

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

**October 18, 2023
Regular Meeting**

The Board of Trustees of Frederick Community College met in regular session on Wednesday, October 18, 2023 in the Conference Center (E126AB). A virtual option to participate was provided. Participating in person were: Trustees Carolyn Kimberlin, Chair; Tom Lynch, Vice Chair; Theodore Luck; Tracey McPherson; Dr. John Molesworth; and Dr. William Reid. Trustee Myrna Whitworth was unable to attend.

Also attending in person were President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Janice Spiegel, Special Projects Manager/Budget Office Frederick County Government; Adam Konstas, PK Law, College legal counsel; Avis Boyd, Chief of Staff to the President; Jerry Boyd, Special Assistant to the President for Institutional Effectiveness; Dr. Anne Davis, Provost and Vice President (VP) for Teaching, Learning and Student Success; Dr. Bridgette Cofield, VP for Talent and Culture; Dr. Barbara Larson, Interim VP for Finance and Administration; Deborah Powell, Executive Director for the Office of Institutional Advancement and the FCC Foundation; Dr. Benita Rashaw, Interim VP for Student Affairs; Adam Reno, Interim Chief Information Officer (CIO); Dr. Molly Carlson, Associate Vice President (AVP) for Continuing Education and Workforce Development; Dr. Renee Davis, AVP, Center for Teaching and Learning; Dr. Vell Lyles, AVP for Strategic Enrollment and Innovation; Dr. Sandy McCombe Waller, AVP for Academic Affairs/Dean of Health, Business, Technology & Science; Nichole Pollard, Interim AVP for Student Success; Amy Stake, AVP for Finance; Dr. Brian Stipelman, AVP for Academic Affairs/Dean of Liberal Arts; Jeanni Winston-Muir, Interim AVP for Student Affairs; Michael Anderson, Director of Career and Academic Planning Services;

Esther Slack-Metellus, Support Staff Association (SSA) Executive; Tobi Hollander, CPA, Engagement Partner, SB & Company; Graylin Smith, CPA, Client Service Partner, SB & Company; and Kari Melvin, Recording Secretary.

Participating virtually were Dr. Leslie Puzio, Chair, Faculty Association (FA); Dr. Kevin Martin, Administrative Staff Association (ASA) Executive; Corwin Parker, Chair, College Senate; Robin Shusko, Vice Chair, College Senate; Caroline Cole, Director of Communications to the President; Fred Hockenberry, Executive Director of Auxiliaries, Procurement and Special Projects; Pamela Murphy, Labor Relations Specialist; and Karen Place, Capital Project Planner. Dr. Daniel Phelan, Consultant, participated virtually for a portion of the meeting.

CALL TO ORDER

The meeting was called to order by Chair Kimberlin at 4:31 p.m.

APPROVAL OF MINUTES

Chair Kimberlin called for approval of the minutes of the September 16, 2023 board retreat and September 20, 2023 regular meeting.

On a motion made by Vice Chair Lynch, the Board approved the minutes 6-0-1, as presented, with Trustee Whitworth absent.

BOARD & CEO COMMENTS

Chair Kimberlin recognized all 62 members of the Inauguration Planning Committee for their exemplary time and effort in creating what she heard was a memorable event for President Cheek and all who attended. It was a proud day for FCC and the entire Frederick community. She also thanked Vice Chair Lynch for assuming her role in the investiture ceremony since she was unable to attend. Chair Kimberlin then announced the Association of Community College Trustees National Legislative Summit

will occur February 4-7, 2024 in Washington, D.C. for any Trustees who are interested in attending.

President Cheek also thanked the members of the Inauguration Planning Committee, in addition to those supporting their efforts. Last month's events celebrated and showcased all that is good at FCC and nearly \$20,000 was raised for student scholarships.

President Cheek then reported she participated in a workforce development panel discussion last week with The City of Frederick Mayor Michael O'Connor, Maryland Secretary of Labor Portia Wu, Frederick County Executive Jessica Fitzwater, FCPS Superintendent Dr. Cheryl Dyson, and CEO of Frederick Health Tom Kleinhanzl. It was part of a kick-off event for The City of Frederick being selected to participate in The Good Jobs, Great Cities Academy. FCC is one of the City's core partners on this initiative.

