



HOWARD

COMMUNITY COLLEGE

You Can Get There From Here.

***Board of Trustees'
Consent Materials***

February 23, 2005

GROUND RULES

1. Board members practice respectful dialogue that serves the best interests of the college.
2. Each board member works to integrate servant-leadership into the board culture.
3. Each board member has the opportunity to speak uninterrupted.
4. Board members come prepared – board chair needs to understand what is required and set time and material appropriately.
5. Board chair acts as caretaker for the board – acts as filter, evaluates agenda for time well spent.
6. Board chair speaks for the board to the media.
7. Consent materials are available 10 days in advance; remaining board materials are available seven days in advance.
8. Board members should route any requests for additional information to the board chair or the president at least two business days prior to the board meeting.



HOWARD
COMMUNITY COLLEGE

You Can Get There From Here.

**Board of Trustees
Advanced Consent Agenda**

February 23, 2005
Instructional Laboratory Building
Multipurpose Room
Room: ILB 100

- 1. Proposed New Hires**
- 2. Grants and Scholarships**
- 3. Board Bylaws**
- 4. Honoring Senator Kittleman**
- 5. Professional Services for Collegewide Facilities Condition Assessment**
- 6. Parking Deck Design Services**

1 – Proposed New Hires

Background: The following is a summary of the proposed new hires for Howard Community College. Each employee's salary is determined by objective analysis of the job skills of the position and by placement in the appropriate salary range, as approved by the board.

Purpose: To approve new hires.

Timeline: New hires from the period of January 6, 2005, through February 5, 2005.

Recommendation

It is requested that the board of trustees approve:

Item: List of new hires.

Source of funds: The position and/or the funds are in the FY05 budget as approved by the board at its April 21, 2004, meeting.

Compliance: This request is in compliance with college procedure, Selection of Faculty and Staff – 63.02.03, and within the presidential boundaries related to compensation, fiscal conditions, and other appropriate limitations.

Howard Community College
PROPOSED NEW HIRES

For February 2005

BUDGETED HIRES (Position Control Positions)¹

January 2005

Title	Department	Position Control Status	Grade	Range for Grade ³	Compensation ²	Name	Effective Date
Accounting & Customer Service Assistant	Belmont	New Position	9	\$33,092-\$52,947	\$35,308	Samuels, Denita	1/10/05
Learning Assistant Ctr. Math Specialist (29 hours, 10 month)	Academic Support Services/Mathematics	Existing Position Replacement	11	\$39,181-\$62,689	\$25,544	Tokoly, Loretta	1/13/05
Interim Instructor, Composition*	English/World Languages	Existing Position Replacement	Instructor (10 month)	\$35,121-\$50,926	\$36,996	Choi, Laura	1/18/05
Teacher III	Children's Learning Center	New Grant Funded Position	9	\$33,092-\$52,947	\$33,278	Allen, Christine	1/24/05
Assistant Professor, Nursing	Health Sciences	Existing Position Replacement	Assistant Professor (10 month)	\$39,631-\$58,899	\$49,006	Cathcart-Silberberg, Tressa	1/24/05
Associate Professor, Nursing	Health Sciences	Existing Position Replacement	Associate Professor (10 month)	\$44,721-\$68,118	\$58,000	Lang, Beverly	1/25/05

February 2005

Title	Department	Position Control Status	Grade	Range for Grade ³	Compensation ²	Name	Effective Date
Admissions & Recruitment Counselor	Admissions & Advising	Existing Position Replacement	11	\$39,181-\$62,689	\$41,000	Anderson, Crystal	2/15/05

*Spring 2005 semester only

¹ Position Control position hires are those employees hired who are budgeted employees of the core workforce.

² Annual salary is shown for exempt employees; estimated annual compensation is shown for non-exempt employees since official compensation is an hourly amount (not shown); the employee's salary may reflect part-time or ten-month employment.

³ Ranges shown are taken from the published salary schedules which include only 12-month salaries for full-time staff. Faculty ranges may be 10 or 12-month as applicable.

2 – Grants and Scholarships

Background: The board of trustees' policies gives the board authority to "apply for and accept any gift or grant from the federal government or any other person." Every six months (August and February), the administration will bring grants awarded to the college to the board of trustees for its acceptance.

Purpose: To obtain board of trustees' acceptance for all grants and scholarships received from July through December 2004.

Timeline: January – June 2004

Recommendation

It is requested that the board of trustees approve the receipt of grants and scholarships as outlined.

Amount: Grants: \$4,539,271.00 (detail follows)
Scholarships: \$109,449.60

Compliance: This request is in compliance with board policy: governance process – board's role, #8.

