

# MONTGOMERY COLLEGE BOARD OF TRUSTEES

# RECORD OF RESOLUTIONS May 15, 2017

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# BOARD OF TRUSTEES MONTGOMERY COLLEGE Rockville, Maryland

Agenda Item Number: 7A May 15, 2017

#### PERSONNEL ACTIONS CONFIRMATION REPORT

### **BACKGROUND**

The Board of Trustees by state law has the authority and the responsibility for appointments to the College. Each month the Board receives a summary of personnel actions from the Office of Human Resources and Strategic Talent Management on new hires and employees who have separated from the College.

### **RECOMMENDATION**

It is recommended that the Board adopt the attached report.

#### **BACKUP INFORMATION**

Board Resolution Personnel Actions Confirmation Report Policy 34001–Changes in Employee Status

# RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

#### **RESOURCE PERSON**

Mr. Roop

## BOARD OF TRUSTEES MONTGOMERY COLLEGE Rockville, Maryland

Resolution Number: 17-05-037 Agenda Item Number: 7A

Adopted on: **5/15/2017** May 15, 2017

**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 March 1, 2017, through March 31, 2017; and

WHEREAS, The president of the College recommends that the Board adopt the following resolution; now therefore be it

<u>Resolved</u>, That the Board of Trustees accepts the attached reports and confirms the actions of the president.

# MONTGOMERY COLLEGE SUMMARY OF PERSONNEL ACTIONS

From March 1, 2017, through March 31, 2017

#### **STAFF**

STA	FF	FM	IPI	OV	M	FN1	rs.

Effective

Date	Name	Position Title	Grade	Department
03/27/2017	Pratt, Heather K	Employee & Labor Relations Dir III	Р	HR and Strategic Talent

## **STAFF SEPARATIONS**

Effective

Ellective				
Date	Name	Position Title	YOS	Department
03/31/2017	Bandak, Mark B1	Analyst-Programmer	32	OIT Application Services
03/03/2017	Carmody, Mark D	Director II	1	Facilities Operations - RV
03/06/2017	Gonzalez, Andres	Safety & Security Officer	6	Facilities Security - GT
03/10/2017	Griffin, DyNaesty M	Administrative Aide II	3	Financial Aid
03/31/2017	Griffin, Joel	Building Services Worker	3	Facilities - Central Administration
03/31/2017	Johnson, Mitchell V	Building Services Worker	8	Facilities - Central Administration
03/28/2017	Mattiko, Natalie P	Project & Planning Analyst II	6	Sr VP of Admin & Fiscal Services CW Dean - Stud Eng –TP/SS
03/17/2017	Nation, Julia M	Instructional Associate	4	Student Svs
03/31/2017	Summerson, Rick C	Video Engineer	12	MCTV10 - Montgomery College TV Planning & Institutional
03/31/2017	Wessman, Kathleen A1	Deputy Chief of Staff & Strategic	33	Effectiveness

## **STAFF EMPLOYMENTS: Ethnicity and Gender**

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

## STAFF SEPARATIONS: Ethnicity and Gender

	White	Black	Hispanic	Asian	American Indian	TOTAL
Female	2	1	0	1	0	4
Male	2	3	1	0	0	6
TOTAL	4	4	1	1	0	10

## **FACULTY**

**FACULTY EMPLOYMENTS: None** 

**FACULTY SEPARATIONS: None** 

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<sup>&</sup>lt;sup>1</sup> Retirement

Rockville, Maryland

Agenda Item Number: 7Bi

May 15, 2017

#### MODIFICATION OF COLLEGE POLICY 11001-BOARD OF TRUSTEES BYLAWS

#### BACKGROUND

The bylaws of the Board of Trustees provide the official framework for its scope of authority and responsibilities, legal obligations, and rules of meeting order. From time to time, the Board reviews its bylaws to ensure they are up-to-date and aligned with new practices or standards. The bylaws are contained as the first element in the College's Policies and Procedures Manual as item 11001.

These revisions include modifications to conform with new state law on open meetings as well as other changes in board practice. Modifications appear in part I, sections H (Meetings), I (Public and College Personnel Participation in Meetings), J (Agendas), and a new section L (E-mail Communications). Revisions address when agendas are to be posted, where meetings are to be held, the retention of meeting minutes, the duration of time allowed for public speakers, the structure and protocols for a consent agenda, and e-mail communications.

#### **RECOMMENDATION**

The Executive Committee of the Board recommends that the full Board adopt the revised bylaws as contained in the attachment.