President Cheek announced that for the first time, FCC will be represented at the renowned "Sailing Through the Winter Solstice" boat display on Carroll Creek. FCC's boat, called "FCC Scholar Ship" is currently being constructed by FCC Art Studio Manager, Sam Martin. All boats will be placed in the creek on November 18, 2023. Individuals support this effort by voting digitally with each dollar paid counting for one vote. The boat with the most votes at the end of the season is declared the winner and will receive the Sailing through the Winter Solstice trophy. Money raised by the FCC Scholar Ship will benefit the FCC Foundation. She thanked Sam Martin for his incredible, artistic work and AVP Carlson for coordinating this project.

President Cheek then noted a total of 19 honors students from FCC and Hood College spent a recent Saturday morning picking up trash in and around Rock Creek, located in Willowdale Park. This is an annual service project done by honors students from

both colleges, as a way to beautify our community while also getting the chance to build relationships between students. She thanked Dr. Bruce Thompson, FCC Honors College Coordinator, for organizing this event each year.

INFORMATION/DISCUSSION ITEMS

Fall 2023 Enrollment Update – President Cheek reported there was a 17% increase this fall in enrollment compared to the Fall 2022 census and that dual enrollment is bolstering overall enrollment. Overall, the College is moving steadily toward a return to pre-COVID enrollment numbers for credit students. FCC is making great strides in dual enrollment efforts. There was an increase in all areas of dual enrollment since Fall 2019 compared to Fall 2023: 39% for high school-based, 25% for open campus, and 76% for early college. We have also seen more students of color enrolling in dual enrollment courses. This year, the College will focus its efforts on strategic alignment of dual enrollment pathways, strengthening opportunities for adult learners, and increasing efforts to support student persistence. Continuing Education and Workforce Development enrollment is up as well. FCC's continued focus is on expanding workforce programming to meet the regional demand. President Cheek then invited Provost/VP Davis and Interim VP Rashaw to present the enrollment update.

Provost/VP Davis and Interim VP Rashaw went through the enrollment update in detail with the Board. A copy of the enrollment update is available from the President's Office.

There was discussion regarding Frederick County Public Schools and FCC working together to serve more career and technology students, the importance of retaining students until completion, existing partnerships that engage businesses in curriculum development and provide registered apprenticeships and internships, enrollment for credit

African American students being greater at FCC than the nationwide trend, and the importance of providing non-academic supports for students.

This item was presented for information only – no action was taken or requested.

Review of Audited Annual Financial Statements for Period Ending June 30, 2023 –

President Cheek stated that FCC financial reports are audited annually by an independent auditing firm. The audited financial statements for the fiscal year ending June 30, 2023, as prepared by the auditing firm, SB and Company, were provided to Board members in their meeting packet.

Tobi Hollander from the College auditors, SB & Company, provided a presentation on the results of the audit. There were no findings and the College was issued an unmodified opinion on the financial statements. Additionally, the Annual Financial Report to the Maryland Higher Education Commission (CC-4 Report) was issued with no exceptions. An assessment of internal controls and financial statement highlights were included in the presentation. A copy of the presentation is available from the President's Office.

This item was presented for information only – no action was taken or requested.

Dr. Phelan joined the meeting virtually.

ACTION ITEM

Approval of Ends Policy – Chair Kimberlin noted she provided a progress report on the implementation of policy governance at the last Board meeting. The policies up for approval this evening were developed at their last retreat and reviewed at the last Board meeting. The first policy for approval is the Ends policy and includes the change requested by Vice Chair Lynch at the last meeting, first sentence "... to provide all Frederick County

residents and others who choose to enroll ...” Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Vice Chair Lynch, the Board approved the Ends Policy 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Executive Limitations Policy – General Executive Constraint – Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee Molesworth, the Board approved the Executive Limitations Policy – General Executive Constraint 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Executive Limitations Policy – Treatment of Students – Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Vice Chair Lynch, the Board approved the Executive Limitations Policy – Treatment of Students 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Executive Limitations Policy – Treatment of Employees – Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee Luck, the Board approved the Executive Limitations Policy – Treatment of Employees 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Executive Limitations Policy – Communication & Support to the Board – Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee Molesworth, the Board approved the Executive Limitations Policy – Communication & Support to the Board 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Executive Limitations Policy – Financial Conditions and Activities –

Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Vice Chair Lynch, the Board approved the Executive Limitations Policy – Financial Conditions and Activities 6-0-1, as presented, with Trustee Whitworth absent.

Chair Kimberlin noted that this policy replaces the current Reserve Policy and Procedures.

