

**MONTGOMERY COLLEGE
BOARD OF TRUSTEES**

**RECORD OF RESOLUTIONS
June 15, 2009**

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BOARD OF TRUSTEES
MONTGOMERY COLLEGE
Rockville, Maryland

Resolution Number: **09-06-053**
Adopted on: **6/15/09**

Agenda Item Number: 6A
June 15, 2009

Subject: Award of Silver Medallion and Emerita Status to Dr. Susan F. Thornton

WHEREAS, Dr. Susan F. Thornton served Montgomery College with enthusiasm and dedication for more than thirty years until her untimely death on December 22, 2007; and

WHEREAS, she was known by her colleagues and students as a superior and dedicated teacher who had the expertise and flexibility to teach a wide diversity of chemistry courses, and who set the highest standards for her students and herself; and

WHEREAS, Dr. Thornton was a dedicated teacher who saw her students as individuals, followed them through many of their life changes with personal supportive efforts; and

WHEREAS, she served with distinction as the Chairperson of the Physical Sciences Department of the Takoma Park/Silver Spring Campus from 1999 until 2004, during which time she provided exceptional leadership to a diverse group of curricula, including Astronomy, Chemistry, Engineering Science, Geography, Geology, Physical Sciences, and Physics; and

WHEREAS, she contributed to the College by serving on many faculty organizations and committees, often in leadership roles, including Academic Assembly, Faculty Council, Curriculum Committee, Calendar Committee, Academic Effectiveness Team, Academic Appeals, Scheduling Committee, Professional Development, and Academic Occasions; and

WHEREAS, she provided hands-on science demonstrations and programs for young children in elementary schools for more than two decades and frequently served as a science fair judge; and

WHEREAS, she taught a science enrichment course for elementary teachers during the summer for more than two decades, and was awarded two grants from the Maryland State Department of Education for support of these efforts; and

WHEREAS, Dr. Thornton served on the Montgomery County Public Schools (MCPS) Science Curriculum Advisory Committee and received the MCPS Outstanding Service to Education Award for 1987-88; and

WHEREAS, Dr. Thornton was active in the Chemical Society of Washington, and served as its treasurer, as a member of its Board of Managers for ten years, and as the chair of National Chemistry Week three times; and

WHEREAS, she was active in the American Chemical Society and served on its admissions committee; and

WHEREAS, during the late 1960s, she served two years as an education consultant for the U.S. Agency for International Development in India in the states of Rajasthan and Uttar Pradesh, where she taught as a guest lecturer and organized a National Science Foundation summer institute for secondary and higher education chemistry teachers; and

WHEREAS, Dr. Thornton received national recognition in 1989 when the Chemical Manufacturers Association awarded her its Catalyst Award, an award for excellence in teaching; and

WHEREAS, her accomplishments in teaching were further recognized twice by the Maryland Association of Science Teachers, which conferred on her its Award for Excellence in college teaching in 1990, and the Outstanding Contributions to Science Education Award in 1999; and

WHEREAS, she received the Community Service Award from the American Chemical Society in 1992, and the Charles L. Gordon Award from the Chemical Society of Washington in 1994; and

WHEREAS, Dr. Thornton brought recognition to the College for her articles and commentaries published in the *Journal of Chemical Education*, *Inorganic Chemistry*, *Inorganic Syntheses*, *Capital Chemist*, and newsletter she co-published for local high school chemistry teachers in collaboration with the Occupational Safety and Health Administration; and

WHEREAS, she brought further recognition to the College through presentations she made at numerous professional meetings, including the American Chemical Society and the National Science Teachers Association; and

WHEREAS, College policy provides for the awarding of a Silver Medallion to recognize distinguished service to the community and the College; and

WHEREAS, the President of the College recommends this public recognition of Dr. Thornton on the occasion of her death; and

WHEREAS, the Board of Trustees' policy provides that all faculty members holding faculty rank who have a minimum of ten years' service with Montgomery College, shall be designated faculty emeritus(a) with appropriate rank, subject to approval of the Board of Trustees; and be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to the family of Dr. Susan F. Thornton for her outstanding service to the College and extend to them profound sympathy at the untimely death of their loved one; and be it further

Resolved, That Dr. Susan F. Thornton is awarded posthumously the Silver Medallion in recognition of her distinguished service to the College and community, and as an expression of gratitude for her dedication and professional commitment to further the goals of the College; and be it further

Resolved, That Dr. Susan F. Thornton is granted posthumously the status of Professor Emerita, and that she be awarded 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 family members of Dr. Susan F. Thornton.

BKJ: abg

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

Resolution Number: **09-06-54**
Adopted on: **6/15/09**

Agenda Item Number: 6B
June 15, 2009

Subject: Retirement of Ms. Lesley Kamenshine

WHEREAS, Ms. Lesley Kamenshine has served Montgomery College with dedication for more than sixteen years and retired from the College as of May 1, 2009; and

WHEREAS, Ms. Kamenshine worked as a Program Assistant supporting various areas within Workforce Development and Continuing Education including the Small Business Center as well as Off-Site Credit Classes and Weekend College in an program area now known as Extended Learning Services; and

WHEREAS, she assumed the position of Acting Program Director twice during her career at Montgomery College and demonstrated a high level of commitment and dedication; and

WHEREAS, Ms. Kamenshine developed, in 1994-95, the Latino Business Support Program and was named Woman of the Year in El Montgomery; and

WHEREAS in 1997, She researched and developed a concept paper for the development of the Collegewide Response Desk; and

WHEREAS, Ms. Kamenshine supported the College Community in a variety of activities including participation on the Germantown 25th Anniversary Planning Committee; and

WHEREAS, she combined leave and an altered schedule to pursue a Juris Doctor at the University of Baltimore, a program in which she is still currently enrolled; and

WHEREAS, she designed, coordinated and implemented Immigrant Professionals Day, a conference to link skilled professionals from other countries with information and people to help facilitate accessing appropriate employment and education consistent with their knowledge and skills; and

WHEREAS, faculty, staff, and students have expressed their appreciation for her diligence and attention to their needs; and

WHEREAS, the President of the College recommends this public recognition of Ms. Kamenshine 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. Lesley Kamenshine 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 this resolution become a part of the minutes of this Board of Trustees meeting and a copy be presented to Ms. Kamenshine.

BKJ:abg

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

Resolution Number: **09-06-055**
Adopted on: **6/15/09**

Agenda Item Number: 6C
June 15, 2009

Subject: Retirement Recognition of Ms. Eleanor Rochelle Ringgold

WHEREAS, Ms. Eleanor Rochelle Ringgold served Montgomery College with dedication and distinction for fifteen years and retired from the College on April 30, 2009; and

WHEREAS, during her College tenure, Ms. Ringgold has provided leadership and support to the College; and

WHEREAS, having started her career at the Germantown Campus as a Switchboard Operator, Ms. Ringgold's commitment to the College was rewarded with a new challenging position at the Takoma Park/Silver Spring Campus as an Office Assistant covering the mailroom; and

WHEREAS, Ms. Ringgold has been praised for her work ethic, initiative, high-quality work standards, and commitment to customer service by the College Community; and

WHEREAS, she has been recognized for her consistent positive can-do attitude and her friendly demeanor; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Ms. Eleanor Rochelle Ringgold 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 this resolution become a part of the minutes of this Board of Trustees meeting and a copy of this resolution be presented to Ms. Eleanor Rochelle Ringgold.

BKJ:abg

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

Resolution Number: **09-06-056**
Adopted on: **6/15/09**

Agenda Item Number: 6D
June 15, 2009

Subject: Retirement Recognition for Mrs. Denise C. Fitzgerald

WHEREAS, Mrs. Denise C. Fitzgerald has served Montgomery College with dedication and distinction for nearly 40 years and is retiring from the College as of June 30, 2009; and

WHEREAS, Mrs. Fitzgerald began her career at the College as a Senior Clerk in the Personnel Office on the Rockville campus; and

WHEREAS, Mrs. Fitzgerald progressed from being a Senior Clerk (1969-1972), to Personnel Assistant – Trainee (1972-1974), to Personnel Assistant I (1974-1981), to Personnel Specialist II (1981-1993), to Personnel Specialist III (1993-1995), to Human Resources Specialist (1995-2001), to her current position of Human Resources Manager, where she has been responsible for the day to day management of the recruitment and selection process for College staff and faculty; and

WHEREAS, Mrs. Fitzgerald received an expression of appreciation from the College President for her efforts in processing an inordinate number of personnel actions required to implement a retroactive salary adjustment that had been authorized by the Board of Trustees in 1977; and

WHEREAS, Mrs. Fitzgerald was instrumental in staffing the Germantown Campus prior to its doors opening in 1978 for which she received an Outstanding Service Award in 1979; and

WHEREAS, Mrs. Fitzgerald served as a member of a committee that conducted a comprehensive classification review in 1981; and

WHEREAS, Mrs. Fitzgerald received a commendation from the College General Counsel for her expedient service and assistance in connection with preparing information for the Office of Federal Contract Compliance program; and

WHEREAS, Mrs. Fitzgerald received a Sustained Service Award for her long recognized and valued contribution in 1992 and 2004; and

WHEREAS, Mrs. Fitzgerald has received numerous accolades for her commitment to serving the College community so effectively; and

WHEREAS, Mrs. Fitzgerald was a conscientious member of the HR/Payroll Implementation Project Team in 1995-1996; and

WHEREAS, Mrs. Fitzgerald was intimately involved in implementation of the College's first online Application Recruitment Information Management System project that improved efficiency and streamlined the employment process; and

WHEREAS, in her role as a human resources professional, Mrs. Fitzgerald has been a member of the College and Universities Professional Association for Human Resources (CUPA-HR) and the International Public Management Association for Human Resources (IPMA-HR); and

WHEREAS, the Office of Human Resources staff will miss her continued support and commitment to the unit; and

WHEREAS, the Deputy Chief Human Resources Officer, the Chief Human Resources Officer, the Senior Vice President for Administrative and Fiscal Services, and the President of the College recommend this public recognition of Mrs. Fitzgerald on the occasion of her retirement; now therefore be it

Resolved, that the members of the Board of Trustees express their sincere appreciation to Mrs. Denise C. Fitzgerald for her valuable contributions to the College and extend to her their best wishes that her retirement years be fulfilling, rewarding and productive; and be it further

Resolved, that this resolution become a part of the minutes of this Board of Trustees minutes and a copy of this resolution be presented to Mrs. Denise C. Fitzgerald.

