



***Hagerstown Community
College***

***Board of Trustees
Policy Manual
July 1, 2024***

**HAGERSTOWN COMMUNITY COLLEGE
BOARD OF TRUSTEES**

JULY 1, 2024

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TRUSTEES POLICY MANUAL
TABLE OF CONTENTS

Section

Series 1000 - Legislation

Annotated Code of Maryland: Education Division III, Higher Education; Title
16, Community Colleges

Organization and Government of Community Colleges	1010
Fiscal Matters	1020
HCC Police Department	1030
Trustees County Residency Requirement	1040

Series 2000 - Board of Trustees

Bylaws	2010
Temporary Amendment to Bylaws.....	2010A
Special Rule of Order to Permit the Use of Consent Agendas	2011
Mission, Vision, and Strategic Commitments.....	2020
Board of Trustees and President Conflict of Interest	2025
Trustees Position Description.....	2035
Audit Committee Policy	2036
Policy Creation and Review	2040
Trustees Reimbursement for College-related Expenses.....	2050

Series 3000 – Admissions, Tuition / Fees Assessment

Admissions Policy.....	3005
Entry Assessment and Course Placement	3006
Credit Tuition.....	3010
Student and Community Fee Schedule.....	3020
Make-up Exam Fee	3021
The Tracking of Photocopying and Printing Fees	3023
Student Residency Tuition Policy.....	3040
In-County Resident Status for Students Displaced by Natural Disasters .	3041
Tuition Rate Discounts for Dual Credit Students	3060
Maryland National Guard Tuition Discount	3070
Tuition Discount for Out of State Veterans Using VA Benefits.....	3075
Victims of Human Trafficking Tuition Discount	3078

Series 4000 – Instruction and Student Services

Institutional Student Learning Outcomes.....	4001
Degree Types and Related Distribution of Credits.....	4005
Limitation on Majors/Programs	4006
General Education Policy	4010
Administrative Student Course Withdrawal Policy.....	4011
Pass or Satisfactory Grade Transfer Credits.....	4012
Repeating a Course.....	4013
Discontinued Credit Programs.....	4014
Multiple HCC Credit Credentials	4015
Workplace Learning.....	4016
Independent Study Credit Courses.....	4018
Student GPA Calculation	4020
Dean’s List Eligibility	4021
Online Degree, Certificate, and Letter of Recognition Programs	4022
Student Success and Integrity of Web-based Courses & Programs.....	4023
Alternative Methods for Earning College Credit.....	4025
Academic Program Review	4026
Meal Allowance for Student Athlete Travel	4034
Intercollegiate Athletic Programs	4035
Student Organization Policy	4036
Code of Student Conduct	4040
Student Drug and Alcohol Abuse Policy	4041
Hazing Policy.....	4043
Academic Integrity.....	4045
General Grievance Policy for Students	4060
Athletic Programs and Activities Grievance Policy.....	4061
Student Government Association Constitution.....	4070

Series 5000 – Employees

Employee Handbook	5001
Furlough Policy	5002
Equal Employment Opportunity.....	5003
Employee Guidance and Progressive Discipline.....	5004
Employee Performance Evaluations/Assessments	5005
Employee Discipline, Due Process, and Appeal Policy.....	5006
Employee Grievance Process	5007
Compensation Policy.....	5010
Retiree Health Benefits	5019
Group Health Benefits Policy.....	5020
Employee Sick Leave Bank Policy.....	5021
Healthy Working Families Policy.....	5022
Employment Expectations and Professional Conduct of Trust	5031
Discrimination, Hate Crimes, and Biased Incident Reporting	5032
Conflict of Interest Policy	5035
Administrative Staff and Faculty Sabbatical Leave	5040

Employee Leave	5041
Family and Medical Leave.....	5042
Military Leave – Reserve Training and Active Duty.....	5043
Carry Over Vacation	5044
Full-time Faculty Load, Promotion, and Tenure Policy	5050
Faculty Professional Development.....	5051
Contact Hour to Academic Credit Policy.....	5052
Team Teaching Contact Hours	5053
Flexible Scheduling for Full-Time Faculty	5055
Telework Policy	5056
Comprehensive Emeritus Policy	5070
Alternate Contributory Pension Selection Plan (ACPSP).....	5081
Professional Development and Employee Education Assistance.....	5091
Use of Computing, Network, and Communications Resources.....	5093
Intellectual Property.....	5095

Series 6000 – Business Office

Opportunity Fund	6010
Purchasing Policies	6020
Food Service and Campus Store Pricing	6021
Veterans and Campus Store Purchase Policy.....	6022
Appointment of External Auditors.....	6030
Cash Receipts Policy	6035
Debt Policy.....	6037
Asset Capitalization and Inventory Control	6039
Investment Policy.....	6040
GASB 75	6045
Identity Theft Prevention Program.....	6060
Personal Loans and Cash Advances.....	6070
Leasing of Real Property or Chattel.....	6080

Series 7000 – Continuing Education and Community Services

Continuing Education Tuition and Fees	7010
Library Use by Non-HCC Users.....	7050
Facilities Rental and Usage by Outside Organizations	7060
Dental Education Clinic Patient Bill of Rights.....	7080

Series 8000 – General College Policies

Governing Authority for Campus Police Force	8005
Criminal Background Check Policy	8006
Shared Governance Model.....	8010
Alcohol, Tobacco, Opioids, and other Drug Awareness Policy	8030
Bloodborne Pathogens	8040

Communicable Disease	8041
Hazard Communication Plan	8042
Parking and Traffic Policy	8050
College Vehicle Use	8055
Naming Facilities	8060
Campus Sponsorship Opportunities	8064
Arboretum and Campus Gardens	8065
Political Activity on Campus	8067
Freedom of Expression on Campus	8068
Commercial Solicitation Policy	8069
Campus and Workplace Violence	8070
Sexual Misconduct	8071
Information Technology Security Policy	8073
Copyright Infringement	8074
Information Technology Hardware and Software Standards	8075
Library Development Policy	8076
Volunteer Corps	8080
Cultural Diversity Plan	8090
Social Media Use & Personal Electronic Account Privacy Protection	8095
Firearms Policy	8096
Religious Accommodations Policy	8097
Information Security Program Policy	8098
Protection of Personally Identifiable Information (PII)	8099

Appendix of Board Information Items

Appendix A - Maryland State Regulatory Agencies

(Maryland Higher Education Commission and Others)

Appendix B - Middle States Commission on Higher Education

Appendix C - Maryland Association of Community Colleges

Appendix D - Association of Community College Trustees

Appendix E - Hagerstown Community College History

Appendix F - Master List of HCC Trustees – 1946 to Present

Md. EDUCATION Code Ann. § 16-101

Statutes current through legislation effective November 6, 2020

§ 16-101. Board of community college trustees

- (a) Established in counties with community colleges. -- There is a board of community college trustees in each county that has one or more community colleges.
- (b) Establishment in counties without community colleges. --
- (1) The governing body of any county that does not have a community college may request permission to establish one from the Maryland Higher Education Commission.
 - (2) On recommendation of the Commission, the Governor shall appoint a board of community college trustees for that county.
- (c) Composition. -- Except as provided in Subtitle 4 of this title, each board is composed of seven members appointed by the Governor, with the advice and consent of the Senate.
- (d) Term and vacancies. --
- (1) Except as provided in Subtitle 4 of this title, each member serves for a term of 6 years from July 1 of the year the appointment is made and until a successor is appointed and qualifies. These terms are staggered, and of the initial appointments to a board, five shall be for terms of 1 to 5 years respectively, and two shall be for terms of 6 years.
 - (2) A member appointed to fill a vacancy in an unexpired term serves only for the remainder of that term and until a successor is appointed and qualifies.
 - (3) A member may be reappointed.

