<table>
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<tr>
<th>Board Resolution#</th>
<th>Description</th>
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<tr>
<td>12-01-03</td>
<td>Personnel Actions Confirmation Report</td>
<td>2-4</td>
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<tr>
<td>12-01-04</td>
<td>Award of Silver Medallion and Emerita Status to Ms. Vivian M. Lawyer</td>
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<td>12-01-05</td>
<td>Award of Sole Source, Blackboard Analytics</td>
<td>8-10</td>
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<td>12-01-06</td>
<td>Agreement with City of Rockville for Storm Water Outfall Maintenance</td>
<td>11-13</td>
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<td>12-01-07</td>
<td>Capital Budget Fund Transfer, Rockville Science Center Project to Germantown Bioscience Education Center Project</td>
<td>14-15</td>
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<tr>
<td>12-01-08</td>
<td>Adoption of the FY13 Current Enterprise, and Other Funds Budgets</td>
<td>16-18</td>
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<tr>
<td>12-01-09</td>
<td>Recognition of Professor Dawn Avery, Maryland Professor of the Year</td>
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BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Agenda Item Number: 8A
January 30, 2012

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, Development, and Engagement on new hires and employees who have separated from the College.

RECOMMENDATION

It is recommended that the Board adopt the attached report.

BACK-UP INFORMATION

Board Resolution
Personnel Actions Confirmation Report

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON(S)

Ms. Espinosa
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 from and including December 1, 2011, to and including December 31, 2011; 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 report and confirms the action of the president.

Attachment
MONTGOMERY COLLEGE  
SUMMARY OF PERSONNEL ACTIONS  
From and Including December 1, 2011, to and Including December 30, 2011

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<td>12/31/2011</td>
<td>Lawyer, Vivian M↑</td>
<td>Chief Human Resources Officer</td>
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<td>12/14/2011</td>
<td>Wilson, Raymond D</td>
<td>Automotive Tech</td>
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<td>Decker, Carol E↑</td>
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↑ Retirement
WHEREAS, Ms. Vivian M. Lawyer has served the College with dedication and distinction for more than 36 years prior to her retirement on December 31, 2011; and

WHEREAS, Ms. Lawyer served six Montgomery College presidents and thousands of employees during her exemplary service as director of affirmative action from 1975-1989, as director of employment and development from 1989-2000, as director of human resources from 2000-2001, and as chief human resources officer from 2001-2011; and

WHEREAS, Ms. Lawyer’s commitment to the mission of the College and to human resources in higher education enabled her to play a pivotal role in the growth and development of the College; and

WHEREAS, Ms. Lawyer gained the respect and friendship of the staff and unit leaders throughout the College, with the Staff Senate and collective bargaining units; and

WHEREAS, she cultivated professional and organizational development to ensure that all employees were expected and encouraged to include learning and growth opportunities as part of their annual professional development plan; and

WHEREAS, Ms. Lawyer received the 2001 On Her Shoulders We Stand award from the collegewide women’s studies program, which recognized her dedication to championing women’s equity issues and developing the initiatives and support of the women’s studies program; and

WHEREAS, she participated in the Howard County Human Resources Society in a leadership role as program chair; and

WHEREAS, Ms. Lawyer received the 2004 Montgomery County Chapter of the International Public Management Association for Human Resources Outstanding Public Service Award for her significant contributions to Montgomery College’s Office of Human Resources; and

WHEREAS, while serving in various roles at the College, Ms. Lawyer received Outstanding Service Awards in 1992, 1993, and 1998; and

WHEREAS, Ms. Lawyer led a collegewide committee responsible for creating a leadership development program, which has produced nearly 400 faculty, staff, and administrator graduates over 18 years, and which has received national recognition; and

WHEREAS, Ms. Lawyer has served as an advisory board member for the National Association for College and University Business Officers online Human Resource newsletter; and

WHEREAS, her colleagues have held her in high esteem for her many outstanding contributions and efforts to provide an excellent customer service to the College community; and
WHEREAS, Ms. Lawyer’s leadership regarding employee engagement led to the development of a new approach to labor relations, creating a workplace environment that strives to engage employees, promote accountability, and celebrate diversity; and

WHEREAS, under her leadership as the chief human resources officer, Montgomery College has been awarded the Workplace Excellence Award for seven consecutive years as well as the Health and Wellness Trailblazer Award for six consecutive years; and

WHEREAS, as a trusted leader, Ms. Lawyer exhibited steadfast loyal principles and upheld excellent working relations with representatives from Montgomery County Government, Montgomery County Public Schools, Washington Suburban Sanitary Commission, and Maryland-National Capital Park and Planning Commission; and

