

Carroll Community College

# Board of Trustees Bylaws and Policies

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# BOARD OF TRUSTEES' POLICIES

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# ARTICLE I

## BOARD OF TRUSTEES PRINCIPLES OF GOVERNANCE

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### GOVERNANCE PHILOSOPHY

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

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

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

### GUIDING PRINCIPLES

In its governance, the board's policies and practices shall be guided by the following set of value-added principals:

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

**Customer Focus.** The board is committed to meeting the best interests of students, staff, and administration. Therefore, the board shall empower the president to be highly responsive to customer needs.

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

**Innovation.** The board values creative programming and enthusiastic pursuit of new ideas.

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

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

# ARTICLE II

## THE BOARD OF TRUSTEES RESPONSIBILITIES AND POWERS

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### **GENERAL**

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

### **PROGRAM**

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

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

### **APPOINTMENT OF PRESIDENT, FACULTY AND STAFF**

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

Execute employment contracts for appropriate faculty and professional staff. Authorize the president to hire, suspend, and discharge faculty and employees and report these actions to the board.

### **FUNDS**

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

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

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

Oversee the management, investment and accounting of funds.

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

### **FINANCIAL REPORTING**

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

### **AUTHORITY TO BORROW**

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

### **PROPERTY**

Purchase, lease, dispose of, or in any other manner acquire any property, either real or personal, that the

board considers necessary for the operation of the college.

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

### **ADVICE**

Retain legal advisors, auditors and consultants to the board.

### **RULES**

Adopt rules and regulations for the conduct of its meetings and the management of the body corporate as it deems proper providing this is not in conflict with laws applicable to the board.

Perform such duties as may be necessary or required by law.

# ARTICLE III

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

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### **COMPOSITION OF THE BOARD**

The board of trustees consists of seven persons appointed by the governor with the advice and consent of the Senate to serve on the board of trustees for Carroll Community College.

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

Ex-Officio and honorary membership may be granted by the board of trustees in order to enhance greater understanding of the mission of the college by the citizens of Carroll County. A person appointed may attend and participate in discussions at all public board meetings, but will not have voting rights.

### **TERM OF APPOINTMENT**

Members of the board are appointed for six years, on a staggered basis, by the governor of the state of Maryland. They serve without compensation and shall be entitled to reimbursement for their authorized expenses.

### **CODE OF CONDUCT**

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

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

### **ETHICAL CONDUCT**

1. Board members must not use their positions to obtain employment in the organization for themselves, family members or close associates.
2. In the event a board member pursues any employment or political office that could reasonably be perceived as a conflict of interest; s/he must temporarily withdraw from board deliberation, voting, and access to applicable board information, and/or seek a leave of absence. A leave of absence taken under such circumstances shall not be counted against the trustee's required meeting attendance.
3. Board members shall annually disclose by April 30 in their financial disclosure statements their involvement with other organizations, with vendors, and any other associations that might produce a conflict, as required by the state of Maryland.
4. Board members should not attempt to exercise individual authority over the organization except as explicitly set forth in board policies.
5. Board members' interactions with the president or with other staff must recognize the lack of authority in any individual board member or group of board members except when explicitly board-authorized.
6. Board members' interaction with the public, press, or other entities must recognize the same limitation and the similar inability of any board member or board members to speak for the board.

7. Board members will make no judgments of the president or staff performance except as that performance is assessed against explicit board policies by the official process.

## **CONFIDENTIALITY**

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

### **Dissent**

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

### **Public Communications**

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

### **Respect and Courtesy**

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

## **CENSURE**

If a board member fails to abide by the Code of Conduct, s/he may be censured and referred to the governor for appropriate action upon recommendation of the chair or vice chair, by a majority vote of the board.



# ARTICLE IV

## BOARD OFFICERS AND THEIR DUTIES

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### OFFICERS OF THE BOARD OF TRUSTEES

- A. The officers of the board shall be a chair, a vice chair and the secretary treasurer (the president).
- B. The board chair shall serve as the presiding officer of the board. The chair, together with the president shall draft the agenda.

### ELECTION OF OFFICERS

The chair and vice chair shall be elected annually by the board at its last public meeting for the fiscal year and may be re-elected not to exceed two consecutive terms.