Md. EDUCATION Code Ann. § 16-102

§ 16-102. Officers; meetings

- (a) Officers. -- Each board of trustees:
- (1) Shall elect one of its members as its chair;
 - (2) Except as provided in § 16-105(g) of this subtitle, shall choose the president of one of the county community colleges to serve as secretary-treasurer of the board; and
 - (3) May elect any other officer it requires.
- (b) Meetings. -- Each board shall determine the time and place of its meetings and may adopt rules for the conduct of its meetings.

Md. EDUCATION Code Ann. § 16-103

§ 16-103. Powers of board of trustees

- (a) In general. -- In addition to the other powers granted and duties imposed by this title, and 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.
- (b) Establishment and operation. -- With the approval of the Maryland Higher Education Commission, each board of trustees may establish and operate one or more community colleges.
- (c) General control; rules and regulations. -- Each board of trustees 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.
- (d) Salaries and tenure. -- Each board of trustees may fix the salaries and tenure of the president, faculty, and other employees of the community college.
- (e) Acquisition of property. -- Each board of trustees may purchase, lease, condemn, or otherwise acquire any property it considers necessary for the operation of the community college.
- (f) Disposition of property. --
 - (1) Each board of trustees may sell, lease, or otherwise dispose of community college assets or property.
 - (2) Except as provided in § 16-105(h) of this subtitle, the president of the community college and the chair of the board of trustees may execute a conveyance or other legal document under an appropriate resolution of the board.
- (g) Cooperative use of facilities with board of education. -- Each board of trustees may:
 - (1) 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
 - (2) With the approval of the county board of education, use any land, buildings, assets, or other facilities of the county board of education.
- (h) Gifts and grants. -- Each board of trustees may apply for and accept any gift or grant from the federal government or any other person.
- (i) Entrance requirements; curriculum. -- Subject to the minimum standards of the Commission, each board of trustees may determine entrance requirements and approve offerings that consist of:
 - (1) Transfer programs offering the equivalent of the first 2 years of a bachelor's degree program;
 - (2) Career programs offering technical, vocational, and semiprofessional education; and Continuing education programs.
- (j) Student fees. -- Each board of trustees may charge students reasonable tuition and fees set by it with a view to making college education available to all qualified individuals at low cost.
- (k) Suits. -- Each board of trustees may sue and be sued.
- (l) Agreements. -- Each board of trustees 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.

(m) Name. -- Except as provided in § 16-105(i) of this subtitle, each board of trustees shall be styled "the board of trustees of community (or junior) college".

(n) Seal. -- Each board of trustees may adopt a corporate seal.

Md. EDUCATION Code Ann. § 16-104

§ 16-104. President

(a) Appointment. -- Except as provided in § 16-105 of this subtitle, each board of trustees shall appoint a president of each community college under its jurisdiction.

(b) Duties. -- The president:

- (1) Shall report directly to the board of trustees;
- (2) Shall recommend the appointment by the board of qualified faculty members and other employees necessary for the efficient administration of the community college;
- (3) Shall recommend the discharge of employees for good cause; however, any employee with tenure shall be given reasonable notice of the grounds for dismissal and an opportunity to be heard;
- (4) Is responsible for the conduct of the community college and for the administration and supervision of its departments; and
- (5) Shall attend all meetings of the board, except those involving the president's personal position as president.

Md. EDUCATION Code Ann. § 16-106

§ 16-106. Waiver of tuition for certain students

(a) Employees. -- Any full-time classified employee of a community college who enrolls, during his nonworking hours, in any class at the community college that has at least 10 regularly enrolled students:

- (1) Is exempt from payment of tuition; and
- (2) May not be counted in computing full-time equivalent enrollment at the community college under § 16-305 of this title.

(b) Persons 60 years or older. --

(1) (i) In this subsection, "tuition" means the basic instructional charge for courses offered at a community college.

(ii) "Tuition" does not include:

1. Any fees or costs associated with a self-supporting program; or
2. Any fees for:
 - A. Registration;

- B. Application;
- C. Administration; or
- D. Laboratory work.

(2) Except as provided in paragraph (3) of this subsection, any resident of this State who is 60 years old or older and who enrolls in any class, which is eligible under § 16-305 of this title for State support, at the community college:

(i) Shall be exempt from payment of tuition; and

(ii) Shall be counted in computing full-time equivalent enrollment under § 16-305 of this title if enrolled in any class that is eligible for State support.

(3) A community college is required to waive the tuition for a course for senior citizens under this subsection only when course space is available.

(4) This subsection may not be construed to prohibit a community college board of trustees from offering senior citizens other educational opportunities free of charge, provided that the senior citizen is not counted in computing full-time equivalent enrollment for the purpose of receiving State support.

(c) Retired and disabled. --

(1) Any resident of this State who is out of the work force by reason of total and permanent disability who enrolls at a community college in a class that has at least 10 regularly enrolled students:

(i) Is exempt from payment of tuition:

1. For up to 6 credits per semester or up to 12 credits per semester if the individual is enrolled in classes as part of a degree or a certificate program designed to lead to employment; or

2. For continuing education instruction designed to lead to employment, including life skills instruction; and

(ii) Shall be counted in computing full-time equivalent enrollment under § 16-305 of this title.

(2) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection shall provide the community college with certification from the Social Security Administration, the Railroad Retirement Board, or in the case of a former federal employee, from the individual's federal retirement or pension authority of the individual's:

(i) Total and permanent disability; and

(ii) Receipt of disability or retirement benefits based on a standard that is at least as stringent as the standard applied by the Social Security Act.

(3) Certification from the Social Security Administration of an individual's receipt of disability or retirement benefits under either Title II or Title XVI of the federal Social Security Act shall satisfy the requirement in paragraph (2)(ii) of this subsection.

(4)

(i) In order to receive this exemption, an individual who meets the requirements of paragraph (1) of this subsection and is enrolled in a degree or certificate program shall

submit a timely application for any State or federal student financial aid, other than a student loan, for which the student may qualify.

(ii) Any student financial aid, other than a student loan, received by the student shall be applied first to pay the student's tuition.

(iii) Under this exemption, the waiver shall apply to the difference, if any, between the charge for tuition and the financial aid award, not including a student loan, that the student receives.

(iv) On request, the community college shall assist any individual required to submit an application for State or federal student financial aid under this paragraph.

Md. EDUCATION Code Ann. § 16-107

§ 16-107. Comprehensive liability insurance; defense of sovereign immunity

(a) Comprehensive liability insurance. -- Each board of trustees may carry comprehensive liability insurance to protect the board, its agents and employees, and the agents and employees of any community college under its jurisdiction. The purchase of the insurance is for an educational purpose and is a valid educational expense.

