements may be a condition of employment in certain job classes and positions. Flexible work arrangements must be authorized, in advance, ~~by the appropriate supervisor and administrative unit head.~~

IV. Unless conditioned on employment or implemented to protect health and safety, flexible work arrangements are a privilege. Flexible work arrangements may be abbreviated or terminated in totality should office coverage become a problem due to any changes in work demands, office staffing, or due to other operational needs. Advanced notice will be given to participating employees stating the rationale for abbreviation or termination. An employee may discontinue participation in flexible work arrangements at any time with notice to a supervisor, except for those where flexible work arrangements are required of the position. Flexible work arrangements are not to permit employees to work at other jobs or to run their own businesses. Failure to fulfill normal work requirements due to other employment may be cause for disciplinary action up to and including discharge.

V. The employee's compensation, benefits, work status, and work responsibilities will not change due to their participation in flexible work arrangements. The amount of time the employee is expected to work per pay period will not change due to participation in flexible work arrangements.

VI. Employees who participate in flexible work arrangements are subject to all College policies and procedures including, but not limited to those regarding confidentiality; disclosure of information; conflict of interest; and acceptable use of information technology resources. All participants must complete a flexible work arrangement application/agreement.

VII. The Board of Trustees authorizes the College President ~~is authorized~~ to establish any procedures necessary to implement this policy.

Board Approval: March 19, 2001; May 18, 2009; June 17, 2019; October 19, 2020; DATE

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

Agenda Item Number: 7Aiii
April 15, 2024

MODIFICATION OF POLICY 41001–ADMISSION TO MONTGOMERY COLLEGE

General Information

Policy Number:	41001
Contained in Chapter:	Chapter Four
Policy Title:	Admission to Montgomery College
Policy Creation Date:	April 21, 1980
Most Recent Modification Date:	May 16, 2016

Changes, Additions, Deletions

Line Number	Purpose
Lines 2-4	This modification of the general admission statement makes this as general and open as possible but remains aligned with the College policy of equal opportunity.
Lines 6-10	These modifications are made for clarity and focus.
Lines 14-19	This modification adds reference to the age of compulsory secondary education as one criterion for admittance.
Lines 21-27	The additional language provides the criteria for admittance into the noncredit programs to ensure the policy is inclusive of all students.
Lines 34-37	The additional language provides the criteria for admission of dually enrolled students.
Line 43	This language is moved to section II.
Lines 46-47	This modification reflects standardized language being implemented across all policies.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 41001–Admission to Montgomery College.

BACKUP INFORMATION

Resolution
Policy 41001–Admission to Montgomery College

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Brown

RESOURCE PERSON

Dr. Gregory

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

Resolution Number:
Adopted on:

Agenda Item Number: 7Aiii
April 15, 2024

Subject: Modification of Policy 41001–Admission to Montgomery College

WHEREAS, The Board of Trustees created Policy 41001–Admission to Montgomery College in 1980; and

WHEREAS, The policy has served an important purpose in providing standards for the various interests and goals of persons requesting admission to the College; 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 41001–Admission to Montgomery College be amended as indicated in the attached draft; and be it further

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

Chapter: Student Affairs

Modification No. 0076Subject: **Admission to Montgomery College**

- I. ~~Montgomery College is committed to a policy of equal opportunity in student admissions, student financial assistance and other student policies and procedures without regard to age, sex, race, color, religious belief, national origin, or disability in accordance with Policy 41002-Equal Education Opportunity and Non-Discrimination Policy.~~
- II. In order to accommodate the various interests and goals of persons requesting admission to the College, applicants may be admitted to credit programs and courses as either degree or certificate seeking, or non-degree seeking, depending on their objectives, ~~and educational background, are admitted to the credit programs and courses of the College in the following categories: degree or certificate seeking (curriculum decided); degree or certificate seeking (curriculum undecided); or non-degree seeking.~~ Applicants may also be admitted to noncredit workforce development and continuing education courses.
- III. ~~General admission to Montgomery College credit programs and courses is open to it is the policy of the Board of Trustees of Montgomery College that all who are high school graduates, or the equivalent, and those who are beyond the age of compulsory secondary school attendance in the state of Maryland. and who can benefit from the programs and services of the College, shall qualify for admission Others may also, under certain circumstances, be considered for admission.~~
- IV. Individuals without a high school diploma, GED, or the equivalent, and who are over sixteen (16) years of age, may register as noncredit students for noncredit workforce development and continuing education courses, with the exception of some courses that require lab/internship/clinical experiences that may require students to be over eighteen (18) years of age. Those under sixteen (16) years of age may also, under certain circumstances, be eligible to enroll with permission of the program director by the start date of class.
~~In order to accommodate the various interests and goals of persons requesting admission to the College, applicants, depending on their objectives and educational background, are admitted to the credit programs and courses of the College in the following categories: degree or certificate seeking (curriculum decided); degree or certificate seeking (curriculum undecided); or non-degree seeking.~~
- V. Individuals without a high school diploma who are attending high school may be admitted as a dual enrollment student. Maryland law defines a dually enrolled student as a "student who is dually enrolled in: (1) a secondary school in the State; and (2) an institution of higher education in the State."
- VI. In setting priorities for admission to limited-enrollment curricula, the president (or designee) is authorized to establish minimum standards for admission to such curricula, as well as criteria to rank applicants for admission to such curricula in circumstances where the number of applicants exceeds the number of available spaces.
~~Applicants may also be admitted to noncredit continuing education courses.~~
- VII. ~~IV.~~ The Board of Trustees authorizes the P~~resident is authorized to~~ establish develop any procedures necessary to implement this policy.

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Board Approval: April 21, 1980; April 21, 1986; May 21, 1990; June 18, 2001; September 17, 2002; May 16, 2016; DATE.

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

Agenda Item Number: 7Aiv
April 15, 2024

**MODIFICATION OF POLICY 41002–EQUAL EDUCATION OPPORTUNITY AND
NON-DISCRIMINATION POLICY**

General Information

Policy Number:	41002
Contained in Chapter:	Chapter Four
Policy Title:	Equal Education and Non-Discrimination Policy
Policy Creation Date:	January 22, 1975
Most Recent Modification Date:	February 25, 2013

Changes, Additions, Deletions

Line Number	Purpose
Lines 2-3	This deletion is made to avoid any misunderstanding since not all students are eligible to receive aid.
Lines 5-6, 9-19	These modifications update the language and align it with the College's Notice of Non-Discrimination.
Line 21	The deletion emphasizes the Board's policy-making role.
Lines 24-35	This language is deleted from policy since it is procedural in nature.
Lines 37-38	This modification reflects standardized language being implemented across all policies.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 41002–Equal Education Opportunity and Non-Discrimination Policy.