### SPECIAL ELECTION

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

### DUTIES OF BOARD OFFICERS

The board chair shall:

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

The vice chair of the board shall:

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

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

- Prepare the agenda, with the chair, for meetings of the board;
- Send out notices and correspondence of the board;
- Be responsible for maintaining an accurate record of the minutes of the board, which shall be available to the public;
- Prepare any required reports;
- Prepare the annual operating budget for the office of the board; and
- Perform such other duties, as may be assigned to him or her from time to time by the board.

### MEETING ATTENDANCE

In accordance with state requirements, set forth in the State Government Article, 8-501 of the Annotated Code of Maryland, members of the board of trustees shall be required to attend at least 50 percent of meetings during any consecutive 12-month period. Any trustee who fails this requirement shall be considered to have resigned. Not later than January 15 of the year following the end of the 12-month

period, the chair of the board shall forward to the governor: (1) the name of any individual considered to have resigned; and (2) a statement describing the individual's history of attendance during the period. After receiving the chairman's statement the governor shall appoint a successor for the remainder of the term of the individual. If the individual has been unable to attend meetings for reasons satisfactory to the governor, the governor may waive the resignation if the reasons are made public.

# ARTICLE V

## BOARD MEETINGS AND PROCEDURES

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### **REGULAR MEETINGS**

Meetings of the board shall be held at least nine times during the academic year. Public notice of all meetings shall be given in accordance with Maryland's Open Meetings Law. Exceptions to the number of meetings per year may be made with the consent of the entire board.

### **SPECIAL MEETINGS**

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

### **EMERGENCY MEETINGS**

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

### **PRESIDING OFFICER**

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

### **QUORUM**

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

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

### **AGENDA**

The president shall prepare an agenda, in concurrence with the board chair, and submit it to the members of the board three days in advance of regular meetings and three business days in advance of any additional board meetings. Board members should be given the opportunity to suggest agenda items in advance of the meeting.

### **VOTING PROCEDURES**

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

Unless otherwise directed by a majority vote of the board, meetings of the board shall generally follow, but not be bound by the parliamentary procedure prescribed in the latest edition of Robert's Rules of

Order.

## **PUBLIC ATTENDANCE**

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

1. Any member of the public who wishes to speak at a board meeting pertaining to the community college shall make a written request to the secretary treasurer of the board at least three business days prior to the regularly scheduled public meeting. The written request must include the purpose of the public comment.
2. Individuals from the public who have asked to speak at a public meeting will be restricted to a total time limit of three minutes per person. When the allotted time expires, the speaker may complete his/her sentence.
3. When a member of the public has not had the opportunity to provide a written request in advance of the meeting and wishes to provide a comment, the member of the public may submit a written comment to the board of trustees at the public meeting.
4. Public participation time is not a question and answer session. Response to specific questions will be made by the appropriate staff or board member by phone or email. Statements related to personal, ethical, personnel issues, or individual staff members are prohibited.
5. The board reserves the right to limit the number of speakers. A maximum of 15 minutes per meeting is available for public comment.
6. The board reserves the right to terminate or reschedule any presentation included on its meeting agenda.
7. If any individual fails to comply with these guidelines, the board chair or presiding board member may suspend the individual's comment time.
8. If any individual causes a disruption during any meeting, he or she will be required to leave the meeting room.

*Revised: September 16, 2015*

## **AMENDMENT TO THE BYLAWS**

The bylaws may be amended at any meeting of the board, provided the proposed amendment was mailed, faxed, or sent electronically to all members of the board several days prior to the board meeting. Proposed amendments must be presented for review and discussion at a prior meeting. Amendment of the bylaws requires approval by a majority of the appointed members of the board.

# ARTICLE VI

## COMMITTEES OF THE BOARD

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### **BOARD COMMITTEES**

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

### **FINANCE, FACILITIES AND RELATED POLICIES COMMITTEE**

The committee shall be a standing committee of the board. The committee shall consist of three members, appointed annually by the chair.

#### **Duties and Responsibilities:**

1. The committee shall meet as needed and shall determine the types and frequencies of reports necessary to monitor the college's financial operations to ensure that the expenditures comply with the budget and financial expectations.
2. The committee shall recommend to the board the selection and terms of engagement of an external independent auditor. The auditor shall submit to the audit and finance committee a management letter, preliminary report, and the final audit report.
3. Reviews and recommends appropriate action by the board as a whole on policy matters which pertain to finance and facilities.