Approval of Executive Limitations Policy – Organization Culture – Chair

Kimberlin stated that this includes the change requested by Trustee Reid at the last meeting to add “or federal and state regulations” at the end of item 3. Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee Reid, the Board approved the Executive Limitations Policy – Organization Culture 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Board-CEO Delegation Policy – Unity of Control – Chair Kimberlin

asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee Luck, the Board approved the Board-CEO Delegation Policy – Unity of Control 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Board-CEO Delegation Policy – Accountability of the President – Chair

Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee McPherson, the Board approved the Board-CEO Delegation Policy – Accountability of the President 6-0-1, as presented, with Trustee Whitworth absent.

Approval of Board-CEO Delegation Policy – Delegation to the President – Chair

Kimberlin reminded everyone that, as discussed at the last meeting, this policy grants the President the authority for oversight of the College's Administrative/Operational policies, which are separate from Board policies. The Board understands that under President Cheek's leadership, the College began a collaborative process last year to revisit and redefine the manner by which Administrative policies are reviewed and approved, and that this work is ongoing. Chair Kimberlin asked if there were any further changes. Hearing none, she asked for a motion.

On a motion made by Trustee Molesworth, the Board approved the Board-CEO Delegation Policy – Delegation to the President 6-0-1, as presented, with Trustee Whitworth absent.

Vice Chair Lynch commented that this is an important first step in the transition for the way leadership is going to be conducted at the College. He thanked President Cheek and expressed appreciation for the Board being involved in this process. He continued that the Board wants to ensure everyone at the institution feels comfortable with the Board having its role and executive leadership having her role, which is an important distinction to understand and be aware of. Vice Chair Lynch stressed the importance of the relationship of trust and confidence between the Board and executive leadership. Trustee Luck added that these policies provide transparency, with the Board articulating direction through policy and the President providing feedback in terms of her understanding. It allows the Board and the President to be on the same page so there is no misunderstanding.

CLOSED SESSION

At 5:38 p.m., the motion was made by Vice Chair Lynch to convene in closed session and approved by the Board 6-0-1, with Trustee Whitworth absent.

This action was taken in accordance with Maryland’s Open Meetings Act, Section 3-305(b)(1) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom this public body has jurisdiction; or any other personnel matter that affects one or more specific individuals; Section 3-305(b)(7) to consult with counsel to obtain legal advice; Section 3-305(b)(9) to conduct collective bargaining negotiations or consider matters that relate to the negotiations; Section 3-305(b)(12) to conduct or discuss an investigative proceeding on actual or possible criminal conduct; and Section 3-305(b)(13) to comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter. Attending in person were: Trustees Carolyn Kimberlin, Chair; Tom Lynch, Vice Chair; Theodore Luck; Tracey McPherson; Dr. John Molesworth; and Dr. William Reid. Trustee Myrna Whitworth was unable to attend. Also attending in person was President Dr. Annesa Payne Cheek, Secretary/Treasurer of the Board; Adam Konstas, PK Law, College legal counsel; Avis Boyd, Chief of Staff to the President; Dr. Bridgette Cofield, Vice President (VP) for Talent and Culture; Dr. Barbara Larson, Interim VP for Finance and Administration; Dr. Benita Rashaw, Interim VP for Student Affairs; Tobi Hollander, CPA, Engagement Partner, SB & Company; Graylin Smith, CPA, Client Service Partner, SB & Company; and Kari Melvin, Recording Secretary.

Pamela Murphy, Labor Relations Specialist, participated virtually for a portion of the meeting.

The Board reviewed closed session minutes from September 20, 2023.

On a motion made by Vice Chair Lynch, the September 20, 2023 closed session minutes were approved 6-0-1, with Trustee Whitworth absent.

The Board discussed a U.S. Department of Education Office of Inspector General matter. No action was taken.

Interim VP Rashaw, Tobi Hollander and Graylin Smith left the meeting.

The Board obtained legal advice regarding the use of campus facilities by public/community groups. No action was taken.

Interim VP Larson left the meeting and Labor Relations Specialist Murphy joined virtually.

The Board obtained legal advice on matters related to potential unionization and collective bargaining strategy and potential positions.

On a motion made by Vice Chair Lynch, the Board approved for the FCC bargaining team to begin negotiations on non-fiscal and language items related to the operational necessities of the College 6-0-1, with Trustee Whitworth absent.

VP Cofield and Labor Relations Specialist Murphy left the meeting.

President Cheek informed the Board of a personnel matter regarding a specific individual. No action was taken.

The meeting adjourned at 7:11 p.m.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, November 15, 2023.

Dr. Annesa Payne Cheek
Secretary/Treasurer

Prepared by Kari Melvin
Office of the President
Frederick Community College