(b) Standards for policies; coverage. -- The Commission may adopt standards for the policies, including a minimum liability coverage which may not be less than \$ 100,000 per occurrence. Any policy purchased after the adoption of these standards shall conform to them.

(c) Self-insurance; minimum coverage. -- Each board of trustees complies with this section if it is self-insured, for at least \$ 100,000 and not more than \$ 500,000 per occurrence, under the rules and regulations of the State Insurance Commissioner.

(d) Defense of sovereign immunity. -- This section does not prevent any board of trustees, on its own behalf, from raising the defense of sovereign immunity described under § 5-519 of the Courts and Judicial Proceedings Article.

Md. EDUCATION Code Ann. § 16-108

§ 16-108. Requests for proposals to offer certain baccalaureate degree programs

(a) Submission and distribution of request. --

(1) A board of trustees may submit to the Commission a request for proposals for the offering of a baccalaureate degree program not currently offered in the region.

(2) The Commission shall distribute the request for proposals to public senior higher education institutions and private nonprofit institutions of higher education.

(b) Prerequisites for submissions. -- Before submitting a request for proposals under subsection (a) of this section, the board of trustees shall:

(1) Seek input from students, workforce development councils, and other civic, educational, community, and business groups when assessing the educational needs of the region;

(2) Determine the regional or statewide need for graduates of each program for which a request for proposals is submitted;

(3) Identify the enrollment patterns, special characteristics of students, and other unique circumstances that would require a program to be offered in a particular manner; and

(4) Determine that the degree program is necessary to meet the academic and economic development needs of the region or State.

(c) Submission to out-of-state senior high institutions. --

(1) The board of trustees may submit the request for proposals to out-of-state senior higher education institutions and for-profit institutions of higher education if none of the senior higher education institutions in the State submit an acceptable response to the request for proposals submitted under subsection (a) of this section.

(2) Notwithstanding § 11-206(b)(2)(ii) of this article, before offering a degree program that is the subject of the request for proposals, an out-of-state senior higher education institution or for-profit institution of higher education shall seek the approval of the Commission under Title 11, Subtitle 2 of this article.

(d) Regulations. -- The Commission shall adopt regulations to implement the requirements of this section.

Md. EDUCATION Code Ann. § 16-109

§ 16-109. Veterans resource centers at community colleges

Each community college shall:

(1) Ensure all student advisors are trained on the unique needs and resources available for students who are veterans;

(2) Employ at least one employee who, as a component of the employee's job duties and responsibilities, provides comprehensive and intensive enrollment and advising services to current and prospective students who are veterans; and

(3) Establish a veteran's resource center on campus to:

(i) Provide access to federal and State veterans resources;

(ii) Serve as a quiet place for veterans to study;

(iii) Enable veterans to connect to other veterans, helping them renew the bonds of military service; and

(iv) Be the central hub for all activities on campus related to veterans.

Md. EDUCATION Code Ann. § 16-301

§ 16-301. Budget

(a) **Preparation.** -- Each year, the board of trustees and the president of each community college shall prepare and submit to the county governing body or, in the case of a regional community college, the county governing body of each county that supports the regional community college:

- (1) An operating budget;
- (2) A capital budget; and
- (3) If required by local law, charter, or regulation, a long-term capital improvement program.

(b) **Contents of operating budget.** -- The operating budget shall show:

- (1) All revenues estimated for the next fiscal year classified by funds and sources of income, including:
 - (i) Any funds from federal, State, and local sources; and
 - (ii) Any surpluses;
- (2) All expenditures requested, including the major functions listed under § 16-304(b) of this subtitle; and
- (3) Any other information or supporting data required by the county governing body.

(c) **Contents of capital budget.** -- The capital budget and any long-term capital improvement program shall contain a statement of all capital revenues and expenditures.

(d) **Consideration of budgets.** -- The capital and operating budgets shall be prepared and considered in accordance with county fiscal procedures not inconsistent with State law.

(e) **Action by county governing body** -- Community colleges. -- The county governing body shall review and approve the budget of the community college and may reduce it.

(f) **Action by county governing body** -- Regional community college. --

- (1) The county governing bodies of the counties that support a regional community college jointly shall review the budget of the regional community college and may reduce it.
- (2) Approval of the budget by a majority of the counties that support a regional community college constitutes approval of the budget and binds all the counties.

(g) **Submissions to Commission.** --

- (1) The budget of each community college, as approved by the county governing body under this section shall be submitted to the Commission for informational purposes.
- (2) Proposals for capital projects shall be submitted to the Department of Budget and Management through the Commission.

Md. EDUCATION Code Ann. § 16-302

§ 16-302. Authority to borrow money for certain purposes

(a) **In general.** -- Notwithstanding any other provisions of this subtitle, and subject to funds being appropriated, the Board of Community College Trustees for Allegany County, Anne Arundel County, Baltimore County, Carroll County, Cecil County, the College of Southern Maryland, Chesapeake College, Frederick County, Garrett County, Hagerstown Community College, Harford County, Howard County, Montgomery County, Prince George's County, or Wor-Wic Community College may borrow money to acquire an interest in personal property, including fixtures, for the operation of the community college, on terms and conditions that the Board of Trustees considers proper.

(b) **Security.** -- A borrowing under this section may be secured by the personal property acquired or revenues derived from the property.

(c) **Cancellation.** -- All multiyear financing agreements reflecting borrowing under this section shall be subject to cancellation by the Board of Trustees at the end of a fiscal year if sufficient funds are not appropriated to fund the agreement in subsequent years.

(d) **Debt not State or political subdivision obligation.** --

(1) Borrowing under this section does not create or constitute a debt or obligation of the State or any political subdivision of the State other than a community college.

(2) Borrowing under this section does not constitute a debt or obligation of the General Assembly or pledge the faith and credit of the State within the meaning of Article III, § 34 of the Maryland Constitution.

(e) **Uses of borrowing.** --

(1) This subsection does not apply to the Board of Community College Trustees for Garrett County.

(2)

(i) Borrowing under this section shall be for the use of financing intermediate term lease purchasing agreements.

(ii) The term of any lease purchase agreement entered into under this section may not exceed the estimated life of the equipment subject to the financing agreement.

(f) **Lease purchase agreements.** --

(1) The Board of Community College Trustees for Garrett County may enter into a lease purchase agreement if the lease purchase agreement is consistent with the provisions of this section.

(2) The term of any lease purchase agreement entered into by the Board of Community College Trustees for Garrett County may not exceed the estimated life of the equipment subject to the financing agreement.

Md. EDUCATION Code Ann. § 16-302.1

§ 16-302.1. Authority to issue notes

(a) **Definitions.** --

(1) In this section the following words have the meanings indicated.

(2) "Authority" means the Maryland Health and Higher Educational Facilities Authority established under Title 10, Subtitle 3 of the Economic Development Article.

(3) "Board" means:

(i) A board of community college trustees established under § 16-101 of this title;

(ii) A board of regional community college trustees established under § 16-202 of this title;

(iii) The Board of Trustees of the Baltimore City Community College established under § 16-504 of this title; and

(iv) The Board of Trustees of the College of Southern Maryland established under § 16-604 of this title.