### **PERSONNEL, INSTRUCTION AND RELATED POLICIES COMMITTEE**

The committee shall be a standing committee of the board. The committee shall consist of three members appointed annually by the chair.

#### **Duties and Responsibilities:**

1. The committee shall meet as needed and shall determine the types and frequencies of reports necessary to monitor the college's personnel and instructional concerns.
2. Reviews and recommends appropriate action by the board as a whole on policy matters which pertain to personnel and instructional concerns.

### **OTHER COMMITTEES**

Upon the request of the board, the chair may appoint other committees or appoint members to serve on college advisory committees.

# ARTICLE VII

## BOARD EXECUTION AND EVALUATION OF POLICY

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

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

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

The president may hire, suspend, and discharge faculty and employees consistent with policies and procedures authorized by the board of trustees. In the event of termination, an employee shall be given reasonable notice of the grounds for dismissal and an opportunity to use the Employee Grievance Procedure if he/she has completed probation. The Employee Grievance Procedure includes an appeal to the president, and if the affected employee reports directly to the president, an appeal to the board of trustees.

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

### **PLANNING AND BUDGETING**

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

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

## POLICY TYPE: GOVERNANCE PROCESS

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### POLICY TITLE: **GOVERNANCE COMMITMENT**

The board of trustees is the legal repository of authority for operation of Carroll Community College.

The purpose of governance is that the board, on behalf of the citizens of Carroll County and the state of Maryland, guarantees the accountability of Carroll Community College by assuring that the board: 1) achieves appropriate results for the appropriate persons at an appropriate cost; and 2) avoids unacceptable activities, conditions, and decisions.

In fulfillment of this charge, the board is committed to rigorous and continuous improvement of the college. Continuous improvement shall include:

1. An effective performance evaluation system for all employees shall be maintained as a means of continually improving employee performance.
2. An institutional effectiveness system, which includes financial, student, program, and human resources information, shall be maintained as a means of improving organizational performance.
3. The institutional effectiveness system shall also be used to support the college's strategic planning and evaluation systems, which include the vision, mission, and strategic initiatives.

*Approved: March 21, 2007*

# POLICY TYPE: GOVERNANCE PROCESS

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## POLICY TITLE: **BOARD'S ROLE**

As delineated in § 16-103 of the Education Article *Powers of Board of Trustees* of the Annotated Code of Maryland, subject to the authority of the Maryland Higher Education Commission, each board of community college trustees has the powers and duties set forth in this section. The board of trustees:

1. May establish and operate a community college with the approval of the Maryland Higher Education Commission.
2. Shall exercise general control over the community college, keep separate records and minutes, and adopt reasonable rules, regulations, or bylaws to carry out the provisions of this subtitle.
3. May fix the salaries and tenure of the president, faculty, and other employees of the community college
4. May purchase, lease, condemn, or otherwise acquire any property it considers necessary for the operation of the community college.
5. May sell, lease, or otherwise dispose of community college assets or property.
6. The president and the chairperson of the board of trustees may execute a conveyance or other legal document under an appropriate resolution of the board.
7. With the approval of the Commission, permit the county board of education to use the lands, buildings, or other facilities of the community college; and with the approval of the county board of education, use any land, buildings, assets, or other facilities of the county board of education.
8. May apply for and accept any gift or grant from the federal government or any other person.
9. May determine, subject to the minimum standards of the Commission, entrance requirements and approve offerings that consist of: transfer programs offering the equivalent of the first two years of a bachelor's degree program; career programs offering technical, vocational, and semiprofessional education; and Continuing Education programs.
10. May charge students reasonable tuition and fees set by it with a view of making college education available to all qualified individuals at low cost.
11. May sue and be sued.
12. May make agreements with the federal government or any other person, including agreements between counties to support a regional community college if the board considers the agreement advisable for the establishment or operation of the community college.
13. May adopt a corporate seal.

In addition to those duties delineated in § 16-103 of the Education Article *Powers of Board of Trustees* of the Annotated Code of Maryland, the board of trustees:

14. May approve changes in bylaws and policies.
15. Have legal authority only when the board is in formal session and when a quorum is present.
16. Exercise its control over the college not by individual members but by the majority vote whereby rules, regulations, and policies are adopted.
17. Proposed changes in the policy manual will be presented to the secretary treasurer for transmittal to the board prior to action by the board of trustees at its next regularly scheduled meeting.
18. Emergency matters may be considered by the board without prior notice.

