

**BOARD OF TRUSTEES
FREDERICK COMMUNITY COLLEGE**

June 19, 2013

The Board of Trustees of Frederick Community College met in regular session on Wednesday, June 19, 2013 in the Chris T. Matthews Board Room (A201). In attendance: Trustees Dixie J. Miller, Chair; Debra S. Borden, Vice Chair; Marvin E. Ausherman; David F. Bufter; Nick Diaz; Donald C. Linton; and Doris J. White. Also in attendance: President Douglas D. Browning, Secretary/Treasurer of the Board; Diane Morton, Recording Secretary; Shelby Carmon, Chair, Support Personnel Association; Jacob Ashby, Secretary, Administrative Staff Association; Mary Mogan-Vallon, Chair, Faculty Association; Mary Rolle, Vice Chair, College Senate; and other members of the College staff.

CALL TO ORDER

The meeting was called to order by Board Chair Miller at 7:10 p.m. The Chair recognized the Affinity Group representatives and others present.

APPROVAL OF MINUTES

The Chair called for approval of the minutes of the May 15, 2013 regular meeting of the Board. No changes were recommended, so the Chair declared the minutes approved as presented.

REPORTS OF SPECIAL COMMITTEES/PUBLIC PRESENTATIONS

Reading of Resolutions for Trustees Miller and Linton – President Browning stated that this Board meeting is the last for Trustees Dixie Miller and Don Linton as their terms end on June 30, 2013. President Browning presented Trustee Miller and Trustee Linton

with a separate signed “Resolution of Appreciation” and read the following text of the resolution into the record for each of them:

***Whereas*, Frederick Community College has greatly benefited for five years from the local and dedicated service of**

Dixie J. Miller, as Trustee of Frederick Community College, and

***Whereas*, she has championed the College’s interests and needs consistently and effectively before Frederick County Commissioners, members of the Frederick County Delegation and other State and local officials, and**

***Whereas*, she has served as a member of the Board of Trustees of Frederick Community College, evidencing the esteem with which she is regarded by her fellow Trustees, and**

***Whereas*, she has attended and participated in numerous College activities, County events and State meetings, representing the College with enthusiasm and effectiveness, be it**

***Resolved*, that the Board of Trustees, Administration, Faculty, Staff and Students of Frederick Community College express sincere gratitude to Dixie J. Miller for her distinguished service, loyal advocacy and considerable endeavors on behalf of the College and its students, and be it further**

***Resolved*, that all those associated with Frederick Community College extend wishes for continued health, happiness and a long-lasting relationship with Frederick Community College.**

The resolution was signed by Debra S. Borden, Vice Chair, Board of Trustees, and Douglas D. Browning, President.

Whereas, Frederick Community College has greatly benefited for five years from the local and dedicated service of

Donald C. Linton, as Trustee of Frederick Community College, and

Whereas, he has championed the College's interests and needs consistently and effectively before Frederick County Commissioners, members of the Frederick County Delegation and other State and local officials, and

Whereas, he has served as a member of the Board of Trustees of Frederick Community College, evidencing the esteem with which he is regarded by his fellow Trustees, and

Whereas, he has attended and participated in numerous College activities, County events and State meetings, representing the College with enthusiasm and effectiveness, be it

Resolved, that the Board of Trustees, Administration, Faculty, Staff and Students of Frederick Community College express sincere gratitude to Donald C. Linton for his distinguished service, loyal advocacy and considerable endeavors on behalf of the College and its students, and be it further

Resolved, that all those associated with Frederick Community College extend wishes for continued health, happiness and a long-lasting relationship with Frederick Community College.

The resolution was signed by Dixie J. Miller, Chair, Board of Trustees, and Douglas D. Browning, President.

President Browning mentioned that in lieu of receiving a service award, which historically has been an engraved pewter bowl, both Trustee Miller and Trustee Linton asked that the money that would have been spent on their award be transferred to the FCC

Foundation to support a student scholarship of their choosing. President Browning commended Trustee Miller and Trustee Linton for their decision to support student scholarships.

PRESIDENT'S MONTHLY REPORT

President Browning gave highlights from his written report, which the Board members received in their meeting packets. Also included in the President's written report were the following: Learning Division Annual Report, CIP Construction Project Updates and Change Order Log, Monroe Center Report, Monthly Enrollment Update, and College Highlights.