(4) "Cost" means the cost of:

(i) Acquisition of a project or any interest in a project;

(ii) Installation of a project, including any demolition, construction, reconstruction, or renovation directly related to a project;

(iii) Financing charges associated with a project;

(iv) Interest before and during acquisition of a project and, if deemed advisable by the board, for a period of up to 1 year after completion of acquisition of a project;

(v) Interest and reserves for principal and interest and for maintenance and repair of a project;

(vi) Architectural, engineering, financial, and legal services associated with a project;

(vii) Plans, specifications, studies, surveys, and estimates of costs and revenues for a project;

(viii) Administrative expenses necessary or incident to determining the feasibility or practicability of a project; and

(ix) Other expenses that are necessary or incident to the acquisition of a project, the financing or refinancing of the acquisition of a project, and the placing of a project in operation.

(5) "Governing body" means:

(i) The county council of a county with a charter form of government established under Article XI-A of the Maryland Constitution; or

(ii) The board of county commissioners of any other county.

(6) "Note" means a note, bond, lease, purchase agreement, or other evidence of obligation.

(7)

(i) "Project" means equipment, machinery, and other personal property, whether or not in the nature of fixtures, essential or convenient for the operation of a community college.

(ii) "Project" includes licenses and other rights acquired by a board for the use of equipment, machinery, and other personal property described in subparagraph (i) of this paragraph.

(b) **Notes authorized.** -- A board may finance or refinance the costs of a project by entering into an agreement with the Authority that is evidenced by a note or notes issued by the board if, prior to the issuance of any note, the board and the governing body of each county that supports a community college governed by the board adopts a resolution that meets the requirements of subsection (c) of this section.

(c) **Required resolution.** --

(1) Prior to the issuance of any note under this section, a board and the governing body of each county that supports a community college governed by the board shall each adopt a resolution that authorizes the board to finance or refinance the costs of a project by entering into an agreement with the Authority.

(2) The resolution shall:

(i) Generally describe the project to be financed or refinanced;

(ii) Specify the maximum aggregate principal amount of any note issued pursuant to the agreement; and

(iii) Impose any terms or conditions on the issuance of a note that the board or governing body deems appropriate.

(3) A resolution adopted under this subsection is administrative in nature and not subject to:

(i) Procedures required for legislative acts; or

(ii) Referendum.

(d) **Agreements.** --

(1) A board may enter into any agreement necessary or appropriate in connection with the issuance of any note, including an agreement to provide:

(i) Additional credit or liquidity support for a note or a bond issued by the Authority on its behalf; and

(ii) A fixed interest rate or maximum interest rate for a variable rate note or a bond issued by the Authority on its behalf.

(2) If the board enters into an agreement authorized under paragraph (1) of this subsection, the agreement may include provisions that:

- (i) Grant a security interest in a project for which a note is issued or pledge all or part of the fees, charges, and other revenues received from or in connection with a project to the payment of a note;
- (ii) Allow for the investment and reinvestment of the proceeds of a note until the proceeds are used for the purposes for which the note was issued;
- (iii) Govern the disposition of any excess proceeds and the investment earnings on any excess proceeds; and
- (iv) Require that the board operate and maintain all or a portion of the project regardless of whether the fees, charges, and other revenues received from or in connection with the project are sufficient to cover the cost of operating or maintaining all or a portion of the project.

(e) **Details of note; date of maturity.** --

- (1) The board shall specify or authorize the chair or other member of the board to specify:
 - (i) The principal amount of a note;
 - (ii) The rate or rates of interest payable on a note or the method of determining the rate or rates of interest payable on a note;
 - (iii) Subject to paragraph (2) of this subsection, the date of maturity of a note, the payment provisions of a note, and the optional and mandatory prepayment provisions of a note, including any mandatory sinking fund installments for the note; and
 - (iv) Other matters, details, forms, documents, and procedures relating to the authorization, issuance, execution, sale, delivery, and payment of a note and the security for a note.
- (2) The date of maturity for a note may not exceed the useful life of the project for which the note is issued.

(f) **Execution.** --

- (1) A note shall be executed on behalf of the board by the manual or facsimile signature of the chair of the board or other member of the board authorized by resolution of the board.
- (2) If the individual whose signature or countersignature appears on a note ceases to be a member of the board before delivery of the note, the individual's signature or countersignature shall be valid and sufficient for all purposes the same as if the individual had remained a member of the board until delivery.

(g) **Tax exemption.** -- The principal amount of a note, the interest payable on a note, the transfer of a note, and any income derived from the transfer of a note, including any profit made on the sale or transfer of a note, shall be exempt from taxation by the State and any county or municipality in the State.

(h) **Limitation of debt or obligation.** -- A note issued under this section does not create or constitute a debt or obligation of the State or any county or municipality in the State and

does not constitute a debt or obligation of the General Assembly or pledge the faith and credit of the State within the meaning of Article III, § 34 of the Maryland Constitution.

(i) **Sinking fund.** -- If requested by the Authority, the State Comptroller shall withhold from any installment due the board from the State's General Fund appropriation money for deposit to the credit of a sinking fund maintained to pay a note in an amount up to the total amount payable on the note and any agreements entered into in accordance with this section in the current fiscal year and the next succeeding fiscal year.

(j) **Powers supplemental.** -- This section provides additional, alternative, and supplemental authority in relation to powers conferred upon a board under any other existing law and may not be regarded as in derogation of or as a limitation to any existing power of a board.

Md. EDUCATION Code Ann. § 16-304

§ 16-304. Powers of county government

(a) **Power to appropriate.** -- Each county governing body may appropriate money to pay the cost of establishing and operating a community college or regional community college.

(b) **Appropriations by major functions.** --

(1) The county governing body shall make appropriations by major functions established by the Commission.

(2) The major functions established by the Commission shall conform generally to those contained in the then-current College and University Industry Audit Guide issued by the American Institute of Certified Public Accountants.

(c) **Transfer of appropriations among functions.** --

(1) A community college may not spend more on any major function than the amount appropriated for it.

(2)

(i) Transfers of appropriations between major functions shall be submitted in writing and approved by the county governing body before they are made, and if the county governing body fails to act on a request for a transfer within 30 days, the request automatically is approved as requested; and

(ii) Except in Baltimore City, where the provisions of the city charter govern, transfers of appropriations within a major function may be made at the direction of the board of trustees and the county governing body shall be notified within 30 days of the transfer.

(d) **Borrowing.** -- Each county governing body may borrow money to purchase land and construct capital improvements for a community college. Money may be borrowed on terms and conditions the county governing body considers proper, subject to any requirements of local law applicable to the creation of public debt.

(e) Reserve fund for maintenance and repair; Baltimore City and Anne Arundel County excepted. --

- (1) Except in Baltimore City and Anne Arundel County, where the provisions of the appropriate charter govern, each county governing body may appropriate money to establish a reserve fund for future plant maintenance and repair at a community college.
- (2) If a reserve fund for future plant maintenance and repair is established, it shall be treated as an additional major function for the purposes of this section.
- (3) Expenditures from the reserve fund for maintenance and repair may not be made unless approved in the same manner as the budget of the community college is approved.
- (4) Funds appropriated under this subsection may not be considered "current expenses" for purposes of § 16-305(c)(2) of this subtitle.