Competitive Grant Awarded - July 1, 2004 - December 31, 2004

Project	Description	Grantor	Project Manager	Amount of Award	Start Date	End Date
21st Century Community Learning Center-Laurel	GED, ESL and ABE courses in the North Laurel area of Howard County.	Howard County Public Schools	Becky Lessey	\$25,422	7/1/2004	6/30/2005
21st Century Community Learning Center-Wilde Lake	Offer GED and Adult Basic Education (ABE) courses in Laurel area in Howard County as a partner with the HCPSS.	Howard County Public School System	Becky Lessey	\$5,100	7/1/2004	6/30/2005
Consolidated Adult Education and Literacy Services Continuation Grant	To teach adults the necessary skills for ABE, GED and External Diploma.	Maryland State Department of Education	Becky Lessey	\$308,799	7/1/2004	6/30/2005
Innovative Technology Grant	Matching grant from the State of Maryland.	State of Maryland	Tom Glaser	\$100,816	7/1/2004	6/30/2005
Laurel College Center	To purchase specific instructional equipment for the desperately needed Anatomy and Physiology Lab in partnership with Prince George's Community College.	Maryland Association of Community Colleges	Dan Friedman and Emily Slunt	\$40,000	7/1/2004	3/31/2005
Mediation and Conflict Resolution Center	To provide operating assistance for the Mediation and Conflict Resolution Center.	Howard County Government	Tu Van Trieu	\$20,000	7/1/2004	6/30/2005
Tobacco Cessation and Prevention Program	To provide presentations to students on tobacco prevention and cessation.	Howard County Health Department	Stephanie Chappel	\$20,000	7/1/2004	6/30/2005
MACC TEC Professional Development Award	To pay expenses for Kathy Jones to attend the 23rd Annual International Nursing Computer Technology Conference.	MACC TEC Professional Development Award	Kathy Jones	\$3,000	9/1/2004	6/30/2005
Student Support Services (TRIO)	Federal program to offer support to developmental students	U. S. Department of Education	Janice Marks	\$316,247	9/1/2004	8/31/2005
Open World Leadership Program	To reimburse the college for expenses incurred during the visit with the Russian delegation.	Academy for Educational Development (AED)	Farida Guzdar	\$7,000	9/27/2004	12/22/2004
Learn and Serve America - Higher Education Grant	HCC joined in a consortium with the College of Southern Maryland, Carroll, Harford and Montgomery community colleges to obtain a grant from the Corporation for National and Community Services to build a campus service-learning program.	College of Southern Maryland	Carol Parreco	\$76,200	10/1/2004	9/30/2005
Infant and Toddlers Direct Services	To establish an innovative Infant and Toddlers Direct Services Program through the Office of Continuing Education.	State of Maryland Department of Human Resources-Child Care Administration	Marilyn Estes and Kristin Navarro	\$250,000	10/26/2004	9/30/2006
MACC TEC SimMan Award	To purchase a second SimMan with accessories.	MACC TEC Professional Development Award	Emily Slunt	\$34,980	10/26/2004	4/30/2005

* Funds granted to HCC Educational Foundation, Inc.
All other funds granted to HCC

Competitive Grant Awarded - July 1, 2004 - December 31, 2004

Project	Description	Grantor	Project Manager	Amount of Award	Start Date	End Date
Nursing Program Expansion	Received in conjunction with Howard County General Hospital to fund the expansion of the nursing program including students scholarships and to send nursing faculty for necessary credentials.	Maryland Department of Labor and Licensing	Emily Slunt, Sharon Pierce and Erin Marek	\$60,500	12/1/2004	6/30/2006
Online Curricular Enhancements in Nursing and Allied Health	To completely revise and download an existing campus Web nursing course in order to make the online course congruent with the newly implemented nursing education curriculum.	Maryland Association of Community Colleges	Sharon Pierce	\$10,000	12/1/2004	4/30/2005
Accelerated Nursing Program*	To support preceptors services for the accelerated nursing program.	Howard County General Hospital	Emily Slunt	\$20,000	7/1/2004	6/30/2005
Child Care Training - Community Development Block Grant (CDBG) *	To provide child care training program for senior staff and group leaders.	Howard County, Maryland	Marilyn Estes	\$63,531	7/1/2004	6/30/2005
Child Care Tuition - Community Development Block Grant (CDBG) *	To provide child care tuition for low and moderate income students.	Howard County, Maryland	Kim Pins	\$40,000	7/1/2004	6/30/2005
Community Outreach - Community Development Block Grant (CDBG) *	For Pinnacle Career Resources, Inc. to provide intensive career coaching, career preparation training and employment referral services	Howard County, Maryland	Becky Lessey	\$126,586	7/1/2004	6/30/2005
Developmentally Disabled*	To launch a noncredit pilot program for individuals with Developmental Disabilities.	Foundation for Mentally Retarded and Handicapped Children	Becky Lessey and Meredith Lowman	\$5,000	7/1/2004	6/30/2005
Entrepreneurship Program*	To expand a major initiative to become a recognized center for entrepreneurial learning.	Coleman Foundation	Sharon Schmickley	\$25,000	7/1/2004	6/30/2005
Nursing Program*	To provide scholarships for two nursing students.	Howard County General Hospital	Sharon Pierce	\$5,000	7/1/2004	6/30/2005
RENEW: A Nursing Career Ladder for Paraprofessionals - Community Development Block Grant (CDBG) *	To establish a RENEW: Nursing Career Ladder for Paraprofessional.	Howard County, Maryland	Emily Slunt and Genie Wessel	\$146,000	7/1/2004	6/30/2005
REP Stage *	To provide quality theatre for the Columbia community.	Columbia Foundation	Kasi Campbell	\$5,000	7/1/2004	6/30/2005
REP Stage *	To provide quality theatre for the Columbia community.	Maryland State Arts Council	Kasi Campbell	\$42,792	7/1/2004	6/30/2005
Rep Stage *	To provide funds for the production of plays presented by Rep Stage.	Howard County Arts Council	Valerie Lash and Kasi Campbell	\$12,000	7/1/2004	6/30/2005
Visual and Performing Arts Instructional Building*	To help fund the new Visual and Performing Arts Instructional Building.	Lois and Charles Miller, Jr. Foundation	Valerie Lash	\$5,000	7/1/2004	6/30/2005

* Funds granted to HCC Educational Foundation, Inc.
All other funds granted to HCC