*Approved: March 21, 2007*



## POLICY TYPE: GOVERNANCE PROCESS

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### POLICY TITLE: **BOARD'S ROLE IN FUNDRAISING**

The Carroll Community College board of trustees recognizes that the Carroll Community College Foundation board's primary responsibility is to build an endowment and raise funds for the college. The Foundation operates as a separate entity.

However, there are some areas that the trustees should keep in mind because their actions can facilitate the ability of the foundation board to raise funds:

1. Good professional relations should be maintained between the two boards.
2. The board of trustees may be able to identify potential prospects or have direct access to prospective donors. In such a case, a trustee may be willing to ask for money on behalf of the college. This should be done in cooperation with the Foundation board.
3. The trustees need to recognize their "public persona." While not involved in direct fundraising, the trustees need to recognize that people give to people they like and trust. The trustees must show spirit and enthusiasm for the college that inevitably attracts enthusiastic advocates, who often remain committed to the college for years to come.
4. The trustees should recognize and support the president's role in friend-raising and fundraising, including an adequately staffed development office overseen by the president.
5. The board of trustees is expected to participate in the Foundation's fundraisers to demonstrate commitment and support.
6. An annual audit report of the Foundation will be provided to the board of trustees.

*Approved: March 21, 2007*

## POLICY TYPE: GOVERNANCE PROCESS

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### POLICY TITLE: **THE POLITICAL PROCESS AND THE BOARD OF TRUSTEES**

The board of trustees is encouraged to be informed about local and state government and is encouraged to participate in forums and read material about candidates and issues. Board members must be careful to maintain the professionalism of their primary obligation to the college. Therefore:

1. No board member shall engage in political activity using the resources of the college (e.g., copying materials, borrowing or lending technology, etc.). Any involvement in political activity should be as an individual, not as a member of the Carroll Community College board of trustees.
2. No board member may use any Carroll Community College property or symbol (e.g., logo, signage, electronic images) in any political campaign materials or activities.
3. No board member may solicit funds for political purposes on campus. Additionally, no retribution can be taken against any employee or student who does not accept an invitation to a political event or contribute money to a candidate.
4. The board prohibits the president and the vice presidents from expending any college funds (state law) for any political fundraising activity.
5. The board prohibits the president and the vice presidents from attending any political fundraisers by candidates.
6. The board prohibits the president and vice presidents from running for political office while employed full-time at the college.
7. Board members who run for public office, for which the position being sought has the potential to have direct or indirect influence over the operation of Carroll Community College, must take a leave of absence from the board.
8. If elected to public office, and that position has the potential to have direct or indirect influence over the operation of Carroll Community College, the trustee must resign from the board of trustees.

*Approved: March 21, 2007*

*Revised: March 20, 2013*

*Revised: April 17, 2013*

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POLICY TYPE:  
GOVERNANCE PROCESS

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**POLICY TITLE:**  
**DEDICATION/NAMING OF COLLEGE FACILITIES**

The board of trustees may name buildings, rooms, outdoor spaces, etc. after individuals or organizations based on the following criteria:

1. Contributed significantly to the founding or advancement of the college; or
2. Contributed financially to the college. The type of space named should be commensurate with the gift.

*Approved: March 21, 2007*

POLICY TYPE:  
**BOARD – STAFF RELATIONSHIP**

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**POLICY TITLE:**  
**DELEGATION TO THE PRESIDENT**

All board authority which is delegated to staff is delegated through the president so that all authority and accountability of staff—as far as the board is concerned—is considered to be the authority and accountability of the president.

1. The board directs the president to achieve certain results, for certain recipients, at a certain cost or priority through the establishment of ends. The board limits the latitude the president may exercise in practices, methods, conduct, and other means to the ends through establishment of means limitations and presidential limitations.
  - a. Decisions or instructions of individual board members, officers, or committees are not binding on the president except when the board has specifically authorized such exercise of authority.
  - b. In the case of board members requesting information or assistance without board authorization, the president may refuse such requests that require a material amount of staff time or funds or that are disruptive.