#### **BACKUP INFORMATION**

Policy 11001–Board of Trustees Bylaws (revised version)

#### RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

#### **RESOURCE PERSON**

Mr. Dietz

Rockville, Maryland

Resolution Number: 17-05-038 Agenda Item Number: 7Bi

Adopted on: **5/15/2017** May 15, 2017

Subject: Modification of College Policy 11001-Board of Trustees Bylaws

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

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

WHEREAS, Revisions proposed for the bylaws include when agendas are to be posted, where meetings are to be held, the retention of meeting minutes, the duration of time allowed for public speakers, the structure and protocols for a consent agenda, and e-mail communications; and

WHEREAS, Other editorial changes for accuracy and clarity have been made; now therefore be it

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

Rockville, Maryland

Agenda Item Number: 7Bii

May 15, 2017

# POLICY MODIFICATION: 33004-PROBATIONARY AND REGULAR STATUS FOR SUPPORT AND ASSOCIATE STAFF EMPLOYEES

#### **General Information**

Policy Number:	33004
Contained in Chapter:	Chapter Three
Policy Title:	Probationary and Regular Status for Support and Associate Staff Employees
Policy Creation Date:	September 21, 1987
Most Recent Modification Date:	September 21, 1987

### Changes, Additions, Deletions

Line Number	Purpose
Policy Title	Deleted "Support and Associate" from the policy title as the policy
	applies to all staff in general.
1	Deleted "Support and Associate" as the policy applies to all staff in
	general.

#### RECOMMENDATION

It is recommended that the Board of Trustees adopt the modifications to Policy 33004– Probationary and Regular Status for Support and Associate Staff Employees, henceforth titled 33004–Probationary and Regular Status for Staff Employees.

## **BACKUP INFORMATION**

#### Resolution

Policy 33004–Probationary and Regular Status for Support and Associate Staff Employees (revised version)

#### RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

#### **RESOURCE PERSON**

Mr. Roop

Rockville, Maryland

Resolution Number: 17-05-039 Agenda Item Number: 7Bii

Adopted on: **5/15/2017** May 15, 2017

Subject: Policy Modification: 33004-Probationary and Regular Status for Support and

**Associate Staff Employees** 

WHEREAS, The Board of Trustees created Policy 33004–Probationary and Regular Status for Support and Associate Staff Employees in 1987; and

WHEREAS, The policy has served an important purpose in evaluating staff employee performance and competency prior to continued employment with the College; and

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

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

Resolved, That Policy 33004–Probationary and Regular Status for Support and Associate Staff Employees, henceforth titled 33004–Probationary and Regular Status for Staff Employees, be amended as indicated in the attached draft; and be it further

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

Rockville, Maryland

Agenda Item Number: 7Biii

May 15, 2017

#### POLICY MODIFICATION: 34005-RESIGNATION AND RETIREMENT

#### **General Information**

Policy Number:	34005
Contained in Chapter:	Chapter Three
Policy Title:	Resignation and Retirement
Policy Creation Date:	September 21, 1987
Most Recent Modification Date:	September 21, 1987

## **Changes, Additions, Deletions**

Line Number	Purpose
2-3	Clarified that the policy applies to faculty, staff, and administrators.

## **RECOMMENDATION**

It is recommended that the Board of Trustees adopt the modifications to Policy 34005–Resignation and Retirement.

## **BACKUP INFORMATION**

Resolution

Policy 34005–Resignation and Retirement (revised version)

# RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

## **RESOURCE PERSON**

Mr. Roop

Rockville, Maryland

Resolution Number: 17-05-040 Agenda Item Number: 7Biii

Adopted on: **5/15/2017** May 15, 2017

**Subject: Policy Modification: 34005–Resignation and Retirement** 

WHEREAS, The Board of Trustees created Policy 34005–Resignation and Retirement in 1987; and

WHEREAS, The policy has served an important purpose in providing guidance to employees who desire to voluntarily terminate their employment with the College in good standing; and

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

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

Resolved, That Policy 34005–Resignation and Retirement be amended as indicated in the attached draft; and be it further

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

Rockville, Maryland

Agenda Item Number: 7Biv

May 15, 2017

### **POLICY MODIFICATION: 61005-INTERNAL AUDIT**

#### **General Information**

Policy Number:	61005
Contained in Chapter:	Chapter Six
Policy Title:	Internal Audit
Policy Creation Date:	May 16, 2005
Most Recent Modification Date:	February 25, 2014

## **Changes, Additions, Deletions**

Line Number	Purpose
11	Added "duties and" to responsibilities.
25-27	Updated oversight responsibility of the internal audit function and replaced it with the Chief Compliance, Risk and Ethics Officer to more accurately reflect the current administrative structure.
30-31	Deleted this language as it is unnecessary since that responsibility has does not reside with internal audit.
41	Deleted an unnecessary "the" for grammatical purposes.
62-63	Added new responsibility related to responding to reports of suspected fraud or fiscal irregularities received through the reporting line established by Policy 61008.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees adopt the modifications to Policy 61005–Internal Audit.