WHEREAS, Ms. Lawyer’s professional associations included memberships in the Supreme Court Bar Association; the American Bar Association; the Maryland Bar Association; the Association for Participation and Quality; the American Society for Training and Development; the Greater Baltimore-Washington Chapter College and University Personnel Association; the Howard County Chapter of the Society for Human Resources Management; and the International Public Management Association for Human Resources; and

WHEREAS, Ms. Lawyer’s community involvement included service as president of the Columbia Maryland Chapter of The Links, Inc., and the Columbia Chapter of Jack and Jill of America, Inc., and service as a board member of the Howard County Arts Council and the Family Life Center; and

WHEREAS, the Board of Trustees’ policy provides that all administrative staff who retire with a minimum of ten years’ service as an administrator with Montgomery College shall be designated administrator emeritus(a) with appropriate rank or title, subject to approval of the Board of Trustees; and

WHEREAS, the College policy provides for the awarding of a Silver Medallion to recognize outstanding service to the College, the academic profession, the County, the State, or the nation; and

WHEREAS, in recognition of her long-time loyalty and invaluable service, the president of the College recommends that Ms. Lawyer be awarded the Silver Medallion as acknowledgement of her contributions to the College on the occasion of her retirement; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Vivian M. Lawyer for her many contributions to the College, and extend to her their best wishes that her retirement years be fulfilling and productive; and be it further

Resolved, That Ms. Vivian M. Lawyer be awarded the Silver Medallion in recognition of her outstanding service to the College and community, and as an expression of gratitude of the College for her exemplary dedication and professional commitment to further the goals of the College; and be it further

Resolved, That Ms. Vivian M. Lawyer is granted the status of chief human resources officer emerita, and that she be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further
Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Silver Medallion be presented to Ms. Vivian M. Lawyer.

DPP: abg
BOARD OF TRUSTEES  
MONTGOMERY COLLEGE  
Rockville, Maryland

Agenda Item Number: 9  
January 30, 2012

SOLE SOURCE AWARD OF CONTRACT  
TO PURCHASE BLACKBOARD ANALYTICS

BACKGROUND

The vice president for instructional and information technology/chief information officer has requested a contract award for the purchase of an out-of-the-box data warehouse and analytical reporting solution developed specifically for higher education, which will integrate with the Banner Enterprise Resource Planning (ERP) system on a sole source basis.

Faculty, staff, and administrators are have increasing demands for data and business information related to state and federal reporting, budget requests, data for grant opportunities, and better student tracking. After the initial implementation of the College’s Banner ERP system in 1999, the office of information technology made an effort to meet early reporting needs by developing its own data warehouse to sustain the College’s reporting needs. With the growing demand for self-service and analytical reporting by faculty, staff, and administrators, and greater emphasis on security requirements to protect the College’s information, the in-house system is no longer an adequate solution to meet current and future requirements.

Currently only one vendor provides a comprehensive out-of-the-box data warehouse and analytical solution for higher education that can directly integrate with the Banner ERP application. The Blackboard Analytics solution delivers a data warehouse consisting of several pre-built data repositories for students, financial aid, finance, human resources, and advancement. This solution supports multiple options and allows data to be accessed through industry standard reporting tools.

In addition, the Blackboard Analytics solution also works in tandem with a student tracking tool called Qlikview, which is currently being considered for a possible future purchase.

It is the combination of these tools that will create information capabilities to enhance the College’s analysis and understanding of its business and academic functions in order to improve efficiencies and service to students. The Blackboard Analytics product can be implemented in a short timeframe—within four months for each data set. This solution is currently being used by Bowie State University, Coppin State University, Johns Hopkins University, Loyola University, Maryland Institute College of Art, Salisbury University, Towson University, The University of Baltimore, The University of Maryland Baltimore County, and The University of Maryland Eastern Shore.

The total price for solution is $667,490. This includes software license, implementation, training, support services, and first year maintenance costs. Board approval is required for sole source procurements valued above $25,000.
RECOMMENDATION

It is recommended that the Board of Trustees award a sole source contract for the purchase of an out-of-the-box data warehouse and analytical reporting solution to Blackboard Analytics, Washington, DC, for a total price of $667,490, which includes software license, implementation, training, support services, and first year maintenance costs.