*Approved: March 21, 2007*

## POLICY TYPE: BOARD – STAFF RELATIONSHIP

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### POLICY TITLE: **PRESIDENT’S ROLE AND CONSTRAINTS**

The president is the chief administrative officer of the college. The president is the board’s single official link with the college as an organization. The president is accountable to the board while acting as a collective body. The board will instruct the president through written policies delegating implementation to the president.

The president’s responsibilities are:

1. Satisfactory accomplishment related to the colleges mission and strategic initiatives as approved by the board of trustees.
2. College operation within the boundaries established in board policies and according to accepted professional ethics and good business practice.
3. Accomplishment of other annual goals and objectives established by the board.
4. Performance of the duties specified by state law.
- 5 All personnel actions including, but not limited to, hiring, firing and disciplinary actions.

The evaluation of the president shall be based primarily upon the accomplishment of the board’s ends and meeting the board’s presidential expectations.

Additionally, the president may not:

1. Deal with students, staff, or persons from the community in an inhumane, unfair or undignified manner.
2. Make decisions except by a process where openness and fairness is maintained.
3. Permit financial conditions that risk fiscal jeopardy or compromise board ends.
4. Allow assets to be unprotected, inadequately maintained, or unnecessarily risked.
5. Cause or allow financial planning for any fiscal period to deviate materially from board ends, risk fiscal jeopardy, or fail to show a generally acceptable level of foresight.
6. Manage the college without written administrative policies and procedures in accordance with the board policies.
- 7 Fail to take prompt and appropriate action when the president becomes aware of any violation of any laws, regulations, administrative policies or board policies.

*Approved: March 21, 2007*

POLICY TYPE:  
BOARD – STAFF RELATIONSHIP

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POLICY TITLE:  
**MONITORING ORGANIZATIONAL PERFORMANCE**

Monitoring presidential performance is synonymous with monitoring organizational performance against board policies within boundaries set by the board can be accomplished as follows:

1. A given policy may be monitored in one or more ways:
  - a. **Internal Report:** disclosure of compliance information to the board from the president.
  - b. **External Report:** disclosure of compliance information by a disinterested, external auditor, inspector, or judge who is selected by and reports directly to the board. This reporting includes direct inspection of documents, activities or circumstances directed by the board.
2. Upon the choice of the board, any policy can be monitored by any method at any time.
3. The board will monitor those duties that it cannot legally delegate continuously.
4. The board approves the selection of an independent certified public accountant to audit the college's financial records, as required by state code. The auditor shall be engaged by and report to the board.

*Approved: March 21, 2007*

POLICY TYPE:  
BOARD – STAFF RELATIONSHIP

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POLICY TITLE:  
**MONITORING PRESIDENTIAL PERFORMANCE**

Monitoring presidential performance is synonymous with monitoring organizational performance in accordance with board goals and initiatives within boundaries set by the board. The president shall provide a self-evaluation for the board annually by May 1. The board will evaluate the president prior to June 1 each year.

*Approved: March 21, 2007*

POLICY TYPE:  
BOARD – STAFF RELATIONSHIP

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POLICY TITLE:  
**TRUSTEE EXPECTATIONS OF THE PRESIDENT**

Trustees' primary expectations of the president:

1. The president will administer the college to meet the ends within the limitations and disclosure requirements of the trustees. The president will have wide discretion to implement the programs consistent with her/his administrative style.
2. The president will provide the trustees with accurate information with respect to the role and scope of current and proposed programs and services. As the primary advisor to the board, the president will provide guidance, advice, and recommendations on the integrated strategic plan and budget presented annually to the board.
3. The president shall formulate written administrative policies and procedures for the operation of the college in accordance with the adopted board policies.
4. The president will provide leadership at ceremonial functions that will further the college's mission both in the community and within the college.
5. Other trustee expectations may be delineated separately to the president by the board.

*Approved: March 21, 2007*



## POLICY TYPE: PRESIDENTIAL BOUNDARIES

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### POLICY TITLE: **HUMAN RELATIONSHIPS**

The president shall create and sustain an environment for living, working, and teaching that supports the development and realization of human potential and promotes the college's values. Treatment of and dealing with students, staff, and persons from the community shall be humane, fair and dignified.