BKJ:abg

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

Resolution Number: **09-06-057**
Adopted on: **6/15/09**

Agenda Item Number: 6E
June 15, 2009

Subject: Recognition and Bronze Medallion to Trustee Gabriel J. Spiro

WHEREAS, the Governor of the State of Maryland appointed Mr. Gabriel J. Spiro as student member to the Board of Trustees of Montgomery College effective July 1, 2008, for a one-year term and his term of office will end June 30, 2009; and

WHEREAS, during his tenure, Mr. Spiro served the Board of Trustees with distinction and dedication while also challenging himself as a student; and

WHEREAS, Mr. Spiro's perspective as a student of the College, his interest in the concerns of students, and his understanding of the role of the Board as a corporate entity that must exercise sound judgment in the interest of the total College, have contributed significantly to the deliberations and effective decision-making of the Board; and

WHEREAS, he brought to the Board an energy and interest that encouraged the Board as a whole to ensure that the best interests of the College and its students were being served; and

WHEREAS, during his appointment to the Board, Mr. Spiro was an outstanding student leader at Montgomery College and in the community serving as a member of the Student Senate at the Germantown Campus, Debate Club and Computer Club presidents, and served as a volunteer for the Gaithersburg Washington Grove Volunteer Fire Department; and

WHEREAS, Mr. Spiro has been recognized with leadership honors from the College and the community to include the Leadership Ascent Award, Dean's List, and Junior Fire Brigade of the Year for the Gaithersburg Washington Grove Volunteer Fire Department; and

WHEREAS, Mr. Spiro led, with enthusiastic and well-spoken testimony, several student advocacy efforts with State and local government officials, which helped obtain the needed public support for the College; and

WHEREAS, Mr. Spiro has conducted himself in an exemplary manner, and his demeanor, dependability, cooperation, and responsiveness to Board and College issues and events combine to make him a highly valued member of the Board; and

WHEREAS, in recognition of his distinguished service to the Board of Trustees of Montgomery College, the students, and the College community the Board recommends this recognition and tribute to Mr. Gabriel J. Spiro; now therefore be it

Resolved, That the members of the Board of Trustees express their sincere appreciation to Mr. Gabriel J. Spiro for his conscientious and significant contributions to Montgomery College, to its Board of Trustees, to its students, and to the citizens of Montgomery County, and extend their best

wishes to him for continued good health, happiness, and academic success and invite his continued interest in and support of the College in the years ahead; and be it further

Resolved, That in recognition of his dedication, support, and association with Montgomery College and Montgomery County, Mr. Gabriel J. Spiro is awarded the College's Bronze Medallion for distinguished service; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution and the Bronze Medallion be presented to Mr. Gabriel J. Spiro.

BKJ:abg

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

Resolution Number: **09-06-058**
Adopted on: **6/15/09**

Agenda Item Number: 6F
June 15, 2009

**Subject: Award of Silver Medallion and Emeritus Status to
The Honorable Gene W. Counihan**

WHEREAS, the Governor of the State of Maryland appointed The Honorable Gene W. Counihan to the Board of Trustees of Montgomery College on July 1, 1997, for a six-year term; and

WHEREAS, the Governor of the State of Maryland reappointed Mr. Counihan for a second six-year term beginning July 1, 2003, and ending June 30, 2009, bringing to an end an exemplary term in office as a Trustee; and

WHEREAS, Mr. Counihan has served the Montgomery College community with distinction and dedication, consistently demonstrating his belief in and understanding of the guiding principles of governance, scholarship, and good stewardship; and

WHEREAS, during his twelve years on the Board of Trustees, Mr. Counihan was elected as second vice chair for two years and as chair of the Board from 2003 – 2005 and played a major role in many of the Board's advocacy efforts with the State and County; and

WHEREAS, The Honorable Mr. Counihan has demonstrated his outstanding leadership skills in the community as a teacher, administrator, legislator, and community advocate; and

WHEREAS, Mr. Counihan is the consummate volunteer with a core strength for relationship building and connecting people and ideas to mutual benefit; and

WHEREAS, with a strong belief in the importance of education, Mr. Counihan was at the forefront as the co-chair and a strong advocate for the development of the Universities at Shady Grove, a partnership of the University System of Maryland institutions, offering high quality, full-time, daytime upper-division undergraduate education in Montgomery County; and

WHEREAS, Mr. Counihan took the lead in connecting the College to Metro where he advocated for free Ride-On bus services for Montgomery College students and helped to secure regular shuttle services between the College's three campuses and the Universities at Shady Grove; and

WHEREAS, Mr. Counihan brought to the Board, by virtue of his career experiences, his educational background, and his leadership service at the local and State levels, a depth of knowledge and expertise that served the Board well; and

WHEREAS, he has served the College well in deliberations regarding all matters, but especially those related to advocacy, partnerships with Montgomery County Public Schools, and supporting higher education in Montgomery County; and

WHEREAS, Mr. Counihan provided successful testimony before the Montgomery County Delegation of the Maryland General Assembly to include increasing the Board size in 1998, to supporting the reinstatement of the Cade-funding formula in 2004; and

WHEREAS, Mr. Counihan has been at the forefront of education for students at all levels, his tireless advocacy on behalf of the College has helped to enhance and stabilize local public funding for the College, especially during times of limited fiscal resources; and

WHEREAS, Mr. Counihan served as a member of various community organizations, and more specifically, served as chair of the Montgomery County Chamber of Commerce for one year, served as member for nine years and is president emeritus of the Board of Trustees for the Olney Theatre Center for the Arts, and is a current member, since 2001 of the Universities at Shady Grove Board of Advisors where he served as chair; and

WHEREAS, Mr. Counihan has been honored for his outstanding community leadership as Leadership Montgomery's Outstanding Leader in 2005, and was Montgomery County Public Schools' Distinguished Service Pioneer Individual Awardee in 1999; and

WHEREAS, Mr. Counihan has generously supported more than 20 Montgomery College Foundation initiatives to include the Molly Caitlin Counihan endowed scholarship in memory of his daughter, the Molly Caitlin Counihan current use scholarship, the Circle of Trustees Scholarship, Takoma Park Expansion Campaign, Summer Dinner Theatre, and the Timothy O'Shea Memorial Scholarship; and

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

WHEREAS, College procedures allow that all 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, and such status shall be granted by a majority affirmative vote of the current Board of Trustees; and

WHEREAS, College procedures allow for the awarding of a Silver Medallion in recognition of documented truly outstanding service to the College, the academic profession, the County, the State or the nation; and

WHEREAS, the members of the Board of Trustees of the College recommend this tribute on the occasion of The Honorable Gene W. Counihan's retirement from the Board; now therefore be it

Resolved, That the members of the Board of Trustees of Montgomery College express their sincere appreciation to Mr. Gene W. Counihan for his conscientious and significant contributions to Montgomery College, its Board of Trustees, its students, faculty, staff, and alumni, its community, and the citizens of Montgomery County, and that the Board extends to him its best

wishes for his continued good health, happiness, and prosperity, and invites his continued support of the College in the years ahead; and be it further

Resolved, That The Honorable Gene W. Counihan is granted the status of Trustee Emeritus, and that he be accorded such recognition and honors as may be appropriate to persons holding this rank; and be it further

Resolved, That in recognition of his dedicated service and association with Montgomery College and Montgomery County, The Honorable Gene W. Counihan is awarded the Silver Medallion for sustained and exemplary outstanding service; and be it further

Resolved, That this resolution become a part of the minutes of this Board of Trustees meeting, and a copy of this resolution be presented to The Honorable Gene W. Counihan.

BKJ:abg

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

Agenda Item Number: 8A
June 15, 2009

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 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

RESOURCE PERSON(S)

Ms. Lawyer
Ms. Bokor

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

Resolution Number: **09-06-059**
Adopted on: **6/15/09**

Agenda Item Number: 8A
June 15, 2009

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 from and including May 1, 2009, to and including May 31, 2009; 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.

BKJ:abg

Attachments

MONTGOMERY COLLEGE
SUMMARY OF PERSONNEL ACTIONS
From and Including May 1, 2009, to and Including May 31, 2009
STAFF

STAFF EMPLOYMENTS

Effective Date	Name	Position Title	Grade	Location
05/11/2009	Solomon, Clemmie	Dean Of Student Development	P	Student Development TP/SS

STAFF SEPARATIONS

05/14/2009	Boxley, Marlinda A	Instructional Designer	K	Center for Teaching & Learning
05/27/2009	Hoven, Crystal A	Instructional Asst	H	Health Sciences
05/20/2009	Karthigesan, Subramaniam	Building Service Worker	A	Facilities Maintenance TP/SS
05/15/2009	Murray, James T	Learning Ctr Asst Dir	J	Humanities & Social Science
05/02/2009	Newman, Kimberly R	Senior Admin Aide	G	Office of Info Tech
05/27/2009	Roy, Bharti K	Office Assistant	E	Student Development GT

STAFF EMPLOYMENTS: Ethnicity and Gender

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

STAFF SEPARATIONS: Ethnicity and Gender

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

FACULTY

FACULTY EMPLOYMENTS: None

Effective Date	Name	Position Title	Location
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FACULTY SEPARATIONS

05/23/2009	Brodey, Martin H ¹	Professor	Speech/Dance/Theatre RV
05/22/2009	Clark, Maurice L	Professor	Physics/Eng/Geoscience RV
05/22/2009	Dalton, Patricia ¹	Professor	Math RV
05/22/2009	Franklin, Veronica R	Associate Professor	Health/Exercise/PE RV
05/23/2009	Grossman, Debra J	Professor	Health Sciences
05/23/2009	Henry, Benjamin ¹	Professor	Arts/Humanities/SocialSciences
05/22/2009	Higgins, Nancy B ¹	Professor	Business & Econ
05/22/2009	Holbrook, Ronald W	Professor	Applied Technologies RV
05/22/2009	Hollis, Barbara D	Associate Professor	Student Development
05/22/2009	Lee, Sylvia H	Assistant Professor	English/Lit/Prof Writing RV
05/23/2009	Skalsky, Zdanna ¹	Professor	Math RV
05/22/2009	Starr, Nathaniel F ¹	Professor	Sociol/Anthr/Crim Justice RV

FACULTY SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	5	1	0	1	0	7
Male	4	1	0	0	0	5
TOTAL	9	2	0	1	0	12

¹ Retirement

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

Agenda Item Number: 8B1

**REQUEST FOR APPROVAL FOR THE AMERICAN SIGN LANGUAGE ASSOCIATE OF
ARTS (A.A.) DEGREE AND DELETION OF THE AMERICAN SIGN LANGUAGE
ASSOCIATE OF APPLIED SCIENCE (A.A.S.) DEGREE**

BACKGROUND

The Maryland State Plan for Postsecondary Education calls upon institutions “to ensure equal educational opportunity for Maryland’s diverse citizenry” and to cultivate a highly qualified workforce. As there is a scarcity of programs dedicated to the study of American Sign Language (ASL) in Maryland, the ASL Associate of Arts degree will meet that call to ensure equal opportunity and to prepare students to serve an important cultural minority in our state.

After a thorough internal Academic Area Review process, including the expert opinion of an external reviewer, it was determined that the existing ASL A.A.S. degree neither fully addressed students’ needs to transfer to a four-year program nor reflected realistic program outcomes. The development of the A.A. degree, including updated outcomes, reflects the review recommendations and will better serve the majority transfer population at the college.

