



***THE COMMUNITY COLLEGE***  
***OF***  
***BALTIMORE COUNTY***  
***BOARD OF TRUSTEES***  
***POLICY MANUAL***

July 2008

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## **Section 1: The Community College of Baltimore County**

### **1.01 Introduction**

- A. Two year co-educational community colleges were established in Baltimore County in the late 1950's as a result of recommendations by the Governor's Commission to Study the Needs of Higher Education in Maryland. The Commission recommended that the establishment of community colleges constitutes the first step in the program for meeting the demands of higher education which could not be met by expanding institutions already in existence. It further recommended that these community colleges come under the jurisdiction of local boards of education.
- B. Community colleges exist to meet varied societal demands for education beyond high school at a cost that is affordable to the student. Through general education, transfer, career education, general education, and vocational, developmental, technical, and continuing education, community colleges enhance quality of life, promote economic development, and facilitate individual self-improvement.
- C. In Baltimore County, the Catonsville and Essex Community Colleges were established in 1957, with Dundalk Community College being founded in 1971. The colleges operated as separate institutions reporting to a single board. On October 1, 1998, Community College of Baltimore County (the "College"), with campuses in Catonsville, Dundalk and Essex became established by law. The Community College of Baltimore County is now a single-college, multi-campus institution.

## **Section 2: The Board of Trustees**

### **2.01 Legal Basis for the Board of Trustees Authority**

- A. On August 3, 1961, the Board of Trustees of the Community Colleges of Baltimore County (the “Board of Trustees” or the “Board”) was established in accordance with Chapter 134 of the Acts of 1961, General Assembly of Maryland.
- B. The following by-laws and policies are presented herein and are adopted in furtherance of the Board’s authority as set forth in Maryland Annotated Code, Education Article § 16-103. Their purpose is to delineate lines of responsibility as they pertain to the Board of Trustees, to the College administration and to the College faculty.

### **2.02 Membership and Duties of the Board**

- A. Membership and Organization
  - 1. The Board of Trustees of the Community College of Baltimore County (the “College”) shall consist of fifteen members, one at-large and fourteen from the councilmanic districts in Baltimore County, two from each district, to be appointed by the Governor of the State of Maryland with the advice and consent of the State Senate, in accordance with the Annotated Code of Maryland, Education Article, Title 16.
  - 2. The President of the College shall serve as the Secretary-Treasurer of the Board of Trustees, a non-voting member of the Board.
  - 3. The term of a Board member is five (5) years and begins on July 1.
  - 4. The Board of Trustees shall have legal authority only when the Board is in formal session and when a quorum is present. A majority of the full membership of the Board shall constitute a quorum.
  - 5. The control over the College by the Board of Trustees is not by individual members, but through the majority vote whereby rules, regulations, policies and other action are approved.
  - 6. Absent extenuating circumstances, any Board member shall be considered to have resigned from the Board should he/she fail to attend 50% of the Board meetings during any period of twelve (12) consecutive months.

B. Officers

1. The Board shall select from among its members a Chairperson and a Vice-Chairperson. The election of these officers shall occur annually at the June meeting of the Board. A majority vote of the Board is required for election of officers.
2. A vacancy in any office may be filled by a majority vote of the Board at any public meeting. If the position of President becomes vacant, the Board may elect an interim Secretary-Treasurer by the majority vote of the Board at any public meeting.

C. Duties and Powers of the Officers

1. The Chairperson of the Board of Trustees shall:
  - preside at all meetings of the Board,
  - appoint special committees of the Board,
  - sign all necessary legal instruments approved by the Board, and/or in keeping with the authority for interim approval contained at section 3.06 of this Board Manual.
  - call special meetings of the Board and
  - serve as the conduit of all Board requests for information from the President and/or the President's staff
  - serve as the conduit of all Board requests for information from the President and/or the President's staff.
2. The Vice-Chairperson of the Board shall, in the absence of the Chairperson, at the Chairperson's request, or should the Chairperson be unable to act, have all powers of the Chairperson, and shall execute such powers as may be delegated to the Vice-Chairperson or the Chairperson of the Board of Trustees.
3. The Secretary-Treasurer shall ascertain that all funds are received, held in custody and expended, consistent with the direction of the Board, and shall be responsible for insuring that an accurate record of the minutes of the Board is maintained, that approved minutes are made available to the public, and that any reports required by the Board are prepared.

D. Duties of the Board

The Board shall:

1. Adopt rules and regulations for its operations.
2. Maintain and exercise general oversight over the College.

3. Appoint, support and evaluate the President and establish the President's salary and terms of employment.
4. Approve the salary schedules of all College employees.
5. Approve the College budget.
6. Approve the funds necessary to finance the operation of the College.
7. Hold title and conserve the property of the College.
8. Approve the organizational structure of the College.
9. Approve the purchase of major equipment to be used by the College.
10. Approve the construction of new facilities and major renovations of existing facilities.
11. Consider and approve the academic programs offered by the College.
12. Approve the application for, and receipt of, gifts and grants from individuals, private and public organizations and the federal, state or county governments.
13. Adopt and approve long range plans for the College.
14. Serve as the College's Court of Appeal as defined and set forth in section 2.07 of this Board Manual.
15. To review periodically the mission of the College.
16. Perform other duties as may be allowed and/or required in furtherance of its general college oversight authority, and to exercise all the rights, duties and authority allowed and/or authorized by law.
17. Serve as the Audit Committee for the College, governing in matters relating to accounting and budgeting policies, internal controls, audited financial statements and reports in a timely manner in accordance with all regulatory obligations as defined and set forth in Appendix D.

E. Evaluation and Compensation of the President

1. The President shall be evaluated, in Executive Session, at an annual meeting of the Board, according to written objectives, specific and general, developed by the President and presented to and approved by the Board annually.

2. The Chairperson of the Board shall appoint a President's Evaluation Committee. Based on each annual evaluation, the Committee shall recommend to the Board of trustees, in Executive Session, the President's compensation package.

F. Committees and Subcommittees

1. The Chairperson of the Board with Board approval shall form committees to better implement its charge to exercise general oversight over the College. The committees presently authorized by the Board include the Academic and Student Affairs, Budget and Finance, Institutional Advancement, and Executive committees.
2. The Chairperson may authorize the establishment and appointment of ad hoc committees. When appointed, each ad hoc committee will be given, in writing, specific charges and a timetable for presenting its report. No member of the Board shall serve on more than three committees (combination of standing and ad hoc committees) simultaneously.
3. The charge, and any subsequent modifications, for each ad hoc committee shall be approved by the Board.
4. Any ad hoc committee action shall be reported to the Board and brought before the Board for approval.
5. Any reports prepared by any Board subcommittee and Committee shall be made available upon request to the Board Secretary-Treasurer in accordance with the Maryland Public Information Act.

G. Bylaws of the Board

1. The Board shall adopt Bylaws that govern the manner in which the Board shall conduct its business.
2. The Board's Bylaws shall be attached as Appendix A.

Board Approval –  
November 19, 1997  
February 9, 2005

### **2.03 Interim Board Approval Process**

- A. The Board meets regularly in formal session at least four times a year. In order to conduct business and maintain the operating functions of the College in an efficient and effective manner, it is often necessary to obtain Board approval for

certain routine transactions between formal Board meetings. Accordingly, the Board has granted its Chairperson, and the Vice Chairperson, in the absence of the Chairman, authority under the duty and powers of that office to act on behalf of the Board in conducting certain business of a routine nature in finance and personnel areas. Examples of items which may be approved by the Board chairperson under such conditions include the following:

1. Employee salary increases of no greater than 5 percent;
  2. Employee job title changes;
  3. Routine leave requests and/or sabbatical requests;
  4. Approval of competitive sealed proposals, as specified in the Maryland Annotated Code, Education Article, § 16-313;
  5. Contracts or other fiscal matters.
- B. Examples of items which shall not be delegated to the Board chairperson pursuant to this Interim Board Approval Process include the following:
1. Lease purchase agreements;
  2. Borrowing or budgetary matters;
  3. Collective bargaining matters;
  4. Changes in Board policy;
  5. Personnel matters which would require a hearing or other grievance procedure.
- C. Items approved by the chairperson during the interim periods are to be presented to the full Board for information purposes during its next regular session.

Board Approval:  
November 17, 1999

## **2.04 Trustee Code of Conduct**

- A. The Board shall adopt a Trustee Code of Conduct that shall govern the manner in which Trustees executive their office.
- B. The Trustee Code of Conduct is attached as Appendix B.

## 2.05 Board of Trustees Travel Policy

A. Members of the Board of Trustees are encouraged to attend regional, state, and national functions which benefit the College and fulfill their obligation to be an informed member of the Board. The following general guidelines shall be followed by Board members who are on official College business and shall govern the manner and to what extent Board members will be reimbursed for expenses incurred by Board member while conducting College business.

### 1. Transportation

- a. If two Board members are going on the same trip, by private automobile together, reimbursement will be made to only one. Rental cars shall be shared as much as possible to minimize the expense to CCBC.
- b. Mileage reimbursement for the use of private automobiles shall conform to Internal Revenue Service (IRS) regulations using the current IRS rate. Travel to and from the departure point shall be classified as transportation expense.
- c. Economy class air transportation and regular rail transportation shall be standard for travel. Travel expense of a spouse or dependent who accompanies the Board member shall be the sole responsibility of the Board member.

### 2. Meal Allowance

Recommended meal reimbursement for Board members traveling on official College business shall be an allowance of \$10 per person for breakfast, \$10 per person for lunch, and \$30 per person for dinner, or maximum of \$50 per person for meals each day.

### 3. Approval and Reimbursement

- a. The President's Office shall assist, at a Board member's request, with transportation reservations at an authorized travel bureau.
- b. The President's Office shall attempt to make all conference reservations for Board members attending so Board members will be housed together, if possible.
- c. A travel expense reimbursement form must be completed by the Board member at the completion of each trip in a timely manner, and required receipts must be attached and submitted to the Secretary-Treasurer.

- d. All expense reimbursement requests are subject to audit and public disclosure.
- 4. Additional Reimbursable Expenses:
  - a. parking and toll charges;
  - b. lodging (one day before or after event if schedule necessitates);
  - c. long distance telephone calls relating to Board business;
  - d. registration fees;
  - e. necessary taxi or airport limousine fares; and
  - f. gratuities.
- 5. Non-reimbursable Expenses:
  - a. bar bills and alcoholic beverage expenses; with the exception of special occasions that are deemed to be appropriate by the President;
  - b. entertainment and tours not directly connected with the purpose of the trip; and
  - c. rental cars for the exclusive use of the Board member.

Board Approval:  
June 18, 1996

## **2.06 Board of Trustee Policy Manual Changes and Updates**

- A. Each Board member shall be provided with a current version of the *Board of Trustee Policy Manual*.
- B. Proposed amendments to the *Board of Trustees Policy Manual* shall be presented to the Secretary-Treasurer for transmittal to the Board thirty (30) days prior to action by the Board of Trustees. Board of Trustees' agenda items which may cause changes in the policy manual shall meet the above-mentioned time requirements. Emergency matters may be considered by the Board with less than thirty (30) days' notice.
- C. Amendments to the *Board of Trustees Policy Manual* shall be approved by a majority of the Board at any public meeting of the Board. The Board members shall be provided at least 30 days notice of proposed amendments to the *Board of Trustees Policy Manual*.
- D. The Secretary-Treasurer shall be responsible for maintaining an updated copy of this policy manual, containing all amendments and additions to the Board's policies, with dates on which changes were enacted.

Board Approval:  
May 23, 1968  
June 18, 1996

## **2.07 Board of Trustees as the College Board of Appeals**

- A. The Board is the College Board of Appeals for all matters of grievance or for appeals from disciplinary action taken against faculty or administrative staff.
- B. All appeals of grievances or other action to the Board of Appeals shall be taken in accordance with the procedures set forth in Policy 2.08 herein.

## **2.08 Board of Trustees Procedure for Appeal of a Termination for Cause or Discipline of Faculty, Administrators, and Non-Represented Classified Employees**

- A. This Procedure for Appeal of a Termination for Cause or Discipline of Faculty, Administrators, and Non-Represented Classified Employees (the “Procedure”) sets forth the procedure for Faculty, Administrators, and Non-Represented (collectively, the “Employee”) to request an appeal and hearing by the Board of Trustees (the “Board”) of a termination for cause or disciplinary action. “Cause” does not include non – renewal of an Employee’s contract. This Procedure applies solely to a termination for cause or discipline of an Employee that is properly the subject of an appeal and hearing before the Board under CCBC policies or individual contracts. This Procedure does not create any independent right to a hearing before the Board. The Board may follow these procedures in other circumstances as it deems appropriate.
- B. Review by the Board under this Procedure is limited to whether CCBC exceeded its authority in the application of discipline or recommendation to the Board of a termination for cause; or whether CCBC erroneously applied any applicable CCBC policy to a termination for cause or discipline. The Board, in its sole discretion, may expand the review of an appeal.
- C. It is the policy and practice of the Board to conduct hearings in a fair, impartial manner according to this Procedure.
- D. The Employee must have exhausted all procedures available under CCBC policies or individual contract before the Employee can request an appeal to the Board. The Board, however, in its sole discretion may conduct a hearing prior to the exhaustion by the Employee of all available grievance procedures and appeals.

- E. The Employee must request an appeal in writing to the Chairman of the Board (the “Chairman”), with a copy to the President of CCBC (the “President”). The request must be dated, contain the name and position of the Employee, a brief description of the basis of the a termination for cause or disciplinary action, the date of the disciplinary action or termination for cause, and the date a final decision was issued under any grievance procedure afforded the Employee under CCBC Policies. The request must be signed and signed by the Employee.
- F. Unless other applicable CCBC policy or contract provides otherwise, the written request must be received by the Chairman and the President or postmarked within ten (10) calendar days from of the date of the challenged action or the date of a final decision under any CCBC grievance procedures or individual contract. If the tenth (10<sup>th</sup>) day falls on a Saturday, Sunday, or date when CCBC is officially closed, the 10<sup>th</sup> day shall be the next business day after Saturday, Sunday, or date when CCBC is officially closed. Time limits are of the essence in order that the matter shall not become stale. Failure to meet the time limits will result in denial of the appeal, except in special circumstances as determined by the Board in its sole discretion.
- G. Upon timely receipt of the written request, the Board will schedule a hearing for the next regularly scheduled Board meeting date that is at least twenty-one (21) calendar days after receipt by the Chairman of the written request. That hearing shall be a personnel matter, and not open to the public. The Board shall be the sole determiner of the propriety of those who may attend, except that either or both parties shall be permitted to be represented by an attorney or by an Employee of CCBC.
- H. At least fifteen (15) calendar days before that hearing, the Employee may (but does not have to) file a brief written description of the grounds supporting his grievance and its appeal, with exhibits if desired. The description shall not exceed ten (10) pages, double spaced, one-inch margin, and be at least 12 point type face. Failure to adhere to these requirements may result in the description and any exhibits not being considered, at the Board’s sole discretion.
- I. At least five (5) calendar days before that hearing, the President or the designee of the President, may (but does not have to) file a written reply to the written description filed by the Employee, with exhibits, adhering to the same time constraints as apply to the Employee.
- J. The hearing will consist of each side being afforded 15 minutes in which to present its position. Members of the Board may ask questions during the presentation or after the 15 minutes have expired. Unless the Board decides otherwise by majority vote, these presentation time limits shall be followed strictly.