Md. EDUCATION Code Ann. § 16-305

§ 16-305. Computation of State and county aid to community colleges

(a) **In general.** -- The formula used for the distribution of funds to the community colleges in the State shall be known as the Senator John A. Cade Funding Formula.

(b) **Definitions.** --

- (1) In this section the following words have the meanings indicated.
- (2) "Assessed valuation of real property" means assessed valuation of real property as determined for purposes of the State aid calculated under § 5-202 of this article.
- (3) "Board" means:
 - (i) In a county that has one or more community colleges, the board of community college trustees for the county; or
 - (ii) Where two or more counties establish a region to support a regional community college, the board of regional community college trustees.
- (4) "Community college" means a community college established under this title but does not include Baltimore City Community College.
- (5) "County share" means the total amount of money for operating funds to be provided each fiscal year to a board by the county that supports the community college or colleges or, in the case of a regional community college, the total amount of money for operating funds to be provided each fiscal year to the board by all counties that support the regional community college.
- (6) "Direct grants" means the sum of the following components of the State share:
 - (i) Fixed costs;
 - (ii) Marginal costs; and
 - (iii) Size factor.

(7) "Full-time equivalent student" is the quotient of the number of student credit hours produced in the fiscal year 2 years prior to the fiscal year for which the State share is calculated divided by 30, as certified by the Maryland Higher Education Commission.

(8) "Population" means population as determined for purposes of calculating the State share of the library program using the definition in § 23-501 of this article.

(9) "Region" means the counties supporting a regional community college established under Subtitle 2 of this title.

(10) "Small community college" means:

- (i) Allegany College of Maryland;
- (ii) Garrett College;
- (iii) Hagerstown Community College;
- (iv) Carroll Community College;
- (v) Cecil Community College;
- (vi) Chesapeake College; or
- (vii) Wor-Wic Community College.

(11) "State share" means the amount of money for community college operating funds to be provided each fiscal year to a board by the State.

(12) "Student credit hours" means student credit hours, including those earned by a P-TECH student as provided in § 7-1804(c) of this article, or contact hours, which are eligible, under the regulations issued by the Maryland Higher Education Commission, for inclusion in State funding calculations.

(13) "Total State operating fund" means the sum of community college State appropriations for direct grants.

(c) Computation; distribution of funds. --

(1) (i) Except as provided in subparagraphs (iii), (iv), and (v) of this paragraph, the total State operating fund per full-time equivalent student to the community colleges for each fiscal year as requested by the Governor shall be:

1. In fiscal year 2021, not less than an amount equal to 25% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year;
2. In fiscal year 2022, not less than an amount equal to 27% of the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year; and
3. In fiscal year 2023 and each fiscal year thereafter, not less than an amount equal to 29% of the State's General Fund appropriation per full-time equivalent

student to the 4-year public institutions of higher education in the State as designated by the Commission for the purpose of administering the Joseph A. Sellinger Program under Title 17 of this article in the same fiscal year.

(ii) For purposes of this subsection, the State's General Fund appropriation per full-time equivalent student to the 4-year public institutions of higher education in the State for a fiscal year shall include noncapital appropriations from the Higher Education Investment Fund.

(2) The State share shall be distributed to each board and shall be limited by the provisions of subsection (d) of this section.

(3) Subject to subsection (d) of this section, the total State share for each board shall be the sum of:

- (i) The fixed costs component;
- (ii) The marginal costs component;
- (iii) The size factor component; and
- (iv) A hold harmless component.

(4) (i) The funds available for the fixed costs component shall be a set percentage of the year's total State operating fund as follows:

1. For fiscal year 1998, 36% of total funding;
2. For fiscal year 1999, 37% of total funding; and
3. For fiscal year 2000 and each fiscal year thereafter, 38% of total funding.

(ii) The funds available for the fixed costs component shall be divided and distributed to the community colleges in the same proportion in which the direct grants were distributed in the prior fiscal year.

(5)

(i) For each board, the marginal costs component shall be the product of the dollar amount per full-time equivalent student multiplied by the number of full-time equivalent students at the board's community college or colleges.

(ii) The dollar amount per full-time equivalent student shall be calculated by dividing 60% of the total State operating fund for the fiscal year by the total number of full-time equivalent students at community colleges statewide.

(iii) In determining the marginal costs component for a board, the number of full-time equivalent students at all campuses and colleges operated by the board shall be added together.

(6)

(i) The size factor component shall be 2% of the year's total State operating fund.

(ii) Except as provided in subparagraph (iii) of this paragraph, the funds available for the size factor component shall be divided and distributed equally to each

board that operates a community college or colleges at which the total number of full-time equivalent students is less than or equal to 80% of the statewide median.

(iii) 1. Beginning with the first fiscal year that a board no longer meets the eligibility requirements under subparagraph (ii) of this paragraph, the board shall continue to receive a percentage of the size factor component that the board received in the last fiscal year for which the board was eligible, as follows:

- A. 80% for the first fiscal year;
- B. 60% for the second fiscal year;
- C. 40% for the third fiscal year;
- D. 20% for the fourth fiscal year; and
- E. 0% for the fifth and each subsequent fiscal year.

2. The distributions required under subparagraph (ii) of this paragraph shall be made from the remaining funds available for the size factor component after any distributions required under this subparagraph.

(iv) In determining the eligibility of a board for a size factor component, the number of full-time equivalent students at all campuses and colleges operated by the board shall be added together.

(7)

(i) A board shall be eligible for a hold harmless component beginning in fiscal year 1998 if the sum of the board's fixed costs, marginal costs, and size factor components for the fiscal year is less than the board's total State share in the prior fiscal year.

(ii) The hold harmless component amount shall be determined by subtracting the sum of an eligible board's fixed costs, marginal costs, and size factor components for the fiscal year from the board's total State share for the prior fiscal year.

(8) Any employer Social Security contributions required by federal law for any employee of a board of community college trustees shall remain the obligation of the employer.

(9) The State contribution to retirement and fringe benefit costs is not included in the calculations of amounts under this subsection.

(d) Increase in the State share of support. -- In each fiscal year, in order for a board to receive an increase in the State share of support or a hold harmless component amount, the county share, in the aggregate, that supports the community college or colleges shall equal or exceed the aggregate amount of operating fund appropriations made to the board by the county or all of the counties supporting the college in the previous fiscal year.

(e) Grant for English for Speakers of Other Languages program. --

(1)

(i) Beginning in fiscal year 1996, a grant in the amount provided in paragraph (2) of this subsection shall be distributed to each board in order to provide instruction

and services to students enrolled in an English for Speakers of Other Languages ("ESOL") program.

(ii) To qualify for a grant under this subsection, each participant in the program shall be a student:

1. Born outside of the United States or whose native language is not English;
2. Who comes from an environment where a language other than English is dominant; or
3. Who is an American Indian or Alaskan native and comes from an environment where a language other than English has had a significant impact on the student's level of English language proficiency.

(2)

(i) Subject to the provisions of subparagraph (ii) of this paragraph, the amount of the grant shall be \$ 800 times the number of qualified full-time equivalent students who are enrolled in a county ESOL program and at the community college.

(ii)

1. The total amount of the grants under this paragraph may not exceed \$ 8,000,000 for any fiscal year.
2. If, for any fiscal year, the total amount of the grants calculated under subparagraph (i) of this paragraph would exceed \$ 8,000,000, then each grant shall be prorated by the amount necessary to reduce the total amount of the grants to \$ 8,000,000.