BACKUP INFORMATION

Resolution
Policy 41002–Equal Education Opportunity and Non-Discrimination Policy (revised version).

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Brown

RESOURCE PERSON

Mr. Dietz

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

Resolution Number:
Adopted on:

Agenda Item Number: 7Aiv
April 15, 2024

**Subject: Modification of Policy 41002–Equal Education Opportunity and
 Non-Discrimination Policy**

WHEREAS, The Board of Trustees created Policy 41002–Equal Education Opportunity and Non-Discrimination Policy in 1975; and

WHEREAS, The policy has served an important purpose in ensuring access, equity, and diversity in student admissions and other student policies; 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 41002–Equal Education Opportunity and Non-Discrimination Policy be amended as indicated in the attached draft; and be it further

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

Chapter: Student AffairsModification No. 0089Subject: Equal Education Opportunity and Non-Discrimination Policy

I. Montgomery College is committed to equal education opportunity that assures access, equity, and diversity in student admissions ~~and assures equity in student financial assistance~~ and other student policies. Further, the College is committed to providing an environment in which all persons are provided the opportunity for participation in academic programs, and/or other College activities, free from discrimination ~~and/or, ethnic, cultural, and racial hostility, violence, or harassment. any form of harassment as prohibited by federal regulations and state law, and sexual assault~~ In accordance with applicable law, the College does not discriminate against any student or applicant for admission based on protected attributes as age, color, citizenship status, covered veteran status, disability, gender, gender identity or expression, genetic information, national origin, marital status, race, religion, sexual orientation, or for any other reason to the extent these attributes are not covered in this policy and covered by federal, state and county laws and regulations.

II. It is the policy and practice of the College to prohibit discrimination in its programs and activities against a qualified individual with a disability or on the basis of age, citizenship status, color, covered veteran status, gender identity, genetic information, marital status, national origin, race, religion, sex, sexual orientation or any other characteristic protected by applicable law. This policy is consistent with applicable laws and regulations.

III. It is the policy of the Board of Trustees to take positive steps to identify and change College policies ~~, practices, procedures,~~ and other institutional barriers that may prohibit or adversely affect access, equity, and diversity.

IV. ~~Education is a key element of this policy. The College will provide education and information, as appropriate, for students and employees to enhance understanding and increase awareness of the College's Equal Education Opportunity and Non-Discrimination Policy. Any mandatory education requirements will be announced and posted on the College's website. The President is authorized to provide institutional leadership and guidance for developing education programs to promote awareness about equal education opportunity. Some goals to be achieved through education are: (a) ensuring that all individuals are aware of their rights; (b) notifying individuals of conduct that is proscribed; (c) informing employees, contractors, and students about the proper way to recognize and address complaints involving a violation of this policy; (d) preventing issues that this Policy addresses; and (e) identifying the necessary steps for preventing its recurrence and addressing its effects.~~

IV. The Board of Trustees authorizes the P~~resident is authorized and directed~~ to establish any procedures necessary and programs to implement this policy.

Board Approval: January 22, 1975; July 26, 1976; April 15, 1991; July 15, 1991; September 21, 1999, November 18, 2002, December 13, 2010; February 25, 2013; DATE.

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

Agenda Item Number: 7Av
April 15, 2024

MODIFICATION OF POLICY 45003–TUITION AND FEES; STATE AID

General Information

Policy Number:	45003
Contained in Chapter:	Chapter Four
Policy Title:	Tuition and Fees; State Aid
Policy Creation Date:	January 18, 1982
Most Recent Modification Date:	March 23, 2015

Changes, Additions, Deletions

Line Number	Purpose
Lines 1 and 22	This deletion was made to bring formatting in line with other policies.
Lines 12-14	The change deletes outdated language following changes in laws and/or practice.
Lines 25-28	The change deletes outdated language following changes in laws and/or practice.
Lines 30-32	This modification defines the three tuition rate categories.
Lines 34-35	This modification reflects standardized language being implemented across all policies.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 45003–Tuition and Fees; State Aid.

BACKUP INFORMATION

Resolution
Policy 45003–Tuition and Fees; State Aid (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Brown

RESOURCE PERSON

Mr. Dietz
Dr. Gregory

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

Resolution Number:
Adopted on:

Agenda Item Number: 7Av
April 15, 2024

Subject: Modification of Policy 45003–Tuition and Fees; State Aid

WHEREAS, The Board of Trustees created Policy 45003–Tuition and Fees in 1982; and

WHEREAS, The policy has served an important purpose in setting the College’s tuition structure and meeting the Maryland Higher Education Commission’s requirements for submission for State Aid; 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 45003–Tuition and Fees; State Aid be amended as indicated in the attached draft; and be it further

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

Chapter: Student Affairs

Modification No. 0142

Subject: Tuition and Fees; State Aid

I. Purpose

Maryland law grants authority to the Board of Trustees to set tuition and fees for Montgomery College students, including the authority to "...operate one or more community colleges." (Education Article of the Annotated Code of Maryland, §16-103 (b)) and to "...charge students reasonable tuition and fees set by it with a view toward making college education available to all qualified individuals at low cost." (Education Article of the Annotated Code of Maryland, §16-103 (j)).

In addition, the administrative policy of the Maryland Higher Education Commission ("MHEC") permits approved categories of students to be included in the submission of FTE enrollment of the College for purposes of State Aid; ~~there is no requirement that a category of students not approved for State Aid submission be otherwise submitted for approval by MHEC, unless State Aid is sought for that category of students.~~

The purpose of this policy is to set forth the basic tuition structure and to meet the MHEC requirements for submission for State Aid, specifically excluding such students from the FTE count if not within a category of students approved by MHEC for State Aid FTE submission. In addition, this policy conforms to any special State policies with respect to tuition rates.

II. Policy Statement

In ~~meeting~~ its responsibilities under the law, and in order to promote the education of all qualified students ~~in the community~~, it is the policy of the Board of Trustees to provide a quality, affordable education. ~~at the least cost for residents of Montgomery County and to recent graduates of Montgomery County public schools, leveraging public investment in these students and providing a seamless educational path from grades K to 14.~~ For each fiscal year, and more often as may be necessary, the Board of Trustees shall set appropriate fees and tuition rates in at least three categories: 1. Montgomery County residents (The "C Rate"); 2. Maryland residents from outside Montgomery County (The "S Rate"), and: 3. Out-of-State residents (The "OS Rate.").

III. The Board of Trustees authorizes the ~~p~~President to ~~establish develop specific processes and any~~ procedures necessary to implement this policy.