Following the national standards established by the American Council on the Teaching of Foreign Languages, this program focuses on communication through the study of semantics, syntax, pragmatics, and culture. Further, the degree provides the foundational knowledge, skills, and preparation necessary for students to continue their studies in a four-year degree program in sign language, Deaf studies, Deaf education, interpreter education or social work. In addition, the program would maintain a pathway for MCPS students taking American Sign Language currently who want to continue their studies beyond high school and finally matriculate in a four-year program

With the implementation of this program, there will be minimal additional financial impact on the institution.

RECOMMENDATION

The Board of Trustees is requested to approve the American Sign Language Associate of Arts degree and the deletion of the American Sign Language Associate of Applied Science degree.

BACK-UP INFORMATION

Board Resolution
American Sign Language Associate of Arts Degree Curricula

RESOURCE PERSONS

Professor Sharon Fechter
Professor Mary Owen, Chair
Dean Carolyn Terry

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

Resolution Number: **09-06-060**
Adopted on: **6/15/09**

Agenda Item Number: 8B1
June 15, 2009

Subject: Request for approval for the American Sign Language Associate of Arts (A.A.) Degree and Deletion of the American Sign Language Associate of Applied Science (A.A.S.) Degree

WHEREAS, the Maryland State Plant for Post-Secondary Education calls upon institutions to ensure equal educational opportunity for Maryland's diverse citizenry" and to cultivate a highly qualified workforce; and

WHEREAS, there is a dearth of programs dedicated to the study of American Sign Language in the state of Maryland; and

WHEREAS, Montgomery College as articulated in its mission statement holds itself accountable in meeting economic and workforce development needs; and

WHEREAS, Montgomery College's current American Sign Language Associate of Applied Science degree neither meets the needs of transfer students nor has adequate program outcomes; and

WHEREAS, the American Sign Language Associate of Arts degree does meet the transfer needs of the majority of our student majors and has updated program outcomes; and

WHEREAS, the Associate of Arts articulates well with other institutions; and

WHEREAS, the Executive Vice President for Academic and Student Services and the President of the College recommend the following action; now therefore be it

Resolved, That the members of the Board of Trustees approve the American Sign Language Associate of Arts degree and the deletion of the American Sign Associate of Applied Science degree.

BKJ:abg

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

Agenda Item Number: 8B2

**REQUEST FOR APPROVAL FOR THE COMMUNICATION STUDIES
ASSOCIATE OF ARTS (A.A.) DEGREE**

BACKGROUND

The Maryland State Plan for Postsecondary Education exhorts institutions to fulfill the educational needs of its students including ensuring the transferability of degree programs.

In the area of communication studies, the National Communication Association has identified over 300 colleges where communication was among the five most frequently selected undergraduate majors during recent years. The number of undergraduate and graduate communication degrees conferred on students has been rising steadily.

During the past three years, well over fifty Montgomery College students have transferred to the University of Maryland, College Park's Communication program at the Universities at Shady Grove. The A.A. program in Communication Studies is designed to meet the college's mission of student success, as well as its planning priorities and instructional program emphasis. The degree provides a broad-based liberal arts education focusing on communication knowledge and skills necessary at work and in everyday life. The program facilitates ease of transfer to state institutions, maximizing the amount of transfer credits counting towards a bachelor's degree. In addition, the degree allows counselors to easily advise students interested in the communication major.

A cooperative agreement for the transfer of the A.A. in Communication Studies has been created between Montgomery College and the University of Maryland, College Park. The agreement is ready to be enacted once Montgomery College receives state approval for the A.A. degree.

Only minimal library expenses are requested for the implementation of this program.

RECOMMENDATION

The Board of Trustees is requested to approve the Communication Studies Associate of Arts degree.

BACK-UP INFORMATION

Board Resolution
Communication Studies Associate of Arts Curricula

RESOURCE PERSONS

Professor Rose Piskapas
Dean Deborah Preston

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

Resolution Number: **09-06-061**
Adopted on: **6/15/09**

Agenda Item Number: 8B2
June 15, 2009

**Subject: Request for approval for the Communication Studies Associate of Arts
(A.A.) Degree**

WHEREAS, Montgomery College has articulated a commitment in its mission statement to hold itself accountable in meeting students' transfer needs; and

WHEREAS, during the past three years, over fifty Montgomery College students have transferred to the University of Maryland, College Park's Communication program at the Universities at Shady Grove; and

WHEREAS, the new Communication A.A. degree will facilitate ease of transfer to other institutions maximizing the amount of transfer credits counting towards a bachelor's degree; and

WHEREAS, the degree provides a broad-based liberal arts education focusing on communication knowledge and skills necessary at work and in everyday life; and

WHEREAS, this program will articulate well with other four-year institutions; and

WHEREAS, the Executive Vice President for Academic and Student Services and the President of the College approve the degree and recommend the following action; now therefore be it

Resolved, That the members of the Board of Trustees approve the Communication Studies Associate of Arts degree.

BKJ:abg

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

Agenda Item Number: 8B3

**REQUEST FOR APPROVAL AND STATEWIDE DESIGNATION OF THE EMERGENCY
PREPAREDNESS MANAGEMENT ASSOCIATE OF APPLIED SCIENCE DEGREE (A.A.S.)
AND EMERGENCY PREPAREDNESS MANAGEMENT CERTIFICATE**

BACKGROUND

The Maryland State Plan for Postsecondary Education strongly recommends that higher education fulfill the education needs of the students and the state by providing for “the development of a highly qualified workforce.” Montgomery College echoes that recommendation in its mission statement by encouraging continuous learning for our students and by “holding ourselves accountable for meeting economic and workforce development needs.”

Natural and manmade disasters – earthquakes, hurricanes, wild fires, terrorist threats, communicable diseases, computer crashes, power failures and the like - continue to escalate. Thus, the state needs trained Emergency Preparedness Management professionals to meet the challenges posed by those disasters.

In response to this need, the Emergency Preparedness Management program has been developed in collaboration with the Emergency Management Institute’s Higher Education Program of the Federal Emergency Management Agency (FEMA). A goal of FEMA is to encourage and support the dissemination of hazard, disaster, and emergency management-related information in colleges and universities across the U.S. They also believe that in order to build disaster resistant and resilient communities, a broad range of college students and professionals need courses that introduce them to hazards, risk, vulnerability, disasters, and what to do about them.

The new program covers the various aspects of the profession, provides content knowledge, and improves employment opportunities in the field, as well as prepares students for entry level management responsibilities and increases technical knowledge necessary for diverse public and private leadership situations. Professionals in this field can be employed by a variety of organizations such as, State, Local, Federal and International governments, business and industry, military installations, and health care facilities, or employees of volunteer organizations. They work to minimize the effects of disasters on the public through prevention, public education, planning, and effective response operations. They must be effective problem solvers, decision makers, and communicators. They must work well with all kinds of people in crisis situations.

Montgomery College has worked with the University of Maryland University College to develop this associate’s degree program that articulates into their bachelor’s degree program.

This program will be for first-time Montgomery College students as well as workers returning to College to increase their knowledge and skills for employment in this specialized field.

RECOMMENDATION

The Board of Trustees is requested to approve as well as recommend statewide designation of the Emergency Preparedness Management Associate of Applied Science Degree (A.A.S.) and Emergency Preparedness Management Certificate.

BACK-UP INFORMATION

Board Resolution
Emergency Preparedness Management Program Curriculum

RESOURCE PERSONS

Professor Kathleen Dayton
Dean Angie Pickwick

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

Resolution Number: **09-06-62**
Adopted on: **6/15/09**

Agenda Item Number: 8B3
June 15, 2009

Subject: Request for Approval and Statewide Designation of the Emergency Preparedness Management Associate of Applied Science Degree (A.A.S.) and Emergency Preparedness Management Certificate

WHEREAS, the Maryland Higher Education Committee has strongly recommended that campuses offer ongoing programs that encourage fulfilling the educational needs of students and the needs of the state by cultivating a highly qualified workforce; and

WHEREAS, Montgomery College (MC) is committed to meet the needs of the State, the community, and its students and has articulated a commitment in its mission statement to hold itself accountable in meeting economic and workforce development needs; and

WHEREAS, natural and man-made disasters continue to escalate and the state needs qualified professionals to meet the challenges associated with those disasters; and

WHEREAS, the Emergency Preparedness Management program developed in conjunction with the Federal Emergency Management Agency will train professionals to minimize the effects of disasters through prevention, public education, planning, and effective response operations; and

WHEREAS, the approved program will articulate into University of Maryland University College's bachelor's program; and

WHEREAS, the approval of the request for statewide designation will enable Montgomery College to offer all students an in-County rate and expedite the recruitment process for this program in the state of Maryland; and

WHEREAS, the Executive Vice President for Academic and Student Services and the President of the College recommend the following action; now therefore be it

Resolved, That the members of the Board of Trustees approve the request for approval and statewide designation of the Emergency Preparedness Management Associate of Applied Science Degree and Emergency Preparedness Management Certificate

BKJ:abg

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

Agenda Item Number: 9
June 15, 2009

**AWARD OF CONTRACT, ORGANIZATIONAL ASSESSMENT SERVICES OF THE
OFFICE OF BUSINESS SERVICES UNIT, BID NO. 509-024**

BACKGROUND

The Chief Business Officer has requested a contract award for the purchase of an organizational assessment of the Office of Business Services (OBS). This unit reports to the Senior Vice President for Administrative and Fiscal Services and is responsible for the financial management of the College resources. The unit has five (5) functional areas that support the mission of the College and provides valuable services that promote, preserve and strengthen the financial integrity and stability of the College. These five (5) functional areas include: (a) general and grant accounting, (b) payroll, payables, vendor and student receivables; (c) financial reporting; (d) investment management, and, (e) procurement and receiving. An organizational assessment will be used to evaluate the effectiveness of the department and to ensure communications and measurement activities are aligned with the educational and administrative missions of the College. More importantly, as the College faces the current fiscal challenges, this assessment will determine whether unit organizational structure and reporting modifications could facilitate more effective operations as the College implements longer term strategic cost management programs and financing strategies.

On October 29, 2008, a request for proposal was issued for organizational assessment services. Ten (10) responses including two (2) "no-bids" were received on November 13, 2008. An evaluation committee consisting of the Office of Business Services staff, reviewed, evaluated and ranked all responses based on established criteria. Berry, Dunn, McNeil & Parker, Portland, Maine, was the highest ranked vendor meeting all College requirements. References were checked and affirmed responses were received. Past performance has been satisfactory. The total price for this purchase is a one-time fee of \$39,872.00. Board approval is required for competitive sealed proposals valued above \$25,000.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for organizational assessment services of the Office of Business Services unit to Berry, Dunn, McNeil & Parker, Portland, Maine, for a one-time fee of \$39,872.00.