- K. The Board requires that all parties act with courtesy and dignity. There will be no formal rules of evidence.
- L. Unless specifically authorized by the Board, no post hearing briefs or written positions will be considered.
- M. Nothing in this Procedure impedes the right of the Board, in its absolute discretion, to meet in executive session, to seek counsel or advice from any source, or take other action deemed appropriate to reach a proper decision.
- N. The Board will issue a written decision in a form the Board deems appropriate, usually within thirty (30) calendar days following the hearing. That decision will be final and binding.
- O. The Board may, in its sole discretion, waive any of the provisions in this Procedure with the written agreement of the parties, and reserves the right to adjust this Procedure as deemed appropriate by the Board to act fairly.

This Procedure repeals and replaces Section 2.08 of the Manual, entitled the *Board of Trustees Grievance Procedure Policy*, dated March 12, 1997.

Board Approval:  
March 12, 1997  
June 21, 2006

## **Section 3: Administration Policies**

### **3.01 President**

#### A. General

1. The President for the College shall be appointed by the Board of Trustees.
2. The President is the Chief Executive Officer of the College, through whom the Board carries out its policies.

### **3.02 President's Relationship with Board of Trustees and Duties**

#### A. The President's duties shall include, but not be limited to, the following:

1. The President shall be the official through whom the Board carries out its policies.
2. The President shall be the official channel of communication among the campus deans, vice presidents and all other staff and the Board members.
3. The President has the authority to appoint, terminate, discharge with good cause, and accept the resignations of College personnel in accordance with the terms of a delegation of authority approved by the Board and apprises the Board of Trustees of such action.
4. The President shall be responsible for the conduct and operation of the College, and for the administration and supervision of its departments.
5. The President shall be responsible for the safety, proper care, and use of all College property.
6. The President shall prepare an annual budget for the College.
7. The President shall authorize the purchase of all supplies, materials, and services authorized by the annual budget, in accordance with the adopted policies of the Board.
8. The President shall designate College officials who, in addition to the President, shall be authorized to sign, as hereinafter set forth, all checks for monies paid out of College-controlled funds as authorized by the Board and in conformance with state law and policy.

9. The President may delegate authority and responsibility for directing a special area of operation of the College to the campus deans and vice presidents of the College, but the President shall have the final responsibility.
10. The President shall, in concert with the Chairperson and Vice-Chairperson of the Board, be responsible for developing an agenda for Board meetings.
11. The President shall attend all Board meetings except where the terms of his/her contract are discussed.
12. In the temporary absence of the President, the President shall designate an individual to act as President.
13. The President shall keep the Board of Trustees informed concerning acceptable modern College practices, and make recommendations to the Board which lead to the continued progress of the College.
14. The President shall provide written certification to the Board attesting to the following:
  - ~ that the President has reviewed the audit report;
  - ~ that the audit report does not contain any untrue statement of a material fact, or omission of a material fact, necessary to make the financial statements misleading;
  - ~ that the President is responsible for establishing and maintaining internal controls, designing such controls to ensure that material information relating to the institution is made known to the institution's officer and other appropriate individuals, and evaluating the effectiveness of the controls.

The Vice President for Administrative Services will provide the same certifications, as set forth above, to the President.

Board Approval:  
December 14, 1961  
June 18, 1996  
February 9, 2005  
December 13, 2006

### **3.03 Administrative Titles**

- A. The President shall establish, and shall present to the Board, a document defining the general administrative titles at the College, distinguishing between line and staff titles, and indicating the reporting level of each.

- B. The Board shall periodically approve the organizational structure of the College and shall approve any proposed reorganization of the College.

### **3.04 Operating Calendar**

- A. The President shall prepare an Operating Calendar for the College for each academic fiscal year.
- B. The Operating Calendar for the next academic year for the College shall be presented to the Board of Trustees as an information item at the Board meeting in November before publication and distribution to the College community.
- C. The Operating Calendar shall specify the events of general College interest for the upcoming academic year, including dates of interest in the academic year and holidays recognized by the College. The President shall have the responsibility to declare College closings on special holidays or during emergencies.
- D. Union employees shall follow the Operating Calendar, as approved in their contracts.

Board Approval:  
May 23, 1968  
June 11, 1975

### **3.05 Execution of Legal Documents**

- A. Pursuant to Section 16.105 of the Education Article of the Annotated Code of Maryland, as amended, the Board has delegated to the President the authority to sign all legal documents for the Board without further resolution of the Board except with respect to the following matters which require a resolution of the Board for each specific transaction:
  - 1. Financial transactions that involve installment payments for a period of more than one (1) year, or require the College to grant a security interest in personal property owned by the College or to use real estate owned by the College as security for payment of a debt;
  - 2. Sale, acquisition, condemnation of real property;
  - 3. Real estate leases for a period of more than one (1) year; provided, however, this requirement does not apply to leasing of real estate or personal property owned by the College to telecommunication companies;
  - 4. Banking Services; or

5. Borrowing money on behalf of the College.
- B. The President may delegate his authority to sign legal documents on behalf of the College pursuant to a President's Delegation of Authority, which shall be approved by the Board.
  - C. Copies of the Board resolution and the President's delegation are contained in Appendix C.

Board Approval:  
September 17, 1997  
December 13, 2006

### **3.06 Administrative Code of Professional Ethics**

- A. The President shall establish a Code of Professional Ethics that shall promote professional management of its operations.
  1. The Administrative Code of Professional Ethics is attached as Appendix E.

## **Section 4: Fiscal Policies**

### **4.01 General Fiscal Policies**

- A. The Board of Trustees is responsible for maintaining fiscal integrity and solvency of the College.
- B. The Board shall annually prepare, adopt and submit to the Baltimore County government an operating budget and a capital budget.
- C. Operating and capital budgets shall be prepared, adopted and submitted in accordance with the schedule established in Board Policy Manual § 4.02.
- D. The operating budget shall identify all available revenues anticipated by the College as well as all expenditures in a manner required by State and/or local law.

### **4.02 Budget Schedule**

- A. The operating budget of the College shall be approved by the Board in the following manner:
  - 1. December Board Meeting – The College operating budget is to be presented to the Board of Trustees for review at their budget work session.
  - 2. February Board Meeting – The Board of Trustees shall approve the operating budget.
  - 3. February Board Meeting – The approved operating budget is submitted by the College Administration to the Baltimore County Government.
- B. Capital budget shall be prepared on the following schedule:
  - 1. November Board Meeting – The capital budget shall be presented to the Board of Trustees for review at their budget work session.
  - 2. December Board Meeting – The Board of Trustees shall approve the capital budget at their regular meeting, and this will subsequently be submitted to the Baltimore County Government.

### **4.03 Budgetary and Accounting Controls**

- A. The Board of Trustees is responsible for assuring that the College maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded and transactions are executed and recorded in accordance with proper administrative authorization. The concept of reasonable assurance provides that the cost of a control should not exceed the benefits derived.
- B. The Board of Trustees on behalf of the College is required under the laws of the State of Maryland to submit an annual budget for all the operating funds of the College. This budget is incorporated into the budgetary controls established by the College accounting system. During the fiscal year, interim financial reports are prepared and distributed to the Board of Trustees and College Administrators. The College Organizational Managers are responsible for assuring that the expenditures are within appropriation balances i.e., the functional category.
- C. Any two of the following four staff members of the College:
  - 1. The President,
  - 2. The Vice-President of Administrative Services
  - 3. The Assistant Vice-President of Finance and Administration
  - 4. The Comptroller/Treasurer,

are authorized to sign checks for all monies paid out of College-controlled funds.

### **4.04 Operating Budget – Transfer of Funds**

- A. Intra-functional transfers – The early report of transfers of funds within a function of the approved operating budget shall be submitted to the President for his/her approval. The President will submit such transfers to the Board of Trustees for information purposes.
- B. Inter-functional transfers – A request for Inter-functional transfers of funds within the College shall be submitted to the President for approval. The President will submit the request for a Budget Appropriation Transfer (“BAT”) of funds to The Board of Trustees for approval. On approval of The Board of Trustees, the Vice-President of Administrative Services will submit the BAT request to the Baltimore County Government for review and approval.

### **4.05 Purchasing**

- A. The College shall conduct all purchasing in accordance with the provisions of Title 16 of the Education Article, Annotated Code of Maryland, as

amended, and the *Purchasing Department Manual of Policy and Procedures* approved by resolution of the Board of Trustees on September 20, 2002, and modified by the Delegation of Authority approved by the Board of Trustees on October 1, 2001.

- B. Section 16.314.1 of the Education Article, Annotated Code of Maryland, as amended, authorizes the Board of Trustees to conduct non-competitive negotiations under certain circumstances. The law, passed by the General Assembly at its 2002 Regular Session, became effective October 1, 2002.
- C. On September 11, 2002, the Board of Trustees, by recommendation, approved incorporation into the *Purchase Department Manual of Policy and Procedures* specific standards and procedures to conduct noncompetitive negotiations, effective October 1, 2002.
- D. Any changes to the *Purchase Department Manual of Policy and Procedures* related to noncompetitive negotiations must be approved by the Board of Trustees.

#### **4.06 Contractual Agreements – Authorized Signatures**

- A. The Chairperson of the Board, or in his or her absence, the Vice Chairperson, may sign contractual agreements on behalf of the Board and the College, when Board authorization on such agreements is required.
- B. The authority to sign contractual agreements on behalf of the College must be in accordance with Policy 3.05 herein, relating to the President signing legal documents and his or her authority to delegate such authority when properly authorized by the Board to do so.

#### **4.07 Reimbursement of Business and Travel Expenses**

- A. Any reimbursement of expenses incurred on official college business will only be paid in accordance with the policy established herein.
- B. The following general guidelines will be followed by individuals who are on Official College Business.
  - 1. Transportation
    - A. A College vehicle should be used whenever possible.
    - B. When two or more persons are going on the same trip by private automobile, mileage reimbursement will be made to only one. A

rental car shall be shared as much as possible to minimize the expense to the College.

- C. Mileage reimbursement for the use of private automobiles shall conform to IRS regulations using the current IRS mileage reimbursement rate. Travel to and from the airport/train terminal shall be classified as a transportation expense.
  - D. Coach class air transportation and regular rail transportation shall be the standard for travel. Expense for a spouse or dependant who accompanies the employee on a business trip shall be the responsibility of the employee.
2. Meal allowance for overnight travel – employees traveling on official college business shall do their utmost to live within the meal allowance of \$10.00 for breakfast, \$10.00 for lunch and \$30.00 for dinner or a maximum of \$50.00 for meals each day.
  3. Meal allowance for local travel, lunches are assumed to be personal expenditures that are normally incurred during the regular business day and, as such, are not subject to reimbursement.
  4. Travel reimbursement.
    - A. Pre-paid travel and conference arrangements and all cash travel advances must be pre-approved by the employee's immediate supervisor. Cash travel advances shall not exceed 80% of the anticipated cost.
    - B. A travel expense reimbursement form with required receipts attached must be completed.
    - C. All expense reimbursement requests are subject to audit and employees must be prepared to justify all items that come under audit review.
  5. Additional reimbursable expenses – the following additional expenses may also be reimbursable if such expenses are incurred as part of College-required travel; parking and toll charges, lodging (one day before or after event if schedule necessitates); registration fees; necessary taxi or limousine fares; and gratuities.
  6. Non-reimbursable expenses – the following expenses are not reimbursable; transportation or meal costs for spouse or other members of the family; alcoholic beverage expenditures, with the exception of special occasions that are deemed to be appropriate by the President;

entertainment and tours not directly connected with business-related events; and any personal expenses not connected with the purpose of the business trip, such as dry cleaning, valet services, in-room movie services or tours and personal phone calls.

Board Approval:  
December 13, 2006

#### **4.08 Auxiliary Enterprises/Organized Activities**

- A. The President shall present to the Board of Trustees, for approval at its June meeting, a proposed budget for all College auxiliary enterprises and organized activities.
- B. Auxiliary enterprises or College-operated businesses which function to provide services to students. These enterprises currently include the bookstores, cafeterias, vending machines and child-care centers located at each campus. All losses of these operations shall be absorbed by the profits of the other auxiliary enterprises.
- C. Organized activities shall consist of all campus activities in fund accounts which have income that is restricted to a specific activity use. Such activities include athletic events and meetings supported by an athletic fee and campus club activities supported by an activity fee.
- D. The Vice-President of Administrative Services shall be responsible for maintaining proper financial records of all College auxiliary enterprises and organized activities.
- E. The Board of Trustees shall approve the distribution of all profits realized by the operation of College auxiliary enterprises as described in the College's *Manual of Accounting Policies and Procedures*.

#### **4.09 Independent Audit**

- A. The College shall conduct an annual independent audit of its books of accounts, accounting procedures and principles and other fiscal and operational methods and procedures in accordance with guidelines prescribed by the Maryland Higher Education Commission.
- B. An audit report together with the related management letter shall be prepared by an independent certified public accounting firm appointed by the Board and submitted to the Board in accordance with the laws of the State of Maryland.

#### **4.10 Fiscal Exigency Policy**

- A. The responsibility for declaring a fiscal exigency at the College resides with The Board of Trustees.
- B. Upon a request from the President and upon finding sufficient reason for so doing, the Board will declare such an exigency. The College will implement at that time, a contingency plan which requires due process for affected College employees, aimed at preserving the fiscal integrity of the College as a viable educational institution.
- C. The contingency plans to address the fiscal exigency will be developed by the President and forwarded to the Board for its consideration and approval.

#### **4.11 Risk Management**

- A. The College shall maintain a Risk Management Program that limits the College exposure to various financial risks, for example, risks due to theft, damage to property, law suits and employee benefits. The College manages a portion of its risk by participating in Baltimore County's Self-Insurance Program Fund ("SIPF"). Participation of the College in the SIPF is intended to provide the College with general liability insurance and workman's compensation insurance coverage. The risk management policies and procedures of the College are included in the *College Manual of Accounting Policies and Procedures*.
- B. The College may also purchase commercial insurance to protect its interest in property and equipment, against claims of employee dishonesty and liability protection concerning instruction of medical students. The College may also purchase private insurance for employee health coverage.
- C. There is hereby established a Risk Management Committee to provide oversight of the general risk management program of the College. The Committee is to evaluate and respond to the issues that face the College in order to evaluate the College risk management policies.