Board Approval: January 18, 1982; July 19, 1982; March 21, 1983; July 17, 1989, effective July 1, 1989; October 28, 1991; May 20, 1996; June 15, 2009; November 15, 2010; June 20, 2011 (*effective December 6, 2012*); January 25, 2013; March 23, 2015; DATE.

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

Agenda Item Number: 7Avi
April 15, 2024

MODIFICATION OF POLICY 58001–COLLEGE CALENDAR

General Information

Policy Number:	58001
Contained in Chapter:	Chapter Five
Policy Title:	College Calendar
Policy Creation Date:	October 19, 1987
Most Recent Modification Date:	June 10, 2013

Changes, Additions, Deletions

Line Number	Purpose
Lines 1-2, 18-19, 22-23	The modified language clarifies the definition of an academic year (fall and spring) and clarifies the winter session calendar.
Line 15-16	The additional language provides important compliance clarification.
Lines 43-44	This modification reflects standardized language being implemented across all policies.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 58001–College Calendar.

BACKUP INFORMATION

Resolution
Policy 58001–College Calendar (revised version)

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Price

RESOURCE PERSON

Mr. Dietz
Dr. Gregory

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

Resolution Number:
Adopted on:

Agenda Item Number: 7Avi
April 15, 2024

Subject: Modification of Policy 58001–College Calendar

WHEREAS, The Board of Trustees created Policy 58001–College Calendar in 1987; and

WHEREAS, The policy has served an important purpose in ensuring that the information necessary for the conduct of the academic and administrative functions of the College are made available; 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 58001–College Calendar be amended as indicated in the attached draft; and be it further

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

Chapter: Educational ProgramModification No. 0056Subject: **College Calendar**

- I. The College calendar shall consist of the academic year calendar (fall and spring semesters), ~~and the summer session calendar, and the winter session calendar.~~ It shall contain the information necessary for the conduct of the academic and administrative functions of the College which are calendar-related. In constructing the College calendar, the following requirements shall be met:
- A. Classes may be of variable length during the academic year and summer session. However, one semester hour of credit awarded by the College shall always be equal to: (1) a minimum of 750 instructional minutes for classroom instruction, or equivalent guided learning activity, exclusive of registration, study days, and holidays, or (2) a minimum of 1,500 instructional minutes for supervised laboratory or studio instruction, exclusive of registration, study days, and holidays.
- B. The academic year shall consist of a fall semester and a spring semester that total a minimum of 30 weeks of instruction.
- C. ~~The s~~Summer session classes ~~falls~~ within the period of time between spring and fall semesters~~academic years~~. One or more academic terms shall be scheduled during the summer session.
- D. Winter session classes fall within the period of time after the end of the fall semester and represent the official beginning of the spring semester.
- ED. There shall be designated a total of fourteen (14) holidays during a fiscal year. A fifteenth (15th) holiday may be designated at the discretion of the President to ensure that at least one holiday is scheduled during the spring recess. The President is authorized to designate holidays in addition to the number authorized above and is authorized to implement an alternative schedule of holidays or paid days off, if such is determined to be in the best interest of the College.
- FE. The College calendar shall include noninstructional days for advisement and registration of students, staff professional development, convocation, commencements, and other collegewide activities for which all full-time employees shall be present, on assignment by the College, or on approved leave.
- GF. The College calendar shall include a period of noninstructional days ("recess" days) within the academic year during which instructional faculty are not on assignment for the College.
- II. The Board of Trustees authorizes the P~~president is authorized to approve the College calendar and to establish develop any~~ procedures necessary to implement this policy.

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47
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Board Approval: October 19, 1987; July 1, 1988; July 16, 1990; March 23, 2001; June 10, 2013;
DATE.

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

Agenda Item Number: 7B
April 15, 2024

RETIREMENT OF POLICY 58004–COMMENCEMENT EXERCISES

General Information

Policy Number:	58004
Contained in Chapter:	Chapter Five
Policy Title:	Commencement Exercises
Policy Creation Date:	May 12, 1975
Most Recent Modification Date:	April 27, 2015

Reason for Policy Retirement

Commencement exercises are such a well-established and routine part of College operations that the policy is considered unnecessary.
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RECOMMENDATION

It is recommended that the Board of Trustees retire Policy 58004–Commencement Exercises.

BACKUP INFORMATION

Resolution
Policy 58004–Commencement Exercises.

RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Price

RESOURCE PERSON

Mr. Dietz

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

Resolution Number:
Adopted on:

Agenda Item Number: 7B
April 15, 2024

Subject: Retirement of Policy 58004–Commencement Exercises

WHEREAS, The Board of Trustees created Policy 58004–Commencement Exercises in 1975;
and

WHEREAS, The policy served an important purpose in establishing commencement exercises;
and

WHEREAS, The language, authorities, and expectations codified in College Policy 58004–
Commencement Exercises are well-established and routine in College operations; and

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

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

Resolved, That Policy 58004–Commencement Exercises be retired as indicated in the attached
draft; and be it further

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

Chapter: Educational Program

Modification No. 003

Subject: **Commencement Exercises**

- I. Commencement is a significant occasion for the College to recognize the academic attainments of its students.
- II. Commencement exercises are conducted as approved by the Board of Trustees.
- III. Commencement ceremonies may vary in content and format from year to year and should be Collegewide.
- IV. The President is authorized to develop procedures to implement this policy.

Board Approval: May 12, 1975; May 16, 1983; April 27, 2015.

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

Agenda Item Number: 8
April 15, 2024

**AWARD OF CONTRACT, HIGH TECHNOLOGY AND SCIENCE CENTER ROOF
REPLACEMENT AND FAÇADE REPAIRS, GERMANTOWN CAMPUS, BID 624-006**

BACKGROUND

Request:	Roof replacement and façade repairs for the High Technology and Science Center (HT) on the Germantown Campus
Office/SVP Originating Request:	Senior Vice President for the Administrative and Fiscal Services
Award Type:	Competitive
Bid Number:	624-004
Explanation of Request:	<p>The senior vice president for administrative and fiscal services is requesting an award of contract for roof replacement and façade repairs for the High Technology and Science Center (HT) on the Germantown Campus.</p> <p>This roof has reached the end of its expected service life and there are leaks throughout the building. Cracks in the building's façade will also need to be addressed, along with repairs to brick joints that are in poor condition, and replacement of the building's spandrel glass.</p> <p>Replacement of this roof will address all existing deficiencies and ensure waterproofing over the next 20 years. In addition, energy efficiency will be enhanced, resulting in long-term energy cost savings, and improved overall building performance. Once replaced, the High Technology and Science Center roof will be up to code.</p> <p>The original pricing submitted by the recommended bidding firm exceeded available project funding. For this reason, the scope of project was reduced to include critical items (roof replacement, repair of cracks and addition of relieving angle at the northeast corner of the building, and replacement of glass spandrels only).</p>
Reason Being Brought to Board:	Board approval is required for bid 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 funds are available in the FY24 capital budget.