(3)

(i) If the amount that is appropriated to a board under this subsection for any fiscal year is more than the actual cost of providing ESOL programs to students enrolled at the community college in that county or region, the excess funds shall be paid back to the State and credited to the General Fund of the State.

(ii) A board may not transfer State funds received under this subsection to any other program or category.

(4) Subject to the provisions of paragraph (2) of this subsection, for any fiscal year in which the State appropriation is insufficient to fully fund all grants eligible under this section, the Governor shall include in the budget bill for the following fiscal year a deficiency appropriation to fund all unfunded grants.

Md. EDUCATION Code Ann. § 16-306

§ 16-306. Retirement contributions

(a) Reimbursement to State for contributions made for employee salaries funded by source other than State or local aid. --

(1) Subject to paragraph (2) of this subsection, a public junior or community college shall reimburse the State annually for the employer contributions made by the State for an employee who:

- (i) Is a member of the Teachers' Retirement System or the Teachers' Pension System under Division II of the State Personnel and Pensions Article; and
- (ii) Is receiving a salary funded by a source other than State or local aid.

(2) To the extent that an employee's salary is funded in part by sources other than State or local aid, the public junior or community college shall reimburse the State a pro rata share of the State's payment based on the percentage of the employee's salary funded by a source other than State or local aid.

(b) Audit of payment records. --

(1) To ensure that the public junior or community college is properly reimbursing the State as provided under subsection (a) of this section, the Commission or, at the Commission's request, a public junior or community college may at any time examine the records of public junior or community colleges to determine whether the State's payments for retirement contributions for employees of the public junior or community colleges are in accordance with the provisions of Division II of the State Personnel and Pensions Article.

(2) An audit conducted under paragraph (1) of this subsection may be:

- (i) Included with an existing annual financial audit as a supplemental part and tested independently;
- (ii) Conducted in conjunction with a supplemental federally mandated single audit of federal financial assistance programs and tested independently; or
- (iii) Conducted as a separate independent audit.

(c) Overpayment by State; proceedings. --

(1)

(i) If an examination of the records of a public junior or community college shows that the State has paid more than is required under Division II of the State Personnel and Pensions Article, within 30 days after the date of the notice to the junior or community college of the State overpayment, the junior or community college may appeal the notice of State overpayment to the Secretary of Budget and Management who shall appoint a hearing examiner.

(ii) The hearing examiner shall make recommendations to the Secretary of Budget and Management who shall make a final determination regarding the amount, if any, of the State overpayment.

(2) If a public junior or community college does not appeal to the Secretary of Budget and Management or if the Secretary of Budget and Management determines that the State is due reimbursement for excess payments, as provided in paragraph (1) of this subsection, at the request of the Commission the money owed shall be deducted from any other State funds that would otherwise be paid to the public junior or community college.

(3) For purposes of the Administrative Procedure Act, an appeal taken under this section is not a contested case.

(d) Reimbursement; documentation of reasonableness of audit as prerequisite. --

(1) Any reimbursements under subsection (a) of this section:

(i) Shall be applied first to the cost of any audit or portion of any audit relating to subsection (a) of this section to reimburse either the Commission or the public junior or community college for the expenses of the audits; and

(ii) After reimbursement to the Commission or the public junior or community college under item (i) of this paragraph, shall be credited to the General Fund.

(2) If an audit under this section is performed by a public junior or community college, before the public junior or community college is reimbursed under paragraph (1)(i) of this subsection, the public junior or community college shall provide documentation to the Commission that the incremental costs of the audit incurred by the public junior or community college are reasonable.

Md. EDUCATION Code Ann. § 16-307

§ 16-307. Annual budget request

The Commission shall submit a budget request to the Governor on or before October 10 of each year calculated by using the formulas in § 16-305 of this subtitle.

Md. EDUCATION Code Ann. § 16-308

§ 16-308. Payment of State share

(a) **Certification to State Comptroller.** -- Each year, the Commission shall certify to the State Comptroller:

(1) On or before July 31 and November 30 one-fourth of the amount it calculates to be the State share under § 16-305 of this subtitle for each board of trustees;

(2) On or before March 31 one-half of the amount it calculates to be the State share under § 16-305 of this subtitle for each board of trustees; and

(3) After the annual audit of each community college, any discrepancy between the payments made and the actual State share under § 16-305 of this subtitle for the preceding fiscal year, which shall be compensated for in the November payment.

(b) **Payment.** -- Within 5 days after the State Comptroller receives a certification from the Commission, the State Comptroller shall draw a warrant on the State Treasurer for the amount due each board of trustees. The State Treasurer immediately shall pay the amount due to the board of trustees of the community college.

Md. EDUCATION Code Ann. § 16-309

§ 16-309. Payment of county share

(a) **Certification to county treasurer.** -- The Commission shall certify to the treasurer of each county:

(1) On or before September 30 and March 31 of each year, one half of the amount it estimates to be the county's share under § 16-305 of this subtitle; and

(2) After the annual audit of each community college, any discrepancy between the payments made and the actual amount of the county's share under § 16-305 of this subtitle for the preceding fiscal year, which shall be compensated for during the fiscal year.

(b) **Payment.** --

(1) Except as provided in paragraph (2) of this subsection, within 5 days after it receives a certification from the Commission, the county shall pay the amount due to the board of trustees of the community college.

(2) The board of trustees of a community college and the governing body of a county may agree in writing to a payment schedule for the county's share under § 16-305 of this subtitle. If, prior to the 5th day after receiving notification from the Commission, there is a payment schedule agreed to in accordance with this paragraph, the county shall make payments in accordance with that schedule. If a county fails to make a payment in accordance with the schedule, all amounts certified by the Commission but not yet paid by a county shall become due and payable immediately.

Md. EDUCATION Code Ann. § 16-310

§ 16-310. Tuition and fees for nonresident students

(a) **Out-of-state students; annual report.** --

(1) Subject to paragraphs (2), (3), (4), (5), (6), and (7) of this subsection and subsection (f) of this section, any student who attends a community college in this State and is not a

resident of this State shall pay, in addition to the student tuition and fees payable by a county resident, an out-of-state fee, at least equal to:

- (i) 60% of the county share per full-time equivalent student as determined under § 16-305 of this subtitle; and
- (ii) The marginal cost component of the State share per full-time equivalent student as determined under § 16-305(c)(5) of this subtitle.

(2)

(i) Each board of trustees of a community college with a service area that borders another state may set an out-of-state fee in accordance with subparagraph (ii) of this paragraph for any student who resides in an out-of-state county that borders the community college's service area.

(ii) The fee described in subparagraph (i) of this paragraph:

1. Shall be more than the out-of-county fee as determined in subsection (b)(1) of this section; and

2. May be less than the out-of-state fee as determined in paragraph (1) of this subsection.

(iii) Any student attending a community college in this State who pays a fee as provided in this paragraph may not be included as an in-State resident for computation of State aid to community colleges in accordance with § 16-305 of this subtitle.

(3)

(i) A resident of the state of West Virginia who attends Garrett College under a negotiated reciprocity agreement between the states of Maryland and West Virginia is an in-county resident for tuition purposes.