#### **4.12 Investment Policy**

- A. It is the policy of the Board that the College shall invest College funds in a manner which provides a high investment return and a high degree of security while meeting the daily cash flow demands of the College.
- B. The investment of all College funds shall conform to all state statutes governing the investment of public funds and other policies of the Board.

- C. The specific details describing the College's investment policies and procedures shall be included in the *College Manual of Accounting Policies and Procedures*.

#### 4.13 Policies Regarding Tuition Waivers

- A. The Board of Trustees of the Community College of Baltimore County supports tuition exemption/reduction for the following tuition waiver programs:
1. **Employee Waiver** – as approved by the Board of Trustees, any full-time faculty, administrator or classified employee (active or retired) who enrolls during his or her non-working hours in any credit or non-credit class that has at least ten regularly enrolled students, is exempt from tuition payment. Credit hours may not be counted in computation of full-time equivalent enrollment.
  2. **Senior Waiver** – As provided for in Title 16-205(b) of the Education Article of the Annotated Code of Maryland, any resident of the State who is 60 years of age or older and who enrolls in any class that is eligible for State financial support, is exempt from tuition payment if and when class space is available. Credit hours shall be counted in computation of full-time equivalent enrollment.
  3. **Disability Waiver** – As provided for in Title 16-205(c) of the Education Article of the Annotated Code of Maryland, any resident of the State who is retired from the workforce by reason of total and permanent disability, and who enrolls in any class that has at least ten regularly enrolled students, is exempt from tuition payment. Credit hours shall be counted in computation of full-time equivalent enrollment.
  4. **Parallel Enrollment Program** – Any In-County student who is concurrently enrolled and a high school junior or senior, shall receive a 50% reduction in tuition. Credit hours shall be counted in computation of full-time equivalent enrollment.
  5. **National Guard Waiver** – As provided in Section 11-403 of the Education Article of the Annotated Code of Maryland, any student enrolled in credit or non-credit courses on a space-available basis that has been certified by Maryland Adjutant General to have at least 24 months remaining to serve in the National Guard or has agreed in writing to serve for a minimum of 24 months, received a 50% reduction in In-County tuition and a 100% reduction in the Out-of-County Differential. Credit hours shall be counted in computation of full-time equivalent enrollment.
  6. **Exemption from Paying Non-resident Tuition for Active Military, Veterans, Spouses and Dependents** – As provided for in Title 15-106.4

of the Education Article of the Annotated Code of Maryland, active duty members of the U.S. armed forces, veterans, and spouses and dependent children of active military or veterans are exempt from paying non-resident tuition, under certain conditions. Credit hours shall be included as in-State residents for computation of State Aid.

7. **Foster Care Waiver** – As provided for in Title 15-106.2 of the Education Article of the Annotated Code of Maryland, any student who resides in foster-care home in the State on or after his or her 18<sup>th</sup> birthday, or resides in a foster-care home in the State on his or her 14<sup>th</sup> birthday and was adopted out of a foster-care home after his or her 14<sup>th</sup> birthday and is no older than 21 years of age when enrolling as a degree candidate in the College for the first time and has filed for Federal and State financial aid, is exempt from tuition and payment of fees. Credit hours shall be counted in computation of full-time equivalent enrollment.
8. **Health Manpower Shortage Waiver** - As provided for in 16-310 (3) of the Education Article of the Annotated Code of Maryland, any student attending a community college in this State who is not a resident of this State and is enrolled in an education program leading to licensure in nursing shall be included as an in-county student for tuition purposes. The Student shall furnish a surety bond or guaranteed promissory note to the State, that on completion of the Nursing Education Program, the student will work for at least 2 years in a hospital or related institution, in order to be eligible for the Non-resident Tuition Reduction. Credit hours shall be included as in-State resident for computation of State aid.
9. **Students Employed in Businesses in the County** – As provided for in 16-310 of the Education Article of the Annotated Code of Maryland, each board of community college trustees may waive the out-of-county or out-of-State fee for a student who is employed by a business located in the county that supports the community college. Out-of-State students attending a community college in this State, who receive a tuition waiver by this paragraph, shall not be included as an in-State resident for computation of State aid to community colleges.
10. **Contractual Agreements** – As provided in COMAR 13B.07.02.03, a college may adopt a policy allowing it to enter into a contract to provide education or training for public or private sector employees or members with a public or private sector employer or nonprofit organization that maintains facilities, operates, or does business in the State. The contract may provide for a set contractual fee in place of payment of tuition under the following conditions:
  - the employee or member is enrolled in credit or noncredit courses that will benefit the employer or nonprofit organization;
  - the employer or nonprofit organization pays the fee charged by

the college;

- the fee reasonably reflects the usual costs charged to students in the same or similar courses.

Contractual arrangements under this program may include customized training as well as employer-paid or organization-paid tuition and tuition reimbursement plans. The employees or members enrolled under this program is eligible to be considered Maryland residents for purposes of State aid.

Board Approval:  
December 19, 2007

#### **4.14 Residency Determination For Tuition Purposes**

- A. The Board directs the President to develop criteria and requirements for determining student residency status for the purpose of determining what students are eligible for in-county tuition, in-state tuition and/or out of state tuition rates.
- B. The criteria or requirements for determining residence status shall be set forth in the College Catalog.

#### **4.15 Capital Planning Policy**

- C. The Board directs the College to establish a planning policy and procedure for development of its long-term building and facility needs.
- D. These policies and procedures should be included in the College's Capital Facilities Manual and shall establish procedures for evaluating, determining and developing a plan for the College's ongoing facility and infrastructure needs.

## **Section 5: Academic Policies**

### **5.01 Academic Goals and Aspirations of the College**

A. The College aspires to:

1. offer a wide spectrum of educational services of high-quality to meet community needs;
2. be responsive to individual and collective educational needs;
3. offer programs designed to enrich the lives of citizens and to raise their level of aspiration and accomplishments;
4. serve as an educational, recreational, civic and cultural resource center;
5. offer a forum for free expression and exchange of diverse views;
6. maintain an open admission policy;
7. create flexible educational environments which expand access to learning;
8. provide curricula, courses, programs and services at a variety of locations and times and by means convenient to its students; and
9. provide a variety of learning approaches in institutional media.

B. In furtherance of the above aspirations, the College shall

1. offer Associate in Arts, Associate in Science and Associate in Applied Science degrees in either transfer, general studies and/or career programs designed to fulfill the collective needs of the community and the needs of individual students;
2. offer specialized certificate programs;
3. provide programs and opportunities for all citizens to pursue educational, personal and societal goals through formal and informal credit and non-credit educational experiences;
4. provide counseling and developmental services to assist students in realizing their educational goals;
5. provide qualified faculty and staff essential to the development, operation and delivery and evaluation of programs, courses and services;

6. provide access to post-secondary education for those who would otherwise find it unavailable to such circumstances as work schedule, home responsibility, lack of financial resources or mobility; and
7. ensure high quality programs and services through ongoing evaluation, assessment and management information systems.

## **5.02 Principles of Academic Freedom**

- A. The Board of Trustees endorses the following policy, which is based on the Statement of Principals on Academic Freedom and Tenure, as published by the American Association of University Professors in 1940. For the purposes of this policy, the term Instructional Faculty includes Classroom Faculty and Librarians and Counselors when they are engaged in teaching.
- B. Instructional Faculty are entitled to full freedom in research and in the publication of results, subject to the adequate performance of their academic duties, but research for pecuniary return should be based upon an understanding with the authorities of the College and within the guidelines set forth in the College's Intellectual Property Policy.
- C. Instructional Faculty are entitled to freedom to discuss their subject in the classroom, but they should be careful not to introduce into their teaching controversial matter which has no relation to the subject.
- D. Instructional Faculty are citizens, members of a learned profession and representatives of the College. When they speak or write as citizens, they should be free from censorship or discipline, but their special position in the community imposes special obligations. As people of learning and educational officers, they should remember that the public may judge their profession and the College by their utterances. Hence, they should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others and should make every effort to state that they do not speak for or on behalf of the College.

## **5.03 Admission Policy**

- A. The College is committed to offering accessible educational opportunities to its various constituencies. In support of this commitment, the College maintains an open-admissions policy. The admission of students shall be facilitated in a manner that attempts to remove barriers to college entry. The College shall continue systematic articulation activities with secondary schools, the business community and the general public to enhance the level of understanding regarding access to the College.

- B. The College may accept for special admission into selected courses, certain students who are not high school graduates or holders of high school equivalency certificates, in instances when the applicant presents evidence through testing, or other means, of the ability to profit from the instruction offered at the College. In making admission decisions concerning these special students, the College shall evaluate the potential of the student to complete a course or courses and programs, as evidenced by previous formal education, equivalency of other learning by examination, competencies gained through practical experience, maturity and other appropriate criteria.
- C. The College reserves the right to place students in programs appropriate to their needs and placement in specific courses will be made in consultation with appropriate academic and student services divisions.
- D. The President may adopt, on behalf of the Board, entrance requirements for students, academic curriculum, transfer programs, career education programs, and continuing education programs.
- E. The programs and requirements set forth in paragraph D above shall comply with the provisions of the Education Article of the Annotated Code of Maryland, as amended, and regulations promulgated by the Maryland Higher Education Commission.

#### **5.04 Academic Program Review Policy**

- A. All instructional programs shall be evaluated regularly using the College's approved program review procedure, unless other procedures are required by the State or an outside accrediting agency.
- B. The President shall report annually to the Board of Trustees the results of these reviews.

#### **5.05 Curriculum Policy**

- A. The curricula of the College shall consist of programs and courses in transfer education, career education, technical education, general education, developmental education and continuing education.
- B. The curricula shall include a broad variety of offerings designed to meet the needs of the diverse community served by the College.
- E. Programs offered by the College shall be available to all students of the College who comply with the College's admission policies and procedures.

- F. The College shall develop procedures whereby the faculty may propose a new program or revisions to an existing program. The President will submit all program recommendations to the Board of Trustees for approval.
- G. The addition of individual new courses shall be submitted annually as an information item to the Board of Trustees.

### **5.06 Calendar Policy**

- A. The College shall operate on approved academic and operating calendars.
- B. The President shall annually present the operating calendar to the Board of Trustees as an information item before the calendar's publication.

### **5.07 Academic Regulations Governing Students**

- A. Students attending the College shall follow the academic regulations and policies as outlined in the College catalogue and other official College publications.
- B. Policies and regulations addressing admissions status, entry assessment, retention, suspension, dismissal and graduation of students and the standards for determining these shall be in accordance with the published academic regulations and policies of the College.

### **5.08 Instructional Faculty: Definition; Role in Academic Policy and Curriculum Development**

- A. The instructional faculty comprises those employees holding the rank of instructor, assistant professor, associate professor or professor.
- B. The instructional faculty shall be instrumental in the development, implementation, and evaluation of the academic program under the leadership of the Vice President of Instruction.
- C. According to approved College policy, the Vice President of Enrollment and Student Services, with the involvement of the faculty, shall establish, recommend and maintain requirements for admission, curricula, conditions of graduation and rules and methods for the conduct of the educational work of the College.

Board Approval  
December 14, 1961  
March 12, 1997

## **5.09 Emeritus Policy**

### **A. INTRODUCTION AND PURPOSE**

Emeritus status is an honor bestowed on retired faculty and professional CCBC employees. This honor is given in recognition of outstanding scholarship, exemplary service to the College, and/or work with students. Emeritus appointments continue during the life of the recipient. Appointments to this outstanding status should be commonly acknowledged by the College community. This honorary appointment will provide CCBC faculty and professional employees with support necessary to remain active contributors to CCBC after retirement.

### **B. ELIGIBILITY**

Emeritus status can be conferred only on retired college employees or those retiring as of June 30 of the academic year. Candidates should meet the following criteria (The criteria include and pertain to service on any of the three campuses of CCBC before the merger):

- a. The candidate must have a minimum length of service with The Community College of Baltimore County of no less than twenty (20) years.
- b. The candidate must have had a distinguished career at the College, one which has been deemed outstanding when compared to other employees with similar career requirements. His or her contributions must have helped to improve the strength, growth, and integrity of the College.

### **C. RECOMMENDATION PROCESS**

Any active, full-time employee may nominate an individual for Emeritus status by submitting the following documents:

Each selection packet for Emeritus status must include:

- a. Verification from Human Resources that the candidate is eligible for selection
- b. A 1-3 page description of his/her career accomplishments and examples that demonstrate the candidates exemplary service and performance

### **D. SUPPORTING MATERIALS**

A description of the process and consultations used (if any) to select the candidate should be included on a separate sheet. Documentation, press clippings, testimonials, letters of support, citations, certificates, etc. may be attached.

## E. PROCEDURE

- a. Nominations for Emeritus status must be submitted to the appropriate dean or supervisor by March 15. Once he/she has reviewed the nomination package, the dean /supervisor forwards to the nominee's vice president all relevant materials, along with a brief summary statement to support his/her recommendation to advance or deny the nomination.
- b. The vice president will forward all materials along with his/her recommendation to support or deny Emeritus status to the President.
- c. Upon review of all submittals, the President will advance his/her nominations for Emeritus status to the Board of Trustees for their approval at the Board's April meeting.
- d. The President will notify the candidate of the Board's decision. Those candidates received favorably by the Board will be recognized at the annual commencement ceremony. In a case where the president is the nominee, the employee who nominated the president will send the nomination packet to the Board of Trustees.

## F. PRIVILEGES/BENEFITS

Acceptance of the honor entitles an Emeritus to special rights and privileges, in addition to those extended to all retiring employees. Courtesies and privileges to those receiving the Emeritus status include:

- a. An identification card and parking permit allowing the individual being recognized the same campus privileges as those for full-time faculty, administrators and/or other professionals. These privileges will include the right to participate in academic regalia at commencement and other formal occasions as well as invitations to special College functions open to full-time faculty.
- b. Library privileges and services ordinarily accorded to faculty (with fees assessed).
- c. Maintaining his/her pre-retirement college title, with the designation "Emeritus" added on (e.g., Professor Emeritus, Dean Emeritus, and President Emeritus, etc).
- d. Name listed in the CCBC catalog.
- e. Use of pool and fitness facilities under the same terms and conditions as is offered to CCBC faculty and staff.

- f. Continued access to a CCBC email address.
- g. If space is available, office space and access to CCBC's laboratories for the purpose of research.
- h. The College may award other benefits as appropriate.

In addition, the President may at his/her discretion recommend to the Board of Trustees other members of the faculty or professional staff for the Emeritus title. The Emeritus designation continues during the life of the recipient unless revoked by formal Board action, upon the recommendation of the President, following the same procedures that would be applied to the discharge for cause of a tenured faculty member. The Emeritus title involves no duties and provides no stipend, entitles no tuition waiver or reimbursement and is not transferable to other family members upon the honoree's death. Voting rights in college governance are also not included.