Dollar Amount:	\$2,046,017
Vendor Name:	GCS, Inc.; dba: GCS-Sigal
Vendor Address:	1140 3rd Street N.E, Suite 320 Washington, D.C. 20002
Minority Status:	Non-minority**
Minority Classification:	NA
Term of Contract:	One-time purchase

** Although the recommended contract awardee is not a minority business enterprise, it has committed to sub-contracting 53% of total contract value to a minority firm.

RECOMMENDATION

It is recommended that the Board of Trustees approve an award of contract for the replacement of the roof and needed repairs for the building façade of the High Technology and Science Center on the Germantown Campus to GCS, Inc.; dba: GCS-Sigal of Washington, D.C., for a one-time purchase in the amount of \$2,046,017.

BACKUP INFORMATION

Board Resolution
 Bid Summary (Board Members Only)
 Bidders List (Board Members Only)
 Policy 72001–Construction Projects

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSONS

Mr. Johnson

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

Resolution Number:
Adopted on:

Agenda Item Number: 8
April 15, 2024

Subject: Award of Contract, High Technology and Science Center Roof Replacement and Façade Repairs, Bid 624-006

WHEREAS, The senior vice president for administrative and fiscal services is requesting an award of contract for roof replacement and façade repairs for the High Technology and Science Center on the Germantown Campus; and

WHEREAS, This roof has reached the end of its expected service life, and has resulted in leaks throughout the building; and

WHEREAS, The director of procurement certifies that specifications were developed by appropriate College staff, and the chief business/ financial strategy officer certifies that planned expenditures are available in the FY24 capital budget; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec. 16-311 (c), a request for proposal was issued on January 8, 2024, and posted on the Montgomery College Procurement and State of Maryland eMaryland Marketplace Advantage websites; and

WHEREAS, 61 firms downloaded the request for proposal, of which, 21 were identified as minority business enterprises; and

WHEREAS, Six responses were received, including four responses that were deemed not qualified. Responses were read aloud and recorded in the Office of Procurement, beginning at 2:00 p.m. on February 7, 2024; and

WHEREAS, Following the evaluation of Part A (Contractor Qualification proposal), two submitted proposals were deemed qualified to have their price proposals opened and evaluated (Part B); and

WHEREAS, Following the evaluation of Part B, it was determined that GCS, Inc.; dba: GCS-Sigal of Washington, D.C., submitted the lowest base bid price of \$3,055,660, meeting all College specification requirements; and

WHEREAS, The contractor's base bid price exceeded the project budget, and as a result, the project scope was reduced to align with available project funding; and

WHEREAS, This resolution aligns with Montgomery College Strategic Plan Goal 3: Enhance educational and organizational effectiveness; and

WHEREAS, Awards resulting from competitive sealed proposals valued above \$250,000 require approval of the Board of Trustees; 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 GCS, Inc.; dba: GCS-Sigal of Washington, DC for roof replacement and needed repairs for the building façade, for the High Technology and Science Center on the Germantown Campus for a one-time purchase in the amount of \$2,046,017; and be it further

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

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

Agenda Item Number: 9
April 15, 2024

**RESCISSION AND AWARD OF CONTRACT,
PURCHASING AND CORPORATE CREDIT CARD PROGRAM,
BID E523-014**

BACKGROUND

Request:	Change contract awardee
Office/SVP Originating Request:	Senior Vice President for Administrative and Fiscal Services
Award Type:	Competitive
Bid Number:	E523-014
Explanation of Request:	<p>The senior vice president for administrative and fiscal services is requesting a change in the contract awardee for the College's purchasing and corporate credit card program. The Board of Trustees approved an award of contract for a purchasing and corporate credit card program to JP Morgan Chase Bank during its June 21, 2023 meeting, under resolution 23-06-089.</p> <p>The contract award was contingent based on an agreed Master Commercial Card agreement with JP Morgan Chase Bank. However, after months of negotiations, the College was not able to reach an agreement with JP Morgan Chase Bank, because the company rejected all terms and conditions contained in Montgomery College's Request for Proposal e523-014, and did not allow for data protection or for an accessibility assessment of its associated software.</p> <p>As a result, a new award of contract will be awarded to the next highest ranked bidding firm, M&T Bank PC.</p>
Reason Being Brought to Board:	Board approval is required to change contract awardee previously approved by the Board.
Certification:	The director of procurement certifies that an agreement has been reached with M&T Bank PC.
Dollar Amount:	Estimated monthly combined purchasing and corporate card spend: \$292,000
Vendor Name:	M&T Bank, P.C.
Vendor Address:	7799 Leesburg Pike, Suite 600N Falls Church, Virginia 22043
Minority Status:	Non-minority
Minority Classification	NA

Term of Contract:	One year, with four one-year renewal options
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RECOMMENDATION

It is recommended that the Board of Trustees approve a change in the contract awardee for the College's purchasing and corporate credit card program from JP Morgan Chase of Washington, DC, to M&T Bank PC of Falls Church, Virginia.

BACKUP INFORMATION

Board Resolution Policy 63001
Resolution 23-06-089
Bid Summary (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSON

Mr. Johnson

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

Resolution Number:
Adopted on:

Agenda Item Number: 9
April 15, 2024

Subject: Rescission and Award of Contract, Purchasing and Corporate Credit Card Program, Bid e523-014

WHEREAS, The senior vice president for administrative and fiscal services is requesting a change in the contract awardee for the College's purchasing and corporate credit card program; and

WHEREAS, On April 10, 2023, the College issued a Request for Proposal e523-014, for a purchasing and corporate credit card program; and

WHEREAS, The Board of Trustees approved a resultant contract award to JP Morgan Chase Bank of Washington, DC, at its June 21, 2023 Board meeting, under resolution 23-06-089; and

WHEREAS, JP Morgan Chase Bank took exceptions to the terms and conditions, data protection and accessibility assessment outcomes contained in the original solicitation under resolution 23-06-089; and

WHEREAS, After months of negotiations, the College was not able to reach an agreement with JP Morgan Chase Bank and therefore, is rescinding resolution 23-06-089; and

WHEREAS, This resolution aligns with Montgomery College Strategic Plan Goal 3: Enhance Educational and Organizational Effectiveness; and