Competitive Grant Awarded - July 1, 2004 - December 31, 2004

Project	Description	Grantor	Project Manager	Amount of Award	Start Date	End Date
Wellness Center for Howard Community College*	A two-year grant to develop a Wellness Center for Howard Community College.	The Horizon Foundation	Kate Hetherington	\$100,000	8/1/2004	7/31/2006
Accelerated Nursing Program*	A two-year grant for \$15,000 per year to support the accelerated nursing program.	MedStar Health	Emily Slunt and Sharon Pierce	\$30,000	9/1/2004	9/30/2005
Accelerated Nursing Program*	To support the accelerated nursing program.	American Healthways	Emily Slunt and Sharon Pierce	\$26,500	9/1/2004	9/30/2005
Accelerated Nursing Program*	To support the accelerated nursing program.	Apple Ford	Emily Slunt and Sharon Pierce	\$20,000	9/1/2004	9/30/2005
Enrichment Opportunities for Developmentally Disabled Adults*	To enable students in financial need to attend continuing education classes for skills building, job training and re-training.	United Way of Central Maryland	Becky Lessey and Meredith Lowman	\$2,500	9/1/2004	6/30/2005
Family Literacy*	To develop a noncredit ESL program for parents and their children.	United Way of Central Maryland	Becky Lessey	\$2,500	9/1/2004	6/30/2005
Nursing Scholarship*	To pay tuition for an HCC nursing student.	St. Joseph Medical Center	Sharon Pierce	\$2,500	9/1/2004	6/30/2005
Digital Design Computer Facility*	To purchase network technology equipment for the new Visual and Performing Arts Building.	Verizon Foundation	Tom Glaser	\$25,000	10/1/2004	6/30/2006
Emergency Preparedness*	To purchase a back-up generator to be used by the college and surrounding area in case of an emergency.	The Horizon Foundation	Bob Marietta	\$50,000	10/1/2004	6/30/2006
Wellness Fair*	To conduct a new Wellness Fair for the college and surrounding community.	The Horizon Foundation	Nicky Trecannelli	\$3,000	10/1/2004	6/30/2006

College Grants **\$1,278,064**

Foundation Grants* **\$757,909**

TOTAL **\$2,035,973**

* Funds granted to HCC Educational Foundation, Inc.
All other funds granted to HCC

Non-Competitive Grant Awarded - July 1, 2004 - December 31, 2004

Project	Description	Grantor	Project Manager	Amount of Award	Start Date	End Date
Cable Administration	Howard County allocation to fund HCC's TV cable studio.	Howard County Government	Margaret Kahlor/Valerie Lash	\$235,354	7/1/2004	6/30/2005
Campus-Based Educational Assistance Grant	Maryland State funding for new student scholarships.	Maryland Higher Education Commission	Katherine Sienkiewicz	\$22,849	7/1/2004	6/30/2005
English Second Language (ESL) Credit	State funding granted per FTE for English language classes.	Maryland Higher Education Commission	Jean Svacina	\$48,627	7/1/2004	6/30/2005
English Second Language (ESL) NonCredit	State funding granted per FTE for English language classes.	Maryland Higher Education Commission	Becky Lessey/Rebecca Price	\$255,289	7/1/2004	6/30/2005
Federal Work Study	Federal funding to provide jobs for students with financial need.	U.S. Department of Education	Katherine Sienkiewicz	\$164,448	7/1/2004	6/30/2005
Health Personnel Shortage Incentive	To enhance nursing recruitment, assessment, faculty development and equipment.	Maryland Higher Education Commission	Emily Slunt	\$4,460	7/1/2004	6/30/2005
Maryland State Scholarship-Part Time Student Grant	State funding for student scholarships.	Maryland Higher Education Commission	Katherine Sienkiewicz	\$48,991	7/1/2004	6/30/2005
Pell Grant **	Federal grant funds for students who demonstrate financial need.	U.S. Department of Education	Katherine Sienkiewicz	\$1,384,353	7/1/2004	6/30/2005
Pell Grant **	Unreported federal grant funds from end of FY2004 for students who demonstrate financial need.	U.S. Department of Education	Katherine Sienkiewicz	\$9,919	7/1/2004	6/30/2005
Perkins/Vocational Education	Support for vocational education and state planning.	Maryland State Department of Education	Janice Marks/Margaret Garroway	\$174,260	7/1/2004	6/30/2005
Supplemental Educational Opportunity Grant (SEOG)	Federal grant funds for students who demonstrate financial need.	U.S. Department of Education	Katherine Sienkiewicz	\$154,748	7/1/2004	6/30/2005

**Pell Grant based on Enrollment to be finalized September 30, 2005

Total **\$2,503,298**

3 – Board Bylaws

Background: As discussed at the November 17, 2004, meeting, the board of trustees approved the non-substantive changes to the bylaws at its December 15, 2004, meeting, to be effective July 1, 2005.

Trustees were sent a copy of all proposed substantive changes in January and asked to send comments back to the administration for inclusion. Only one change was suggested, located under Article VI – Other Committees. This addition is an excerpt from the previously referenced attachment “Dual Service on HCC’s Board of Trustees and the HCC Education Foundation Board, Inc.” and includes no new language. It has been highlighted for your reference.

Purpose: To revise and update the board bylaws

Timeline: Effective July 1, 2005

Recommendation

It is requested that the board of trustees approve the attached version of the bylaws, which reflects previously approved non-substantive and substantive changes as discussed.

Compliance: This request is in compliance with Board Bylaws, Article II, Responsibilities and Powers of the Board of Trustees.



HOWARD
COMMUNITY COLLEGE

BOARD OF TRUSTEES BYLAWS

OFFICE OF THE PRESIDENT
10901 Little Patuxent Parkway
Columbia, Maryland 21044
410-772-4820

Approved: _____

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ARTICLE I

BOARD OF TRUSTEES PRINCIPLES OF GOVERNANCE

GOVERNANCE PRINCIPLES

In its legal and fiduciary capacity to manage the affairs of Howard Community College, the board of trustees shall operate the college as a public trust for the benefit of the citizens of Howard County.

The board shall govern the college in accordance with the constitutions of the United States of America, the State of Maryland, and Howard County. Accordingly, the board will act in accordance with the oath of office made by each trustee to:

1. Support the Constitution of the United States;
2. Be faithful and bear true allegiance to the State of Maryland and support the laws and Constitution and laws thereof; and
3. To the best of one's skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of trustee, according to the Constitution and laws of this state.

CORE VALUES

In its governance, the board's policies and practices shall be guided by the following set of core values:

Integrity. The board values responsible, accountable, and ethical behavior in order to maintain an atmosphere of honest, open communication, and mutual respect throughout the college community.

Customer Focus. The board is committed to meeting the best interests of students, staff, and administration; therefore, the administration shall remain highly responsive to customer needs.

Diversity. The board values an educational environment that promotes and nurtures a diverse student and staff community.

Continuous Improvement. The board values continuous improvement of the college's educational programs, facilities, and related services to advance student achievement as well as professional development.