BACK-UP INFORMATION

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

RESOURCE PERSON(S)

Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-06-063**
Adopted on: **6/15/09**

Agenda Item Number: 9
June 15, 2009

Subject: Award of Contract, Office of Business Services Organizational Assessment Services, Bid No. 509-024

WHEREAS, the Chief Business Officer has requested a contract award for the purchase of organizational assessment services for the Office of Business Services unit; and

WHEREAS, the organizational assessment will be used: (1) to evaluate the effectiveness of the department, (2) to ensure communications and measurement activities are aligned with the educational and administrative missions of the College, and, (3) to determine whether organizational modifications and reporting structure could facilitate more effective operations; and

WHEREAS, the Director of Procurement certifies that specifications were developed by appropriate College staff; and the Chief Business Officer certifies that funds are available in the FY2009 Operating Budget; and

WHEREAS, pursuant to Md. (Educ.) Code Ann. Sec. 16-311(c), a request for proposal was publicly advertised in a County newspaper on October 29, 2008, and posted on the College Procurement, Montgomery County, and State of Maryland websites, downloaded by one hundred fifty seven (157) vendors; mailed to two (2) vendors; and ten (10) responses including two (2) no bids, were received, read aloud, and recorded, beginning at 3:00 p.m. on November 13, 2008; and

WHEREAS, upon evaluation, it was determined that the proposal submitted by Berry, Dunn, McNeil & Parker, Portland, Maine meets all College requirements, and is therefore the highest ranked bidder; and

WHEREAS, awards resulting from competitive sealed proposals 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 a contract award for organizational assessment services for the Office of Business Services unit be awarded to Berry, Dunn, McNeil & Parker, Portland, Maine for a one-time fee of \$39,872.00.

BKJ:abg

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

Agenda Item Number: 10A
June 15, 2009

**SOLE SOURCE AWARD OF CONTRACT
PEDESTRIAN BRIDGE INSPECTION SERVICES
TAKOMA PARK/SILVER SPRING CAMPUS**

BACKGROUND

In July of 2004, phase one of the pedestrian bridge spanning the CSX/WMATA railroad tracks on the Takoma Park/Silver Spring Campus was completed. Phase two coincided with the subsequent construction of the Student Services Center and extended the bridge across realigned Fenton Street directly into the building. The bridge is classified as a complex structure by the County and, under the Federal Highway Administration's National Bridge Inspection Program, is required to undergo periodic inspections to identify bridge condition, maintenance needs, and safety issues. The main portion of the bridge over the tracks is now 5 years old and an engineering inspection of the entire structure at this time is appropriate.

The engineering firm of Greenhorne & O'Mara, Inc. (G&O) served as the structural engineer of record during the planning, design, construction and permitting phases of the project. As such, they have extensive knowledge of the bridge structure and its construction, the coordination required to conduct work above the CSX/WMATA railroad tracks, and the permitting procedures with the County. Due to this prior extensive involvement, the Office of Facilities requested that G&O provide an inspection proposal and cost summary for inspecting the pedestrian bridge. The scope of work and costs were reviewed and deemed reasonable by department staff. Furthermore, the labor hours listed for the inspection process are believed to be lower than what any firm unfamiliar with the structure and the coordination procedures would require.

Sufficient funds are available in Facilities FY2009 Operating Budget for the \$49,098 bridge inspection fee. Board approval is required for sole source procurements valued over \$25,000.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for Takoma Park Silver Spring Campus pedestrian bridge engineering inspection to Greenhorne & O'Mara, Incorporated, on a sole source basis, at a total cost of \$49,098.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Capp
Dr. Wormack

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

Resolution Number: **09-06-064**
Adopted on: **6/15/09**

Agenda Item Number: 10A
June 15, 2009

**Subject: Sole Source Award of Contract for Pedestrian Bridge Inspection Services,
Takoma Park/Silver Spring Campus**

WHEREAS, the pedestrian bridge located on the Takoma Park Silver Spring Campus and spanning the CSX/WMATA tracks is required by the Federal Highway Administration to undergo periodic inspection as outlined in the National Bridge Inspection Program; and

WHEREAS, the bridge is due for inspection at this time per the above-mentioned Federal agency's requirements; and

WHEREAS, the engineering firm of Greenhorne & O'Mara, Inc. was the structural engineer of record for the construction of the bridge and as such possesses a unique knowledge of the structure and the various permitting processes involved in conducting work above the CSX/WMATA railroad tracks running under the bridge; and

WHEREAS, at the College's request, Greenhorne & O'Mara has submitted a fee proposal for the required engineering inspection; and

WHEREAS, College staff have reviewed the proposal and have undertaken negotiations with Greenhorne & O'Mara with regard to the fees for the work; and

WHEREAS, Greenhorne & O'Mara has an existing knowledge of the bridge structure that minimizes labor hours required for the inspection process; and

WHEREAS, the Chief Business Officer certifies that sufficient funds are available in the FY2009 Facilities operating budget for this purpose; and

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

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

Resolved, That a contract be awarded for Takoma Park/Silver Spring Campus pedestrian bridge engineering inspection, on a sole source basis, to the engineering firm of Greenhorne & O'Mara, Inc., for a total price of \$49,098.

BKJ:abg

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

Agenda Item Number: 10B
June 15, 2009

**SOLE SOURCE AWARD OF CONTRACT
COMPUTERIZED MAINTENANCE MANAGEMENT SYSTEM UPGRADE**

BACKGROUND

In April 2003, the Board of Trustees awarded a 5-year contract to Datastream of Greenville, South Carolina for the purchase, licensing, installation, implementation, maintenance, training, hosting, and related services for a computerized maintenance management system for the Office of Facilities. The award included an option for renewal for an additional 5-year period under the same terms and conditions. The initial cost of the system in 2003 was \$224,476 with current annual costs for hosting, maintenance and training about \$70,000 per year. The system provides for work order and preventive maintenance management tools for the Facilities unit. During the first 5-year term, the company was bought out and is now called INFOR Global Solutions (Michigan) Inc.

The INFOR software system is now being upgraded to a new version. The upgrade, from version 7.10 to 8.3, is a significant one which will greatly enhance system capabilities and make the system much more user friendly. This enhancement will require a reconfiguration of the existing database and additional user training. The cost for three weeks of database reconfiguration and training is \$28,340. Additionally, once the new version is in place and running, it is anticipated that an additional four days of intensive computer technical support will be required at a cost not-to-exceed \$12,000. Thus, the total not-to-exceed cost of this upgrade, database reconfiguration, and training is \$40,340. The scope of work and costs were reviewed and deemed reasonable by Facilities and IT staff. Sufficient funds are available in Facilities FY2009 Operating Budget for this purpose. Board approval is required for sole source procurements valued over \$25,000.

RECOMMENDATION

It is recommended that the Board of Trustees award a contract for an amount not to exceed \$40,340 to INFOR Global Solutions (Michigan) Inc., on a sole source basis, for database reconfiguration, training, and technical support to support the upgrade of the Facilities Office INFOR maintenance management system.

BACK-UP INFORMATION

Board Resolution
Resolution #03-26, dated 4-21-03 (Board members only)

RESOURCE PERSONS

Mr. Capp
Dr. Wormack

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

Resolution Number: **09-06-065**
Adopted on: **6/15/09**

Agenda Item Number: 10B
June 15, 2009

Subject: Sole Source Award of Contract for Computerized Maintenance Management System Upgrade

WHEREAS, on April 21, 2003, by Resolution #03-26, the Board awarded a 5-year contract for \$462,460 to Datastream of Greenville, South Carolina [now owned by INFOR Global Solutions (Michigan) Inc.] for a computerized maintenance management system (CMMS) for the College's Facilities Department, which contract has subsequently been extended for an additional 5 years according to the terms and conditions of the initial award; and

WHEREAS, the INFOR software system is being upgraded to a new version which will provide substantially better capability for the Facilities Department in managing work and will improve customer service and this upgrade requires a reconfiguration of the Facilities maintenance database and training of key Facilities staff members; and

WHEREAS, the Associate Vice President for College Facilities has requested a sole source contract award for this database reconfiguration, additional training and technical support for the INFOR CMMS which is over and above the terms and conditions of the original award; and

WHEREAS, at the College's request, INFOR has submitted a fee proposal for the required data base reconfiguration, training and technical support; and

WHEREAS, College staff have reviewed the proposal and have undertaken negotiations with INFOR with regard to the fees for the work; and

WHEREAS, INFOR had provided a set price for data base reconfiguration and training of \$28,340 and a not-to-exceed amount of \$12,000 for four days of technical support; and

WHEREAS, the Chief Business Officer certifies that sufficient funds are available in the FY2009 Facilities Operating Budget for this purpose; and

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

WHEREAS, sole source procurement contracts valued above \$25,000 require Board approval; and

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

Resolved, That a contract be awarded, on a sole source basis, to INFOR Global Solutions (Michigan) Inc., for a total price not to exceed \$40,340 for database reconfiguration, training,

and technical support to support the upgrade of the Facilities Office INFOR maintenance management system.

BKJ:abg

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

Agenda Item Number: 11A
June 15, 2009

**AMENDMENT TO AWARD OF CONTRACT,
DOCUMENT IMAGING SYSTEM ADDITIONAL SERVICES**

BACKGROUND

At its September 18, 2000 meeting, the Board of Trustees approved a contract award for the purchase of a document imaging system for financial aid operations and the ongoing support to Perceptive Software (formerly Perceptive Vision, Inc.) (Resolution No. 00-133). The resolution also authorized the purchase of additional software and hardware for implementing document imaging for other College departments. Subsequently, in September 2008, the Board of Trustees approved a contract award for modification of the licensing of the software for \$125,000 (Resolution No. 08-09-100). With the approval and support of the Executive Technology Steering Committee, the College has now standardized its document imaging system solution and adopted Perceptive Vision's product known as ImageNow document imaging system as a Collegewide solution for compatibility and training purposes.

As units are identified for implementation separate task orders are negotiated with the contractor. At this time several instructional units (Admissions and Enrollment Management and Counseling and Disability Support Services) and administrative areas (the Offices of Workforce Development and Continuing Education, Human Resources, and Business Services) have determined that document imaging is a necessary and prudent action in this environment. Document imaging will contribute to the use of a common database of documents, maximize efficient retrieval of documents, enhance the workflow process, and address storage and security for student, personnel and financial documents. The total not to exceed amount is \$650,000. Additional implementation services and licensing for other College units will be submitted separately as additional requirements are identified. Funding for this project is available in the FY2009 Capital Budget. Board approval is required for modifications to awards valued above \$50,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees approve amending the contract award for the purchase of additional document imaging system services including hardware, software and training to Perceptive Software, Inc., Shawnee, Kansas, for a total not to exceed amount of \$650,000, beginning June 2009. It is further recommended that the contract for maintenance be renewed for five one-year terms under the same terms and conditions, provided performance is satisfactory, funding is available, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Helberg
Ms. Lawyer
Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-06-066**
Adopted on: **6/15/09**

Agenda Item Number: 11A
June 15, 2009

Subject: Amendment to the Award of Contract, Document Imaging Software and Services

WHEREAS, the Board of Trustees approved a contract award for the purchase of the document imaging system solution, Resolution No. 00-133, at its September 2000 meeting; and

WHEREAS, the resolution also authorized the purchase of additional software and services for implementing document imaging in other College departments; and

WHEREAS, with the approval and support of the Executive Technology Steering Committee, the College has now standardized its document imaging system solution and adopted Perceptive Vision's product known as ImageNow as a Collegewide solution for compatibility and training purposes; and

WHEREAS, Instructional units (Admissions and Enrollment Management and Counseling and Disability Support Services and administrative units (Offices of Workforce Development and Continuing Education, Human Resources, and Business Services) have determined that document imaging can enhance operations through the use of a common database of documents, maximize efficient retrieval of documents, enhance the workflow process, and address storage and security for student, personnel and financial documents; and

WHEREAS, the Director of Procurement affirms that amending the contract award is justified since the original board authorization allows for the purchase of additional services and the College has adopted this solution as the standard for the college's document imaging needs; and the Chief Business Officer certifies that funds are available in the FY2009 Capital Budget; and

WHEREAS, modifications to contracts valued above \$50,000 require Board approval; and

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

Resolved, That the contract be amended for the purchase of additional document imaging system services including hardware, software, and training to Perceptive Software, Inc., Shawnee, Kansas, beginning June 2009, for a total not-to-exceed amount of \$650,000, and be it further

Resolved, That the contract for maintenance be renewed for five one-year terms under the same terms and conditions providing performance is satisfactory, funds are available, and it is in the best interest of the College.