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

Resolved, That the Board of Trustees approve a change of contract awardee from JP Morgan Chase Bank of Washington, DC, to M&T Bank PC of Falls Church, Virginia, the next highest ranked bidding firm; and

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: 10A
April 15, 2024

**COLLECTIVE BARGAINING AGREEMENT BETWEEN
MONTGOMERY COLLEGE AND THE MONTGOMERY COLLEGE CHAPTER OF THE
AMERICAN ASSOCIATION OF UNIVERSITY PROFESSORS**

BACKGROUND

Representatives of the Montgomery College Chapter of the American Association of University Professors ("AAUP") have negotiated in good faith with representatives of the Board of Trustees on a new Collective Bargaining Agreement. AAUP members ratified the agreement on March 29, 2024. The agreement replaces the existing Collective Bargaining Agreement on July 1, 2024, and will expire on June 30, 2027. The new agreement includes changes to the following five (5) articles of the existing agreement:

- **Article 4—Faculty Appointments**
Complete re-write of this article to provide clarity in the timing of faculty appointments and the evaluation cycle once a faculty member is appointed to a rolling term. Added a section that places the burden on faculty members to ensure they complete their part of the evaluation in a timely manner, so that their delay would not result in a challenge to a recommendation for non-reappointment.
- **Article 5—Workload**
Complete re-write of the "role of the faculty" that provides clarity that instruction, professional development, and service are all part of the expectations of a full-time faculty member's job.
- **Article 7, Section 7.1—Scope**
Provides the chapter president the right to file a grievance on the chapter's behalf if there is allegation that management has failed to adhere to a Section of Article 7—"Chapter Rights." This addition does not provide the chapter a right to file a grievance on behalf of faculty for alleged violations of the agreement. The definition of "grievance" under Section 3.1 remains "an allegation by a faculty member that Management has violated an express provision of this Agreement and that such faculty member has been personally aggrieved thereby."
- **Article 8, Section 8.2(A)—Wages**
Effective the first day of the academic year, the salary of any faculty member who has been in the bargaining unit for at least one semester as of the beginning of the fiscal 2025 academic year shall be increased by five and three-tenths percent (5.3%), except that no faculty member's fiscal 2025 academic year salary under this Section 8.2(A) shall exceed \$127,432 or be less than \$62,319.
- **Article 8, Section 8.2(E)—Compensation Structure Committee**
The formation of a committee to address the likelihood of a new compensation structure following the conclusion of the compensation study presently being conducted by HRSTM with Segal Consulting. This committee will also address Section 8.2(D) Longevity Compensation.

- **Article 9, Section 9.4—Educational Assistance Program**

Adjusted benefit amounts between travel and programs, with no increase in overall EAP funding.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution, approving the new ratified Collective Bargaining Agreement with AAUP; authorizing the Board Chair to execute the ratified Collective Bargaining Agreement; and delegating to the president the authority and responsibility to implement and administer the agreement.

BACKUP INFORMATION

Resolution

Collective Bargaining Agreement for July 1, 2024 through June 30, 2027

Current Collective Bargaining Agreement redlined with changes

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSONS

Ms. Julien

Ms. Kliever

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 10A
April 15, 2024

**Subject: Collective Bargaining Agreement Between Montgomery College and the
Montgomery College Chapter of the American Association of University
Professors**

WHEREAS, The Montgomery College Chapter of the American Association of University Professors ("AAUP") is the exclusive representative authorized to negotiate on behalf of certain faculty members at Montgomery College; and

WHEREAS, The current Collective Bargaining Agreement between Montgomery College and AAUP expires on June 30, 2024; and

WHEREAS, A memorandum of agreement with proposed terms for the Collective Bargaining Agreement ("CBA") with respect to the upcoming fiscal year, have been negotiated by teams representing the Board of Trustees and AAUP; and

WHEREAS, Within the Collective Bargaining Agreement there are a total of five (5) articles that will have changes, articulated in Article 4: Faculty Appointments; Article 5: Workload; Article 7: Scope; Article 8: Wages and Compensation Structure Committee; Article 9: Educational Assistance Program; and

WHEREAS, The board's negotiating team recommends approval of the Collective Bargaining Agreement by the board; and

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

Resolved, That the Board of Trustees approves the Collective Bargaining Agreement with AAUP set forth in the attached; and be it further

Resolved, That the Board of Trustees authorizes the vice president and chief human resources officer to execute the memorandum of agreement between the Board of Trustees of Montgomery College and AAUP; and be it further

Resolved, That the Board of Trustees delegates to the president the responsibility and authority to implement and administer the Collective Bargaining Agreement.

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

Agenda Item Number: 10B
April 15, 2024

**MEMORANDUM OF AGREEMENT,
COLLECTIVE BARGAINING AGREEMENT BETWEEN MONTGOMERY COLLEGE AND
THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES,
AFL-CIO, COUNCIL 67, LOCAL 23870**

BACKGROUND

Representatives of the Board of Trustees and the American Federation of State, County, and Municipal Employees, AFL-CIO, Council 67, Local 2380 ("AFSCME Local 2380") reached an agreement on or about February 20, 2024, through reopener negotiations, resulting in the following changes to the Collective Bargaining Agreement, which will expire on June 30, 2025.

Non-Economic Changes

- **Created a new section** to address the union's access to "new employee processing" as required under Section 16-705 of the new collective bargaining law.
- **Replace** "Council 67" with "Council 3" throughout Collective Bargaining Agreement.

Economic Changes

- **Revision of Section 7.7—Salary Adjustments:** For Fiscal Year 2025 (FY25), the College will increase the wages of full-time employees in the following manner, effective July 1, 2024. Regular part-time employees will receive a pro-rated amount of the adjustment based on their scheduled hours.
 - An employee will receive a salary increase of up to \$3,000, provided that the employee's wage does not exceed the maximum of the applicable grade level set forth in Appendix Two of the agreement.
 - If the difference between the employee's wage and the maximum of the applicable grade level set forth in Appendix Two of the agreement would result in an adjustment of less than \$1,000, the employee will instead receive a lump sum of \$1,500.00 (not in the base).
 - Any employee who would get no adjustment at all because their wage is at or above the applicable grade level set forth in Appendix Two of the agreement will receive a lump sum of \$1,500 (not in the base).
 - An employee who was hired by the College between January 1, 2023 and June 30, 2023, and who did not receive any wage adjustment on July 1, 2023 will receive a salary increase of six percent (6%) applied before the applicable adjustment above, provided that the employee's wage does not exceed the maximum of the applicable grade level set forth in Appendix Two of the agreement.