BOARD DISCUSSION OF STRATEGIC ISSUES/INITIATIVES

Overview of PACE (Personal Assessment of the College Environment) Survey –
President Browning presented this item. The Trustees received a copy of the PACE Survey in their meeting packets. A copy of the PACE Survey is available from the President's Office or the Office of Strategic Planning and Institutional Effectiveness. President Browning explained the basis of the survey and reviewed highlights of the results with the Board. Trustees expressed an interest in doing the survey more frequently and instituting changes in the areas that scored low. President Browning stated that the survey results will be aligned with the strategic plan to look for overlaps. A plan needs to be developed to address the areas that scored low and sustain the areas that scored high. Bev Hendrix, Director of Diversity stated there is a plan to delve deeper into the results of the survey. Staff of the Office of Strategic Planning and Institutional Effectiveness plan to follow up with focus groups in order to do this. Trustees asked whether a student survey is conducted to determine their satisfaction with the College. Jacob Ashby, Outcomes

Assessment Coordinator, stated that the College pays to conduct the CCSSE (Community College Survey of Student Engagement) evaluation of students. The CCSSE is done on a three-year cycle and will be conducted again in Spring 2014. A faculty survey is also done. These are used in comparison with the PACE survey. He added that the College does a graduate follow-up survey each year to determine the level of satisfaction of graduating students. Trustees were impressed overall with the results of the survey and asked if the data will be publicized. Laura Mears, Associate Vice President for Enrollment Management stated that the College will share a positive release with the media.

ACTION ITEMS

Board Nominating Committee Report and Election of Board Officers – The Board Nominating Committee, comprised of Trustees Miller and Diaz, submitted the following slate of officers for the FCC Board of Trustees for FY 2014: Debra Borden, Chair, and David Bufter, Vice Chair. The Nominating Committee members contacted the nominees and each expressed a willingness to serve in these positions, if elected.

The motion was made and seconded to close the nominations. The Board, by individual vote, unanimously approved the motion.

The motion was made and seconded to elect Debra Borden as Chair and David Bufter as Vice Chair of the FCC Board of Trustees for FY 2014. The Board, by individual vote, unanimously approved the motion.

FY 2014 Commercial Insurance Renewal Rates – Dana McDonald, Interim Vice President for Administration, presented this item. This item was brought to the Board for information at the May 15, 2013 Board meeting. Ms. McDonald recommended Board approval to award the FY 2014 Property insurance package to FM Global/Affiliated FM in

the amount of \$59,922 and to award the FY 2014 Liability insurance package to Utica National in the amount of \$153,125.

The motion was made and seconded to award the FY 2014 Property insurance package to FM Global/Affiliated FM in the amount of \$59,922 and to award the FY 2014 Liability insurance package to Utica National in the amount of \$153,125. The Board, by individual vote, unanimously approved the motion.

FY 2014 Operating Budget, Capital Budget, College-Funded Capital Budget, Tuition and Fees, and Salary Scales – Dana McDonald presented this item. She stated the FY 2014 budget is \$48,449,011 and represents a 1.5% or \$717,380 increase. Also included is the approved funding for the FY 2014 capital budget totaling \$511,100 and the FY 2014 College-funded capital budget totaling \$2,521,307. The College is projecting no growth in academic enrollments for FY 2014. Tuition rates will increase by \$3.00, or 2.75% per credit hour for in-county residents. County cash funding increased by \$250,000 or 1.8%. State cash funding increased by \$715,310 or 8.8%. County in-kind revenue increased by \$24,243 or 5.3%. State non-cash or retirement funding increased by \$25,470 or 1.2%. New initiatives for FY 2014 include 6.5 new full-time faculty, 3.5 new faculty support staff, and 2 new staff positions to support dual enrollment. Additional new initiatives address some of the increases in costs associated with the need for interpreters and support in the writing and tutoring centers. These initiatives were possible through savings from an early retirement incentive program and restructuring that resulted in the elimination of four (4) positions. The FY 2014 budget includes additional funding for the Mount Airy project and additional funding for science lab equipment. These costs are offset by the reduction of the \$250,000 for upgrades to IT equipment that was funded in FY 2013. The FY 2014 budget

also includes the funding necessary to provide additional services for the Veterans office. The FY 2014 salary scales reflect no change from FY 2013.