The continued involvement of the Emeritus honorees with CCBC should be encouraged. They should also be encouraged to use their expertise by serving in volunteer roles such as tutoring, assisting with development projects, serving on advisory committees, staffing campus information booths during registration, etc.

Board Approval  
April 18, 2007

## **Section 6: Human Resources**

### **6.01 Introduction**

- A. The Board is committed to the recruitment and retention of a highly qualified, diverse and professional work force.
- B. The Board directs the President or his designee to develop and present to the Board for approval an Employee Handbook that shall more fully set forth the policies, procedures, rights and responsibilities of all College employees.
- C. As used herein, the *Interim Policies and Procedures Employee Handbook* shall be referred to as the “Employee Handbook.”

### **6.02 Equal Employment Opportunity**

- A. The Board of Trustees is committed to ensuring that non-discrimination policies are implemented for all employment practices and administration of employment opportunities at the College.
- B. The employment of qualified personnel to meet the needs of the College is a major responsibility of every individual who participates in the College’s recruitment and hiring process. All College recruitment and hiring procedures are intended to ensure non-discriminatory hiring.
- C. All employees will be give employment opportunities based on their education, training, experience and qualifications.
- D. All employees will be treated equally and will not be discriminated against based on race, color, religion, gender, age, national origin, ancestry, veterans’ status, disability, sexual-orientation, or any other basis protected by law.
- E. The commitment to equal employment opportunity applies to all terms, conditions, and privileges of employment, including, but not limited to hiring, placement, promotion, demotion, termination, lay-off, recall, transfer, leave of absence, compensation, training, and referrals for employment.

### **6.03 Sexual Assault and Harassment**

- A. The Board of Trustees is committed to providing the College an academic learning and working environment that is free from harassment.

- B. Harassment is a form of discrimination that is prohibited by Federal and State law. Harassment is defined as unwelcome sexual advances, requests for sexual favors or other physical or verbal conduct of a sexual nature, including but not limited to, the following circumstances:
1. When submission to such conduct is made explicitly or implicitly a term or condition of an individual's employment or a part of the educational process;
  2. When submission to or rejection of such conduct by an individual is used as the basis for employment or academic decisions affecting such an individual, or
  3. When such conduct has the purpose or effect upon reasonably interfering with an individual's work or academic performance or creating an intimidating, hostile or offensive working or educational environment.
- C. Sexual harassment includes unwelcome sexual advances or visual, verbal, or physical conduct of a sexual nature which creates an offensive, intimidating or hostile work environment. Sexual harassment includes requests for sexual favors, unwelcome sexual comments, suggestions, jokes, and the display of sexually suggestive pictures, calendars or other objects.
- D. Persons found involved in violation of the College's policy on assault or harassment shall be disciplined in accordance with the College's disciplinary procedures which could include expulsion from the College or termination of employment. These sanctions will be in addition to any criminal or civil penalties that may be imposed by Federal or State courts.
- E. Any person found guilty of filing a false accusation of sexual harassment will likewise be subject to appropriate disciplinary action up to, and including, expulsion from the College or termination of employment.
- F. The College shall establish and distribute procedures relating to the reporting and handling of cases of assault and sexual harassment. Publications detailing these procedures shall be made readily available to students, faculty and staff.
- G. The College shall investigate all complaints of assault and sexual harassment, adjudicating them in accordance with the College's disciplinary and appeal procedures.

#### **6.04 Rank and Salary of Faculty and Salary Employees**

- A. Salaries for new employees will be established in compliance with Baltimore County Government guidelines and budgetary restrictions.

- B. The College will maintain a rank-system for its faculty. Salary and performance criteria will be defined for each rank based on experience, skills and academic credentials. A salary scale consistent with the adopted criteria will be maintained by the College Administration.
- C. There shall be an established salary schedule by rank and level, expressed in terms of minimum and maximum amounts for each rank and level. The Board of Trustees shall review and approve the salary schedule each year.
- D. The Board shall approve a part-time faculty salary schedule for each year.

### **6.05 Professional Employee Contract Policy**

- A. All professional employees of the College hired after January 28, 1981, shall receive a contract, the form of which shall be specified by the Board and no other contract shall be recognized.
- B. The contract shall be in writing and on the form furnished by the Board, shall be signed by the professional employee and the President or the President's designee. Signing the completed contract constitutes the employee's acceptance of the position and of the conditions set forth in the contract. When so signed, it will be filed among the records of the College and a copy will be provided to the employee.
- C. Persons in dual-function positions shall be offered a Faculty contract with a special addendum specifying their duties and responsibilities and the length of the appointment.
- D. A Faculty contract year starts on August 15 of each calendar year. For purposes of time served within a particular contract, only time served between August 15 and the following June 30 will be counted. Time served under contracts and temporary assignments for less than one full academic year will not count towards years served.

### **6.06 Fractional Employee Contracts**

- A. The Board of Trustees authorizes the College to issue fractional contracts to full-time professional employees. The terms of these appointments are subject to Board approval.
- B. The terms governing fractional appointments shall be available to all staff.

## **6.07 Temporary Employee Contract**

- A. Temporary employees may be hired to meet short-term needs or to handle a special project and will receive a temporary employee contract with the College. The contracts will be written and prepared by the College, signed by the employee, the appropriate vice president and the President or their designated representative.
- B. A temporary employee contract may be extended for a period of time not to exceed three years.
- C. A temporary employee is not entitled to benefits other than what is agreed to in the temporary employee contract. Medical benefits and other entitlements are generally not available for temporary employees.

## **6.08 Faculty Appointments**

- A. It is the intent of the Board to foster a mutual, long-term commitment between the College and retained faculty. With this goal in mind, the Board offers faculty hired the following types of contracts:
  - 1. One-Year Contract - A one-year contract is issued upon hire. No limitation is imposed on the College regarding the number of one-year contracts that a specific faculty member may be issued. When deemed appropriate by the Board, one-year contracts may also be issued after completion of contracts of longer term.
  - 2. Three-Year Contract - The Board may offer a faculty member a three-year contract no earlier than at the end of three full years of employment within the terms of a one-year contract. Additional conditions for eligibility include, but are not limited to, satisfactory performance, financial conditions of the College, and adequate enrollment. The decision whether to issue a three-year contract or not is within the sole discretion of the Board, and faculty members have no entitlement, guarantee and/or expectation of receiving such a three-year contract.
  - 3. Five-Year Contract – Faculty members, who consistently demonstrate satisfactory performance for a period not less than three consecutive years, may become eligible for a five-year contract. The decision to provide any eligible faculty member with a five-year contract is within the sole discretion of the Board of Trustees and faculty members have no entitlement, guarantee and/or expectation of receiving a five-year contract. With appropriate notice, contracts of lesser duration can be issued upon completion of the five-year term. The decision to issue a five-year contract will be conditional to successful yearly evaluations, adequate

student enrollment and financial viability of the College. A five-year contract may be renewed for an additional term of five years, if the above-mentioned conditions continue to be satisfied.

- B. Faculty members who receive a one, three or five-year contract with the Board are not eligible for tenure.

### **6.09 Recruitment Expenses**

- A. Applicants invited for an interview for a professional position may be reimbursed for expenses for necessary lodging, meals and transportation, when the applicant travels from outside a 50-mile radius of the location of the interview. Reimbursement of expenses incurred during the recruitment process is subject to availability of funds for such purpose in the College budget.
- B. The College does not generally provide for moving expenses except upon approval by the President and the Chairperson of the Board of Trustees.

### **6.10 Salary Scales**

- A. There shall be an established salary scale by rank and level for faculty, and a salary scale and level for professionals. Rank shall be expressed in terms of minimum and maximum amounts for each level.
- B. The schedule will be reviewed and approved each year by the Board of Trustees.

### **6.11 Performance Evaluation**

- A. The Board of Trustees directs the President to establish and periodically revise a system of performance evaluations for College faculty and professional staff to be based on performance criteria.
- B. The College provides an objective and fair annual performance evaluation process which allows supervisors to assess the performance of their employees in relation to established performance expectations and specific performance goals to be accomplished over the review period. The results of the evaluation shall become part of the employee's permanent record and are to be used to determine the amount, if any, of the employee's annual merit increase.
- C. The performance evaluation process will apply to all college employees. However, the established performance expectations differ across the three groups of employees – faculty, administrative and classified employees.

- D. The parameters of performance expectations are to be identified in the *College Employee Handbook*.
- E. Merit and other salary increases are not automatic, but are intended to reflect performance. The President may recommend performance increases to the Board for their approval. The performance increase percentages, if provided, shall be based upon availability in the operating budget.

## **6.12 Work Load**

- A. The Board of Trustees authorizes the determination of appropriate workloads consistent with the terms of policies established in the *College Employee Handbook*. The determination of a normal workload for full-time faculty and professionals will be governed by the terms of the policies in the *College Employee Handbook*.
- B. The determination of release time, what constitutes a full load and overload are likewise to be published within the *College Employee Handbook*.
- C. The Board reserves the right to review and comment on recommended changes modifications or deletions of any of the terms in the *College Employee Handbook* defining workload, released time or similar issues.

## **6.13 College Grievance Procedure**

- A. The College shall establish a grievance procedure that allows the review of employment related grievance issues. The College grievance procedure shall be available to all staff and faculty.
- B. The specifics of the grievance procedure shall be contained in the *College Employee Handbook*.
- C. Unionized personnel are subject to the term of the grievance procedures agreed upon through the collective bargaining agreements between the College and their representing union.

## **6.14 Records Disclosure**

- A. Personnel records are the property of the College and will remain confidential. Confidentiality of personnel records, including medical records, will be

maintained in accordance with State and Federal law. Only those employees who are authorized will have access to these records.

- B. The Board of Trustees authorizes the College to develop and implement procedures to manage requests for information contained in an employee's personnel file. The terms of disclosure and conditions governing such requests shall be set forth in the *College Employee Handbook*.
- C. All inquiries regarding current or former employees are to be channeled through the College's Human Resources Department.
- D. No information concerning current or former employees shall be divulged unless the person making the inquiry provides the College with written authorization from the employee or former employee or Court Order and/or Subpoena that requires the release of such information.

### **6.15 Political Activity**

- A. The Board of Trustees recognizes that employees have rights and responsibilities in terms of voting, campaigning for or against political issues, holding public office and other civic pursuits. An employee may request a leave of absence without pay in order to pursue these and other civic duties. The decision whether to grant such a leave rests with the sole discretion of the College.
- B. The College is authorized to manage employees' involvement in political activity under terms and conditions contained in policies established in the *College Employee Handbook*.

### **6.16 Tuition Reimbursement for Faculty and Other Professionals**

- A. Tuition reimbursement for staff at the College shall be extended under the terms and conditions set forth in the *Employee Handbook*. Tuition reimbursement is contingent upon availability of funds in the budget for that purpose.
- B. All full-time benefit-eligible employees are qualified to apply for reimbursement for approved study provided the employee has been employed by the College for at least one academic year.
- C. In order to be eligible for reimbursement of tuition expenses, an employee shall have satisfactorily completed the course in accordance with the criteria of the institution at which the course was taken and will submit proof of payment and successful completion of the course.

## **6.17 Authorized Leaves With Pay**

- A. The Board of Trustees authorizes the College to determine the terms and conditions of the granting of leaves of absence with pay. Such leaves may include holidays, vacation, winter and spring recess, sick leave, illness in family, bereavement, jury duty and court appearances, religious observance, urgent personal business and sabbatical leave.
- B. The Board of Trustees reserves the right to review and approve various authorized leaves with pay established by the College. The availability of any of these leaves with pay is contingent upon adequate funding available in the budget for such purposes.

## **6.18 Authorized Leaves Without Pay**

- A. The Board of Trustees vests the President the authority to determine under which terms the following leaves of absence may be granted without pay for periods not to extend beyond three months without review:

*Military Leave (309(B), The Community College of Baltimore County's Interim Policies and Procedures Employee Handbook.*

*Leave Without Pay (307(A), The Community College of Baltimore County's Interim Policies and Procedures Employee Handbook.*

- B. Leave without pay may be renewed by the Board upon recommendation of the President. Each period of renewal shall not exceed three months. To be eligible, the employee should submit a written application (to the President) through appropriate supervisory channels including the President or Vice President to the President at least sixty days prior to the date on which the leave is to become effective. The application should state the purpose and duration of the leave.
- C. The time on leave will not be credited towards the time required for consideration for promotion, tenure or sabbatical. Vacation, sick or other short term leave eligibility will not be accrued during leave without pay.
- D. An employee granted such leave may continue the benefits provided by the College at his/her own expense. For leaves without pay for medical reasons the College will continue its normal contribution for active employees for the first three months of such leave in accordance with the Family Medical Leave Act.

## **6.19 Reinstatement of Faculty Status**

- A. This policy covers any and all faculty members who, by appointment, have held, on a full-time basis, a senior administrative position for at least one full contract year and are voluntarily or involuntarily reinstated to their previous faculty status. The provisions of this policy do not extend to interim appointments, regardless of length, or part-time assignments where the faculty member retains 30% or more faculty workload.
- B. Requests for release from administrative duties must be submitted to the vice president no later than January 15 of the current contract year. The vice president will notify the administrator whether the request has been approved no later than April 1 of the current year. Upon approval of the vice president, the faculty members shall be notified and an exhibit reflecting the termination of current status shall be submitted to the Board of Trustees. Reinstatement of faculty status shall place the employee at the faculty rank held prior to the administrative appointment. The contract term will remain as it was upon administrative appointment.
- C. Upon reinstatement, the faculty member's level of compensation will be adjusted to the top of the salary range for the rank previously held, with the understanding that the salary is "red-lined" unless promotion to the next academic rank occurs in subsequent years.
- D. Employees reinstated to ten-month faculty status will stop accruing vacation time upon completion of the 12-month administrative contract. Accrued vacation time must be taken prior to reinstatement into the ten-month position.
- E. Employees reinstated to 12-month faculty status will maintain their accruing status at the same rate as it was during the administrative appointment.
- F. Change and status does not have any impact on coverage under the College's sponsored plans.
- G. Retirement benefits are calculated based on a percentage of salary. Changes in status do not result in a need for adjustment, unless the status changes to part-time status.

## **6.20 Tenured Status**

- A. The Board no longer extends tenure to faculty. The Board, however, is committed to honoring the terms of tenure of employees who were granted such status prior to this change in policy. The terms of employment of faculty who attained tenured status, or who were "on track" for tenure, prior to the change in policy are as follows:

B. Transfers

1. Administrative Positions: Tenured employees whose transfer is approved by the Board after the effective date of this policy (to an administrative position) shall be presumed to have changed careers after serving four years in the administrative position. Tenure earned in the prior position will be surrendered at the beginning of the fifth year of employment in the non-tenured position.
2. Faculty Positions: A tenured employee who transfers to a faculty position shall retain tenure status regardless of length of time in the new position.