It is further recommended that the maintenance agreement be renewed on an annual basis, in the amount $57,915 per year, at the sole option of the College, provided that services are satisfactory, funding is available, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution
Board Policy 63001

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSONS

Dr. Russell
Mr. Sorrell
Mr. Johnson
Resolution Number: 12-01-05
Agenda Item Number: 9
Adopted on: 1/30/2012
January 30, 2012

Subject: Sole Source Award of Contract to Purchase Blackboard Analytics

WHEREAS, The vice president for instructional and information technology/chief information officer has requested an out-of-the-box data warehouse and analytical reporting solution developed specifically for higher education with pre-built integration with the Banner Enterprise Resource Planning system; and

WHEREAS, the acting vice president of procurement affirms that the sole source request is justified since the Blackboard Analytics solution is the only available product providing a comprehensive out-of-the-box data warehouse and analytical solution for higher education, and that only one vendor can provide this product; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that funds are available in the FY12 capital budget; and

WHEREAS, sole source awards valued above $25,000 require approval of the Board of Trustees; and

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

Resolved, that an award of contract for the purchase of an out-of-the-box data warehouse and analytical reporting solution be awarded to Blackboard Analytics of Washington, DC, on a sole source basis for a total price of $667,490, which includes software license, implementation, training, support services, and one-year maintenance costs; and be it further

Resolved, that maintenance agreement be renewed for two one-year terms in the amount $57,915 per year, at the sole option of the College, provided that services are satisfactory, funding is available, and it is in the best interest of the College.

DPP:abg
AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH THE CITY OF ROCKVILLE FOR STORMWATER OUTFALL MAINTENANCE ON CITY PROPERTY ADJACENT TO THE ROCKVILLE CAMPUS

BACKGROUND

In spring 2010, significant erosion was found around a stormwater outfall pipe and embankment in the woods at the edge of parking lot 9 on the Rockville Campus. The area is behind Macklin Tower and near the Child Care Center. This outfall carries stormwater from campus parking lots and other campus areas to the Watts Branch stream valley adjacent to the campus.

City of Rockville inspectors directed the College to make immediate temporary repairs in order to prevent further deterioration of the embankment and damage to the stream. Because of the specialty nature of the work and the potential for fines to be levied, an emergency situation was declared and an emergency procurement process was approved. Use of the College’s Emergency Plant Maintenance and Repair Fund was also approved and the work was accomplished by means of a “procurement through other agency contract” using a city of Rockville contract.

The Office of Facilities and its engineering design consultants then worked closely with the city and the Maryland State Department of Environmental Protection to complete the design and address all of the permitting issues for the permanent repairs. This process was complex because of tie-ins with final design solutions and permits for the Science Center’s stormwater retention facility, which flows into the same stream valley just south of this location. The final design for the stormwater outfall repair was approved and permits were issued in May 2011. The permanent repairs were completed in November 2011. The total cost of the temporary and permanent outfall repairs, including design services, was just under $240,000.

The city of Rockville has prepared a Stormwater Management Outfall Easement and Maintenance Agreement and requests that it be signed by the College. This agreement permits the College to enter onto city property to perform required maintenance work on the stormwater outfall and adjacent stream embankment. It also confirms the College’s responsibility to regularly inspect and maintain the outfall.

While Board of Trustees approval is typically only required for land matters related to use or disposal of College property, this agreement, which obligates the College to perform work on city property, is seen as an exception.

RECOMMENDATION

It is recommended that the Board of Trustees authorize the Chair of the Board of Trustees to sign the Stormwater Management Outfall Easement and Maintenance Agreement with the city...
of Rockville for ongoing College maintenance of stormwater outfall structures impacted by the discharge of stormwater from College property on the Rockville Campus.

BACKUP INFORMATION

Board Resolution
Exhibit B Sketch of Stormwater Outfall Easement (Board members only)
Rockville Campus Map (Board members only)

Responsible Senior Administrator

Ms. Jones

RESOURCE PERSONS

Mr. Capp
Mr. Sorrell
Resolution Number: 12-01-06  
Agenda Item Number: 10  
Adopted on: 1/30/2012  
January 30, 2012

Subject: Authorization to Enter into an Agreement with the City of Rockville for Stormwater Outfall Maintenance on City Property Adjacent to the Rockville Campus

WHEREAS, the College was notified by the city of Rockville in spring 2010 that discharge from the Rockville Campus stormwater collection system under the parking lots in the vicinity of Macklin Tower had significantly eroded the outfall and adjacent wooded stream valley on city of Rockville property adjacent to the Campus; and

WHEREAS, the associate vice president for college facilities and the director of procurement affirmed that an emergency existed in that fines related to stormwater regulations in the city and the state could be assessed against the College if the conditions were not remediated; and