Innovation. The board values creative risk-taking and enthusiastic pursuit of new ideas.

Collaborative Partnerships. The board values partnerships that advance the college's mission in partnership with business, industry, government, educational systems, community organizations, and other stakeholders.

Citizen Participation. The board believes that it will best carry out its mission in the public interest through maximum citizen participation, input, and support. The board welcomes input from the community.

The board, acting in accordance with its authority and philosophy, and in keeping with its fiduciary responsibilities and public trust, shall review, modify, and update the mission and vision to reflect community values, beliefs, and needs. Further, the board is committed to defining specific objectives and priorities to facilitate the overall mission of the college.

ARTICLE II

THE BOARD OF TRUSTEES RESPONSIBILITIES AND POWERS

GENERAL

The board of trustees shall have within its authority the power to establish policy governing the college, to maintain and exercise general control over the community college, to keep separate records and minutes, and to adopt reasonable bylaws, rules, regulations to effectuate and carry the provision of the state law regarding community colleges pursuant to §16-103 *Powers of Board of Trustees* and subject to the authority of the Maryland Higher Education Commission. Further, the Board shall be responsible for the adopting and safekeeping of a corporate seal.

Other significant responsibilities and powers include:

PROGRAM

To determine student entrance requirements, curriculum, and academic programs offered by the college, subject to final approval and authorization by the Maryland Higher Education Commission.

To approve candidates for degrees and certifications who have satisfied all the requirements for the award of certificates and degrees.

APPOINTMENT OF PRESIDENT, FACULTY, AND STAFF

To appoint, set compensation and terms of employment for the president of the college.

To hire qualified faculty and staff as necessary for the efficient operation and administration of the college as recommended by the president including determining salaries, tenure, and other terms of employment.

FUNDS

To approve the annual operating and capital budgets of the college presented by the president.

To enter into contracts and agreements with the State of Maryland or any of its political subdivisions or with the United States or with any other person, individual firm, or corporation when such agreements are deemed by the board to be necessary or advisable to the establishment, maintenance, and operation of the college.

To receive and expend local, state, and federal funds to defray the cost of college programs and to accept and disperse both restricted and unrestricted gifts and grants from private persons and organizations.

To oversee the management, investment, and accounting of funds.

To set reasonable tuition and fees for educational programs with the aim of minimizing cost while maintaining a quality college educational and learning environment at the lowest feasible cost.

FINANCIAL REPORTING

To engage an independent certified public accountant to conduct a financial statement audit annually to determine that the college's financial statements are in accordance with generally accepted accounting principles and consistent with financial reporting guidelines established by the Maryland Higher Education Commission.

AUTHORITY TO BORROW

To borrow money through multi-year financing agreements involving acquisition and purchase of personal property and equipment. The borrowing shall be secured by the personal property or revenues derived from the property on terms the board considers proper.

PROPERTY

To purchase, lease, dispose of, or in any other manner acquire any property, either real or personal, it considers necessary for the operation of the college.

To sell, lease or in any manner dispose of community college assets, real or personal, at public or private sales provided that the president of the college and the chair of the board are authorized to execute legal conveyance and other documents, pursuant to an appropriate resolution of the board.

ADVICE

To retain legal advisors, auditors, and consultants to the board.

LIABILITY PROTECTION

The board of trustees may sue and be sued. The college is insured through the Howard County self-insurance program, which includes comprehensive and professional liability insurance. The college's officials, agents, and employees, including Howard Community College Board of Trustees, are protected through the county self-insurance plan for issues related to performance of duty for Howard Community College (Section 23.100, Title 23, Howard County Code).

RULES

To adopt such rules and regulations for the conduct of its meetings and the management of the body corporate as it may deem proper providing the same are not in conflict with applicable law.

To perform such duties as may be necessary or required by law.

ARTICLE III

BOARD OF TRUSTEES' COMPOSITION, TERM OF APPOINTMENT, RESIDENCY, AND CODE OF CONDUCT

COMPOSITION OF THE BOARD

The board of trustees consists of seven persons appointed by the Governor with the advice and consent of the senate to serve on the board of trustees for Howard Community College.

The president of the college shall act as secretary-treasurer to the board and chief executive officer and shall participate in board meetings and deliberations as if a member but without vote. The president shall attend all meetings except those relating to his/her salary determination and/or employment.

TERM OF APPOINTMENT

Members of the board are appointed for six years, on a staggered basis, by the Governor of the State of Maryland. They serve without compensation and shall be entitled to reimbursement for their authorized expenses. A member may not serve for more than two full consecutive terms.

RESIDENCY

At least six members of the board shall be residents of Howard County at the time of their appointment and shall maintain residency in the county throughout their terms.

CODE OF CONDUCT

The board commits itself and its members to ethical and professional conduct. This commitment includes avoidance of conflicts of interest and proper use of authority when acting as a board member. There must be no self-dealing or any conduct of private business or personal services between any board member and the organization.

Board members must represent unconflicted loyalty to the interests of the citizens of Howard County and the State of Maryland. This accountability supersedes any conflicting loyalty such as that may arise from associations connected with advocacy, political party, other special interest, and membership on other boards. This accountability also supersedes the personal interest of any board member acting as a consumer of the organization's services.

A potential conflict of interest is a situation that involves a personal, familial, political, or business relationship between a trustee (or institutional officer) and the institution that could reasonably be expected to be perceived as a conflict of interest in fact or in appearance.

1. All board members shall disclose any potential conflict of interest at the earliest practicable time. Such disclosure shall be made in such a manner as the board member believes to be the most effectual. Disclosures shall be made to the chair of the board.

A board member shall be considered to have a potential conflict of interest “in fact” if:

2. Such a board member has an existing or potential financial or other interest which impairs or might appear to impair such member’s independent, unbiased, judgment in the discharge of his or her responsibilities to the college, or
3. Such board member is aware that a member of his or her family or any organization, in which such board member (or member of his or her family) is an officer, director, employee, member, partner, trustee, or controlling stockholder, has such existing or potential financial or other interest.
4. No board member shall vote on any matter, under consideration at a board or board committee meeting, in which such member has a potential conflict of interest, nor shall such board member be counted in determining the quorum for such meeting. The minutes of such meeting shall reflect that a disclosure was made, that the member having a potential conflict of interest abstained from voting, and that such member was not counted in determining the quorum for the meeting.