Trustees and staff discussed the methods for determining revenue projections based on enrollment projections and when that information should be reported. Trustees requested that staff look at the new law regarding open campus to make sure the College is prepared for any changes. Trustees asked about the funding source for the College-funded capital budget. Ms. McDonald stated the funding source is the capital fee and technology infrastructure fee charged to students. Funding priorities for the College-funded capital budget will be set in the near future. Some of these funds could be used for the Monroe Center. Ms. McDonald recommended Board approval of the FY 2014 operating budget of \$48,449,011; capital budget of \$511,100; College-funded capital budget of \$2,521,307; tuition and fee schedules; and salary scales.

The motion was made and seconded to approve the FY 2014 operating budget of \$48,449,011; capital budget of \$511,100; College-funded capital budget of \$2,521,307; tuition and fee schedules; and salary scales. The Board, by individual vote, unanimously approved the motion.

FY 2014 Auxiliary Enterprise Budgets – Dana McDonald presented this item. She stated this information was presented to the Board in May and nothing has changed since then. The combination of the three Auxiliaries (Bookstore, Children’s Center, Dining Services) will produce a slight profit for FY 2014 of \$1,856. Ms. McDonald added that the RFP for the Childcare Center went out yesterday, but the FY 2014 budget assumes that the College will continue to operate the Children’s Center as it is currently being operated. Ms. McDonald recommended Board approval of the FY 2014 Auxiliary Enterprise budget,

as presented. Trustee Borden stated that this is the best budget she has seen in four years; to break even is wonderful.

The motion was made and seconded to approve the FY 2014 Auxiliary Enterprise budget, as presented. The Board, by individual vote, unanimously approved the motion.

FY 2014 Promotions, Degree Increments, Reclassifications – Dana McDonald presented this item. She stated the promotions, degree increment, and reclassification awards have been approved by the President and the salary assignments and recognitions are within the budget allocated for FY 2014. Ms. McDonald recommended Board approval of the FY 2014 promotions, degree increment, and reclassification awards, as presented.

The motion was made and seconded to approve the FY 2014 promotions, degree increment, and reclassification awards, as presented. The Board, by individual vote, unanimously approved the motion.

Appointment of Legal Counsel – Trustee Debra Borden presented this item. She stated the Board asked her to gather information and make a recommendation on new legal counsel for the College. The College's current legal counsel is Lerch Early and Brewer. Trustee Borden stated they have submitted a memo requesting to continue as the College's legal counsel. She distributed copies of the memo to the Board. She stated she researched the names of three different attorneys at three firms and talked with them on the phone. She also talked with Montgomery College and Howard Community College about their legal representation. Trustee Borden stated that through her research she found Rochelle Eisenberg at PK Law to be a cut above the rest. She distributed information about Ms. Eisenberg and PK Law to the Board describing their credentials. Trustee Borden said she met in person with Ms. Eisenberg and was very impressed with

her. The firm's fees are competitive. Trustee Borden recommended that if the Board decides to make a change in legal counsel that it engages Rochelle Eisenberg at PK Law.

The motion was made and seconded to discontinue the College's current legal counsel, Lerch Early and Brewer, and engage Rochelle Eisenberg at PK Law. The Board, by individual vote, unanimously approved the motion.

President Browning stated that the College has a number of cases pending with Lerch Early and Brewer and asked the Board for direction on how to continue. Trustee Borden stated that current counsel should transition these cases as soon as possible to PK Law, but make the transition at a point that is least disruptive to the case.

Appointment of Board Community Relations Committee – Trustee Debra Borden presented this item. She stated she would like to create a committee of two Board members to gather information on community outreach and community relations related specifically to the Board. The committee would bring information back to the full Board and make recommendations for action by the full Board. Trustee Ausherman and incoming new Trustee Roger Wilson were recommended for the committee. Trustee Bufter suggested appointing Trustee Ausherman now to one of the slots on the committee and waiting until the August Board meeting to fill the second slot. Trustee Borden stated she would like to create a second committee to look at the Open Meetings Act and Public Information Act. She added that Board policies have not kept up with the laws. The committee would need to look at current policies and revise them or create new policies. Trustee Bufter volunteered to serve on that committee. Trustee Ausherman recommended creating charters for the committees. Trustee Borden stated that charters are good for standing

committees, but aren't necessary for committees established for a specific period of time. She stated that she would prepare charters for the August Board meeting.