WHEREAS, after initial temporary emergency repairs were made, a lengthy design and permit approval process ensued with the agencies having jurisdiction; and

WHEREAS, immediate repairs were implemented to prevent further damage, a permanent repair was designed, and the project was completed in November 2011; and

WHEREAS, contracts for the work were authorized under Board policy allowing procurements through other agency contracts and an available city of Rockville contract for similar services was used; and

WHEREAS, the city of Rockville has prepared a Stormwater Management Outfall Easement and Maintenance Agreement and has requested that the College sign this agreement, which permits the College to perform required maintenance on the stormwater outfall on city property adjacent to the Rockville Campus; and

WHEREAS, the general counsel has reviewed the agreement; and

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

Resolved. That the Board of Trustees authorizes the chair of the Board of Trustees to sign the Stormwater Management Outfall Easement and Maintenance Agreement with the city of Rockville for ongoing College maintenance of stormwater outfall structures impacted by the discharge of stormwater from College property on the Rockville Campus.

DPP:abg
BACKGROUND

In accordance with county fiscal procedures, the Board of Trustees is authorized to transfer funds between College projects within the capital budget. Additional funds are needed in the Germantown Campus Bioscience Education Center project in the capital budget for anticipated additional project expenses. The prolonged and extensive site development planning and permitting process has used up more of the overall project budget than originally anticipated. The construction project and its site work are now more complex as a result due to the impact of the coordination of this project with the hospital and the science and technology park projects. A total of $4,500,000 is available in the Rockville Campus Science Center project budget due to a favorable bidding climate in FY09, a thorough set of plans and specifications, and a qualified general contractor. The Science Center project is essentially complete and these funds are available for transfer. According to county regulations, no more than 10 percent of the total appropriation can be moved from a capital project. The amount to be moved, $4,500,000, is well within that parameter given the Science Center’s $73,872,000 budget. Approval by the Board of Trustees is required for all fund transfers between capital projects.

RECOMMENDATION

It is recommended that the Board of Trustees approve the transfer of $4,500,000 from the Rockville Campus Science Center project to the Germantown Campus Bioscience Education Center project in order to provide additional funds for planned expenditures.

BACK-UP INFORMATION

Board Resolution

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON(S)

Mr. Capp
Dr. Wormack
WHEREAS, in accordance with College policy on the capital budget, a movement of funds between projects authorized in the capital budget must be consistent with county fiscal procedures authorizing such transactions, and the county has indicated that the Board is authorized to transfer a maximum of 10 percent from any one College project to projects within the College’s capital budget; and

WHEREAS, additional funds are needed in the Germantown Campus Bioscience Education Center project given the extensive site planning and permitting requirements due to required coordination with the hospital and science and technology park projects; and

WHEREAS, funds totaling $4,500,000 are available in the Rockville Campus Science Center project that can be used for this purpose; and

WHEREAS, the interim vice president of finance/chief financial officer certifies that the funds are available in the FY12 capital budget for this transfer, and also certifies that the amount to be transferred, $4,500,000, is within the 10 percent limit; and

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

Resolved, That $4,500,000 be transferred from the Rockville Campus Science Center project to the Germantown Campus Bioscience Education Center project in the FY12 capital budget in order to provide additional funds for planned project expenses; and be it further

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

DPP: abg
ADOPTION OF THE FY13 CURRENT, ENTERPRISE, AND OTHER FUNDS BUDGETS

BACKGROUND

On January 9, 2012, the proposed FY13 current fund, enterprise and other funds budgets were presented to the Board of Trustees. The proposed budget recognizes the fiscal constraints facing county and state decision-makers. It will, however, allow the College to continue to meet its mission by protecting access, affordability, and quality education. The current fund budget request is $217,636,599, an amount which is virtually unchanged from FY12. The budget includes partial fees for Ride On bus services. Utilities decreased $1.9 million primarily due to negotiated rate decreases. This decrease was offset by the increase necessary for enrollment changes, Board grants and other scholarships, and more funds to the academic areas. There is no salary improvement, no money for new building expenses, and no benefit cost increases.

This budget assumes level funding from the county and state. The budget assumes a recommended $2/$4/$6 per credit hour tuition increase, that is, $2 for in-county tuition, $4 for in-state tuition, and $6 for out-of-state tuition. (This resolution does not address tuition and fees; the Board has historically acted on any tuition and fee changes at its April meeting.)