Ethical Conduct

1. Board members must not use their positions to obtain employment in the organization for themselves, family members, or close associates.
2. In the event a board member pursues any employment or political office that could reasonably be perceived as a conflict of interest; s/he must temporarily withdraw from board deliberation, voting, and access to applicable board information, and/or seek a leave of absence. A leave of absence taken under such circumstances shall not be counted against the trustee’s required meeting attendance.
3. Board members shall annually disclose by April 30 in their financial disclosure statements their involvement with other organizations, with vendors, and any other associations that might produce a conflict, as required by the State of Maryland.
4. Board members should not attempt to exercise individual authority over the organization except as explicitly set forth in board policies.
5. Board members' interaction with the president or with other staff must recognize the lack of authority in any individual board member or group of board members except when explicitly board authorized.
6. Board members' interaction with the public, press, or other entities must recognize the same limitation and the similar inability of any board member or board members to speak for the board.
7. Board members will make no judgments of the president or staff performance except as that performance is assessed against explicit board policies by the official process.

Confidentiality

Board members shall maintain the confidentiality of personnel and other matters reviewed at legally held closed meetings of the board.

Dissent

No board member shall attempt to interfere with the implementation of any duly approved board action. However, each board member reserves the right to dissent.

Public Communications

Pursuant to a majority vote of the board, the chair alone shall speak for the board. Individual board members may only speak for themselves.

Respect and Courtesy

1. Board members shall be ethical, courteous, and respectful of fellow trustees as well as the president, the staff, the citizens of Howard County and the State of Maryland, and the public in general.
2. Board members shall refrain from interference with established lines of authority or normal procedures for the handling of personnel complaints or grievances. Any information requests should be made to the board chair or president. The board chair will be responsible to work with the president to ensure that a response is reasonably provided in a timely manner and shared with other board members.

CENSURE

If a board member fails to abide by the Code of Conduct, s/he maybe censured or terminated upon recommendation of the chair or vice chair, by a majority vote of the board.

ARTICLE IV

BOARD OFFICERS AND THEIR DUTIES

OFFICERS OF THE BOARD OF TRUSTEES

- A. The officers of the board shall be a chair, a vice-chair, and the secretary-treasurer (the president).
- B. The board chair shall serve as the presiding officer of the board. The chair, together with the president shall draft the agenda and determine the items as indicated in Article V: Meetings and Procedures - Agenda as consent, discussion or information for board review.

ELECTION OF OFFICERS

The chair and vice-chair shall be elected annually by the board at its last public meeting for the fiscal year.

SPECIAL ELECTION

In the event of a vacancy prior to a regular election, the board shall conduct a special election of chair or vice-chair.

DUTIES OF BOARD OFFICERS

The board chair shall:

- Preside at all meetings of the board;
- Select the members of the committees approved by the board;
- Decide all questions of order, subject to an appeal to the board;
- Sign all necessary legal instruments approved by the board;
- Sign all reports to be filed by law or state regulation;
- Call special meetings of the board;
- Represent the board at public meetings;
- Coordinate with the college president, as appropriate, trustee issues concerning the college; and
- Perform other duties common to this office or as may be assigned him or her from time to time by the board of trustees.

The vice-chair of the board shall:

- Preside in the absence of the chair; and
- Perform other duties that are common to this office as may be assigned to him or her from time to time by the chair of the board.

The secretary-treasurer (the president) of the board shall:

- Prepare the agenda, with the chair, for meetings of the board;
- Send out notices and correspondence of the board;
- Be responsible for maintaining an accurate record of the minutes of the board, which shall be available to the public;
- Prepare any required reports;
- Prepare the annual operating budget for the office of the board; and

Perform such other duties, as may be assigned to him or her from time to time by the board.

MEETING ATTENDANCE

In accordance with state requirements, members of the board of trustees shall be required to attend at least 50 percent of meetings during any consecutive 12-month period. Any trustee who fails this requirement shall be considered to have resigned. Not later than January 15 of the year following the end of the 12-month period, the chair of the board shall forward to the Governor: (1) the name of any individual considered to have resigned; and (2) a statement describing the individual's history of attendance during the period.

ARTICLE V

BOARD MEETINGS AND PROCEDURES

REGULAR MEETINGS

Meetings of the board shall be held at least four times during the academic year. Unless the chair designates otherwise, the board will meet on the campus of the college. Seven days written notice of each meeting is deemed sufficient notice; such notice shall contain the agenda for the meeting. Public notice of all meetings shall be given in accordance with Maryland's Open Meetings Law.

SPECIAL MEETINGS

A special meeting may be held at the call of the chair or at the call of three members, provided that written notice of such special meetings shall be given by the secretary-treasurer (the president) to each member of the board not less than three (3) business days in advance and shall state the matters to be considered. No other matters shall be considered at said meetings except with the consent of all the members of the board present at such meeting.

EMERGENCY MEETINGS

An emergency meeting may be called by the chair, or the president at the request of the chair, provided written or verbal notice is given 24 hours in advance when possible. An emergency is defined as an event which poses an imminent danger to persons and/or property or which would significantly affect the operation of the college unless immediate action is taken. In the event that a quorum of the board is unable to be convened after notifying all members, the board chair or his/her designee has the authority to act on behalf of the board. Any action(s) taken by the chair or the designee must be fully reported to the members of the board at the board's next scheduled meeting.

PRESIDING OFFICER

The chair or, in his/her absence, the vice-chair, shall preside at all meetings of the board. In case the chair and vice-chair are not present at the time appointed for any meeting of the board, the president of the college shall call the board to order and a chair pro tempore shall be appointed by the board for the meeting or until the appearance of the chair or vice-chair.