BKJ:abg

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

Agenda Item Number: 11B
June 15, 2009

**AMENDMENT TO SOLE SOURCE AWARD OF CONTRACT,
COMMERCE MANAGEMENT SYSTEM, PIN-LESS DEBIT APPLICATION**

BACKGROUND

On June 19, 2006, the Board of Trustees approved a contract award for the purchase of an integrated software solution for commerce management of campus billing and payment processing to TouchNet Information Systems, Inc., (Resolution No. 06-06-055), on a sole source basis. Subsequently, in January 2008, the Board of Trustees approved an amendment of the contract to include hosting services in order to ensure compliance with security requirements of the Visa Cardholder Information Security Program (Resolution No. 08-01-10). No other vendor could meet College requirements and no other vendor provides this product due to its proprietary nature.

The Chief Business Officer has requested an amendment to the contract for the purchase of additional commerce management applications. Transactions using debit cards has increased and now outnumber credit card transactions. A pin-less debit payment application is recommended as a low cost payment alternative plan. Pin-less debit is a payment method that allows checking account debit cards to be processed through the same ATM/PIN debit network as pin authorized debit and credit card transactions. It offers the lowest processing cost of the card based payment methods available, authenticates the payment using the student ID and login credentials for more secured transactions over the internet, and works in concert with the current commerce management system to route transactions through the appropriate debit or credit card network. Based on analysis, the potential annual savings ranges from \$60,000 to \$100,000 using the pin-less debit payment process. The TouchNet Payment Gateway Pin-less Debit application meets College requirements and no other vendor can provide this product due to its proprietary nature. The total five-year price for the license fee and implementation and training is \$118,000. Funding is available from the FY2009 Capital Budget. Board of Trustees approval is required for all contract modifications that exceed \$50,000.

RECOMMENDATIONS

It is recommended that the Board of Trustees amend the sole source contract award for the purchase of the payment gateway pin-less debit system to TouchNet Information Systems, Inc, Lenexa, Kansas, beginning in June 2009, for a total five-year amount of \$118,000. It is recommended that the contract be renewed for four one-year terms under the same terms and conditions, provided funds are available, performance is satisfactory, and it is in the best interest of the College.

BACK-UP INFORMATION

Board Resolutions

RESOURCE PERSONS

Mr. Sheeran
Dr. Wormack

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

Resolution Number: **09-06-067**
Adopted on: **6/15/09**

Agenda Item Number 11B
June 15, 2009

**Subject: Amendment to Sole Source Award of Contract, Commerce Management
Pin-Less Debit Payment Program**

WHEREAS, on June 19, 2006, the Board of Trustees approved a contract award for commerce management of the College's billing and payment processing program, on a sole source basis, (Resolution no. 06-06-055) and subsequently approved amending the contract award for TouchNet's Commerce Management System services to include hosting services (Resolution No.08-01-10); and

WHEREAS, the Chief Business Officer has requested amendment to the sole source contract for the purchase of a pin-less debit payment application to the current commerce management applications; and

WHEREAS, Pin-less debit is a payment method that allows checking account debit cards to be processed through the same ATM/PIN debit network as pin authorized debit and credit card transactions; offers the lowest processing cost of the card based payment methods available, authenticates the payment using the student ID and login credentials for more secured transactions over the internet, and works in concert with the current commerce management system; and

WHEREAS, the Director of Procurement affirms that the amendment for the additional services is justified since no other vendor can meet College requirements and the system is proprietary; and the Chief Business Officer certifies that funds are available in the FY2009 Capital Budget; and

WHEREAS, Board of Trustees approval is required for all contract modifications that exceed \$50,000; and

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

Resolved, That the Board of Trustees approve the amendment of the sole source contract award for the purchase of pin-less debit payment application to the current commerce management system to TouchNet of Lenexa, Kansas, beginning June 2009, for a total five-year price of \$118,000, and be it further

Resolved, That the contract be renewed for four additional one-year terms under the same terms and conditions, provided funds are available, services is satisfactory, and it is in the best interest of the College.

BKJ:abg

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

Agenda Item Number: 12A
June 15, 2009

**ACCEPTANCE OF ADDITIONAL CREDIT CARD SERVICE PROVIDER FOR PAYMENT
OF TUITION, FEES AND OTHER AUXILIARY ENTERPRISES**

BACKGROUND

The Chief Business Officer has requested approval to accept additional credit card services for the payment of tuition, fees and other Auxiliary Enterprises to the College. Currently the College accepts electronic payments through the VISA, Mastercard, and Discover Financial Card programs for the payment of tuition, fees, bookstore products and services as well as other auxiliary enterprises such as the Performing Arts Center. These payment networks facilitate global commerce and are widely accepted by many businesses and educational institutions. The College desires to expand acceptance of payment through an additional service provider to provide more flexible payment options for students as well as community patrons.

Among the Maryland community colleges Anne Arundel Community College and Howard Community College accept American Express for payment of tuition, fees and other ancillary services on their campuses. The rate, terms and conditions of the contract comply with legal requirements. The annual estimated increase in cost for credit card services is \$14,000. However, the actual cost will depend on the service usage and any additional authorized services. All costs associated with these services will be treated as reduction in revenue. Board of Trustees approval is required to accept credit card service providers.

RECOMMENDATIONS

It is recommended that the Board of Trustees approve acceptance of an additional credit services provider, American Express Corporation, Fort Lauderdale, Florida, for payment of tuition, fees and Auxiliary Enterprises for an annual estimated increase in cost to the College for \$14,000. All costs associated with these services will be treated as reduction in revenue.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Sheeran

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

Resolution Number: **09-06-068**
Adopted on: **6/15/09**

Agenda Item Number; 12A
June 15, 2009

**Subject: Acceptance of Additional Credit Card Service Provider
for Payment of Tuition, Fees and Other Auxiliary Enterprises**

WHEREAS, the Chief Business Officer has requested approval to accept additional credit card service providers for the payment of tuition, fees and other auxiliary enterprises; and

WHEREAS, currently the college accepts several electronic payment network programs including VISA, Mastercard, and Discover Financial Card for the payment of tuition, fees, and other Auxiliary Enterprises; and

WHEREAS, the College desires to expand accepted electronic payment programs adding the American Express credit card payment program as a form of payment for tuition, fees, and other auxiliary enterprises; and

WHEREAS, American Express is a widely accepted payment program; the program would expand payment options for our students and community patrons; and the rates, terms and conditions meet College and legal requirements; and

WHEREAS, the annual estimated increase in cost to the college for acceptance of the American Express electronic payment program is \$14,000; and the Chief Business Officer certifies that fees for the associated services are treated as a reduction in revenue, and that funds are available in the FY2009 Operating Budget for this purpose; and

WHEREAS, Board approval is required for acceptance of credit card service providers; and

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

Resolved, That the College accepts an additional electronic payment for payment for tuition, fees and other auxiliary enterprises from American Express Corporation, Fort Lauderdale, Florida, for an annual estimated increase in cost of \$14,000.

BKJ:abg

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

Agenda Item Number: 12B
June 15, 2009

**APPROVAL OF
MONTGOMERY COLLEGE DIVERSITY PLAN**

BACKGROUND

In 2008, Maryland House Bill 905 and Senate Bill 438 Education Article, Annotated code of Maryland, §11-406 (b) (1) (iii) were passed. With the passing of these two Bills, legislation requires each private and public institution of higher education in the State of Maryland to develop and implement a plan for a program of cultural diversity. Accordingly, each “cultural diversity plan must include an implementation strategy and time line for meeting the goals;” and the plan must also include following “required elements”:

- a description of the way the institution addresses cultural diversity among its students, faculty and staff populations;
- a description of how the institution plans to enhance cultural diversity, if improvement is needed;
- a process for reporting campus-based hate crimes;
- a summary of resources needed to effectively recruit and retain a culturally diverse student body; and
- the enhancement of cultural diversity programming and sensitivity to cultural diversity through instruction and training of the student body, faculty, and staff of the institution.

The aforementioned legislation includes a proviso that,

Each year by May 1, each public institution must submit its plan to its governing board for its review. Thereafter, the governing board must submit a progress report on the institution’s implementation of the plan to the Maryland Higher Education Commission (MHEC) by August 1. The Maryland Higher Education Commission must review the progress report and monitor compliance with the diversity goals of the State Plan for Higher Education; and MHEC must report to the General Assembly on the extent to which the institutions are in compliance with the diversity goals of the State Plan for Higher Education.

Pursuant to the requirements of this legislation, Montgomery College has developed a multi-year diversity plan to be implemented over a period of three years—Academic Years 2010 through 2012. Ensuring and sustaining institutional diversity and inclusive excellence among our faculty, staff and students were the guiding tenets for developing the College diversity plan. The Plan identifies action-oriented diversity goals and objectives in five key areas—(a) Policies,

Procedures and Practices; (b) College Climate; (c) Outreach and Recruitment; (d) Supporting Student Success; and (e) Professional Development. The goals and objectives demonstrate Montgomery College's good faith, commitment and intention to remove barriers for expanding and sustaining diversity and producing measurable results. Because of the importance of implementing this Plan and producing measurable results, the Board of Trustees will be provided data and information in the Trustee Information Program reports, where appropriate, throughout the upcoming academic year.

RECOMMENDATION

The Board of Trustees is requested to review and approve the Montgomery College Multi-year Diversity Plan and request the President to forward it to the Maryland Higher Education Commission. This review and approval includes the multi-year goals, objectives and accountability outcomes that have been established in the required five key areas.