## **BACKUP INFORMATION**

Resolution

Policy 61005–Internal Audit (revised version)

## RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

## **RESOURCE PERSON**

Ms. Duggan

Rockville, Maryland

Resolution Number: 17-05-041 Agenda Item Number: 7Biv

Adopted on: **5/15/2017** May 15, 2017

**Subject: Policy Modification: 61005–Internal Audit** 

WHEREAS, The Board of Trustees created Policy 61005-Internal Audit in 2005; and

WHEREAS, The policy has served an important purpose in bringing a systematic and disciplined approach to evaluating and improving the effectiveness of risk management, control, and governance processes; and

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

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

Resolved, That Policy 61005–Internal Audit be amended as indicated in the attached draft; and be it further

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

Rockville, Maryland

Agenda Item Number: 7Bv

May 15, 2017

#### POLICY MODIFICATION: 68004-RECORDS MANAGEMENT

#### **General Information**

Policy Number:	68004	
Contained in Chapter:	Chapter Six	
Policy Title:	Records Management	
Policy Creation Date:	November 19, 1984	
Most Recent Modification Date:	June 18, 2012	

## **Changes, Additions, Deletions**

Line Number	Purpose
Policy Title	Title of the policy has been changed from "Records Management" to
	"Inspection of Public Records" in anticipation of the development of a
	new and separate Records Management Policy.
1	Deleted the header for consistency with other policies.
5-6	Deleted reference to Public Information Act.
8	Deleted the header for consistency with other policies.
10-14	Deleted reference to "state law" and revised the language to reference
	the updated section of the Annotated Code of Maryland.
16-22	Deleted language regarding costs and expenses and moved it to the
	procedure.
24-32	Deleted language on the retention schedule as this will be included in
	a newly developed Records Management policy.

#### **RECOMMENDATION**

It is recommended that the Board of Trustees adopt the modifications to Policy 68004-Records Management, henceforth titled 68004–Inspection of Public Records.

#### **BACKUP INFORMATION**

Resolution

Policy 68004–Records Management (revised version)

#### RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

## **RESOURCE PERSON**

Mr. Dietz

Rockville, Maryland

Resolution Number: 17-05-042 Agenda Item Number: 7Bv

Adopted on: **5/15/2017** May 15, 2017

**Subject: Policy Modification: 68004–Records Management** 

WHEREAS, The Board of Trustees created Policy 68004–Records Management in 1984; and

WHEREAS, The policy has served an important purpose in granting access to College records in accordance with the provisions of the Maryland Public Information Act, Title 4 of the State General Provisions Article of the Annotated Code of Maryland; and

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

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

Resolved, That Policy 68004–Records Management, henceforth titled 68004–Inspection of Public Records, be amended as indicated in the attached draft; and be it further

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

Rockville, Maryland

Agenda Item Number: 8

May 15, 2017

#### **ADOPTION OF POLICY: 39002-VOLUNTEERS**

#### **General Information**

Policy Number:	39002
Contained in Chapter:	Chapter Three
Policy Title:	Volunteers
Policy Creation Date:	April 24, 2017

#### **Reason for Policy**

The College has always appreciated volunteers who provide their uncompensated services in support of College programs and activities. As the regulatory environment and external compliance expectations have grown, and with the implementation of the College's recent policy on the Protection of Minors, it is important to establish a policy that formalizes the use of volunteers. A systematic process for registering, tracking, and appropriately clearing volunteers under certain circumstances will aid the College with its compliance expectations as well as establishing clear guidance on using volunteers in the furtherance of the College's mission.

#### **Purpose of Each Policy Element**

Section	Purpose
I.	Recognition of the important role that volunteers play in support of the College's mission.
II.	Policy statement outlining the use of volunteers and related exceptions.
III.	Requirement that volunteers be screened based on the nature and duration of the volunteer assignment and that all volunteers comply with College policies and procedures.
IV.	Applicability of worker's compensation and the College's liability protections to volunteers. Also includes a statement regarding separate liability provided by College foundations and the Alumni Board.
V.	Authorization for the president to develop procedures to implement the policy.

### **RECOMMENDATION**

It is recommended that the Board of Trustees adopt Policy 39002–Volunteers.