QUORUM

A quorum shall be defined as the majority of the appointed membership of the board, not including any vacancies. A majority of the voting members present may legally act in any manner of business that comes before the board, unless some greater number is required by statute or by the bylaws.

The members of the board have legal authority only when the board is in formal session and when a quorum is present, subject to the provision on emergency action.

AGENDA

The president shall prepare an agenda, in cooperation with the board chair, and submit it to the members of the board at least one week in advance of regular meetings and three (3) business days in advance of special meetings. Board members should be given the opportunity to suggest agenda items in advance of the meeting.

REPORTS TO THE BOARD

The administration shall present to the board all items that require board action and approval including items that require board approval by state law, bylaws, or board policy. These matters shall be presented as CONSENT items-in the form of resolutions including but not limited to approval of programs and degrees, annual budgets, new hires and contracts over \$25,000. Consent items may be approved in a single vote if the board so chooses.

The board shall also receive as DISCUSSION items, items that may need further discussion by the board before a vote can be taken.

Other items may be provided as INFORMATION items. These items will be presented for information and discussion but do not require consent of the board. Ordinarily, these matters involve operating and capital budgets previously approved.

The board shall also receive the annual budgets approved by the county, annual audit reports, the Maryland Higher Education Commission performance accountability plan, and other assessment reports as enumerated elsewhere in these bylaws.

VOTING PROCEDURES

All matters coming before the board for approval shall be decided by a majority vote of a quorum present at the meeting, except those questions that, by law, by rules and regulations of the Maryland Higher Education Commission, or by the provisions of these bylaws, require a different vote and/or approval criteria. Wherever in these bylaws reference is made to a majority vote of the board, it shall refer, unless otherwise stated, to a majority vote of the trustees present at any meeting.

Unless otherwise directed by a majority vote of the board, meetings of the board shall be conducted in accordance with the parliamentary procedure prescribed in the latest edition of *Robert's Rules of Order*.

PUBLIC ATTENDANCE

All meetings shall be open to the public, except when the board meets in executive or closed sessions.

Any member of the public who wishes to speak at a board meeting pertaining to the community college shall make written request to the secretary-treasurer of the board at least three business days prior to the regularly scheduled public meeting. Individuals from the public who have asked to speak at a public meeting will be restricted to the time limitation established by the board chair. The board may, by a majority vote, give visitors who have not presented a written request in advance an opportunity to speak in any regular public meeting. The board reserves the right to terminate or reschedule any presentation included on its meeting agenda.

AMENDMENT TO THE BYLAWS

The bylaws may be amended at any meeting of the board, provided the proposed amendment was mailed, faxed, or sent electronically to all members of the board at least one week prior to the board meeting. And, in addition, provided it was presented for review and discussion at a prior meeting. Amendment of the bylaws requires approval by a majority of the appointed members of the board.

ARTICLE VI

COMMITTEES OF THE BOARD

BOARD COMMITTEES

The chair shall appoint members of committees that have been approved by the board. The appointed committees shall exercise authority as specially granted to them by formal board action.

AUDIT AND FINANCE COMMITTEE

The audit and finance committee shall be a standing committee of the board. The committee shall consist of three members, appointed annually by the chair. The board chair shall serve as chair of the audit and finance committee. All members of the board are invited and encouraged to observe meetings of the audit and finance committee.

Duties and Responsibilities:

1. The committee shall discuss with the president the parameters of the budget before budget development and advise the administration on budget development. The full board will review the proposed budget at a January work session.
2. The committee shall meet quarterly or as needed and shall determine the types and frequencies of reports necessary to monitor the college's financial operations to ensure that the expenditures comply with the budget and financial expectations.
3. The committee may conduct a periodic review of administrative policies and procedures and board policies to ensure effective controls.
4. The committee shall recommend to the board the selection and terms of engagement of an external independent auditor. The auditor shall submit to the audit and finance committee a management letter, preliminary report, and the final audit report. The committee shall approve the administration's responses to the audit findings. The administration shall submit to the committee its periodic report on satisfying the audit exceptions, if necessary.
5. The committee monitors the board functions required by state code, particularly §16-103 *Powers of the Board of Trustees*, and reports significant variances to the board and recommends actions to be taken by the board based on the information the committee has received.

LEGISLATIVE COMMITTEE

The legislative committee shall be appointed by the board chair annually. The committee, consisting of three members, shall review and recommend the college's legislative plan at the county, state, and federal levels. All board members are invited and encouraged to observe.

OTHER COMMITTEES

Upon the request of the board, the chair may appoint other committees or appoint members to serve on college advisory committees. The chair shall appoint a member of the board to act as a non-voting ex-officio liaison to the Howard Community College Educational Foundation Board. A member of the board of trustees cannot be appointed to serve as an individual on the foundation board. A member of the board can serve as a non-voting ex-officio liaison to the foundation but they must be clear that they are representing the board of trustees and not serving as an individual member of the foundation board (for further details see Appendix A from State Ethics Commission discussion).

ARTICLE VII

BOARD EXECUTION AND EVALUATION OF POLICY

The board of trustees shall appoint a president of the college who shall serve as the chief executive officer of the college and secretary-treasurer for the board of trustees.

As the chief executive officer, the president shall be directly responsible to the board for directing the educational program in accordance with the policies established by the board. The president shall be accountable to the board for all matters pertaining to his/her responsibilities. The president shall be responsible for implementing the bylaws, resolutions, and policies of the board in accordance with state law and the limitations adopted by the board.

The president shall use his/her best efforts to implement policies of the board of trustees and promote the development and efficient operation of the college. The president shall diligently implement policies and procedures of the board of trustees and expeditiously document and disclose all variances.

The president may hire, suspend, and discharge faculty and employees consistent with policies and procedures authorized by the board of trustees. In the event of termination, an employee shall be given reasonable notice of the grounds for dismissal and an opportunity to appeal to the president, who shall then notify the board of trustees, if necessary. The board, in its discretion, shall determine whether it will or will not review an employment decision.

The president may delegate any portion of the president's authority to other officers of the college, subject to the right of the board of trustees to rescind or modify the delegation in whole or in part, at any time.