RECOMMENDATION

It is recommended that the Board of Trustees adopt the FY13 current fund, enterprise and other funds budgets.

BACK-UP INFORMATION

Board Resolutions
  Part A: Adoption of the Current and Enterprise Funds Budgets
  Part B: Adoption of the Other Funds Budgets

RESPONSIBLE SENIOR ADMINISTRATOR

Ms. Jones

RESOURCE PERSON

Ms. Dimon
Subject: Adoption of the FY13 Current and Enterprise Funds Budgets

WHEREAS, on January 9, 2012, the FY13 proposed current fund, enterprise, and other funds budgets were presented to the Board of Trustees; and

WHEREAS, every effort was made to prepare a budget that was sustainable and affordable given the difficult economic times the county and state are facing; and

WHEREAS, this budget assumes level funding from the county and state; and

WHEREAS, all College needs were funded through the reallocation of funds where appropriate; and

WHEREAS, this budget includes no salary improvements; and

WHEREAS, this budget does not include millions of dollars in unrequested justified needs; and

WHEREAS, during budget deliberations, the Board’s first priority was to the College’s mission of academic excellence, access, and student success; and

WHEREAS, every effort was made to maintain the quality of programs and services at the College while realizing the need to conserve public funds and maintain reasonable tuition and fee rates; and

WHEREAS, the Board of Trustees held a public hearing to present the proposed budget to the College and the community; and

WHEREAS, appropriate changes to the proposed budget have been made in response to Board of Trustees’ analyses; now therefore be it

Resolved, That the Board of Trustees adopts the FY13 operating budget in the amount of $217,636,599 for the current fund; $16,136,500 for the Workforce Development & Continuing Education fund; and $6,359,564 for the Auxiliary Enterprises fund. These amounts are subject to funding and appropriate action by the Montgomery County Government. The amounts are subject to further technical refinement before the budget is submitted for recommendation to the county executive and the county council.
Subject: Adoption of the FY13 Other Funds Budget

WHEREAS, the College endeavors to obtain funding from external sources for specific purposes in keeping with its mission and goals; and

WHEREAS, the exact funding of special College projects and/or proposals is not certain in advance of a fiscal year; and

WHEREAS, amounts shown in the budget document for student activities and athletics; cable television; emergency plant maintenance and repair fund; major facilities reserve fund; Montgomery College 50th Anniversary Endowment Fund; the transportation fund; and federal, state, and private grants and contracts are the best estimates at this time, the actual amounts may be more or less than the projected amounts; and

WHEREAS, it is essential to the success of these special programs for the president to have flexibility to respond to the changing external circumstances associated with these programs; now therefore be it

Resolved, That the Board of Trustees approves the aforementioned sections of the other funds budget as presented with the understanding that the amounts are not fixed; and be it further

Resolved, That the president is authorized to negotiate for, accept, and expend such other funds as indicated in the budget and as may become available during FY13, provided that expenditures do not exceed revenues.

DPP:abg
Subject: Recognition of Professor Dawn Avery

WHEREAS, Professor Dawn Avery, department of music, Rockville Campus, has served the College with dedication and distinction since 2002; and

WHEREAS, her skillful, enthusiastic, and innovative teaching, as attested to by her many students, has improved their lives; and

WHEREAS, Professor Avery through her teaching has encouraged curiosity and understanding and is contributing to the education of her students by developing mind and spirit and awareness of their place in a global community; and

WHEREAS, faculty colleagues and College administrators, in recognizing her outstanding ability and dedication to teaching and contributions to the College and the community, supported her nomination as Professor of the Year; and

WHEREAS, the United States Professor of the Year program, sponsored by The Carnegie Foundation for the Advancement of Teaching and the Council for Advancement and Support of Education, is the one national program for excellent undergraduate teaching; and

WHEREAS, the criteria for selection include extraordinary dedication to undergraduate teaching, demonstrated by excellence and involvement with undergraduate students; scholarly approach to teaching and learning; contribution to undergraduate education in the institution, community, and profession; and support from colleagues, as well as current and former students; and

WHEREAS, Professor Avery, competing against an outstanding national pool of community college educators, has been named the 2011 Carnegie Foundation for the Advancement of Teaching Maryland Professor of the Year; and

WHEREAS, the President of the College recommends this public recognition of Professor Dawn Avery on occasion of her award; now therefore be it

Resolved, That the members of the Board of Trustees recognize and commend Professor Dawn Avery upon being named the 2011 Maryland Professor of the Year; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting and a copy be forwarded to Professor Dawn Avery.

DPP:abg