# **BACKUP INFORMATION**

Resolution Policy 39002–Volunteers

# RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Cain

# RESOURCE PERSON

Ms. Duggan

Rockville, Maryland

Resolution Number: 17-05-043 Agenda Item Number: 8

Adopted on: **5/15/2017** May 15, 2017

Subject: Adoption of Policy: 39002-Volunteers

WHEREAS, The president has identified the need for a policy to address the involvement of volunteers who perform services in support of the College's mission; and

WHEREAS, The issues related to the volunteers have been researched under the direction of the president; and

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

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

Resolved, That Policy 39002–Volunteers be adopted as indicated in the attachment; and be it further

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

Rockville, Maryland

Agenda Item Number: 9

May 15, 2017

# AWARD OF CONTRACT, UNINTERRUPTABLE POWER SUPPLY EQUIPMENT AND SERVICE, ROCKVILLE CAMPUS, BID 517-018

# **BACKGROUND**

Request:	Contract for the purchase of uninterruptable power supply
	equipment and services.
Office/SVP	Senior Vice President for Administrative and Fiscal Services, and
Originating Request:	the Vice President of Instructional and Information
	Technology/Chief Information Officer
Award Type:	Competitive
Bid Number:	517-018
Explanation of	The purchase of uninterruptable power supply (UPS) equipment
Request:	and services to support the College's network infrastructure
	provides a sustained and reliable power source. In light of the
	College's ever-increasing computer technology footprint, there is a
	critical and time-sensitive need to move away from the current,
	small individual UPS units to larger, more robust UPS equipment
	with built-in redundancies, greater uptime, and simplified
	maintenance support services. Benefits of this equipment include a
	more reliable network, and the reduction in the inventory of existing
	smaller UPS units. In addition, cooling and space requirements in
	many of the network closets would be reduced. Without this
	enhanced UPS technology, the current UPS equipment would not
	be able to adequately power the College's increasing network
	infrastructure, resulting in unanticipated outages.
Reason Being Brought	Board approval is required for bid awards valued over \$250,000.
to Board:	
Certification:	The director of procurement certifies that specifications were
	developed by appropriate College staff and the vice president of
	finance/chief finance officer certifies that funds are available in the
	FY17 capital budget.
Total Annual	\$500,000
Estimated Dollar	
Amount:	
Vendor Name:	Compu Dynamics, LLC
Vendor Address:	22446 Davis Drive, Suite 187
	Sterling, Virginia 20164
Minority Status:	No
Term of Contract:	May 16, 2017–June 30, 2017, with four one-year renewal options

## **RECOMMENDATION**

It is recommended that the Board of Trustees approve an award of contract to Compu Dynamics, LLC, of Sterling, Virginia, for the purchase of uninterruptable power supply equipment and services, for a total estimated annual amount of \$500,000.

It is further recommended that the contract be renewed for four additional one-year renewals as long as service is satisfactory, funds are available, and it is in the best interest of the College. The total five-year estimated contract award is \$2,500,000.

## **BACKUP INFORMATION**

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

#### RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

## **RESOURCE PERSONS**

Mr. Johnson Mr. Whitman

Rockville, Maryland

Resolution Number: 17-05-044 Agenda Item Number: 9

Adopted on: **5/15/2017** May 15, 2017

Subject: Award of Contract, Uninterruptable Power Supply Equipment and Service,

Rockville Campus, Bid 517-018

WHEREAS, The senior vice president for administrative and fiscal services and the vice president of information technology/chief information officer are requesting an award of contract for the purchase of uninterruptable power supply equipment and services; and

WHEREAS, Uninterruptable power supply equipment and services are being requested to address the College's need for a more reliable power source for the institution's increasing network infrastructure; and

WHEREAS, The director of procurement certifies that specifications were developed by appropriate College staff, and the vice president of finance/chief financial officer certifies that funds are available in the FY17 capital budget; and

WHEREAS, Pursuant to Md. (Educ.) Code Ann. Sec.16-311, a request for proposal was publically advertised in a local Montgomery County newspaper on March 30, 2017, and posted on the Montgomery College procurement website and eMaryland Marketplace; and

WHEREAS, 39 companies downloaded the solicitation from the procurement website; and on April 12, 2017, two responses, including one no-bid, were received and recorded in the Office of Procurement; and

WHEREAS, Upon evaluation of submitted proposal by appropriate College staff, it was determined that the proposal submitted by Compu Dynamics, LLC, of Sterling, Virginia, was responsive and responsible, and met all College requirements; and