PLANNING AND BUDGETING

Each January, the president shall submit to the board, for preliminary approval, the college's proposed strategic operating plan and budget. This plan shall be submitted to the county and state. Once funding levels are determined, the board will receive the revised plan for final approval.

The accompanying calendar shall serve as a guide to determine when the board addresses key issues related to the annual schedule for the board to approve decisions of operational and budgetary nature.

Suggested Timeline for Important Tasks

August	<ul style="list-style-type: none"> • Review of prior year's outcomes • Revision of current year's plan based on funding
September	<ul style="list-style-type: none"> • Audit and finance committee and board of trustees discuss capital budget proposal • Review capital budget plan • Report on board end: Strategic Planning
October	<ul style="list-style-type: none"> • Report on board end: Student and Stakeholder Focus • Board of trustees approves capital budget • Board of trustees reviews audit
November	<ul style="list-style-type: none"> • Audit and finance committee discusses operating budget parameters • Report on board end: Information and Analysis
December	<ul style="list-style-type: none"> • Mid-year report from the president • Board of trustees prepares mid-year evaluation of the president
January	<ul style="list-style-type: none"> • Work session and meeting to review and approve the proposed integrated strategic and operating plan and budget for upcoming year • Mid-term meeting of board chair and president
February	<ul style="list-style-type: none"> • Report on board end: Faculty and Staff Focus
March	<ul style="list-style-type: none"> • Report on board end: Educational and Support Process Management • Board of trustees should approve auditor at this meeting if it has not done so at a prior meeting,
April	<ul style="list-style-type: none"> • Report on board end: Leadership • Board of trustees approves revised operating budget (if necessary)
May	<ul style="list-style-type: none"> • Approval of final plan and budget • Annual report of the president • Review and approval of vision, mission, values, beliefs, and strategic initiatives and goals for budget development for year after upcoming year • Approval of Maryland Higher Education Commission performance accountability indicators (<i>approximately every five years</i>)
June	<ul style="list-style-type: none"> • Board of trustees gives written evaluation to the President • Board chair meets with president • Board of trustees approves Maryland Higher Education Commission performance accountability plan

THE PRESIDENT'S REPORTS AND PERFORMANCE EVALUATION

The president shall report on board ends annually. The board shall review the Maryland Higher Education Commission (MHEC) Indicators (§11-304 Performance accountability plan) submitted to the state each June 30th.

The president shall submit a written report to the board in December and May reflecting information on organizational performance in terms of specific objectives set forth by the board. With advice of members of the board, the board chair shall prepare a written evaluation of the president's performance within thirty days of reviewing the president's report.

APPENDIX A

Dual Service on HCC's Board of Trustees and the HCC Educational Foundation Board, Inc.

Conclusions from a phone call with Suzanne Fox, State Ethics Commission, December 2, 2004, 9:45 am.

Present: Roberta Dillow, Patrick Huddie, Katherine Rensin, Mary Beth Tung, trustees; Mary Ellen Duncan, president; and Erin Marek, executive associate to the president.

Principles Discussed:

- The ethics commission has found non-compensated service on State governing boards to be employment. Public Ethics Law section 15-502 prohibits an employee (in this case a member of the HCC board of trustees appointed by the Governor) from being employed by an entity (sitting on another board – i.e. HCCEF) that contracts with this agency (Howard CC), and further bars any other employment that would impair his impartiality or independence of judgment.
- A member of the board of trustees cannot be appointed to serve as an individual on the foundation board. A member of the board CAN serve as a non-voting ex-officio liaison to the foundation but they must be clear that they are representing the board of trustees and not serving as an individual member of the foundation board.
- **HOWEVER**, if the potential conflict exists prior to the individual's appointment to the board of trustees (i.e. service on the foundation board occurs prior to board of trustees appointment), and if it is disclosed to the appointing authority (i.e. the Governor) prior to appointment to the board of trustees and the appointing authority sees no conflict of interest, then the individual may serve on both boards until the term that is being served on the foundation board expires. BUT, they must recuse themselves on any issues that have a potential conflict of interest with the Board of Trustees.
- A person who is serving as an individual on both boards should not be the board liaison to the foundation. Instead, another trustee representing the board's interests should be appointed liaison (non-voting/ex-officio member) if that is so specified in the by-laws.
- USM has special legislation waiving the prohibition against dual service.

4 – Honoring Senator Kittleman

Background

Senator Robert Kittleman passed away in September 2004. Since then, various conversations have been held about an appropriate way for Howard Community College to honor and recognize the contributions Senator Robert Kittleman made to HCC and the community during his years of public service. The conversations have centered around naming an appropriate space on campus or event in his honor. Possibilities discussed to this point include: the quad, the fountain, room ST 109, the pond on campus, or the multipurpose room in the instructional laboratory building (ILB). The Howard County Center for African American Culture (HCCAAC) is also interested in naming an annual lecture for him.

After considering the pros and cons of the various spaces, the administration recommends the multipurpose room in the ILB. This space is used heavily by internal and external groups and the “Kittleman Room” has a nice ring to it! This idea has been well received by Senator Allan Kittleman.

Recommendation

It is requested that the board of trustees approve the naming of ILB-100 the “The Senator Robert H. Kittleman Room” as endorsed by the legislative committee at its February 3, 2005, meeting.

Compliance: This request is in compliance with Board Bylaws, Article II – Responsibilities and Powers of the Board of Trustees.

5 – Professional Services for Collegewide Facilities Condition Assessment

Background: Proposals were solicited for professional services to prepare a collegewide facilities condition assessment of approximately 500,000 square feet for the college's main campus in Columbia, Maryland and the Belmont Conference Center in Elkridge, Maryland. The scope of services includes the investigation of all building and utility systems including architectural, electrical, mechanical, plumbing, structural, telecommunications, security, and ADA accessibility. In addition, assessment of the building envelope is required for the building curtain wall system, masonry walls, roofing tie-in, plaza waterproofing, and concrete foundation wall and at-grade floor slabs. The development of the facilities master plan will run simultaneously with the facilities condition assessment. Therefore, the findings of the facilities assessment will be used to assist in the development of the master plan, requiring the successful firm to meet and work closely with the firm selected for the facilities master plan project. Reporting requirements outlined in the request for proposal documents consist of discussion of condition findings; recommendations of remedial actions from observed deterioration or failures; and a project phasing schedule accommodating construction period, building occupancy, swing space requirements, and overall budget requirements and breakdowns.