C. Faculty on Tenure Track<sup>1</sup>:

1. This policy applies only to individuals who were specifically identified as “on-track” for tenure as of the time of the termination of tenure. These individuals are “tenure-eligible” as that term is used herein.
2. Beginning with the appointment of a tenure-eligible employee, the probationary period shall not exceed five years. Before conclusion of the fourth year of employment in probationary status, the Board, upon recommendation of the President, shall either (a) grant tenure status to the faculty member, or (b) accept the recommendation from the President not to offer tenure to the faculty member; in which case, the faculty member will be notified and issued a one year faculty contract.

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<sup>1</sup> Specific individuals were identified as such upon termination of tenure. Only faculty on such record is deemed eligible.

## **Section 7: General Policies**

### **7.01 Substance Abuse**

- A. The Board is committed to establishing and promoting campus environments free from the unlawful use and abuse of illicit drugs and alcohol. The College shall enforce all laws concerning the possession and use of alcohol and of controlled substances.
- B. The Board will not tolerate the manufacture, possession, use, distribution, dispensation or sale of controlled, dangerous substances, illegal drugs of any kind, or associated paraphernalia at any of its locations, within any of its facilities, or at any college sponsored or supervised activity on or off campus.
- C. Irresponsible or illegal use or distribution of alcohol is prohibited. The service, sale and consumption of alcohol at recognized social events shall be permitted, subject to review and approval of college officials appointed by the President. Distribution of alcohol shall be limited to beer and white wine. Guidelines for authorizing the use of alcohol should reflect adherence to the law, the prohibition of expending college funds, including student activities fees, for the purchase of alcohol and compliance with regulatory practices that deal equitably with all elements of the college community. At any event at which alcohol is served or sold, equally attractive and accessible service of non-alcoholic alternative beverages shall be available.
- D. Students, faculty or staff who violate this substance abuse policy may be required to participate in a drug and/or alcohol education program and are subject to disciplinary actions, up to, and including, suspension, dismissal and/or criminal prosecution under local state or federal law. Additionally, the Board recognizes in some cases, substance abuse is a symptom of the illness of chemical dependency. Therefore, when appropriate, an individual may be required to participate in a rehabilitation program.
- E. In compliance with the Drug-Free Work Place Act, the Drug-Free Schools and Communities Act Amendments of 1989 and other local State and Federal laws, each student, faculty, and staff member of the College is required to abide by the terms of this policy.

### **7.02 Policy On The Use Of College Facilities**

- A. The Board is committed to College involvement with and participation in, the communities its serves. To that end, the Board permits groups from the college community as well as the community-at-large, to utilize college facilities at the

respective campuses at such times and under such circumstances that will not interfere with orderly operation of the College.

- B. The President shall develop rules and procedures to effect equitable use of college facilities. The procedure shall give first priority to recognized campus groups, second priority to local and State educational and governmental entities, third priority to charitable, civic and other non-profit organizations, and fourth priority to other groups.
- C. Permission to use College facilities will be granted in strict accordance with the guidelines established by the Presidents that provide for such use at various fees and designated charges and other requirements as appropriate for the different types of facilities requested in categories of users.

### **7.03 Records Management**

- A. The President shall establish a records management program consistent with the policies of the Maryland Higher Education Commission, Baltimore County Government, and the State of Maryland regarding the retention, archiving and disposal of College records.
- B. Details of the Records Management Program shall be available to all College offices.

### **7.04 Detection, Investigation, and Reporting of Fraud**

- A. The College officer responsible for internal auditing shall be notified in all cases where the discovery of circumstances suggest a reasonable possibility that assets of the College have or have thought to have been lost to defalcation or other security breaches in financial and operating systems. Upon such notification, the College officer responsible shall notify the President and shall undertake such investigation as necessary to identify and correct any weaknesses in the College financial or operating system.
- B. In cases where the College officers detect or suspect irregularities in student academic records, the Student Financial Aid Records, or student accounts, the affected department shall conduct an investigation as necessary to establish the accuracy of such records or accounts.
- C. Investigation under either paragraph 1 or 2 above may result in disciplinary charges against employees or students. Such disciplinary charges shall then be carried through the appropriate student, faculty, or employee hearing process. Demonstrate the commission of fraud and/or related deeds covered by this policy

may result in sanctions up to, and including, dismissal from the College, and may also result in civil and/or criminal proceedings.

### **7.05 Hazardous Waste Policy**

- A. In the course of conducting the College's education, research and operational activities, certain hazardous waste materials will be generated. The management, collection and disposal of this hazardous waste shall be conducted in accordance with all appropriate Federal, State and County laws and ordinances.
- B. The President shall designate an individual of the College to be responsible for the collection, storage and disposal of hazardous waste materials. That individual shall be responsible for employee training, coordinating and complying with all State, Federal and local laws and ordinances regarding the collection, storage and disposal of hazardous waste materials.

### **7.06 Disruptive or Dangerous Behavior**

- A. Disruptive or dangerous behavior on the part of any member of the College community is incompatible with the purposes of an institution of higher education and will not be tolerated.
- B. Disruptive behavior is defined as any behavior that interferes with or impedes the conduct of a class or the conduct of normal business of the College and includes any behavior that poses a threat of physical or emotional harm to oneself or to others.
- C. Disruptive behavior by a person who is not a member of the College community will result, at a minimum, in the person being escorted from the College premises and may result in additional civil or criminal legal proceedings.
- D. With respect to employees, the consequences of such behavior shall be contained in the Employee Handbook, as amended from time to time. The Board shall approve any material changes to the Employee Handbook.
- E. With respect to students, the consequences of disruptive or dangerous behavior shall be set forth in the Code of Student Conduct for the Community College of Baltimore County.
- F. The President shall also follow the provisions on School Security set forth in Title 26 of the Education Article of the Annotated Code of Maryland, as amended.

## **7.07 Request for Information By Law Enforcement Officers**

- A. All requests for information from law enforcement officers related to students shall be handled in accordance with applicable State, local and federal laws, including, but not limited to, the federal Family Educational Rights and Privacy Act (“FERPA”), the United States Patriot Act of 2001 and court ordered subpoenas properly served on the Board.
- B. When the request for information by a law enforcement officer is made in person, only the following information shall be provided by the College: Name, Date of Birth, Address, Telephone Number, Dates of Attendance and Class Schedule. Other information requested by the law enforcement officer shall be supplied by the College only with the consent of the person about whom the inquiry is made, or upon service of the College of proper legal process.
- C. Requests for information from law enforcement officers for information on College employees, including full time, part time, temporary or adjunct, shall be referred to the Executive Director of Human Resources or the designee of the Executive Director of Human Resources. All such requests shall be handled in accordance with local, State and federal laws.

## **Section 8: Institutional Advancement**

### **8.01 The Community College of Baltimore County Regulations For Affiliated Foundations**

- A. The Board of Trustees of The Community College of Baltimore County (the “Board of Trustees”) recognizes the importance of voluntary private support including, but not limited to grants and contributions that support the activities of the Community College of Baltimore County (the “College” or “CCBC”). Accordingly, the Board of Trustees wants to encourage a broad base of support from many sources, particularly increased levels of private contributions. To achieve this goal, the Board of Trustees supports the establishment and continuation of Affiliated Foundations (as hereinafter defined) that support the mission and activities of the College.

The purpose of these Regulations for Affiliated Foundations (the “Regulations”) is to set forth the requirements for an organization to operate as an Affiliated Foundation of the College. These Regulations were created to comply with the requirements for the establishment of Affiliated Foundation to be associated with a Maryland public institution of higher education under Sections 15-104 and 17-303 of the Education Article of the Maryland Code, and Section 13B.07.02.05 of the Code of Maryland Regulations. Any and all applicable requirements contained in Sections 15-104 and 17-303 of the Education Article of the Maryland Code, and Section 13B.07.02.05 of the Code of Maryland Regulations, and any amendments and successor statutory provisions or regulations thereto, for the establishment of an Affiliated Foundation and continuing association between an Affiliated Foundation and the College shall be deemed included in and a part of these Regulations.

The College shall only accept funds from Affiliated Foundations that are established and operated in compliance with these Regulations, as determined by the College in its sole discretion. The Board of Trustees shall monitor the relationship between the College and each Affiliated Foundation to ensure continued compliance with these Regulations.

- B. **Criteria for Recognition as an Affiliated Foundation of the College**

The Board of Trustees, in its discretion, may recognize a charitable non – profit organization that is created and operated in support of the interests of the College as an “affiliated foundation” of the College (referred to herein, individually, as an “Affiliated Foundation,” and collectively, as “Affiliated Foundations”), provided that such an organization is created and operated in conformance with these regulations.

In order to be eligible for recognition by the Board of Trustees as an Affiliated Foundation, an organization must satisfy the following criteria:

1. The organization must be incorporated and operate as a Maryland non-stock corporation, and have applied for and been formally determined by the Internal Revenue Service to be tax-exempt under Section 501(c)(3) of the Internal Revenue Code and a non-private foundation under Section 509(a)(1) or (a)(2) of the Internal Revenue Code. Failure of an organization to obtain and maintain any such status described above shall be grounds for immediate revocation by the Board of Trustees of the organization's status as an Affiliated Foundation.
2. The organization shall be created and operated for the following purposes:
  - a. To facilitate institutional advancement programs and receive contributions from private parties to foster and promote the general welfare of the College;
  - b. To manage and invest private gifts and/or property for the benefit of the College; and
  - c. To promote, sponsor, and assist the College in the implementation of activities that further enhance the mission of the College.
3. The organization's Articles of Incorporation and Bylaws must be consistent with these Regulations. The Articles of Incorporation and Bylaws of the organization must provide that upon dissolution of the organization, all of the assets of the organization will be transferred to the College, or another organization recognized as tax-exempt under Section 501(c)(3) of the Internal Revenue Code identified by the College, in writing to ensure that the restricted and endowed funds are used for the purposes for which they were intended.
4. The organization or any subsidiary organization intending to operate as an Affiliated Foundation must be formally recognized by the Board of Trustees, which retains the sole authority to recognize qualifying organizations as Affiliated Foundations.

C. Revocation of Affiliated Foundation Status

1. The Board of Trustees may revoke the recognition of an organization as an Affiliated Foundation if the organization:
  - a. Fails to satisfy the requirements contained in or violates (i) these Regulations or (ii) the Operating Agreement (as that term is defined below); or

- b. If the Board of Trustees believes, in its sole and absolute discretion that it is in the College's best interest to revoke such status.
2. Revocation of an organization's Affiliated Foundation status shall require the approval of the Board of Trustees.

#### D. Structure, Independence and Membership

1. Each Affiliated Foundation shall operate as a Maryland nonstock corporation that is legally separate and distinct from the College. Each Affiliated Foundation, and each organization desiring consideration of Affiliated Foundation status, shall provide to the College copies of its: (i) Articles of Incorporation, as amended; (ii) Bylaws, as amended; (iii) letter of determination of tax-exempt status from the Internal Revenue Service, together with all amendments and updates thereto; and (iv) IRS Form 990s and financial statements for the immediately preceding three fiscal years. Each Affiliated Foundation shall deliver to the College copies of any amendments, changes, revocations, etc. relating to any of the documents described above within ten (10) days of filing, approval or receipt by the Affiliated Foundation.
2. The management, oversight and operation of an Affiliated Foundation shall rest with its board of directors (the "Foundation Board"). Members of a Foundation Board shall be selected in accordance with the Affiliated Foundation's Articles of Incorporation and Bylaws, the laws of the State of Maryland, these Regulations and the Affiliated Foundation's Operating Agreement.
3. An Affiliated Foundation shall ensure that candidates for membership on its Foundation Board agree to any and all fundraising requirements established by the Foundation Board. Such fundraising requirements shall comply with the requirements as specified in the Affiliated Foundation's Operating Agreement, as defined herein.
4. Members of the Board of Trustees, the College's President (the "President") and members of the President's Staff may only serve on a Foundation Board as ex-officio, non-voting members.
5. College employees who satisfy the criteria for membership on a Foundation Board may serve as voting members of that Foundation Board; provided that employees' participation as active members of Foundation Boards will not be in conflict with their employment responsibilities to the College.

6. At no time may College employees comprise more than 20% of the voting members of a Foundation Board.
- E. Operation of Affiliated Foundations; Operating Agreements
1. Each organization recognized by the Board of Trustees as an Affiliated Foundation shall enter into a written agreement with the College detailing the scope of activities of the Affiliated Foundation and its commitment to support the College (an “Operating Agreement”). The term of each Operating Agreement shall be for up to three fiscal years. The Operating Agreement will incorporate these Regulations, other applicable policies and procedures of the College (collectively referred to as the “Rules and Regulations of the College”) and applicable State, federal and county laws and regulations. Each Operating Agreement shall be prepared by the College, with input from the Affiliated Foundation, and approved by the Board of Trustees and the Foundation Board.
  2. An Operating Agreement may be renewed for a term of up to three fiscal years approval of the Board of Trustees, and an Affiliated Foundation may agree to change the scope activities of the Affiliated Foundation contained in an Operating Agreement from time to time.
  3. The Operating Agreement shall set forth the terms of an Affiliated Foundation’s use of the College’s name, logo, emblems, service marks, trademarks and other proprietary interests (collectively the “Proprietary Interests”). The Operating Agreement shall provide that, upon revocation of recognition of an organization’s status as an Affiliated Foundation for any reason, the organization shall no longer have the right to use the Proprietary Interests of the College, shall immediately cease any and all uses of the same, and must formally change its name to exclude any reference to the College or its other Proprietary Interests within 30 days of such revocation of recognition.
  4. The activities of an Affiliated Foundation shall be consistent with the College’s Advancement Plan, as amended from time to time (the “Advancement Plan”). In the event of any inconsistency between an Operating Agreement and the College’s Advancement Plan, the Advancement Plan shall control.
  5. The College may designate the Vice President for Institutional Advancement (“VPIA”) as the chief liaison between the College and its Affiliated Foundations. The VPIA shall be an ex-officio, nonvoting member of all Foundation Boards.
  6. The College may provide certain administrative and support services, resources and uses of facilities (“Resources”) to an Affiliated Foundation.

The use of Resources by an Affiliated Foundation shall be addressed in the Operating Agreement and any Resources provided by the College shall be quantified and measured against funds expended by the Affiliated Foundation for the benefit of the College. The Affiliated Foundation shall reimburse the College for all additional costs incurred by the College as a result of providing any Resource to the Affiliated Foundation. Any terms of reimbursement to be made by an Affiliated Foundation to the College for these services shall be set forth in the Operating Agreement or such supplemental agreement as the College deems appropriate. Affiliated Foundations may be assessed an annual overhead charge that shall be determined by the Board of Trustees and as set forth in the Operating Agreement.