(ii) For each full-time equivalent student participating in the reciprocity agreement, the State shall pay to Garrett College an amount equal to the net State support per full-time equivalent student as provided in § 16-305 of this subtitle. For any fiscal year, if State appropriations for reimbursement of any reciprocity agreements under this paragraph do not provide sufficient funds to fully reimburse the college, the Governor shall include in the budget bill for the next fiscal year a deficiency appropriation to provide the additional funds to fully reimburse the college.

(iii) The Commission may make payments to effectuate the provisions of this paragraph from funds specifically appropriated for this purpose as provided in the State budget or any supplemental budget request.

(iv) The payments authorized by this paragraph are in addition to the State operating fund to community colleges authorized in § 16-305(c) of this subtitle.

(4)

(i) 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 resident for tuition purposes and shall be included as an in-State resident for computation of the State aid to community colleges in accordance with § 16-305 of this subtitle.

(ii) The student shall furnish a surety bond or promissory note to the State with security satisfactory to the Maryland Higher Education Commission, that on completion of the nursing education program, the student will work for at least 2 years in a hospital or related institution as defined in § 19-301 of the Health - General Article in this State.

(iii) The Secretary of Health may determine if there is a shortage of nurses.

(iv) Subject to subparagraphs (v) and (vi) of this paragraph, if the Secretary determines that there is no shortage of nurses, the Nonresident Student Tuition Reduction and State Aid Program established under this paragraph may not be applied to any courses required for the nursing program.

(v) Subparagraph (iv) of this paragraph applies only to students who enroll in a nursing education program subsequent to the determination made under subparagraph (iv) of this paragraph.

(vi) Subparagraph (v) of this paragraph may not affect any student who is participating in the Nonresident Tuition Reduction and State Aid Program prior to the determination under subparagraph (iii) of this paragraph.

(5)

(i) Each board of community college trustees may waive the out-of-state fee as determined in paragraph (1) of this subsection for a student who is employed by a business located in the county that supports the community college.

(ii) Any student attending a community college in this State who receives a tuition waiver as provided by this paragraph shall not be included as an in-State resident for computation of State aid to community colleges in accordance with § 16-305 of this subtitle.

(6) (i) Each board of community college trustees shall waive the out-of-state fee as determined in paragraph (1) of this subsection for a student who resides in this State but does not meet the in-State residency requirement for tuition purposes and is a public school teacher employed by a county board if:

1. A. The course or program is required by the State or the county board to maintain the teacher's present position with the county board; or

B. The course or program maintains or improves skills required by the county board in the teacher's current position;

2. The teacher resides in this State and is employed as a full-time public school teacher; and

3. The teacher has been employed as a public school teacher in the State for less than a year.

(ii) A public school teacher is responsible for the difference between in-State and out-of-state tuition if:

1. The teacher resigns or is terminated from employment with the county board; and
2. The teacher remains enrolled in the course or program at a community college during the teacher's first year as a Maryland resident.

(iii) Any public school teacher attending a community college in this State who satisfies the requirements established in this paragraph shall be included as an in-State resident for computation of the State aid to community colleges in accordance with § 16-305 of this subtitle.

(7)

(i) In this paragraph, "BRAC" means the Base Realignment and Closure process as announced by the United States Department of Defense.

(ii) Each board of community college trustees may waive the out-of-state fee as determined in paragraph (1) of this subsection for a student who resides in the State but does not meet the in-State residency requirement for tuition purposes and has moved to the State as an employee or a family member of an employee as part of BRAC.

(iii) Any BRAC employee or family member of a BRAC employee attending a community college in the State who satisfies the requirements established in this paragraph shall be included as an in-State resident for computation of the State aid to community colleges in accordance with § 16-305 of this subtitle.

(b) Out-of-county or out-of-region students generally; waiver for victim of human trafficking. --

(1) Subject to the provisions of paragraphs (2), (3), and (4) of this subsection and subsection (g) of this section, any student who attends a community college not supported by the county in which the student resides shall pay, in addition to the student tuition and fees payable by a resident of a county that supports the community college, an out-of-county or out-of-region fee at least equal to 60% of the county share per full-time equivalent student as determined under § 16-305 of this subtitle.

(2)

(i) Any student who resides in an incorporated municipality whose corporate limits extend into 2 counties in the State is considered an in-county resident for tuition purposes at a community college campus located within that municipality that is supported by either county.

(ii) If a student is considered an in-county resident under this paragraph and the student does not reside in the county that supports the community college, the county in which the student resides shall pay the difference between the out-of-county tuition and the in-county tuition.

(3) Each board of community college trustees may waive the out-of-county or out-of-region fee, as determined in paragraph (1) of this subsection, for a student who is employed by a business located in the county that supports the community college.

(4)

(i) In this paragraph, "BRAC" means the Base Realignment and Closure process as announced by the United States Department of Defense.

(ii) Each board of community college trustees may waive the out-of-county fee or out-of-region fee as determined in paragraph (1) of this subsection for a student who resides in the county but does not meet the in-county residency requirement for tuition purposes and has moved to the State as an employee or a family member of an employee as part of BRAC.

(5)

(i) In this paragraph, "victim of human trafficking" means an individual who has been recruited, harbored, transported, provided, or obtained for labor, services, or a sexual act through the use of force, fraud, or coercion.

(ii) Each board of community college trustees may waive the out-of-county fee or out-of-region fee as determined in paragraph (1) of this subsection for a student who attends the community college and:

1. Is not a resident of the county; and
2. Is a victim of human trafficking.

(iii) Information collected under this paragraph as part of a student's registration shall remain confidential.

(iv) 1. A community college that admits an individual who qualifies for a waiver of the out-of-county fee or out-of-region fee under this paragraph shall:

- A. Keep a record of the number of individuals for whom a waiver was granted in accordance with subparagraph (ii) of this paragraph; and
- B. Report the information required in item A of this subparagraph to the Commission each year.

2. The Commission shall submit to the General Assembly, in accordance with § 2-1257 of the State Government Article, an annual report consisting of the information submitted to the Commission under subparagraph 1 of this subparagraph.

(v)

1. The Commission shall adopt regulations to implement the provisions of this paragraph.

2. The regulations shall include a requirement that an application for a waiver of the out-of-county fee or out-of-region fee as provided in this paragraph shall contain evidence that the applicant is a victim of human trafficking, including:

- A. Certified law enforcement, court, or other federal or State agency records or files;
- B. Documentation from a human trafficking prevention or assistance program; or

C. Documentation from a religious, medical, or other professional from whom the applicant has sought assistance or treatment as a victim of human trafficking.

(c) **Power of county to appropriate.** -- Any county may appropriate money to pay the out-of-county or out-of-region fees for county residents who attend a community college in this State that is not supported by that county.

(d) **Students enrolled in statewide or regional programs.** --

(1) (i) 1. Notwithstanding subsection (b) of this section, subject to subparagraph 2 of this subparagraph, if any student is a resident of this State and enrolls in an instructional program that the Commission designates as a health manpower shortage program or a statewide or regional program:

A. The student shall pay only the student tuition and fees payable by a resident of a county that supports the community college; and

B. Subject to subparagraph (ii) of this paragraph, the Commission shall pay any applicable out-of-county fee to the community college.