The president may not:

1. Operate without written policies and/or procedures that set forth staff and student rules, provide for effective handling of grievances, ensure due process, and protect against wrongful conditions.
2. Fail to comply with all laws, rules, and regulations pertaining to employees and students including those pertaining to:
  - Discrimination
  - Equal Opportunity
  - Sexual Harassment
  - Rights of Privacy
3. Prevent students and staff from using grievance procedures.
4. Fail to acquaint students and staff with their rights and responsibilities.
5. Use application or registration forms or procedures that elicit information for which there is no clear need.
6. Use methods of collecting, reviewing, or storing client information that fail to protect against improper access to the information elicited.
7. Hire anyone where conflict of interest or perceived conflict of interest may exist, without full board disclosure.

*Approved: March 21, 2007*

## POLICY TYPE: PRESIDENTIAL BOUNDARIES

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### POLICY TITLE: **FISCAL CONDITION**

With respect to actual, ongoing condition of the organization's financial health, the president may not cause or allow the development of fiscal jeopardy or a deviation of actual expenditures from board priorities established in the board adopted budget without approval or disclosure to the board.

The president may not:

1. Authorize purchases for greater than board approved purchasing authorization amounts.
2. Fail to obtain authorization from the board should funds be anticipated or be needed for a purchase in excess of \$24,999.99.
3. Fail to disclose the name, position control, work unit, salary scale, and wage of every "budgeted" (position control) employee at the time of appointment or fail to disclose the name and earnings of temporary and hourly employees.
4. Allow an employee wage recommended to be outside of the board approved salary scale.
5. Charge tuition or fees not approved by the board.
6. Fail to maintain an accounting system sufficient for program cost comparisons and appropriate data reporting.
7. Fail to insure that there be a separation of duties, such that no person, originates, controls, and approves a cost center budget or funds, and that no person, who requests or approves a purchase, verifies the receipt of that purchase.
8. Fail to disclose all grants received.

*Approved: March 21, 2007*

POLICY TYPE:  
**PRESIDENTIAL BOUNDARIES**

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**POLICY TITLE:**  
**COMPENSATION**

The president may not cause or allow compensation and benefits to employees, consultants, contract workers, or volunteers to jeopardize fiscal integrity or public image.

The president may not:

1. Change his or her own compensation and benefits.
2. Promise or imply employment to faculty or professional staff for longer than three years.
3. Establish current compensation and benefits, which create obligations over a longer term than revenues can be safely projected.
4. Fail to disclose, to the board, any permanent change in any employee's compensation.
5. Fail to disclose modifications to the organizational structure.

*Approved: March 21, 2007*

# POLICY TYPE: PRESIDENTIAL BOUNDARIES

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## POLICY TITLE: **ASSET PROTECTION**

The board, cognizant of its fiduciary responsibility to ensure that all college property and assets are used to achieve the college's educational mission, authorizes the use of college property in ways strictly limited by the agreements and partnerships entered by the board in accordance with applicable law. The use of college equipment and employee services will be strictly limited to achieve the college's public purposes and not misdirected to support private interests without fair and reasonable remuneration.

The president may not allow assets to be unprotected, inadequately maintained, unnecessarily risked or deviate from means limitations or presidential limitations.

The president may not:

1. Fail to insure against theft and casualty losses, (including extra expenses and loss of tuition and fees), in amounts consistent with replacement values or against liability losses to board members, staff, or the college itself in amounts consistent with limits of coverage obtained by comparable organizations.
2. Allow facilities and equipment to be improperly used or maintained.
3. Unnecessarily expose the organization, its board or staff to claims of liability.
4. Make any purchase or commit the organization to a purchase greater than \$24,999.99 without disclosure to the board.
5. Recommend or make any purchase of new goods or services: a) which is not in accordance with state law and board policy; and b) wherein a conflict of interest or appearance of conflict of interest has not been fully disclosed to the board.
6. Receive, process or disburse funds under controls which are insufficient to meet board or board-appointed auditor standards.
7. Invest or hold operating capital in violation of approved investment policy.
8. Acquire, encumber, lease, or dispose of real property without board disclosure and authorization.
9. Make any purchase or award any contract where a conflict of interest exists.
10. Fail to maintain an inventory of real properties and capital equipment of value greater than \$2,500 owned by the organization.
11. Fail to protect the college's trademarks, copyrights, intellectual property, critical information, and files from loss or damage.
12. Allow facilities and equipment to be subjected to improper use or for personal benefit.
13. Allow the services of college employees to be used for private gain without fair and reasonable remuneration.
14. Acquire, encumber, lease, or dispose of real property without achieving fair compensation for the same.
15. Fail to protect college assets from diminishing in value outside of reasonable depreciation and normal wear and tear.
16. Endanger the college's public image or credibility, particularly in ways that would hinder the accomplishment of its mission.
17. Enter into self-dealing or self-serving agreements or agreements that appear to be self-dealing or self-serving.