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution, approving the terms of the Memorandum of Agreement that were agreed to on or about February 20, 2024; authorizing the vice president and chief human resources officer to execute the Memorandum of Agreement, as it has been ratified by AFSCME Local 2380 and delegating to the president the authority and responsibility to implement and administer such agreement.

BACKUP INFORMATION

Resolution
Memorandum of Agreement (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSONS

Ms. Julien
Ms. Kliever
Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 10B
April 15, 2024

Subject: Memorandum of Agreement, Collective Bargaining Agreement Between Montgomery College and the American Federation of State, County, and Municipal Employees, AFL-CIO, Council 67, Local 2380

WHEREAS, The American Federation of State, County, and Municipal Employees, AFL-CIO, Council 67, Local 2380 ("AFSCME Local 2380") is the exclusive representative authorized to negotiate on behalf of certain staff members at Montgomery College; and

WHEREAS, A Memorandum of Agreement with proposed terms for the Collective Bargaining Agreement ("CBA") with respect to the upcoming fiscal year, has been negotiated by teams representing the Board of Trustees and AFSCME Local 2380; and

WHEREAS, Such memorandum contains an agreement on the following non-economic matters: Created a new section to address the union's access to "new employee processing" as required under Section 16-705 of the new collective bargaining law; and Replace "Council 67" with "Council 3" throughout Collective Bargaining Agreement; and

WHEREAS, Such memorandum contains an agreement for the following economic matters:

- An employee will receive a salary increase of up to \$3,000 provided that the employee's wage does not exceed the maximum of the applicable grade level set forth in Appendix Two of the agreement;
- If the difference between the employee's wage and the maximum of the applicable grade level set forth in Appendix Two of the agreement would result in an adjustment of less than \$1,000, the employee will instead receive a lump sum of \$1,500 (not in the base);
- An employee who would get no adjustment at all because their wage is at or above the applicable grade level set forth in Appendix Two of the agreement will receive a lump sum of \$1,500 (not in the base);
- An employee who was hired by the College between January 1, 2023 and June 30, 2023, and who did not receive any wage adjustment on July 1, 2023 will receive a salary increase of six percent (6%) applied before the applicable adjustment above, provided that the employee's wage does not exceed the maximum of the applicable grade level set forth in Appendix Two of the Agreement.

WHEREAS, The board's negotiating team recommends approval of the memorandum of agreement by the board; and

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

Resolved, That the Board of Trustees approves the proposed agreements set forth in the attached Memorandum of Agreement, ratified by AFSCME Local 2380; and be it further

Resolved, That the Board of Trustees authorizes the vice president and chief human resources officer to execute the Memorandum of Agreement between the Board of Trustees of Montgomery College and AFSCME Local 2380; and be it further

Resolved, That the Board of Trustees delegates to the president the responsibility and authority to implement and administer the Memorandum of Agreement and associated Collective Bargaining Agreement.

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

Agenda Item Number: 10C
April 15, 2024

**MEMORANDUM OF AGREEMENT,
COLLECTIVE BARGAINING AGREEMENT BETWEEN MONTGOMERY COLLEGE AND
THE SERVICE EMPLOYEES INTERNATIONAL UNION, LOCAL 500**

BACKGROUND

Representatives of the Board of Trustees and the Service Employees International Union (SEIU), Local 500 have reached an agreement on April 4, 2024, through reopener negotiations, resulting in the following changes to the Collective Bargaining Agreement, which will expire on June 30, 2026.

Non-Economic Changes

- **Section 7.8—Professional Development Assistance (PDA)**
The individual allowance amounts were increased from \$1,100 to \$1,250 per fiscal year, however, the overall PDA budget did not change and remains at \$54,000.
- **Section 9.10(B)—Stipends**
A one-time stipend of \$400 was created for employees who register for and complete the College's mandatory Digital Fundamentals for Teaching and Learning (DFTL) Course after September 1, 2024. DFTL was created during COVID to provide the opportunity for a quick pivot to virtual learning. It requires a significant commitment of time to complete.

Economic Changes

- **Existing equivalent semester hour (ESH) rates** were increased by 4.5%. The new rates are:

	AY 2024-25
Lecturer	\$1525
Adjunct I	\$1650
Adjunct II	\$1765
Adjunct II+	\$1780

RECOMMENDATION

It is recommended that the Board of Trustees adopt the attached resolution, approving the terms of the Memorandum of Agreement that were agreed to on April 4, 2024, authorizing the vice president and chief human resources officer to execute the Memorandum of Agreement, as it has been ratified by SEIU Local 500 and delegating to the president the authority and responsibility to implement and administer such agreement.

BACKUP INFORMATION

Resolution

Memorandum of Agreement (Board Members Only)

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSONS

Ms. Julien

Ms. Kliever

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 10C
April 15, 2024

**Subject: Approval of Memorandum of Agreement, Collective Bargaining
Agreement Between Montgomery College and the Service Employees
International Union, Local 500**

WHEREAS, The Service Employees International Union (SEIU), Local 500 is the exclusive representative authorized to negotiate on behalf of certain staff members at Montgomery College; and

WHEREAS, A Memorandum of Agreement with proposed terms for the Collective Bargaining Agreement with respect to the upcoming fiscal year has been negotiated by teams representing the Board of Trustees and SEIU Local 500; and

WHEREAS, Such memorandum contains an agreement on the following non-economic matters: Increased the amount payable to each employee per year; and added a one- time stipend for completing the mandatory Digital Fundamentals for Teaching and Learning (DFTL) Course; and

WHEREAS, Such memorandum contains an agreement for the following economic matters: a 4.5% increase to existing equivalent semester hour (ESH) rates; and

WHEREAS, The board's negotiating team recommends approval of the Memorandum of Agreement by the Board; and

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

Resolved, That the Board of Trustees approves the proposed agreements set forth in the attached Memorandum of Agreement, ratified by SEIU Local 500; and be it further

Resolved, That the Board of Trustees authorizes the vice president and chief human resources officer to execute the Memorandum of Agreement between the Board of Trustees of Montgomery College and SEIU Local 500; and be it further

Resolved, That the Board of Trustees delegates to the president the responsibility and authority to implement and administer the Memorandum of Agreement and associated Collective Bargaining Agreement.

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

Agenda Item Number: 11A
April 15, 2024

COMPENSATION PROGRAMS IN FISCAL YEAR 2025

BACKGROUND

Each year during the spring, the Board acts on salary recommendations for non-bargaining associate and support staff, department chairs, and administrators subject to the availability of funds. Board action is necessary to authorize salary wage adjustments and establish the salary schedule, consistent with the approved FY25 operating budget, for non-bargaining associate and support staff, department chairs, and administrators, and to authorize funds in support of recognition awards for all eligible employees.