WHEREAS, Board approval is required for bids valued above \$250,000; and

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

Resolved, That the Board of Trustees approve an award of contract to Compu Dynamics, LLC, of Sterling, Virginia, for the purchase of uninterruptable power supply equipment and services for a total annual estimated amount of \$500,000; and be it further

<u>Resolved</u>, That the contract be renewed for four additional one-year terms, as long as service is satisfactory, funds are available, and it is in the best interest of the College, where the total five-year estimated contract award is \$2,500,000; and be it further

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

Rockville, Maryland

Agenda Item Number: 10

May 15, 2017

#### **INCREASE IN TUITION RATE PER CREDIT HOUR FOR FISCAL YEAR 2018**

#### **BACKGROUND**

The Board of Trustees adopted the College's FY18 operating budget at its meeting on January 23, 2017, which included a proposed tuition rate increase of 2.9 percent. As a result of the Maryland governor's FY18 budget, there is a new one-time grant of \$4.0 million to supplement community colleges' formula funding. To receive this grant, institutions must raise in-county tuition rates by no more than two percent in the fall 2017 semester. The amount each community college will receive is based on a percentage of the total of state aid eligible FTEs for FY16. Should all community colleges accept the grant, the proportioned amount to Montgomery College is \$728,345 based on 17,999.63 FTEs. By accepting this grant the College will see less tuition revenue in the amount of \$568,743 than originally proposed when our FY18 budget was first adopted.

Given the College's goal to keep tuition affordable and the governor's supplemental tuition grant, an increase of \$2, \$4, and \$6 per credit hour for in-county, in-state, and out-of-state tuition rates, respectively, is now planned for FY18. The tuition and fee increase will be effective with the fall 2017 semester and will continue to support the College's efforts toward ensuring student excellence, access, and success.

Our changes will result in per-credit-hour tuition rates of \$124 for in-county students, \$253 for instate students, and \$350 for out-of-state students. These changes represent an increase of 1.6 percent for the in-county tuition rate, 1.6 percent for the in-state rate, and 1.7 percent for the out-of-state rate.

# **RECOMMENDATION**

It is recommended that the Board of Trustees increase the cost of tuition per credit hour by \$2, \$4, and \$6 beginning with the fall 2017 semester for in-county, in-state, and out-of-state tuition rates, respectively.

#### BACKUP INFORMATION

Board Resolution Policy 45001–Tuition, Fees, and Refunds

### RESPONSIBLE SENIOR ADMINISTRATOR

Dr. Wormack

#### **RESOURCE PERSONS**

Ms. Schena

Rockville, Maryland

Resolution Number: 17-05-045 Agenda Item Number: 10

Adopted on: **5/15/2017** May 15, 2017

Subject: Increase in Tuition Rates Per Credit Hour for Fiscal Year 2018

WHEREAS, The Board of Trustees adopted the FY18 operating budget at its meeting on January 23, 2017, which included a proposed tuition rate increase of 2.9 percent; and

WHEREAS, In the Maryland governor's FY18 budget, there is a new one-time supplemental grant of \$4.0 million to provide to the state's community colleges' formula funding; and

WHEREAS, To receive this grant, institutions must raise in-county tuition rates by no more than two percent in the fall 2017 semester; and

WHEREAS, Given the College's budget situation with regard to the county executive's funding recommendation and the College's goal to keep tuition affordable, accepting the governor's supplemental grant to increase tuition rates by no more than two percent is now planned for the FY18 budget; and

WHEREAS, The FY18 budget contains funding that advances student-centered initiatives such as continuing our work with the Achieving the Dream network to ensure equity for student success; continuing implementation of open education resources that will make education more affordable; and enhancing the College's security where no new funds were requested to support these priorities; and

WHEREAS, As public dollars to the College trended downward as a result of the economy over the past several years, Montgomery County and the state budget situations continue to improve, but modestly; and

WHEREAS, The proposed tuition increase put forth by the Board of Trustees continues a deep commitment to keeping Montgomery College affordable while taking prudent steps to advance the efforts in ensuring student excellence, access, and success; and

WHEREAS, The proposed tuition increase is consistent with other higher education institutions that adopted the one-time supplemental grant; and

WHEREAS, Even with this tuition increase there is still a gap between commitment to student success, long-term financial stability, and available resources; and

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

<u>Resolved</u>, That the Board of Trustees adopts tuition rate increases of \$2, \$4, and \$6 per credit hour for in-county, in-state, and out-of-state students, respectively, effective beginning with the fall 2017 semester; and be it further

Resolved, That this action establishes the per-credit-hour tuition rates at \$124, \$253, and \$350 for in-county, in-state, and out-of-state residents, respectively.