INFORMATION/DISCUSSION ITEMS

FCC Diversity Strategic Plan – Annual Progress Report to MHEC – Bev Hendrix, Director of Diversity, presented this item. She stated the report is due to MHEC by September 1. Ms. Hendrix reviewed the progress report with the Board. The report outlines accomplishments based on the four goals included in the Diversity Strategic Plan, as well as areas for improvement. The four goals are: (1) produce culturally competent students; (2) employees will be culturally competent; (3) the diversity of College employees will mirror the representation of historically underrepresented students at FCC; and (4) students will achieve equitable outcomes. Trustees questioned how the diversity goals are tied into the strategic plan and reflected in the institution's goals. Also, how the diversity goals are incorporated into the process that College employees are measured against. Ms. Hendrix stated that diversity has been a core value since 1996. In 2000, a diversity strategic plan was created. Diversity has been a big part of every strategic plan since 2000 and continues to be; the new strategic plan reaffirms diversity as a core goal within the institution. The diversity plan goals and strategic plan goals run on a parallel track and help create an inclusive environment for employees and students. Ms. Hendrix added that cultural competency is built into every College job description and is included as an element of the search process for all new employees. Rich Haney, Interim Vice President for Learning Support, stated that cultural competency is imbedded in the tactical plans of each division; it is visible and measurable. Ms. Hendrix stated that work on a new Diversity Strategic Plan will commence in 2014.

This item was presented for information only. No action was requested. The FCC Diversity Strategic Plan – Annual Progress Report to MHEC will be on the August 21, 2013 agenda for Board approval.

Review of Board Policies Related to Board Communication – Trustee Debra Borden presented this item. She stated that three Board policies relate specifically to the approved processes for Board communications: Policy 1.12b – Board Email Communication; Policy 1.13 – Duties and Powers of Officers; and Policy 1.15 – Board-President Relationships. Trustee Borden stated she wanted to focus on the email policy (Policy 1.12b) as it relates directly to the Board’s compliance with the Open Meetings Act. She read from the policy, “Email shall not be used for the purpose of transacting Board business, voting, deliberating or advocating positions concerning decisions to be made by the Board.” She stated that the only exceptions to this relate to Board polls for contracts, change orders, or other time sensitive matters requiring Board action. Trustee Borden emphasized that Board communications and deliberations need to take place in meetings in an open forum. Trustee Borden added that if any Trustee thinks the language in the policy is not clear, let her know and she will re-draft the policy and bring it back in August. She added that if Trustees have questions regarding the other two policies (Policy 1.13 or Policy 1.15) let her know. Any changes will come back in August.

This item was presented for information only. No action was requested.

Revisions to Policy 3.26 – Emeritus Status –Dana McDonald presented this item. She stated minor revisions were made to the policy to reflect the language in the College’s current Emeritus Status procedure. These revisions have gone through the College’s governance review and approval process.

This item was presented for information only. No action was required. Policy 3.26 – Emeritus Status will be on the August 21, 2013 agenda for Board approval.

TRUSTEE COMMENTS

There were no Trustee comments this month.

ADJOURNMENT TO CLOSED SESSION

The motion was made and seconded to adjourn to Closed Session at 9:01 p.m. The Board, by individual vote, unanimously approved the motion.

This action was taken in accordance with Maryland’s Open Meetings Act, Section 10-508(a):

(1) To discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or any other personnel matter that affects one or more specific individuals.

(8) To consult with staff, consultants, or other individuals about pending or potential litigation.

CLOSED SESSION

The Board met in Closed Session to discuss pending legal issues and personnel issues.

The motion was made and seconded to return to Open Session at 9:27 p.m. The Board, by individual vote, unanimously approved the motion.

ADJOURNMENT

The motion was made and seconded to adjourn immediately at 9:27 p.m. The Board, by individual vote, unanimously approved the motion.

NEXT MEETING

The next regular meeting of the Board will be held on Wednesday, August 21, 2013 at 7:00 p.m. in the Chris T. Matthews Board Room (A201).

Note: The Board meeting was subsequently changed to Wednesday, August 14, 2013 due to conflicts several Trustees had with the August 21 meeting date.

**Douglas D. Browning
Secretary/Treasurer**

**Prepared by Diane Morton
Office of the President
Frederick Community College
dmm/Board/Board Minutes/Board Minutes 2013/Board Minutes06 June 19 2013**