Wages for bargaining unit employees who are members of the American Association of University Professors (AAUP), American Federation of State, County, and Municipal Employees (AFSCME), and Service Employees International Union (SEIU) bargaining units are established through the collective bargaining process.

Budget appropriation for compensation is based on projected resources for FY25. The County supports our compensation increases through the use of our fund balance.

RECOMMENDATION

The president recommends approval of the following actions:

1. Non-bargaining Associate and Support Staff, Department Chairs, and Administrators Salary Wage Adjustment for FY25
This resolution authorizes a wage adjustment, defined by Montgomery College as a salary adjustment expressed as a percentage of an employee's overall base pay, for eligible non-bargaining employees in the amount of five percent (5%) to the extent that an employee's salary does not exceed the top of the grade level assigned to that employee's position, effective July 1, 2024.

Non-bargaining associate and support staff employees whose wage adjustment is less than \$1,000, will instead receive a one-time payment (not to the base) of \$1,500. This excludes Department Chairs and Administrators.
2. Special Recognition and Outstanding Service Awards for FY25. This resolution authorizes one-time, lump sum awards of up to two thousand dollars (\$2,000) for special recognition and outstanding service for all eligible employees.
3. Full-time Faculty, Part-time Faculty, and Staff Member of the Year Awards for FY25. This resolution authorizes a one-time, lump-sum award of up to five thousand dollars (\$5,000) each for excellence in teaching and/or counseling and academic advising (for full-time and part-time faculty) and performance, leadership, and service (for staff) for eligible employees.
4. Bargaining and Non-Bargaining Associate and Support Staff Shift Differential for FY25. This resolution authorizes a shift differential of \$1.35 for hours actually worked for

those associate and support staff who are regularly scheduled to work 20 or more hours in a work week between the hours of 10:00 p.m. and 6:30 a.m.

BACKUP INFORMATION

Board Resolution (4)

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSON

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 11A
April 15, 2024

**Subject: Non-Bargaining Associate and Support Staff, Administrators, and Department
Chairs Salary Wage Adjustment for FY25**

WHEREAS, Non-bargaining associate and support staff employees may receive a salary wage adjustment provided the employee is not at the maximum of the assigned salary grade; and

WHEREAS, The president recommends the adoption of the following resolution: now, therefore, be it

Resolved, That all non-bargaining associate and support staff employees who are not at the top of a salary grade are eligible for a salary wage adjustment up to five percent (5%) effective July 1, 2024;

For those non-bargaining associate and support staff employees whose wage adjustment is less than \$1,000, will instead receive a one-time payment (not to the base) of \$1,500.

Resolved, That all administrators and department chairs who are not at the top of a salary grade are eligible for a salary wage adjustment up to five percent (5%).

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

**FY25 Salary Schedule for
Associate and Support Staff, Administrators, and Department Chairs**

FY25 Salary Schedule-Non-bargaining and Bargaining Staff						
Effective July 1, 2023 for Non-bargaining Staff & Effective July 1, 2023 for Bargaining Staff						
	Salary Structure (Annual)			Salary Structure (Hourly)		
Grade	Minimum	Midpoint	Maximum	Minimum	Midpoint	Maximum
S1	\$167,500	\$230,300	\$293,100	\$80.53	\$110.72	\$140.91
41	\$145,612	\$200,230	\$254,848	\$70.01	\$96.26	\$122.52
39	\$126,683	\$174,176	\$221,668	\$60.91	\$83.74	\$106.57
37	\$110,133	\$151,447	\$192,761	\$52.95	\$72.81	\$92.67
35	\$95,791	\$131,713	\$167,634	\$46.05	\$63.32	\$80.59
33	\$83,374	\$114,639	\$145,904	\$40.08	\$55.11	\$70.15
31	\$76,679	\$99,671	\$122,664	\$36.86	\$47.92	\$58.97
29	\$69,668	\$90,580	\$111,492	\$33.49	\$43.55	\$53.60
27	\$63,375	\$82,376	\$101,377	\$30.47	\$39.60	\$48.74
25	\$57,584	\$74,837	\$92,090	\$27.68	\$35.98	\$44.27
23	\$52,373	\$68,074	\$83,774	\$25.18	\$32.73	\$40.28
21	\$47,606	\$61,865	\$76,124	\$22.89	\$29.74	\$36.60
19	\$44,969	\$56,211	\$67,453	\$21.62	\$27.02	\$32.43
17	\$41,687	\$52,109	\$62,530	\$20.04	\$25.05	\$30.06
15	\$38,582	\$48,228	\$57,874	\$18.55	\$23.19	\$27.82
13	\$35,744	\$44,680	\$53,616	\$17.18	\$21.48	\$25.78
11	\$33,083	\$41,354	\$49,625	\$15.91	\$19.88	\$23.86

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

Resolution Number:
Adopted on:

Agenda Item Number: 11A
April 15, 2024

Subject: Special Recognition and Outstanding Service Awards for FY25

Resolved, That the Board of Trustees authorizes up to two thousand dollars (\$2,000) as the lump sum amount for special recognition and outstanding service awards to be presented to those employees of the College who are eligible and approved for such an award during FY25.

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

Resolution Number:
Adopted on:

Agenda Item Number: 11A
April 15, 2024

**Subject: Full-time Faculty, Part-time Faculty, and Staff Member of the Year Awards for
FY25**

Resolved, That the Board of Trustees authorizes up to five thousand dollars (\$5,000) each as the lump sum amount for the Full-Time Faculty Member, Part-Time Faculty Member, and Staff Member of the Year Award to be presented to those employees of the College who are eligible and approved for such an award during FY25.

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

Resolution Number:
Adopted on:

Agenda Item Number: 11A
April 15, 2024

**Subject: Bargaining and Non-Bargaining Associate and Support Staff Shift Differential
for FY25**

Resolved, That the Board of Trustees authorizes a shift differential of \$1.35 for hours actually worked for those associate and support staff who are regularly scheduled to work 20 or more hours in a work week between the hours of 10:00 p.m. and 6:30 a.m.

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

Agenda Item Number: 11B
April 15, 2024

**TERMINATION OF MONTGOMERY COMMUNITY COLLEGE RETIREMENT PLAN
AND DISCONTINUANCE OF THE AETNA GROUP ANNUITY CONTRACT**

BACKGROUND

Montgomery Community College adopted a defined benefit retirement plan (the Plan) January 1, 1968, for the benefit of its employees. The Plan was established as a supplement to the Maryland State Retirement Plan. Furthermore, the Plan provides a defined benefit, based on years of service and salary, to eligible employees hired prior to January 1, 1980, and are members of the Teachers' or the Employees' Retirement Systems, and, employees who transferred to the College directly from employment with the State of Maryland or an agency of the State of Maryland, prior to January 1, 1988.