7. Funds expended by an Affiliated Foundation must be spent in accordance with the Operating Agreement, the Advancement Plan, the College Rules and Regulations and/or all applicable federal, State and County laws and regulations; provided, however, that no such expenditures of funds shall be inconsistent with any enforceable restrictions on or designations for the use of such funds expressed by the donor of such funds.
8. An Affiliated Foundation must ensure that the general public is routinely advised that the College and the Affiliated Foundation are separate legal entities. The letterhead of an Affiliated Foundation shall contain its formal legal name (e.g., The Community College of Baltimore County Foundation, Inc.). All correspondence, solicitations, activities, and advertisements by or on behalf of an Affiliated Foundation shall contain its formal legal name and clearly identify the activities of an Affiliated Foundation as its own, and not those of the College. An Affiliated Foundation shall not use the Proprietary Interests of the College in any advertisement, solicitation, correspondence or activity without the prior written consent of the College.
9. In all negotiations and transactions for fundraising, enterprise activities and all other activities, representatives and agents of an Affiliated Foundation shall ensure that all parties involved are fully advised that: (i) the Affiliated Foundation is an independent and separately operated legal entity from the College; and (ii) obligations of the Affiliated Foundation are not obligations of the College, Baltimore County or the State of

Maryland. Further, an Affiliated Foundation shall acknowledge that it is not an agent of the College, except as may otherwise be agreed between the College and the Affiliated Foundation in writing.

Board Approval:  
September 8, 2004  
June 20, 2007

## **8.02 Donor Recognition and Named Gifts Guidelines**

The Community College of Baltimore County Donor Recognition and Named Gifts Program is designed to publicly acknowledge and honor donors in a manner which appropriately recognizes past gifts and encourages further giving. This stewardship program is intended to maximize recognition and encourage increased levels of support as well as to involve donors in the growth and development of CCBC.

Donors are considered to be individuals, foundations, businesses, corporations or associations who have contributed materially to the College. Gifts fall into the following categories:

- Cash, checks, pre-authorized checks and credit card payments;
- In-Kind Gifts, including academic equipment, instructional material or other capital items, consistent with the goals of the College
- Securities, including publicly traded shares, bonds, debentures and mutual funds
- Bequests; gifts of cash, securities or personal property given through a will. (A residual legacy comprises all or a percentage of the remainder of an estate after payment of expenses and any specific legacies.)

### **General Guidelines**

For Donor Recognition purposes, acknowledgement of a pledged gift shall begin upon full receipt of the pledged amount. If a pledge is not fulfilled as promised, the donor's recognition will reflect the category that represents the actual gift level.

In-kind gifts are subject to IRS Guidelines and shall be acknowledged once the appropriate documentation is in place. In the case of a bequest, the estate shall be considered the donor and subject to the same recognition as other donors.

Charitable Tax Receipts, prepared in accordance with IRS guidelines, shall be issued within one week of reception of a gift and all necessary documentation. Only charitable gifts dated and post-marked before December 31 will be receipted for that calendar year.

For recognition purposes, donations shall be recognized both on an annual basis and on a cumulative basis (cumulative from the inception of the College or its predecessor organizations - where records are available); however, gifts shall not be credited to other donors.

Costs associated with naming or recognition may be partially offset by the donation itself, through a separate contribution by the donor or through budget funds allocated by the College or the department that is benefiting from the gift.

To ensure appropriate donor recognition, individual areas of the College shall ensure that the Institutional Advancement Office is apprised of all donations they receive locally and that all recognition afforded their donors in departmental publications, newsletters, events or mailings is consistent with College-endorsed stewardship policy.

Donor recognition through displays (i.e., donor recognition trees, plaques, certificates, etc.) shall be permanent. The duration of naming opportunities related to facilities shall be determined by their nature and subject to prior approval as appropriate.

A donor's wish for anonymity shall be respected in all cases.

#### **A. DONOR CIRCLES**

"Donor Circle" members will receive special invitations to events relative to their level of giving. These may include special lunches, dinners or receptions with the Foundation or College Boards, invitations to College award ceremonies, convocations and other departmental special events or displays or tickets to athletic events. Specific campaigns may have customized recognition benefits developed for that particular campaign, but in all cases these customized benefits must be consistent with this Donor Recognition Policy.

Each Donor Circle represents a specific category of donor recognition and is meant to reflect the unique nature of CCBC. The Circle titles and levels of giving, as outlined in Schedule 'A', are offered for working purposes only; once finalized and adopted, they will be subject to periodic review and approval by the CCBC Board of Trustees.

#### **B. NAMED GIFT OPPORTUNITIES**

CCBC will, from time to time, offer named gift opportunities for pre-determined fund raising projects, including (but not limited to) new buildings, improvements to existing buildings, establishment of discrete academic facilities, interior/exterior communal spaces, and for major educational endowments (e.g., endowed chairs, fellowships and scholarships). The minimum level of gift eligible for Named Financial Awards/Scholarships shall be \$10,000.

The naming honor may recognize community leaders, corporations or private organizations that have made extraordinary and outstanding contributions and/or substantial financial gifts to CCBC.

The Board of Trustees, on the recommendation of the President, shall determine and approve the names of all buildings, wings of buildings, classrooms, laboratories, public spaces, roads, gardens, etc.

- a. The primary consideration in the selection of a particular name for a specific space shall be whether it enhances the reputation and profile of CCBC.
- b. Names of incumbent politicians or of current members of the CCBC community shall not be used. Any exception requires the approval of the CCBC Board of Trustees.
- c. In order to encourage private giving to institutional priorities, CCBC shall:
  - provide meaningful opportunities for donor recognition so that donor investments in CCBC may serve as examples for future generations of students, graduates and friends;
  - establish uniform standards for named gift opportunities to be applied throughout the organization; and
  - ensure that named gift opportunities are vetted and approved by the appropriate bodies.
- d. A monetary ‘floor’ shall be established for each naming opportunity associated with a building, facility or program, as illustrated in Schedule ‘A’. All naming proposals for Board consideration shall be submitted by the Institutional Advancement Committee to the Board of Trustees for its approval. The approval proposal will provide:
  - a complete description of the facility/project to be named;
  - a comprehensive profile of the individual or organization to be recognized;
  - the proposed recognition plan, including the ceremony that will confer the recognition; and
  - the proposed media plan.

### **C. DONOR RECOGNITION DISPLAYS**

The Institutional Advancement Department shall be responsible for all donor recognition display(s), such as central art pieces or donor walls (actual or virtual), and donor mementos or recognition certificates. Donor recognition display(s) will capitalize on the unique nature of the College and will be prominently located.

Lifetime donor recognition display(s) shall acknowledge all cumulative gifts of \$5,000 or more and will be divided into five sections headed by the titles assigned to the top five Levels of Giving (Schedule ‘A’ – Cumulative Lifetime Recognition Circles).

Guidelines:

- a. The names of donors achieving these levels shall appear alphabetically (within the appropriate circle) in the contribution list.

- b. Donations made in memoriam will be flagged with a special symbol in all recognition instruments and listed under the category reflecting the accumulated donations given in the name of the deceased.
- c. The displays will be updated annually.
- d. Donor mementos will be complementary to the appropriate donor recognition display and consistent with the donor recognition levels outlined in Schedule 'A'.

## **SCHEDULE 'A'**

### **ANNUAL RECOGNITION CIRCLES**

#### **(1) CONTRIBUTORS CIRCLE**

Donor Recognition Level: up to \$499

- An official receipt for income tax purposes;
- letters of appreciation from the VC and or Director(s) of Resource Development and/or the President of the Alumni Association (where appropriate);
  - a donor memento designed for this category of giving;
- listing in the Foundation Annual Report; and
- listing on the Foundation/College Web Site.

#### **(2) SCHOLARS CIRCLE**

Donor Recognition Level: \$500 to \$999

- An official receipt for income tax purposes;
- letters of appreciation from the VC and or Director(s) of Resource Development and/or the President of the Alumni Association (where appropriate);
- listing in the Foundation Annual Report;
- listing on the Foundation/College Web Site; and
- a donor memento designed for this category of giving.

#### **(3) CUM LAUDE CIRCLE**

Donor Recognition Level: \$1,000 to \$2,499

- An official receipt for income tax purposes;
- letters of appreciation from the VC and/or Director(s) of Resource Development, and/or the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- listing in the Foundation Annual Report;
- listing on the Foundation/College Web Site; and

- a copy of the Foundation's Annual Report(s) for the year of the donation.

**(4) MAGNA CUM LAUDE CIRCLE**

Donor Recognition Level: \$2,500 to \$4,999

- An official receipt for income tax purposes;
- letters of appreciation from the VC and/or Director(s) of Resource Development, the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- listing on the Foundation/College Web Site;
- listing in the Foundation Annual Report; and
- a copy of the Foundation's Annual Report(s) for the year of the donation.

**(5) SUMMA CUM LAUDE CIRCLE**

Donor Recognition Level: \$5,000 to \$9,999

- An official receipt for income tax purposes;
- letters of appreciation from the Vice President or Director(s) of Resource Development, the President of CCBC, the President of the appropriate campus, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- listing on the Donor Recognition display;
- listing on the Foundation/College Web Site;
- invitations to special donor recognition or College events;
- a copy of the Foundation's Annual Report.

**(6) HONORARY CIRCLE**

Donor Recognition Level: \$10,000 to \$14,999

- An official tax receipt for income tax purposes;
- letters of appreciation from the Vice President, or Director(s) of Resource Development, the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- listing on the Donor Recognition display;
- listing on the Foundation's Web Site;
- invitations to special donor recognition or College events;
- named gift opportunities, where appropriate;
- a copy of the Foundation's Annual Report; and
- an invitation to have dinner with the President.

**(7) BENEFACTORS CIRCLE**

Donor Recognition Level: \$15,000 or more

- An official tax receipt for income tax purposes;

- letters of appreciation from the Vice President or Director(s) of Resource Development, the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- listing on the Donor Recognition display;
- listing on the Foundation/College Web Site;
- invitations to special donor recognition or College events;
- named gift opportunities, where appropriate;
- a copy of the Foundation's Annual Report; and
- an invitation to have dinner with the President.

### **CUMULATIVE LIFETIME RECOGNITION CIRCLES**

#### **(1) FRIEND CIRCLE**

Donor Recognition Level: up to \$999

- An official receipt for income tax purposes;
- a donor memento designed for this category of giving;
- letters of appreciation from the VC and or Director(s) of Resource Development and/or the President of the Alumni Association (where appropriate);
- listing in the Foundation Annual Report; and
- a copy of the Foundation's Annual Report

#### **(2) FACULTY CIRCLE**

Donor Recognition Level: \$1,000 to \$4,999

- An official receipt for income tax purposes;
- letters of appreciation from the VC and or Director(s) of Resource Development and/or the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- a listing in the Foundation Annual Report;
- a listing on the Foundation/College Web Site; and
- a copy of the Foundation's Annual Report.

#### **(3) DEPARTMENT CHAIR'S CIRCLE**

Donor Recognition Level: \$5,000 to \$24,999

- An official receipt for income tax purposes;
- letters of appreciation from the VC and/or Director(s) of Resource Development, and/or the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- a listing on the Donor Recognition display;
- a listing in the Foundation Annual Report;

- named gift opportunities where appropriate (gifts of \$10,000+);
- invitations to special donor recognition or College events;
- a listing on the Foundation/College Web Site; and
- a copy of the Foundation's Annual Report.

**(4) DEAN'S CIRCLE**

Donor Recognition Level: \$25,000 to \$49,999

- An official receipt for income tax purposes;
- letters of appreciation from the VC and/or Director(s) of Resource Development, the President of CCBC, and the President of the Alumni Association (where appropriate);
- named gift opportunities where appropriate (gifts of \$10,000+);
- a donor memento designed for this category of giving;
- a listing on the Donor Recognition display;
- a listing on the Foundation/College Web Site;
- invitations to special donor recognition or College events;
- other benefits as appropriate to the particular gift, e.g., customized fee for service training for corporate donor's staff, advisory board nomination for the appropriate CCBC department; and
- a listing in the Foundation Annual Report;
- a copy of the Foundation's Annual Report; and
- copies of the College's external newsletter for life.

**(5) VICE-PRESIDENT'S CIRCLE**

Donor Recognition Level: \$50,000 to \$99,999

- an official receipt for income tax purposes;
- letters of appreciation from the Vice President or Director(s) of Resource Development; and the Chair of the CCBC Board of Trustees , the President of CCBC, the President of the appropriate campus, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- a listing on the Donor Recognition display;
- a listing on the Foundation/College Web Site;
- invitations to special major donor recognition or College events
- named gift opportunities where appropriate;
- other benefits as appropriate to the particular gift, e.g., customized fee for service training for corporate donor's staff, advisory board nomination for the appropriate CCBC department;
- copies of the Foundation's Annual Report for life;
- copies of the Foundation's external newsletter for life; and
- copies of Special Reports relevant to the development of the Foundation or the College.

**(6) PRESIDENT'S CIRCLE**

Donor Recognition Level: \$100,000 to \$499,999

- An official tax receipt for income tax purposes;
- letters of appreciation from the Vice President, or Director(s) of Resource Development, the Chair of the CCBC Board of Trustees, the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- a listing on the Donor Recognition display;
- a listing on the Foundation's Web Site;
- invitations to special major donor recognition or College events;
- named gift opportunities, where appropriate;
- other benefits as appropriate to the particular gift, e.g., customized fee for service training for corporate staff, advisory board nomination for the appropriate department;
- copies of the Foundation's Annual Report for life;
- copies of the Foundation's external newsletter for life;
- copies of Special Reports relevant to the development of the Foundation or the College; and
- an invitation to have dinner with the President.

**(7) TRUSTEES' CIRCLE**

Donor Recognition Level: \$500,000 or more

- An official tax receipt for income tax purposes;
- letters of appreciation from the Vice President or Director(s) of Resource Development, the Chair of the CCBC Board of Trustees, the President of CCBC, and the President of the Alumni Association (where appropriate);
- a donor memento designed for this category of giving;
- a listing on the Donor Recognition display;
- a listing on the Foundation/College Web Site;
- invitations to special major donor recognition or College events;
- named gift opportunities, where appropriate;
- other benefits as appropriate to the particular gift, e.g., customized fee for service training for corporate staff, advisory board nomination for the appropriate department;
- copies of the Foundation's Annual Report for life
- copies of the Foundation's external newsletter for life;
- copies of Special Reports relevant to the development of the Foundation or the College;
- free access to College meeting facilities twice a year, subject to availability;
- an annual opportunity to meet personally with the President, the Vice Presidents and Foundation Boards of the College to discuss areas of mutual interest and to receive a current report on developments at the College; and
- an invitation to have dinner with the President.