BACK-UP INFORMATION

Board Resolution
Montgomery College Multi-year Diversity Plan (Trustees only)

RESOURCE PERSONS

Mr. Marshall Moore
Dr. Mary Kay Shartle-Galotto
Mr. Bruce Berman
Dr. Michelle T. Scott

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

Resolution Number: **09-06-069**
Adopted on: **6/15/09**

Agenda Item Number: 12B
June 15, 2009

Subject: Montgomery College Multi-year Diversity Plan, 2009

WHEREAS, 2008 Maryland legislation requires the State's public and private colleges and universities to develop and implement a cultural diversity plan with evidence of measurable outcomes; and

WHEREAS, pursuant to Maryland legislation, Montgomery College has developed a multi-year diversity plan that identifies the College's mission statement; provides insight into the way the College addresses diversity among its students, faculty and staff; presents the process for reporting campus-based hate crimes; highlights some of the College's current diversity related programs and activities, including those that focus on diversity education and professional development for faculty, staff and students; and proposes strategies on how the College will enhance and sustain diversity, with measurable outcomes; and

WHEREAS, the Plan has action-oriented diversity goals and objectives in five key areas—(a) Policies, Procedures and Practices; (b) College Climate; (c) Outreach and Recruitment; (d) Supporting Student Success; and (e) Professional Development; and

WHEREAS, the Plan demonstrates the College's good faith commitment and efforts for removing barriers to expand and sustain diversity and producing measurable results, in compliance with mandates as outlined by the State; and

WHEREAS, the Office of Equity and Diversity has coordinated contributions from a number of administrative offices, individual campuses, and Workforce Development and Continuing Education in the development of the Plan; and

WHEREAS, the President recommends that the following be taken; now therefore be it

Resolved, that the attached Montgomery College Multi-year Diversity Plan and its goals, objectives and measurable outcomes be approved, the Plan be implemented effective July 1, 2009, and that the Plan be sent to the Maryland Higher Education Commission by August 1, 2009.

BKJ:mts

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

Agenda Item Number: 12C
June 15, 2009

**FORMAL ACCEPTANCE OF THE PERFORMING ARTS CENTER
TAKOMA PARK/SILVER SPRING CAMPUS**

BACKGROUND

College Policy requires that following substantial completion of construction and/or beneficial occupancy, the Board of Trustees is to formally accept, by resolution, all new buildings and major building renovations. The Performing Arts Center at the Takoma Park/Silver Spring Campus is a major construction project and the College took beneficial occupancy of the building in May 2009. The building will open at the end of August for Fall 2009 classes. Final payment will be made to the contractors only when all of the contract requirements have been met.

RECOMMENDATION

It is recommended that the Board of Trustees formally accept the Performing Arts Center at the Takoma Park/Silver Spring Campus.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Capp
Mr. Sorrell

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

Resolution Number: **09-06-070**
Adopted on: **6/15/09**

Agenda Item Number: 12C
June 15, 2009

**Subject: Formal Acceptance of the Performing Arts Center on the
Takoma Park/Silver Spring Campus**

WHEREAS, on January 16, 2007, by Board Resolution #07-01-009, the Board of Trustees awarded a total of 26 separate construction contracts for \$24,427,747 to various trades contractors for the construction of the Cultural Arts Center (now called the Performing Arts Center) on the Takoma Park/Silver Spring Campus; and

WHEREAS, appropriate College staff and project consultants have inspected this construction project and the College has taken beneficial occupancy of the building; and

WHEREAS, College Policy requires that following substantial completion of construction and/or beneficial occupancy, the Board of Trustees is to formally accept, by resolution, all new buildings and major building renovations; and

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

Resolved, That the Board of Trustees formally accepts the Performing Arts Center on the Takoma Park/Silver Spring Campus as being substantially complete; and be it further

Resolved, That acceptance of the Performing Arts Center shall not operate as a waiver of any portion, terms or conditions of the contracts or any contract documents, or of any rights reserved to the College, including any right to recover damages.

BKJ:abg

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

Agenda Item Number: 13A
June 15, 2009

FINAL ADOPTION OF THE FY2010 COLLEGE CAPITAL BUDGET

BACKGROUND

On May 21, 2009, the County Council approved the College's FY2010 Capital Budget by appropriating \$92,263,000 to fund 16 projects. The Council's approved budget (Council Resolution No. 16-963) is made up of the following:

<u>Project</u>	<u>FY10 Request</u>	<u>Council Final Action</u>
ADA Compliance – College	\$ 50,000	\$ 50,000
Capital Renewal	7,376,000	7,376,000
Elevator Modernization – College	580,000	580,000
Energy Conservation – College	125,000	125,000
Facility Planning – College	300,000	270,000
Instructional Furniture & Equipment – College	300,000	270,000
Germantown Bioscience Education Center	73,052,000	64,326,000
IT Information Technology	8,500,000	5,900,000
IT Student Learning Support Systems	800,000	720,000
IT Network Operating Center	1,000,000	900,000
IT Network Infrastructure & Support Systems	1,000,000	900,000
Outdoor Athletic Facilities	100,000	100,000
Planned Life-Cycle Asset Replacement–College	4,000,000	4,000,000
Planning, Design & Construction	1,477,000	1,343,000
Site Improvements	600,000	600,000
TP/SS Health Sciences Expansion	5,139,000	4,803,000
TOTAL	<u>\$104,399,000</u>	<u>\$92,263,000</u>

The FY2010 Capital Budget provides full funding for the construction of the Germantown Bioscience Education Center. The funding for this building is split equally between the State and the County. The difference between the College's FY2010 request and the final Council approved amount for this project is due to a new construction cost estimate. The Rockville Science West Renovation FY2010 design is also funded by the State. The remaining projects shown above are funded 100% by the County.

Citing fiscal reasons, the County decreased a number of the College's FY2010 funding requests, namely: Facility Planning – College (\$30,000 decrease); Instructional Furniture and

Equipment (\$30,000 decrease); IT Student Learning Support Systems (\$80,000 decrease); IT Network Infrastructure & Support Systems (\$100,000 decrease); Network Operating Center (\$100,000 decrease); Planning, Design, and Construction (\$134,000 decrease), and the TP/SS Health Sciences Expansion (\$336,000 decrease). The County also deferred a portion of the funding for the Information Technology Project in the amount of \$2.6 million. The adjusted FY2010 appropriation for this project is \$5.9 million.

The approved FY2010 Capital Budget also provides funding for many on-going level-of-effort projects, such as Site Improvements, PLAR, and Elevator Modernization.

RECOMMENDATION

The Board is asked to adopt the FY2010 Capital Budget as appropriated by the Montgomery County Council and authorize the President to implement the approved budget. The attached resolution provides for the formal action taken each year following the Council's appropriation of the College's Capital Budget.

BACK-UP INFORMATION

Board Resolution
Other Approved Projects

RESOURCE PERSON

Mr. Capp

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

Resolution Number: **09-06-071**
Adopted on: **6/15/09**

Agenda Item Number: 13A
June 15, 2009

Subject: Final Adoption of the FY2010 College Capital Budget

WHEREAS, on November 19, 2008, by Board Resolution #08-11-133, the Board of Trustees adopted amendments to the FY2009-2010 Biennial College Capital Budget; and

WHEREAS, on May 21, 2009, by Council Resolution #16-963 the Montgomery County Council approved the College's FY2009-2014 Capital Improvements Program and approved the FY2010 Capital Budget with new appropriations totaling \$92,263,000 to fund 16 projects; and

WHEREAS, the President recommends the following action; now therefore be it

Resolved, That the Board of Trustees adopts the FY2010 College Capital Budget, and authorizes the President to implement the budget as amended, approved, and appropriated by the Montgomery County Council for the College, pursuant to Council Resolution #16-963.

BKJ:abg

MONTGOMERY COLLEGE
FY2010 Capital Budget
Other Approved Projects (No Funds Requested in FY2010)

Projects with prior-year appropriations (Approved as submitted):

Germantown Goldenrod Building Renovation
Germantown Childcare Center
Germantown Observation Drive Reconstruction
Germantown Science and Technology Park Infrastructure
Rockville Computer Science Alterations
Rockville Macklin Tower Alterations
Rockville Parking Lot and Tennis Court Relocation
Rockville Science Center
Rockville Science East Renovation
Rockville Science West Renovation
Roof Replacement
TP/SS Campus Expansion
TP/SS Commons Renovation
TP/SS West Campus Parking Garage (Garage #2)

Outyear projects with no previous appropriation (FY2009-2014):

Germantown Student Resource Center
Rockville Library Resource Center
Rockville Physical Plant Building
Rockville Student Services Center
TP/SS Math & Science Center

Deleted outyear projects (FY2009-2014):

None

Projects pending close out:

Life Safety Systems

Projects closed out as of July 1, 2009:

Storm Water Management: College (Future funding merged with Site Improvements Project)
TP/SS Cafritz Foundation Arts Center (Formerly identified in budget as King Street Art Center)
TP/SS Central Plant

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

Agenda Item Number: 13B
June 15, 2009

FINAL ADOPTION OF THE FY2010 CURRENT FUND AND SPECIAL FUNDS BUDGETS

BACKGROUND

On February 17, 2009, the Board of Trustees adopted a budget in the amount of \$217,999,063 for the Current Fund and \$16,136,583 for the Workforce Development and Continuing Education Fund and \$6,189,822 for the Auxiliary Enterprises Fund. It is necessary to readopt the budget since the County Council's final appropriation for the current fund is 216,799,063.

The FY2010 final Operating Budget represents a 2.5% increase from the prior year and an increase in County funding of \$1.6 million. State Aid increased \$956,265 in the Current fund and decreased \$1,454,837 in WD & CE. The net effect is that total state aid is \$498,572 less than the FY2009 final budget. The Board of Trustees also passed a \$3/\$6/\$9 per credit hour tuition increase to fund the budget. The Other Funds (Emergency Plant Maintenance & Repair Fund, Cable TV, Student Activities and Athletics, and Grants) do not need to be readopted because Board Resolution #09-02-15 did not specify amounts.

This budget is still able to fund minimal salary improvement, benefit cost increases, BOT grants, utilities and the costs of opening new buildings/facilities. As with all the County agencies, the College is not paying COLAs in FY2010 for a cost savings of \$7 million. This budget includes a reduction in the base budget of approximately \$1.2 million, including the elimination of 10 positions. The County Executive also eliminated funding for all postretirement health benefits (OPEB) in the amount of \$1.2 million.

There is a provision in this resolution to reappropriate encumbered FY2009 balances in FY2010. This action will allow funding for items encumbered in the current fiscal year to automatically be reappropriated in the next fiscal year.

RECOMMENDATION

Members of the Board are asked to readopt the FY2010 Current Fund and Special Funds Budgets as presented, and authorize the President to implement the budgets which are subject to final County Council funding actions in June, 2009.