*Approved: March 21, 2007*

## POLICY TYPE: PRESIDENTIAL BOUNDARIES

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### POLICY TITLE: **BUDGETING**

The president may not cause or allow financial planning for any fiscal period to deviate from board ends, risk fiscal jeopardy, nor fail to show a generally acceptable level of foresight.

The president may not cause or allow budgeting which:

1. Contains insufficient information to enable the board to: a) accurately project revenues and expenditures; b) separate capital and operational items; c) project cash flow; and d) understand planning assumptions.
2. Proposes a capital and operating budget that deviates from bends and board budget guidelines.
3. Proposes a budget that does not have a broad base of input.
4. Endangers the fiscal soundness of future years or ignores the building of organizational capability sufficient to achieve ends in future years.
5. Does not properly classify revenues and expenditures and that budgeted amounts reflect expected revenues and expenditures.
6. Fails to control expenditures based upon the board-adopted budget.
7. Fails to disclose amendments to functional budget categories.
8. Fails to provide the board detailed financial information that the board, their auditors or their consultants require.

*Approved: March 21, 2007*

## POLICY TYPE: PRESIDENTIAL BOUNDARIES

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### POLICY TITLE: **COMMUNICATION AND COUNSEL TO THE BOARD**

With respect to providing information and counsel to the board, the president may not permit the board to be uninformed regarding the organization and its interests.

The president may not:

1. Neglect to submit monitoring data required by the board in a timely, accurate and understandable fashion, directly addressing provisions of the board policies being monitored.
2. Let the board be unaware of relevant trends, anticipated adverse media coverage, significant external and internal changes, and particularly changes in the assumptions upon which any board policy has previously been established.
3. Fail to maintain the latest version of the bylaws, board policies, administrative policies and administrative procedures.
4. Present information in unnecessarily complex or lengthy form or allow the information and advice to the board to have significant gaps in timelines, completeness, accuracy, or omit information that would be perceived by the board as relevant.
5. Fail to provide mechanisms for official board, board officer, or board committee communications.
6. Fail to deal with the board as a whole or respond to officers or committees duly charged by the board.
7. Fail to report in a timely manner an actual or anticipated noncompliance with any policy of the board, administrative policy or procedure.

*Approved: March 21, 2007*

**POLICY TYPE:**  
**PRESIDENT'S OPERATING AUTHORITY**

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**POLICY TITLE:**  
**INSTRUCTION**

The president shall create and sustain an environment conducive to teaching and learning.

Pursuant to the Annotated Code of Maryland, Education Article 16-103 (i) the president (under the guidance of the board of trustees) will approve and manage the educational offerings that consist of:

1. Transfer programs offering the equivalent of the first two years of a bachelor's degree program;
2. Career programs offering technical, vocational, and semi-professional education; and
3. Continuing Education programs

The President will:

1. Assure that all curricula, after they have been recommended by the faculty and approved by the president shall be reviewed and approved by the board of trustees;
2. Shall present an instructional calendar to the board of trustees as an information report before publication;
3. Provide for faculty input into the educational work of the college;
4. Support the principles of academic freedom.

*Approved: March 21, 2007*

POLICY TYPE:  
**THE PRESIDENTS DOCUMENTATION  
OF OPERATING PROCEDURES**

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**POLICY TITLE:  
OPERATING PROCEDURES**

The president shall create and maintain written operating guidelines, procedures, rules and regulations. The following documents will contain pertinent information required for the effective operation of the college. Each document will be reviewed annually by the president to insure accuracy of the information housed in said document.

The required documents are:

1. Board of Trustees Bylaws and Policy Manual
2. Administrative Procedures Manual
3. Employee Handbook
4. College Catalog

*Approved: March 21, 2007*