## **Schedule 'B'**

### **Buildings & Facilities**

Laboratory	\$100,000 plus cost of equipping and furnishing
Smart Classroom	\$100,000 plus cost of equipping and furnishing
Lecture Hall	\$200,000
Common Areas**	\$250,000+ (depending on the area)
Information Commons/Library	\$3,000,000
Major Academic Cluster*	\$5,000,000
Campus Building	\$10,000,000 or 51% of private sector funds

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\* A 'Major Academic Cluster' is a specific academic unit, such as an Enterprise Center, a School of Criminal Justice, etc., and shall include an endowment fund for program-specific curriculum development/renewal.

\*\* Common Areas are discrete spaces intended for non-program-specific use, including sport facilities, health & wellness centers, common rooms, study lounges, cafeterias, etc. The naming investment 'floor' for a common area would be related to its capital cost and/or 'profile'.

Board Approval:  
December 14, 2005  
April 19, 2006

### **8.03 Board Approval of Grants, Gifts, and Donations**

- A. In the name of the Board, the President may apply for grants, gifts, and donations to the College.
- B. All grants, gifts, and donations valued in excess of \$5,000 shall be presented to the Board, upon receipt, for approval.
- C. All grants, gifts, and donations valued at less than \$5,000 shall be brought to the attention of the Board on an annual basis for approval.

#### **8.04 Use of Institutional Name, Logo, and Other Proprietary Marks**

- A. The College retains the right to its name, seal, logo and other registered marks of identification. The College retains the right to determine the colors, type-faces and other details of the use of these marks of identification and retains the right to determine when, where and under what circumstances these marks of identification may be used.
- B. The President shall ensure that all such marks of identification are Accurately described and properly registered as property of the College.
- C. The President shall designate the persons responsible to oversee Application of this policy and to respond to all internal and external Requests to use any of the College's marks of identification.

#### **8.05 Official Publications**

- A. The College shall designate an individual to be responsible for general Oversight of design, style and content of all official publications to the College.
- B. The individual shall develop guidelines and procedures for assuring Compatibility of visual and verbal elements in the publications and Shall disseminate those guidelines and procedures to all College entities that develop content for official publication.
- C. Official publications, include, but are not limited to, catalogues, course schedule books, event programs, and brochures.

#### **8.06 Licensing/Marketing**

- A. The President shall assure that the College name, seal, logo and other marks registered are properly protected as the legal property of the College.
- B. The President is authorized to negotiate a licensing agreement with manufacturing, distribution companies and other entities for items carrying any of the College's identification marks.

#### **8.07 Naming of Buildings**

- A. Buildings and other College features, including areas, rooms, grounds and the like of the College may be named in accordance with this policy.

- B. Names should be in keeping with the use and the intellectual and cultural heritage of the College and its campuses.
- C. Implementation of this policy shall be the exclusive responsibility of the Board.
- D. Any requests to name any College building area, room, grounds and the like, shall be recommended by the President for approval by the Board.

## **Section 9: Student Life**

### **9.01 Student Activities**

- A. Student organizations and activities shall be governed by the appropriate administrative and governing structure and shall include appropriate student participation.
- B. Organizations and activities with interests that do not represent student rights, concerns and issues, or which discriminate on the basis of race, color, religion, national origin, sex, age, disability, veteran status, marital status or sexual orientation will not be permitted on the campuses of the College.

### **9.02 Questioning of Students by Law Enforcement Officers**

- A. Requests to question students shall be directed to the Office of Public Safety. The Office of Public Safety shall notify the Vice President of Enrollment and Student Services of the request and the scheduled questioning before the questioning occurs.
- B. When a student is questioned on campus by a law enforcement officer, the College shall provide private space to allow the questioning.
- C. If the student is a minor, his or her parents or guardian shall be notified as soon as possible by the Vice President of Enrollment and Student Services.

### **9.03 Campus Arrests**

- A. If local law enforcement personnel deem it necessary to an effect an arrest on campus, the appropriate Office of Public Safety shall try to coordinate any arrest activity within College grounds. The Chief of Public Safety shall immediately advise the Vice President of Enrollment and Student Services that an arrest will be made on the campus.
- B. If a student to be arrested is on campus, a campus security officer and a law enforcement officer, when appropriate, shall escort the student to the campus security office where the arrest will take place. The campus security officer will be present during any arrest on campus.
- C. If the student is a minor, the parents or guardians shall be notified by the Vice President of Enrollment and Student Services or his/her designee, as soon as possible after the arrest has occurred to inform them of the student's arrest and where he/she has been taken.

- D. The Chief of Public Safety shall submit an administrative report to the Vice President of Enrollment and Student Services outlining the circumstances and results of the arrest.

#### **9.04 Compliance with the Family Educational Rights and Privacy Act**

- A. The Family Educational Rights and Privacy Act of 1974, as amended, and the regulations promulgated hereunder (collectively, “FERPA” or the “Act”), affords students access to their education records, the right to seek amendment of their educational records and the right to protection of the privacy of personally identifiable information contained in their education records. The Act applies to all institutions of higher education that receive federal funds.
- B. The College shall comply with all of the rights and obligations of institutions of higher education set forth in FERPA. The Board hereby directs the President to adopt and implement policies related to the rights and obligations of the College under FERPA.

#### **9.05 Disruptive Behavior**

- A. Disruptive behavior by students, as defined in Policy 7.06 herein, shall not be tolerated.
- B. The consequences to students who are deemed disruptive to the goals of the College shall be set out in the Code of Student Conduct for the Community College of Baltimore County.

## Appendix A

### REVISED BYLAWS OF THE BOARD OF TRUSTEES OF THE COMMUNITY COLLEGE OF BALTIMORE COUNTY

Pursuant to the powers vested in The Board of Trustees under Title 16 of the Education Article, Annotated Code of Maryland, as amended (the “Education Article”); the following is hereby adopted and declared as the Revised Bylaws of The Board of Trustees of the Community College of Baltimore County.

#### ARTICLE I

##### CORPORATE NAME, PURPOSE AND POWERS

- Section 1. The Board of Trustees of the Community College of Baltimore County (the “Board”) is established under the Education Article. In accordance with the provisions of the Education Article, the Board shall establish policy and exercise general control over all of the campuses, centers and units of The Community College of Baltimore County (collectively, the “College” or “CCBC”).
- Section 2. The Board shall approve the academic program offered by the College and shall ensure that the academic program is of the highest quality. The academic program shall represent an understanding of what the College was created to accomplish and an understanding of the present day needs and conditions of the learning community. The Board shall help others to understand the policies, programs and standards reflected in the academic program of the College.
- Section 3. The Board shall exercise its authority in accordance with the provisions of the Education Article, the Board Policy Manual and any rules and regulations promulgated by the Board. The Board is subject to the authority of the Maryland Higher Education Commission (“MHEC”),

#### ARTICLE II

##### BOARD MEMBERSHIP

- Section 1. Members of the Board shall be selected in accordance with the provisions of the Education Article. As of the date of adoption of these Bylaws, Section 16 – 402 of the Education Article provides that the Board shall consist of a total of fifteen (15) members.<sup>2</sup> Two (2) members shall

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<sup>2</sup> See Article IX of these Bylaws regarding changes to the Education Article.

represent each of the seven (7) councilmanic districts in Baltimore County and one (1) member shall be an at large representative.

### ARTICLE III

#### OFFICERS OF THE BOARD

- Section 1. Chair. The Chair of the Board shall be elected annually by the Board.<sup>3</sup> The Chair is authorized to represent the Board before all public bodies, to preside at meetings of the Board, to appoint all standing, special or ad hoc committees of the Board, to execute documents on behalf of and approved by the Board at a regular or special meeting of the Board. In addition, the Chair shall, upon request of a majority of the Board members present at any regular or special meeting where there is a quorum, appoint any ad hoc committees the Board deems necessary. The Chair is hereby authorized to execute documents on behalf of the Board when the Board does not have a regular or special meeting scheduled (the “Interim Period”). The Chair shall report all documents executed during the Interim Period at the next scheduled regular meeting of the Board. In addition, the Chair shall perform such other duties as the Board may from time to time assign.
- Section 2. Vice Chair. The Vice Chair of the Board shall be elected annually by the Board. At the request of or in the absence or disability of the Chair, the Vice Chair shall perform all duties of the Chair and, while so acting, shall have all of the powers and authority of the Chair, including the authority to sign documents on behalf of the Board during the Interim Period. In addition, the Vice Chair shall perform such other duties as from time to time may be assigned.
- Section 3. Secretary-Treasurer. The President shall act as the Secretary-Treasurer of the Board unless otherwise determined by the Board. The Secretary-Treasurer shall be a non-voting member of the Board. The Secretary-Treasurer shall receive and hold in custody and expend all funds as directed by the Board. In addition, the Secretary-Treasurer shall maintain accurate minutes of all Board meetings, prepare any reports required by the Board or any accrediting or regulatory organization, including, but not limited to MHEC, and perform such other duties as from time to time may be assigned.

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<sup>3</sup> Id.

## ARTICLE IV

### MEETINGS OF THE BOARD

- Section 1. Regular Meetings. the Board shall hold at least four (4) regular meetings during the calendar year of January 1 through December 31.
- Section 2. Location of Regular Meetings. The Board shall hold its regular meetings at the campuses or centers of the College.
- Section 3. Agenda and Order of Business for Regular Meetings. The President, in concert with the Chair and Vice Chair, shall be responsible for developing the agenda for each regular meeting of the Board in accordance with the Order of Business described in this paragraph. The agenda and any items attached thereto (the "Board Package"), shall be sent to each Board member at least seven (7) days in advance of the date of a regular meeting. The Order of Business at each regular meeting of the Board shall be as follows:
- Call to Order  
Approval of Agenda  
Approval of Minutes of Prior Meeting  
Chair's Report  
President's Report  
Opportunity for members of the public to speak to the Board  
College Finance Items  
College Personnel Items  
Academic and Student Affairs Items  
Old Business  
New Business  
Adjournment.
- Section 4. Copies of Board Material Available to the Public. The public shall be entitled to review all public information contained in the Board Package. The library on each campus of the College shall be given a copy of the Board Package prior to the date of the regular meeting at which the Board Package will be considered.
- Section 5. Members of the Public Addressing the Board. Members of the public who wish to address the Board must register prior to the start of the meeting. The remarks shall be limited to 2-3 minutes in length or as otherwise designated by the Chair.
- Section 6. Special Meetings of the Board. A special meeting of the Board may be held upon the call of the Chair or upon the call of the Chair in response to the written request of a majority of the Board members. Vacant positions

on the Board shall not be considered in determining a majority of the Board members.

- Section 7. Open Meetings. All Board meetings shall be conducted in accordance with Title 10, Subtitle 5 of the State Government Article, Annotated Code of Maryland, as amended.

## ARTICLE V

### VOTING REQUIREMENTS

- Section 1. Quorum. A quorum for any special or regular meeting of the Board shall consist of a majority of the voting members. Vacant positions on the Board shall not be considered in determining a majority of the voting members. Formal action may be taken by the Board only when a quorum is present.
- Section 2. Voting. Except as otherwise set forth in these Bylaws, a vote of a majority of the voting members present at a meeting where there is a quorum shall be required to approve any action of the Board. Members may be present in person, via telephone or video conference provided each trustee is in the hearing of all of the other Trustees present at a meeting.
- Section 3. Voting by Proxy. Voting by written proxy at a regular or special meeting of the Board shall be allowed. Any trustee, who wishes to vote by proxy, must provide the Chair with an original written proxy signed by the trustee at least 3 days prior to the meeting of the Board at which the proxy will be voted. Unless otherwise approved by the Chair, in the reasonable discretion of the Chair, a proxy shall expire at the end of the meeting at which it will be voted. All proxies shall be in a form approved by the Board.
- Section 4. Other Forms of Absentee Voting. The Chair, in the reasonable discretion of the Chair, may allow a trustee to vote on a particular issue or issues by mail. In order for a vote by mail to be counted, it must be made on a ballot, the form of which has been approved by the Board, and contain the original signature of the trustee who is voting by mail.

## ARTICLE VI

### AMENDMENTS TO THE BYLAWS; AMENDMENT TO THE POLICY MANUAL

- Section 1. These Bylaws may be amended by vote of a majority of the Board membership at any regular or special meeting. Vacant positions on the Board shall not be counted in determining what constitutes a majority of the Board membership. Members of the Board must receive prior written

notice of the amendments to be approved by the Board at least seven (7) days prior to the date of the meeting at which the amendments will be voted upon.

- Section 2. The Board Policies may be amended at any regular or special meeting. The Secretary-Treasurer shall send members of the Board written notice of proposed amendments to the Policy Manual at least thirty (30) days prior to the date of the meeting at which the amendments shall be voted upon. The 30 day notice requirement may be waived by a majority vote of the Board.

## ARTICLE VII

### ROBERT'S RULE OF ORDER NEWLY REVISED

- Section 1. The rules contained in Robert's Rules of Order Newly Revised shall govern the Board except where otherwise provided in these Bylaws or where the rules are inconsistent with the provisions of these Bylaws.

## ARTICLE VIII

### REPEAL AND REPLACEMENT OF PREVIOUS BYLAWS

- Section 1. These Bylaws repeal, supersede and replace any Bylaws adopted prior to December 13, 2006.

## ARTICLE IX

### CHANGES TO THE EDUCATION ARTICLE

- Section 1. Changes to the Education Article or other provisions of the Annotated Code of Maryland, as amended, that affect the provisions of these Bylaws shall be deemed to be incorporated into and made a part of these Bylaws without any further action by the Board.

## ARTICLE X

### SERVICE OF PROCESS

- Section 1. All documents issued by a State or federal court shall name the Board of Trustees of The Community College of Baltimore County as a party. Service may be accepted on behalf of the Board by:

Chairman of the Board  
The President as Secretary – Treasurer of the Board  
The General Counsel  
With respect to subpoenas related to information in the education records  
of students, to the Director of the Office of Record Management on the  
campus where the Student is enrolled.

Board Approval  
December 13, 2006

## **Appendix B**

### **TRUSTEE CODE OF CONDUCT**

- A. The following Trustee Code of Conduct shall be followed by each member of the Board. The Trustee Code of Conduct is not intended as aspirational, but rather a specific way of conducting oneself as a member of the Community College of Baltimore County (“CCBC”) Board of Trustees.
- B. As a member of the CCBC Board of Trustees (“the Board”), I recognize that I occupy a position of public trust and in the execution of that responsibility I will:
1. Devote the time and thought necessary to become knowledgeable of the work, structure, governance and affairs of the CCBC so that I can carry out my responsibilities as a trustee in a conscientious and informed manner.
  2. Support and advise the President as the Chief Administrative and Academic Officer of the CCBC.
  3. Prepare for, regularly attend and actively participate in scheduled Board meetings and accept committee assignments and other tasks, as requested by the Board Chairperson or the President.
  4. Treat fellow Board members and all members of the CCBC community with courtesy, fairness and good faith and respect their differences of opinion.
  5. Assure the financial solvency and academic excellence and integrity of the CCBC.
  6. Vote knowledgeably and honestly on matters presented to the Board, based on what is in the best interest of the CCBC, rather than personal bias or outside influence.
  7. Be an advocate of CCBC and support the majority position of the Board.
  8. Refrain from conduct, activities and/or associations that may bring embarrassment or disrepute to the CCBC and resign if such conduct occurs.
  9. Abide by the conflict of interest and ethical requirements that are applicable to the Board and strive to avoid even the appearance of a conflict of interest in conducting Board affairs.