BACK-UP INFORMATION

Board Resolution

RESOURCE PERSONS

Mr. Moore
Ms. Dimon

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

Resolution Number: **09-06-072**
Adopted on: **6/15/09**

Agenda Item Number: 13B
June 15, 2009

Subject: Final Adoption of the FY2010 Current Fund and Special Funds Budgets

WHEREAS, the Board of Trustees originally adopted the College's Fiscal Year 2010 Operating Budget on February 17, 2009, by Board Resolution #09-02-15; and

WHEREAS, the Montgomery County Council considered the budget in work sessions during April and May, 2009 and approved \$216,799,063 for the Current Fund, and \$22,326,405 for the Enterprise Funds; and

WHEREAS, the County Executive and County Council recognized the valuable contribution that Montgomery College makes to the community and increased County funding by \$1.6 million for the Current Fund; and

WHEREAS, the Council has approved the College's Fiscal Year 2010 Operating Budget for State-mandated functions and appropriated a Current Fund expenditure authority of \$216,799,063; and

WHEREAS, by the same resolution, the Council appropriated the expenditure authority for the Special Funds as follows: Workforce Development and Continuing Education Fund, \$16,136,583, and Auxiliary Enterprises Funds, \$6,189,822; and

WHEREAS, the College seeking to be consistent with other County agencies and colleges in Maryland requests the authority for encumbered expenditures to carry into the next fiscal year; and

WHEREAS, the foregoing expenditure appropriation has been applied to functional expense categories to reflect Council actions; now therefore be it

Resolved, That the Board of Trustees hereby readopts the FY2010 College Current Fund Operating Budget in the amount of \$216,799,063, Workforce Development and Continuing Education Fund in the amount of \$16,136,583; and the Auxiliary Enterprises Fund in the amount of \$6,189,822; and be it further

Resolved, That the Board of Trustees authorizes reappropriation and expenditures of encumbered FY2009 appropriations for all funds, permitting the funds to be spent in FY2010 (unencumbered appropriations lapse at the end of FY2009); and be it further

Resolved, That the functional totals for the Fiscal Year 2010 Operating Budget will be in the amounts listed below:

	<u>CURRENT FUND</u>	<u>SPECIAL FUNDS</u>
10 Instruction	\$ 81,114,905	\$ 16,040,583
40 Academic Support	30,678,786	-0-
50 Student Services	26,832,618	-0-
60 Operations & Maint. Of Plant	32,266,365	-0-
70 Institutional Support	42,753,629	-0-
80 Scholarships & Fellowships	3,152,760	96,000
Auxiliary Expenditures	<u>-0-</u>	<u>6,189,822</u>
TOTAL	\$216,799,063	\$22,326,405

and be it further

Resolved, That the estimated budgeted source of funds projected by the Board of Trustees to fund the College's Operating Budget during FY2010 are in the amounts listed below, subject to final County Council funding actions in June, 2009.

	<u>CURRENT FUND</u>	<u>SPECIAL FUNDS</u>
County Contribution	\$ 106,457,775	\$ -0-
State Aid	32,501,008	6,094,180
Tuition & Fees	71,126,459	7,175,000
Miscellaneous	1,603,000	1,946,871
Fund Balance	5,560,821	2,599,296
Income from Sales & Service	-0-	4,519,058
Net Transfers	<u>(450,000)</u>	<u>(8,000)</u>
TOTAL	\$ 216,799,063	\$22,326,405

BKJ:abg

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

Agenda Item Number 14
June 15, 2009

PETITIONS FOR STATE FUNDING

BACKGROUND

On May 21, 2009, the Montgomery County Council appropriated the College's FY2010 Capital Budget including funds for two (2) State-assisted projects: the Germantown Bioscience Education Center project, and the Rockville Science West Building Renovation project. The County Executive and the County Council have been informed that the College will petition the State for final approval of each project's funding.

The State and County funding levels for the project are outlined below. The FY2010 appropriation for the Germantown Bioscience Education Center project for construction is \$64,326,000 (\$32,163,000 County and \$32,163,000 State Aid). The total appropriation for the Rockville Science West Building Renovation project for design is \$3,062,000. The County approved the full amount in FY 2009 because no State funds were available at that time. In FY2010, the State was able to approve \$1,015,000 for this project and the County revised its share as follows: (\$2,047,000 County and \$1,015,000 State Aid).

The attached resolution and County Council petition are in the format prescribed by the State and County. In addition, the petition outlines the contingent nature of the Council's approval which requires State approval of the College's projects as part of the FY2010 bond bill. With the Board's adoption of this resolution, the request is forwarded to the County Council for action on the State grant petition.

RECOMMENDATION

It is recommended that the Board of Trustees formally request the County Council to petition the State for the following grants: \$32,163,000 for construction of the Germantown Bioscience Education Center project; \$1,015,000 for design of the Rockville Science West Building Renovation project.

BACK-UP INFORMATION

Board Resolution
County Council Resolutions
Project Description Forms

RESOURCE PERSON

Mr. Capp

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

Resolution Number: **09-06-073**
Adopted on: **6/15/09**

Agenda Item Number 14
June 15, 2009

Subject: Proposal to Construct a Public Junior/Community College or Additions Thereto, Germantown Bioscience Education Center Project Construction

WHEREAS, the General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the various counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts; and

WHEREAS, the Board of Trustees of Montgomery Community College proposes undertaking certain the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College and has determined that the sum of \$32,163,000 in State financial assistance available under the loan acts is needed for this purpose; now therefore be it

Resolved, That the Board of Trustees of Montgomery Community College requests that the Montgomery County Council approve the proposal to undertake the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College as set forth in the application for financial assistance; file, as required by the loan acts and contingent on enactment of the FY2010 State of Maryland Capital Budget by the 2009 Session of the General Assembly and its approval by the Governor, the necessary petition with Maryland Higher Education Commission for a State grant in the amount of \$32,163,000, and make available the necessary local funds for completion of the project.

A True Copy.

ATTEST:

_____, Secretary-Treasurer
Board of Trustees of
Montgomery Community College

Date: _____

BKJ:abg

Resolution No.: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Petition for State Grant of \$32,163,000 for the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College.

Background

1. The General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts.
2. The County Council must file a petition to participate in the financial assistance provided in the acts with the Maryland Higher Education Commission.
3. The Board of Trustees of Montgomery Community College proposes undertaking the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College in Montgomery County. Upon resolution duly adopted by the Board, the Board requests the County Council to petition the Maryland Higher Education Commission for a grant of \$32,163,000 needed to assist the financing of the public community college project which is described in the application for financial assistance.
2. In the FY2010 Capital Budget for Montgomery College, the Board of Trustees proposed undertaking the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College. On May 21, 2009, the County Council approved \$64,326,000 for this project, contingent on the receipt of \$32,163,000 from the State in FY 2010.
3. In April 2009, the State General Assembly and the Governor approved the FY2010 State of Maryland Capital Budget, which included \$32,163,000 for the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College. However, the Board of Public Works must still approve the specific grant and the necessary contracts. Before this approval, the County Council must file a petition to participate in the financial assistance provided in the acts with the Maryland Higher Education Commission. After the Commission receives this petition, the Commission will recommend to the Board of Public works that the Board approve the grant and the contracts.

Action

The County Council for Montgomery County, Maryland, approves the following action:

1. In accordance with the enactment by the 2009 session of the General Assembly of the FY2010 State of Maryland Capital Budget and approval by the Governor, the County petitions the Maryland Higher Education Commission for a grant of \$32,163,000 from the available funds of the various community college construction loan acts in order to participate in the available financial assistance.
2. If the Maryland State Board of Public Works approves a grant of less than fifty percent (50%) of the estimated total cost for the construction of the Germantown Bioscience Education Center project on the Germantown Campus of the College, the College must notify the County Executive and the County Council by requesting an amendment to the College's Capital Improvements Program. The amendment must show the actual project funding schedule proposed and the Council must approve the amendment before the College awards a contract.

This is a correct copy of Council action.

Linda M. Lauer
Clerk of the Council

Attachments: Montgomery College Board of Trustees Resolution No.
Germantown Bioscience Education Center PDF #056603

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

Resolution Number: **09-06-073**
Adopted on: **6/15/09**

Agenda Item Number 14
June 15, 2009

Subject: Proposal to Construct a Public Junior/Community College or Additions Thereto, Rockville Science West Building Renovation Design

WHEREAS, the General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the various counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts; and

WHEREAS, the Board of Trustees of Montgomery Community College proposes undertaking certain the design of the Science West Building Renovation project on the Rockville Campus of the College and has determined that the sum of \$1,015,000 in State financial assistance available under the loan acts is needed for this purpose; now therefore be it

Resolved, That the Board of Trustees of Montgomery Community College requests that the Montgomery County Council approve the proposal to undertake the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College as set forth in the application for financial assistance; file, as required by the loan acts and contingent on enactment of the FY2010 State of Maryland Capital Budget by the 2009 Session of the General Assembly and its approval by the Governor, the necessary petition with Maryland Higher Education Commission for a State grant in the amount of \$1,015,000, and make available the necessary local funds for completion of the project.

A True Copy.

ATTEST:

_____, Secretary-Treasurer
Board of Trustees of
Montgomery Community College

Date: _____

BKJ:abg

Resolution No.: _____
Introduced: _____
Adopted: _____

COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND

By: County Council

Subject: Petition for State Grant of \$1,015,000 for the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College.

Background

1. The General Assembly of Maryland has enacted various community college construction loan acts that provide State funds to assist the counties in financing the costs of acquiring land and constructing public junior, community, or regional community college buildings and facilities, the costs of which were incurred after the effective dates of the acts.
2. The County Council must file a petition to participate in the financial assistance provided in the acts with the Maryland Higher Education Commission.
3. The Board of Trustees of Montgomery Community College proposes undertaking the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College in Montgomery County. Upon resolution duly adopted by the Board, the Board requests the County Council to petition the Maryland Higher Education Commission for a grant of \$1,015,000 needed to assist the financing of the public community college project which is described in the application for financial assistance.
4. In the FY2010 Capital Budget for Montgomery College, the Board of Trustees proposed undertaking the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College. On May 21, 2009, the County Council approved \$1,015,000 in FY 2010 funding from the State for the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College.
5. In April 2009, the State General Assembly and the Governor approved the FY2010 State of Maryland Capital Budget, which included \$1,015,000 for the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College. However, the Board of Public Works must still approve the specific grant and the necessary contracts. Before this approval, the County Council must file a petition to participate in the financial assistance provided in the acts with the Maryland Higher Education Commission. After the Commission receives this petition, the Commission will recommend to the Board of Public works that the Board approve the grant and the contracts.

Action

The County Council for Montgomery County, Maryland, approves the following action:

1. In accordance with the enactment by the 2009 session of the General Assembly of the FY2010 State of Maryland Capital Budget and approval by the Governor, the County petitions the Maryland Higher Education Commission for a grant of \$1,015,000 from the available funds of the various community college construction loan acts in order to participate in the available financial assistance.
2. If the Maryland State Board of Public Works approves a grant of less than fifty percent (50%) of the estimated total cost for the design of the Rockville Science West Building Renovation project on the Rockville Campus of the College, the College must notify the County Executive and the County Council by requesting an amendment to the College's Capital Improvements Program. The amendment must show the actual project funding schedule proposed and the Council must approve the amendment before the College awards a contract.

This is a correct copy of Council action.