The Plan was amended from time to time with the last restatement and amendment effective July 1, 1997. Article 24 of the Plan provides for a termination clause which states that full vesting of all accrued benefits must occur upon termination of the Plan or upon complete discontinuance of contributions thereto, to the extent that such accrued benefits are funded. Additionally, this clause states that any unallocated funds which are not necessary for the satisfaction of the liabilities under the Plan must be returned to the College.

Effective July 1, 1970, Montgomery Community College entered into a Group Annuity Contract effective with AETNA Life Insurance Company (AETNA) to administer the Plan through a transfer of annuities, financial experience, coverage, and unapplied premium payments with respect to employees of Montgomery Community College. The contract binds AETNA to make annuity payments, and to make other payments and refunds, in accordance with the contract provisions.

The AETNA contract has been amended from time to time with the last amendment effective as of January 1, 2020.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the College to terminate the Montgomery Community College Retirement Plan, as amended and restated effective July 1, 1997, and to discontinue the contract with AETNA, on a non-participating basis, whereby the guaranteed annuity is purchased and placed with AETNA, provided that there are sufficient plan assets to bear the cost of the guaranteed benefits.

Pursuant to this transaction, the benefit obligation is transferred from the College to AETNA and AETNA continues to administer the benefit payments to the plan participants.

BACKUP INFORMATION

Board Resolution

AETNA Contract

Montgomery College Retirement Plan as amended July 1, 1997

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSON

Ms. Greaney

Ms. Leitch Walker

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

Resolution Number:
Adopted on:

Agenda Item Number: 11B
April 15, 2024

**Subject: Termination of Montgomery Community College Retirement Plan and
Discontinuance of the AETNA Group Annuity Contract**

WHEREAS, Montgomery Community College adopted a defined benefit retirement plan (the Plan) January 1, 1968 for the benefit of its employees; and

WHEREAS, Montgomery Community College entered into a Group Annuity Contract effective July 1, 1970, with AETNA Life Insurance Company (AETNA) to administer the Plan through a transfer of annuities, financial experience, coverage and unapplied premium payments with respect to employees of Montgomery Community College; and

WHEREAS, The Plan was established as a supplement to the Maryland State Retirement Plan; and

WHEREAS, The Plan provides a defined benefit, based on years of service and salary, to eligible employees hired prior to January 1, 1980, and are members of the Teachers' or the Employees' Retirement Systems, and, to eligible employees who transferred to the College directly from employment with the State of Maryland or an agency of the State of Maryland, prior to January 1, 1988; and

WHEREAS, AETNA has continued to administer the Plan assets at an annual cost of approximately \$104,000 per year; and

WHEREAS, The College is responsible for conducting an annual actuarial valuation in accordance with Governmental Accounting Standards at an annual cost of approximately \$18,500; and

WHEREAS, As of March 25, 2024, there were 171 participants (retirees or their beneficiaries) receiving monthly benefits; and

WHEREAS, There are two active employees entitled to benefits upon their retirement; and

WHEREAS, The College has been advised by both AETNA and AON, the College's actuary, that a discontinuance of the contract is in the College's best interest due to the number of participants; and

WHEREAS, The discontinuance of the contract will have no financial impact on any of the Plan participants; and

WHEREAS, The College has signed a non-binding letter of intent to discontinue the contract in order to obtain a projected timeline, including a non-participating proposal for the cost of the guaranteed benefits for all Plan participants; and

WHEREAS, The proposal submitted by AETNA offer will expire if not accepted by the College by April 18, 2024; and

WHEREAS, Participants will continue to receive the same level of service from AETNA, including timely benefit payments, as determined pursuant to plan provisions; and

WHEREAS, Based on current information available, Plan assets are sufficient to bear the cost of the guaranteed benefits; and

WHEREAS, Upon execution of this transaction with AETNA, there will be no requirement of the College to provide additional contributions and there will be no new participants eligible for Plan benefits, thereby, terminating the Montgomery Community College Retirement Plan is prudent; and

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

Resolved, That the president or designee is authorized and directed to execute necessary documents to accept the terms of AETNA's proposal; and be it further;

Resolved, That the appropriate officers, employees, and agents of the College are authorized and directed to take such further action as may be necessary, appropriate or advisable to effectuate this resolution.

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

Agenda Item Number: 12
April 15, 2024

TUITION RATES FOR FISCAL YEAR 2025

BACKGROUND

The Board of Trustees adopted the College's FY25 operating budget during its meeting on January 24, 2024. The adopted budget prioritized fiscal restraint while maximizing existing resources to protect affordability. The president recommends no increase in the in-county, in-state, and out-of-state hourly tuition rates for FY25. Additionally, the current mandatory fees will remain at their FY24 levels. Students will pay \$134 per credit hour tuition rates for in-county; \$273 per credit hour tuition rates for in-state; and \$380 per credit hour tuition rates for out-of-state.

RECOMMENDATION

It is recommended that the Board of Trustees approve the current hourly tuition rates as outlined above beginning with the fall 2024 semester.

BACKUP INFORMATION

Board Resolution
Policy 45001–Tuition, Fees, and Refunds

RESPONSIBLE SENIOR ADMINISTRATOR

Mr. Collette

RESOURCE PERSON

Ms. Greaney

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

Resolution Number:
Adopted on:

Agenda Item Number: 12
April 15, 2024

Subject: Tuition Rates for Fiscal Year 2025

WHEREAS, The Board of Trustees adopted the FY25 operating budget on January 24, 2024; and

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

WHEREAS, The president recommends no increases in the per hour rates for in-county, in-state and out-of-state tuition, and that fees remain at their current FY24 levels; and

WHEREAS, With no increases in tuition or fees, in-county students will pay \$134 per credit hour, in-state students will pay \$273 per credit hour, and out-of-state students will pay \$380 per credit hour beginning in the fall 2024 semester; and

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

WHEREAS, This resolution aligns with Montgomery College Strategic Plan Goal 4: Increase economic impact for our students and community; and

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

Resolved, That the Board of Trustees adopts the recommendation to maintain hourly tuition rates and fees at FY24 levels for in-county, in-state, and out-of-state students beginning with the fall 2024 semester; and be it further

Resolved, That this action reestablishes the per credit hour tuition rates at \$134, \$273, and \$380 for in-county, in-state, and out-of-state students, respectively.