Purpose: To obtain board of trustees approval to award a contract for professional services for the collegewide facilities condition assessment project.

Location: The college's main campus in Columbia, Maryland, and the Belmont Conference Center in Elkridge, Maryland.

Timeline: February 24, 2005 – May 25, 2005

Specifications: To complete a collegewide facilities condition assessment of approximately 500,000 square feet within three months from receipt of notice to proceed.

Bids: Technical proposals were received from eight firms and evaluated by the selection committee. Only those proposers whose technical proposal achieved the minimum or better technical score were asked to submit price proposals. Four of the eight firms met the minimum 75 percent or better requirement and submitted price proposals as follows:

Price Proposals as Submitted by Firms						
Firm	Cost/SF	Basic Services	Special Services	Reimb. Expenses	Other (software)	Total Proposal
3D/I	\$.042-\$.089	\$97,002	\$0	\$7,775	\$0	\$104,777
Carter & Burgess	\$.14	\$78,552	\$0	\$4,000	\$5,000	\$87,552
EMG	\$.09	\$43,110	\$0	\$0	\$10,000	\$53,110
Francis Cauffman Foley Hoffmann	\$.36	\$179,000	\$10,000	\$5,000	TBD	\$194,000
Price Proposals Adjusted based on 500,000 SF for "Apples to Apples" Comparison						
Firm	Cost/SF	Basic Services	Special Services	Reimb. Expenses	Other (software)	Adjusted Proposal
3D/I	\$.042-\$.089	\$48,625	\$0	\$7,775	\$0	\$56,400
Carter & Burgess	\$.14	\$70,000	\$0	\$4,000	\$5,000	\$79,000
EMG	\$.09	\$45,000	\$0	\$0	\$10,000	\$55,000
Francis Cauffman Foley Hoffmann	\$.36	\$179,000	\$10,000	\$5,000	TBD	\$194,000

The college's selection committee met with EMG on February 2, 2005, to clarify the scope of work and college expectations. It was agreed that the final report would be consistent with the college's facilities master plan and five-year capital improvements program and include a phasing plan that would identify prioritized needs based on the correction of deficiencies as current critical (immediate), potential critical (1-2 years), intermediate priority (3-5 years), and long-term capital planning (10-20 years).

In addition, college staff emphasized that in-depth mechanical and electrical assessments were needed as follows:

- Option 1 - Mechanical: trace-out branch lines and zone coverage
- Option 2 - Electrical: develop one-line diagrams for each building including but not limited to transformers, insulation, switch gears, and panels.

While these items were not identified in the original scope of work, the firm provided a budget number for these options as follows:

- Option 1 - \$36,550
- Option 2 - \$ 8,800

Depending on the availability of funds and progress of the project, the college will determine if these options are viable.

Recommendation:

It is requested that the board of trustees approve:

Amount: \$53,110 base contract plus \$45,350 options totaling \$98,460.

Vendor: EMG, 11011 McCormick Road, Hunt Valley, Maryland.

Source of funds: FY05 Capital Budget, Systemic Renovations.

Compliance: This request is in compliance with college procedure, Purchasing – 62.05.01.

6 – Parking Deck Design Services

Background: The campus has lost approximately 200 parking spaces due to the construction of the Horowitz visual and performing arts building. Last summer an additional 156 spaces were added on the Grand Prix field to accommodate for this loss. However, an additional 144 parking spaces will be lost when the construction of the student services building begins. There are limited areas available where additional surface parking may be constructed to offset the loss. Therefore, the administration has investigated the construction of a multi-level parking deck. The parking deck would be built on the site of the temporary parking lot located behind the science and technology building. The proposed design would be for a 300+ space parking deck with future expansion capability to 500+ spaces. The college advertised the request for proposal (RFP) for parking deck design services in December 2004. Technical proposals were submitted by the following firms: ABA Architects; Century Engineering; Desman Associates; Walker Parking Consultants; Whitman, Requardt & Associates. A short list was compiled based on the technical proposal rating and price proposals were solicited from the two highest-ranking firms, Desman Associates and Walker Parking Consultants. (See table below)

The funding for this project will be multi-fold. First, the state had originally approved funding for parking construction (not design) in the amount of \$663,000. The administration is still waiting approval from the state for use of these funds on the construction component of this project once the design is completed. Second, the administration is currently working with the county on the use of revenue bonds for financing. This financing would cover the construction of the deck. Unfortunately, both the Maryland Economic Development Corporation (MEDCO) and Maryland Health and Higher Educational Facilities Authority (MHHEFA) have stated that they would not be able to participate in this project. In the college's current systemic renovation account, funds are available to cover the design costs now, so the administration would like to proceed with the project design. Construction costs are estimated to be \$4,000,000.

Purpose: To obtain board of trustees approval for parking deck design services.

Location: Temporary lot behind the science and technology building.

Timeline: Delivery of 50 percent design documents for construction bid by April 29, 2005. Delivery of 100 percent design documents by June 24, 2005.

Specifications: Design of a 300+ space parking deck with 500+ space expansion capability.

Bids:

Company:	Service Break-Down	Price Proposal:
Desman Associates	Basic	\$248,000.00
	Reimbursables	\$ 15,000.00
	Total:	\$263,000.00
Walker Parking Consultants	Basic	\$267,000.00
	Reimbursables	\$ 21,000.00
	Total:	\$288,000.00

Recommendation

It is requested that the board of trustees approve:

Amount: \$263,000.00

Vendor: Desman Associates

Source of funds: FY05 Capital Budget, Systemic Renovations

Compliance: This request is in compliance with college policy, Purchasing-62.05.01.