Linda M. Lauer
Clerk of the Council

Attachments: Montgomery College Board of Trustees Resolution No.
Rockville Science West Building Renovation PDF #076622

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

Agenda Item Number: 15
June 15, 2009

DETERMINATION OF RESIDENCY FOR MILITARY PERSONNEL

BACKGROUND

The Congress of the United States has passed, and the President has signed into law, the Higher Education Act, which reauthorizes the Higher Education Act of 1965. The Act includes a provision requiring public institutions of higher education to provide for in-state tuition for active military personnel and their dependents.

RECOMMENDATION

It is recommended the Board adopt this resolution, thereby granting military personnel and their dependents in-county tuition and fees.

BACK UP INFORMATION

Board Resolution
College Policy 45003

RESOURCE PERSON(S)

Mr. Sherman Helberg
Director of Admissions & Enrollment Management

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

Resolution Number: **09-06-074**
Adopted on: **6/15/09**

Agenda Item Number: 15
June 15, 2009

Subject: Determination of Residence for Military Personnel

WHEREAS, the Higher Education Opportunity Act (Public Law 110-315) (HEOA) was enacted on August 14, 2008, and reauthorizes the Higher Education Act of 1965, as amended (the HEA); and

WHEREAS, the HEOA makes a number of changes to programs authorized under the HEA, authorizes new programs, and makes changes to other laws; and

WHEREAS, the HEOA has made changes to the provision for In-State Tuition Rates for Armed Forces Members and Their Families, effective the first period of enrollment that begins after July 1, 2009; and

WHEREAS, the new provision states: "The HEOA prohibits public institutions of higher education from charging a member of the armed forces who is on active duty for a period of more than 30 days, and whose domicile or permanent duty station is in a State that receives assistance under the HEA, his or her spouse, or his or her dependent children, tuition at a rate higher than the public institution's in-State tuition rate for residents of the State. In addition, if a member of the armed forces whose on active duty, his or her spouse, or his or her dependent child pays such an in-State tuition rate, the public institution must allow the individual to continue to pay such a rate as long as the individual is continuously enrolled, even if there is a subsequent change in the permanent duty station for the member to a location outside of the State. This provision is effective at each public institution of higher education in a State that receives assistance under the HEA for the first period of enrollment at the institution that begins after July 1, 2009;" and

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

Resolved, College Policy 45003, 1.F.2. is amended as the attachment indicates; and furthermore now therefore be it

Resolved, that the President or designee is charged with implementing procedures to support this change in policy.

Attachment: College Policy 45003 BKJ:abg

Chapter: Student Affairs
041

Modification No.

Subject: **Determination of Residence for Tuition Purposes**

The determination of residence for tuition purposes, relative to whether a student qualifies for County, State, or out-of-State tuition rates at Montgomery College, shall be governed by the following policies.

I. Credit Students

- A. Students attending Montgomery College will pay tuition according to their residency and shall be determined to be:
 - 1. Resident of Montgomery County
 - 2. Maryland residents from outside Montgomery County
 - 3. Out-of-State residents; or
 - 4. Regional students.
- B. To qualify, for tuition purposes, as a resident of Montgomery County or the State of Maryland, legal domicile must have been maintained for a period not less than three months prior to the first regularly scheduled class for the semester.
- C. For a student to be considered as a Maryland resident of Montgomery County or the State of Maryland for purposes of this policy, the student must possess the legal capacity under State and Federal law to establish Maryland domicile.
- D. In establishing the domicile of a person enrolling in a credit course at Montgomery College, the following procedures shall prevail:
 - 1. Domicile shall be considered as "a person's permanent place of abode, where physical presence and possessions are maintained and where he/she intends to remain indefinitely. The domicile of a person who received more than one-half of his/her financial support

from others in the most recently completed year is the domicile of the person contributing the greatest proportion of support, without regard to whether the parties are related by blood or marriage."

2. At the time of admission to or initial enrollment in any credit course at Montgomery Community College, each student shall sign a statement affirming domicile and the factual basis for the claim of domicile.
 3. At the time of each subsequent enrollment, each student shall indicate whether his/her domicile is the same or different from that affirmed for the last semester in attendance. If facts indicate the domicile has changed, the student shall complete a new statement.
 4. In determining the adequacy of the factual basis for domicile provided by the student, the College will consider any of the following factors and request evidence for substantiation:
 - a. Ownership or rental of local living quarters
 - b. Substantially uninterrupted physical presence including the months when the student is not in attendance at the College
 - c. Maintenance in Maryland and in the County of all, or substantially all, of the student's possessions
 - d. Payment of Maryland State and local piggyback income taxes on all taxable income earned, including all taxable income earned outside the State
 - e. Registration to vote in the State and County
 - f. Registration of a motor vehicle in the State, with a local address specified, if the student owns or uses such a vehicle
 - g. Possession of a valid Maryland driver's license, with a local address specified, if the student is licensed anywhere to drive a motor vehicle
- E. A domicile in Montgomery County of the State of Maryland is lost when a new domicile is established for a period of three months at a location outside the County or State.

F. In addition to the general requirements above, the following provisions apply to the specific categories of students indicated:

1. Military personnel and their dependents who were domiciliaries of Maryland at the time of entrance into the armed forces and who are stationed outside the State may retain Maryland domicile as long as they do not establish domicile elsewhere.

~~2. Military personnel stationed in Maryland who were not Maryland domiciliaries at the time of entrance into the armed forces and their dependents may be considered a resident for tuition purposes.~~

(new) 2. Military personnel and their dependents who are on active duty for a period of more than 30 days and whose domicile or permanent duty station is in the State may retain Maryland domicile as long as they are continuously enrolled.

3. An individual's immigration status shall not preclude award of Maryland residency under this policy if the individual has the legal capacity to establish domicile in Maryland.

4. A student enrolled in a program designated as statewide or regional by the State Board for Community Colleges may be considered a resident for tuition purposes if domiciled in the approved region for the program.

5. A student from outside the State who enrolls as part of a reciprocity agreement negotiated between Maryland and another state may be considered a resident for tuition purposes.

G. A person is provided the opportunity to request a change in residency classification or to appeal current classification within a reasonable time of a decision by Montgomery College. A person shall be provided the opportunity to request a change in residence classification or to appeal current classification. Appeals for changes of resident classification must be accompanied by evidence justifying such changes and must be processed prior to the end of the third week of classes. Any changes processed after the third week of classes will be effective the following

semester. Appeals shall be submitted in writing to the College Director of Admissions, Registration and Records.

II. Noncredit Students

In establishing the domicile of a person enrolling in a noncredit continuing education course, a person shall indicate on a signed registration document whether he/she is a resident of the State, County, or region.

III. Contracted Education and Training

Montgomery College may enter into a contract with any public or private sector employer or non-profit organization that maintains facilities, operates, or does business in the State to provide education or training for public or private sector employees or members for a set contractual fee in place of payment of tuition and fees under the following conditions:

- A. The employee or member is enrolled in credit or noncredit courses which will benefit the employer;
- B. The employer or non-profit organization pays the fee charged by the College;
- C. The fee reasonably reflects the usual costs borne by students in the same or similar courses;
- D. The employees or members enrolled under this program shall be treated as any other students in accordance with Montgomery College policies and procedures and the general policies of the State Board for Community Colleges, with the exception of payment of tuition.
- E. Contractual arrangements under this section may include customized training as well as employer paid tuition and tuition reimbursement plans.

Board Approval: January 18, 1982; July 19, 1982; March 21, 1983; July 17, 1989, effective July 1, 1989; October 28, 1991; May 20, 1996.

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

Agenda Item Number: 16
June 15, 2009

BOARD OF TRUSTEES SCHEDULE OF MEETINGS FOR FY2010

BACKGROUND

The Maryland Open Meetings Act is based on the General Assembly's policy determination in favor of open decision-making by governmental bodies. It is essential to the maintenance of a democratic society that, except in special and appropriate circumstances: (1) public business be performed in an open and public manner; and (2) citizens be allowed to observe the performance of public officials and the deliberations and decisions that the making of public policy involves. In addition, Montgomery College Board of Trustees Bylaws states that the Board shall give reasonable advance notice of its open meetings. The notice shall be in writing and shall include the date, time, and place of the meeting and shall be publicized by posting to the Board's website and any other method reasonably designed to give public notice.

RECOMMENDATION

It is recommended that the Board adopt the attached schedule of meetings for FY2010.

BACK-UP INFORMATION

Board Resolution
Montgomery College Board of Trustees Schedule of Meetings for FY2010

RESOURCE PERSON

Ms. Graham

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

Resolution Number: **09-06-075**
Adopted on: **6/15/09**

Agenda Item Number: 15
June 15, 2009

Subject: Board of Trustees Schedule of Meetings for FY2010

WHEREAS, the Maryland Open Meetings Act is based on the General Assembly's policy determination in favor of open decision-making by governmental bodies. It is essential to the maintenance of a democratic society that, except in special and appropriate circumstances: (1) public business be performed in an open and public manner; and (2) citizens be allowed to observe the performance of public officials and the deliberations and decisions that the making of public policy involves; and

WHEREAS, Montgomery College Board of Trustees Bylaws states that the Board shall give reasonable advance notice of its open meetings; and

WHEREAS, the notice shall be in writing and shall include the date, time, and place of the meeting and shall be publicized by posting to the Board's website and any other method reasonably designed to give public notice; and

WHEREAS, attached to this resolution is a Schedule of Meetings for FY2010 that includes meetings with various constituent groups of the College, and those meetings may be changed based on availability; and

WHEREAS, the public will be notified of any change in meeting dates in accordance with the Board of Trustees Bylaws and the Maryland Open Meetings Act; 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 adopts the attached Schedule of Meetings for FY2010.

Attachment

BKJ:abg

**Montgomery College
Board of Trustees
FY2010 Agenda Preparation Schedule**

Agenda Items Due 5 p.m.	Board Officers Meeting 4 p.m.	Packets to Trustees 12 p.m.	Executive Sessions 6 p.m.	Regular Business Meetings 7:30 p.m.
Aug 24	Sep 9	Sep 16	Sep 22 (Tue)	Sep 22 (Tue)
Sep 21	Oct 1	Oct 14	Oct 19	Oct 19
Oct 19	Nov 2	Nov 11	Nov 16	Nov 16
Nov 16	Dec 7	Dec 9	Dec 14	Dec 14
Dec 23	Jan 13	Jan 20	Jan 25	Jan 25
Jan 19	Feb 1	Feb 10	Feb 15	Feb 15
Feb 15	Mar 1	Mar 10	Mar 15	Mar 15
Mar 22	Apr 5	Apr 14	Apr 19	Apr 19
Apr 19	May 3	May 12	May 17	May 17
May 24	Jun 7	Jun 16	Jun 21	Jun 21

Other Important Dates

September 14, 2009	Dinner with Staff Senate
October 12, 2009	Dinner with Faculty Governance
November 5-6, 2009	Fall Retreat
December 7, 2009	Dinner with Foundation Board
Mar 8, 2010	Dinner with Alumni Board
April 12, 2010	Dinner with Student Governance
June 10-11, 2010	Spring Retreat