10. Respect the confidential nature of executive Session Board deliberations and refrain from acting as spokesperson for the Board unless specifically authorized to do so by the Chairperson.
11. Try to enhance my potential as a trustee by participating in educational conferences, training sessions and workshops.
12. Understand and consistently utilize the designated institutional channels in conducting Board business.
13. Accept the spirit of academic freedom and shared governance as fundamental aspects of CCBC governance.
14. Understand the role of the Board as a policy making body and resist acting as an administrator of such policy.
15. Ensure that the performance of the President and the Board are regularly evaluated.

Board Approval:  
June 16, 1999

## Appendix C

### **Board of Trustees of the Community College of Baltimore County Delegation of Authority to the President of the Community College of Baltimore County For Appointment and Termination of CCBC Employees; Execution of Legal Documents; and Delegation by the President to Designees of Authority to Execute Legal Documents.**

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Section 16-105 of Education Article of the Annotated Code of Maryland, as amended (the “Education Article”) affords the Board of Trustees of the Community College of Baltimore County (the “Board”) the authority to delegate certain authority to what was formerly known as the position of “Chancellor”. Effective July 1, 2006, Section 16 – 105 of the Education Article was amended to, among other things, change the title of “Chancellor” of the Community College of Baltimore County (“CCBC”) to “President”<sup>4</sup> with the same power and authority afforded the position of “Chancellor”.

The purpose of this Delegation of Authority to the President of the Community College of Baltimore County (the “President”) is:

1. to revoke the delegation of authority to the “Chancellor” contained in Section 3.05 of the Board of Trustees Manual and replace it with a new delegation of authority to the President; and to revoke the delegation of authority entitled “Chancellor’s Revised and Restated Delegation of Authority for Designation of Administrator in Charge and Signatory Authority of Senior Administrators”, as revised and restated on November 9, 2005;
2. to permit the President to delegate the authority to execute legal documents to designees; and
3. to authorize the President to hire, terminate, or discharge with good cause employees of CCBC and to accept the resignations of CCBC employees on behalf of the Board.

#### **1. AUTHORITY TO EXECUTE LEGAL DOCUMENTS ON BEHALF OF THE BOARD**

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<sup>4</sup> Senate Bill 501 passed by the Maryland General Assembly in 2006. In addition the positions of campus presidents were eliminated and the titles of Vice – President; Provost and Administrator were adopted.

Pursuant to Section 16 – 105(h) of the Education Article, the Board hereby delegates to the President the authority to execute all legal documents related to the administration and operation of CCBC without a resolution of the Board except for the following transactions:

1. Financial transactions that involve installment payments for a period of more than one (1) year, or grant a security interest in personal property or real estate owned by CCBC as security for payment of a debt;
2. The sale, conveyance or acquisition of any interest in real estate;
3. Exercise of CCBC’s right of condemnation;
4. Lease of real estate, including, but not limited to off campus facilities for office space and/or CCBC programs for a period of more than one (1) year; provided, however, this requirement does not apply to a lease of personal property or real estate owned by CCBC to telecommunications companies;
5. Banking services; or
6. Borrow money on behalf of the College.

2. **DELEGATION OF THE AUTHORITY TO EXECUTE LEGAL DOCUMENTS FROM THE PRESIDENT TO DESIGNEES**

Pursuant to Section 16 – 105 (h), the Board authorizes the President to delegate, in writing, the authority to execute legal documents on behalf of the Board to designees of the President. The President shall provide the Board with notice of the initial delegation of authority by the President and any changes to the delegation.

3. **DELEGATION OF AUTHORITY TO APPOINT, TERMINATE, DISCHARGE WITH GOOD CAUSE CCBC EMPLOYEES AND TO ACCEPT RESIGNATIONS OF CCBC EMPLOYEES ON BEHALF OF THE BOARD**

The Board hereby delegates to the President the authority to appoint, terminate, and discharge with good cause CCBC employees. An employee with tenure shall be given notice of discharge for good cause and an opportunity to be heard in accordance with the Hearing Procedures of the Board.

This delegation includes the authority of the President to determine the start dates of CCBC employees for whom the President has hiring authority.

The Board delegates to the President the authority to accept, on behalf of the Board, resignations of CCBC employees, including the positions of vice president.

The President shall provide the Board written notice of all resignations and employees hired, terminated, or discharged with good cause at each regularly scheduled meeting of the Board or upon the request of the Chairperson.

4. The Board of Trustees Manual shall be revised to reflect the changes contained in this Delegation of Authority.
5. The execution of any legal document pursuant to the terms of this Delegation of Authority is subject to approval for legal sufficiency by the General Counsel.
6. The authority delegated hereunder is in addition to and not in limitation of the signatory authority contained in the CCBC Purchasing Department Manual of Policy and Procedures, revised August 19, 2005 and as may be amended.

Board Approved:  
December 13, 2006

## **Appendix D**

### **AUDIT COMMITTEE CHARTER**

#### **FUNCTIONS AND RESPONSIBILITIES**

The principal responsibilities of the Audit Committee are to provide oversight to ensure that appropriate accounting and budgeting policies and internal controls are established and followed, and that the College issues audited financial statements and reports in a timely manner in accordance with all regulatory obligations. Accordingly, the following responsibilities shall be assumed to accomplish these objectives:

- Review and update this charter annually or as deemed necessary.
- Recommend the selection, retention or replacement, and compensation of the independent public accountants for the College.
- Require the audit firm's partners to be rotated once every five years, with a two-year "time-out" period.
- Require the auditor's engagement and management letters to be submitted to the Board directly for acceptance and signature, with a copy provided to the Administration.
- Prohibit the engagement of an audit firm, which employed the President or Vice President of Administrative Services during the one-year period preceding the audit.
- Obtain and review annually a report by the independent auditor describing the firm's quality-control procedures.
- Review and discuss the written statement from the independent auditor concerning any relationship between the auditor and the College, or any other relationships that may adversely affect the independence of the auditor, and, based on such review, assess the independence of the auditor.
- Prohibit the independent public accountants to be engaged in non-audit services.
- Review annual financial statements, including any adjustments to those statements recommended by the independent public accountants, and any significant issues that arise in connection with the preparation of those financial statements.

- Recommend to the President and Vice President of Administrative Services (in consultation with the independent public accountants) inclusion of financial disclosures in audited financial statements.
- Review, as appropriate and in consultation with the independent public accountants, accounting policies, internal controls and procedures applicable to the College, as well as any management responses to comments relating to those policies and procedures.
- Investigate potential and/or actual improprieties in the College's operations, in consultation and coordination with the appropriate legal authorities.
- Meet at least annually with the President and Vice President of Administrative Services to discuss any issues arising from the Committee's responsibilities.
- Meet at least annually with the independent public accountants, or more frequently as circumstances require, to discuss the following:
  - Significant findings during the year, including the status of prior year management recommendations.
  - Any difficulties encountered in the course of performing audit work including any restrictions on the scope of activities or access to required information.
  - Significant revisions or adjustments to the auditor's work plan as initially approved by the Committee.
  - Inquire as to the auditors' independent qualitative judgments about the appropriateness, not just the acceptability, of the accounting principles and the clarity of the financial disclosure practices used or proposed to be adopted by the College.
  - Other matters related to the conduct of the audit, which are to be communicated under U.S. Generally Accepted Auditing Standards.
- Meet at least annually with the President and Vice President of Administrative Services (outside the presence of the independent public accountants) to discuss management's evaluation of the work performed by the independent public accountants.
- Obtain from the President and Vice President of Administrative Services and external advisors reports relating to accounting, tax, regulatory, governance, investment and other business matters.
- Review and update periodically a Code of Professional Ethics and ensure that the President has established a system to enforce this Code for all College personnel.

- Obtain the advice of outside consultants and professionals (including but not limited to retention of special legal counsel) to advise the Committee on matters within the scope of the Charter.
- Assure that the President has provided written certification to the Board as outlined in Section 3.02, A. 14. of the Board of Trustees' Policy Manual, and that the Vice President of Administrative Services has done the same.
- Prohibit personal loans to senior management officials, unless part of a pre-arranged compensation package, to avoid a conflict of interest, or the appearance of a conflict of interest.

## ADDITIONAL INFORMATION

The Board does not recommend some principles and practices suggested in the ACCT Advisory Report for implementation, at this time. These issues are as follows:

- Establishment of an internal audit function, or, in lieu thereof, the engagement of a second independent auditing firm to perform internal audit functions. This matter prompts the question of whether an internal audit function, if established, should report directly to the Board or to the Administration. It also prompts the question of whether Baltimore County Government will approve the cost of an internal audit function, if established, in the College's annual operating budget request. The Committee believes this matter needs to be further investigated and researched.
- Establishment of procedures to allow employees to submit concerns regarding questionable accounting or auditing matters, in a confidential and anonymous manner, directly to the Board. This is the so-called "whistle blower" provision. The Committee believes this matter also needs to be further investigated and researched.
- Acceptance of responsibility by the Board of Trustees for the appointment, compensation and oversight of independent counsel or other advisors deemed necessary to carry out audit responsibilities. The Committee believes this to be an unlikely event and, therefore, has not included this principle in its recommendations.
- Procurement of an external assessment and report of internal controls on an annual basis. This matter prompts several questions. For example, is such an undertaking cost-beneficial to the College? Will Baltimore County Government

- approve the cost of this undertaking in the College's annual operating budget request? And, to help minimize costs, should the assessment and report be obtained periodically (at least once every five years) rather than annually? The Committee believes this matter needs to be further investigated and researched.

Board Approved:  
February 9, 2005

## **Appendix E**

### **ADMINISTRATIVE CODE OF PROFESSIONAL ETHICS**

The Board of Trustees of the Community College of Baltimore County (CCBC) believes it is important to establish an official Code of Professional Ethics for the College to promote professional management of its operations. To further this objective, all employees of the College are enjoined to adhere to legal, moral and professional standards of conduct in the fulfillment of their responsibilities. Standards set forth in this Code are promulgated in order to enhance the performance of all persons engaged in College operations.

#### **Personal Standards**

College employees shall demonstrate and be dedicated to the highest ideals of honor and integrity in all public and personal relationships to merit the respect, trust and confidence of all governing authorities, students, other employees and the public at large.

- They shall devote their time, skills and energies to their positions both independently and in cooperation with other professionals.
- They shall abide by approved practices and recommended standards.

#### **Responsibility as an Employee of The Community College of Baltimore County**

College employees shall recognize and be accountable for their responsibilities as employees of CCBC.

- They shall be sensitive and responsive to the rights of the public and its changing needs.
- They shall strive to provide the highest quality of performance.
- They shall exercise prudence and integrity in the management of assets in their custody and in all activities.
- They shall uphold both the letter and the spirit of the constitution, legislation and regulations governing their actions and promptly report violations of the law to the appropriate authorities.

#### **Professional Development**

College employees shall be responsible for maintaining their own competence, for enhancing the competence of their colleagues, and for providing encouragement to those seeking to enter into community college service. College employees shall promote excellence in community college service.

## **Professional Integrity – Information**

College employees shall demonstrate professional integrity in the provision and management of information.

- They shall not knowingly sign, subscribe to, or permit the issuance of any statement or report which contains any misstatement or which omits any material fact.
- They shall not fraudulently influence, coerce, manipulate or mislead an auditor in the performance of the audit.
- They shall prepare and present statements and information pursuant to applicable law and generally accepted practices and guidelines.
- They shall respect and protect privileged information to which they have access by virtue of their position.
- They shall be sensitive and responsive to inquiries from the public and the media, within the framework of existing policy.

## **Professional Integrity – Relationships**

College employees shall act with honor, integrity and virtue in all professional relationships.

- They shall exhibit loyalty and trust in the affairs and interests of the College, within the confines of this Code of Ethics.
- They shall not knowingly be a party to or condone any illegal or improper activity.
- They shall respect the rights, responsibilities and integrity of their colleagues and others with whom they work and associate.
- They shall manage all matters of personnel within the scope of their authority so that fairness and impartiality govern their decisions.
- They shall promote equal employment opportunities, and in doing so, oppose any discrimination, harassment or other unfair practice.

## **Conflict of Interest**

College employees shall actively avoid the appearance of or the fact of conflicting interests.

- They shall discharge their responsibilities without favor and shall refrain from engaging in any outside matters of financial or personal interest incompatible with the impartial and objective performance of their College responsibilities and duties.

- They shall not, directly or indirectly, seek or accept personal gain which would influence, or appear to influence, the conduct of their official responsibilities and duties.
- They shall not use College property or resources for personal gain.

Board Approval:  
February 9, 2005

## **SAMPLE**

To: The Board of Trustees of The Community College of Baltimore County

Date:

Board of Trustees:

I am providing this letter in connection with the annual financial audit of The Community College of Baltimore County, for the period ending June 30, 20xx.

I confirm the following:

1. I have reviewed the audit report for the period ending June 30, 20xx.
2. That to the best of my knowledge and belief, the audited financial report does not contain any untrue statement of a material fact, or omission of a material fact, necessary to make the financial statements misleading. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.
3. That the President and Vice-President of Administrative Services are responsible for establishing and maintaining internal controls, designing such controls to ensure that material information relating to the institution is made known to the institution's officers and other appropriate individuals, and evaluating the effectiveness of the controls.

\_\_\_\_\_  
President, The Community College of Baltimore County

## Sample

To: President, The Community College of Baltimore County

Date:

President:

I am providing this letter in connection with the annual financial audit of The Community College of Baltimore County, for the period ending June 30, 20xx.

I confirm the following:

4. I have reviewed the audit report for the period ending June 30, 20xx.
5. That to the best of my knowledge and belief, the audited financial report does not contain any untrue statement of a material fact, or omission of a material fact, necessary to make the financial statements misleading. Items are considered material, regardless of size, if they involve an omission or misstatement of accounting information that, in the light of surrounding circumstances, makes it probable that the judgment of a reasonable person relying on the information would be changed or influenced by the omission or misstatement.
6. That the President and Vice-President of Administrative Services are responsible for establishing and maintaining internal controls, designing such controls to ensure that material information relating to the institution is made known to the institution's officers and other appropriate individuals, and evaluating the effectiveness of the controls.

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Vice-President of Administrative Services  
The Community College of Baltimore County