2. For a student who attends a community college not supported by the county in which the student resides, at the discretion of the board of community college trustees:

A. The community college may charge the student any applicable out-of-county fee;

B. Subject to subparagraph (ii) of this paragraph, the Commission shall pay the amount of any applicable out-of-county fee to the community college; and

C. The community college shall reimburse the student the amount received from the Commission under item B of this subparagraph.

(ii) For any fiscal year beginning on or after July 1, 2011, if State appropriations to the Commission for payment of any applicable out-of-county fee under this paragraph do not provide sufficient funds to fully reimburse applicable out-of-county fees, the Commission shall prorate the reimbursement for the out-of-county fees.

(2) The Commission may make payments to effectuate the provisions of this section from funds specifically appropriated for this purpose as provided in the State budget or any supplemental budget request.

(e) **Students in certain counties with no community college or branch campus.** --

(1) Notwithstanding subsection (b) of this section, if any student resides in a county where the per capita wealth is below the State average and the county does not support a community college or a branch campus of a community college, except for Baltimore City, the student may enroll at a community college or a branch campus in the State, either of which is located in a county adjacent to the one in which the student resides, and pay only the tuition and fees applicable to a county resident that supports the community college.

(3) The Commission may make payments to effectuate the provisions of this subsection from funds specifically appropriated for this purpose in the State budget or any supplemental budget request.

Md. EDUCATION Code Ann. § 16-311

§ 16-311. Bids and contracts; mandatory minority business utilization program

(a) Application of section. --

(1) Except as provided in paragraph (2) of this subsection, this section applies to every contract for any building, improvement, equipment, or supplies.

(2) This section does not apply to:

(i) The purchase of books or other materials for instruction;

(ii) Emergency repairs;

(iii) Any contract or purchase made by a county for a community college under procedures authorized by the county charter or an act of the General Assembly; or

(iv) Any contract or purchase that qualifies as a "small procurement" as defined in the State Procurement Regulations.

(b) Procurements. -- At the discretion of the procurement officer, the following procurement methods are authorized where applicable:

(1) Competitive sealed bids under subsection (c) of this section;

(2) Competitive sealed proposals under § 16-313 of this subtitle;

(3) Sole source procurement under § 16-314 of this subtitle; or

(4) Noncompetitive negotiation under § 16-314.1 of this subtitle.

(c) Procurement by competitive sealed bid; general consideration. --

(1) The board of trustees may provide for procurement by competitive sealed bids in accordance with this subsection.

(2)

(i) Whenever procurement is based on competitive sealed bids, the board of trustees, or its designee, shall seek bids by issuing an invitation for bids.

(ii) The board of trustees, at least 2 weeks before bids are to be filed, shall advertise for bids in at least one newspaper published in the county or in eMaryland Marketplace, in accordance with Title 17, Subtitle 5 of the State Finance and Procurement Article.

(iii) The board of trustees may name in the specifications and advertisements for bids the particular make, kind, or brand of article to be contracted for or purchased.

(3) The board of trustees of each community college may provide for the prequalification of persons as prospective responsible bidders for procurements other than leases of real property.

(4) If a board of trustees uses a prequalification procedure for awarding a procurement contract:

(i) A person who is not prequalified may submit a bid or proposal; and

(ii) After bid opening or receipt of proposals and before awarding the procurement contract, a procurement officer may determine that:

1. A person who was not prequalified at the time of bid opening or receipt of proposals is a responsible bidder; or

2. A prequalified person is not a responsible bidder.

(5) Except as provided in paragraph (7) of this subsection, the contract shall be awarded to the lowest responsible bidder, who conforms to the specifications, with consideration given to:

(i) The quantities involved;

(ii) The time required for delivery;

(iii) The purpose for which required;

(iv) The competence and responsibility of the bidder; and

(v) The ability of the bidder to perform the contract satisfactorily.

(6) The board of trustees may reject any and all bids and re-advertise for other bids.

(7)

(i) In this paragraph, the term "minority business enterprise" has the meaning stated in § 14-301 of the State Finance and Procurement Article.

(ii) In Montgomery County, by resolution and by implementing rules and regulations, the Board of Trustees of Montgomery Community College shall establish a mandatory minority business utilization program to facilitate the participation of responsible certified minority business enterprises in contracts awarded by the Board of Trustees of Montgomery Community College in accordance with competitive bidding requirements.

(d) **Violation of section.** -- A contract entered into or purchase made in violation of this section is void.

Md. EDUCATION Code Ann. § 16-313

§ 16-313. Procurement by competitive sealed proposals

(a) In general. --

- (1) The board of trustees may provide for procurement by competitive sealed proposals in accordance with the provisions of this section.
- (2) The board of trustees may adopt regulations to implement the provisions of this section.

(b) Procurement by competitive sealed bid preferred method. -- Competitive sealed proposals is the preferred procurement method for educational or consultant services.

(c) Request for proposals -- Composition. --

- (1) Whenever procurement is based on competitive sealed proposals, the board of trustees or its designee shall seek proposals by issuing a request for proposals.
- (2) A request for proposals shall include a statement of:
 - (i) The scope of the procurement contract;
 - (ii) The results to be achieved or services to be provided;
 - (iii) The factors, including price, that will be used in evaluating proposals; and
 - (iv) The relative importance of each factor.

(d) Violation of section. -- The board of trustees or its designee shall publish a request for proposals in the same manner as required for an invitation for bids.

(e) Discussions with offeror upon receipt of proposal. --

- (1) After receipt of proposals but before the board of trustees awards the procurement contract, the board or its designee may conduct discussions with an offeror to:
 - (i) Obtain the best price for the college; and
 - (ii) Ensure full understanding of:
 1. The requirements of the college as set forth in the request for proposals; and
 2. The proposal submitted by the offeror.
- (2) If discussions are conducted, the board of trustees or its designee:
 - (i) Shall conduct the discussions in accordance with regulations adopted by the board;
 - (ii) Shall provide an opportunity to participate to each responsible offeror who submits a proposal that, in the judgment of the board or its designee, is reasonably susceptible of being selected for award;
 - (iii) Shall treat all of the responsible offerors fairly and equally;

(iv) May allow all of the responsible offerors to revise their initial proposals by submitting best and final offers, if discussions indicate that it would be in the best interests of the college to do so;

(v) May conduct more than one series of discussions and requests for best and final offers; and

(vi) May not disclose to an offeror any information derived from a proposal or discussions with a competing offeror.

(f) Irrevocability; correction or withdrawal of proposal or best and final offer. --

(1) Except as provided in paragraph (2) of this subsection:

(i) A proposal is irrevocable for the period specified in the request for proposals; and

(ii) A best and final offer is irrevocable for the period specified in the request for best and final offers.

(2) The board of trustees or its designee may allow an offeror to correct or withdraw a proposal or best and final offer if correction or withdrawal is allowed under regulations adopted by the board.

(g) Awarding procurement contract. -- After obtaining any approval required by law, the board of trustees shall award the procurement contract to the responsible offeror who submits the proposal or best and final offer determined to be the most advantageous to the college considering the evaluation factors set forth in the request for proposals.

(h) Rejection of proposals. -- The board of trustees may reject any and all proposals and re-advertise for other offers.

Md. EDUCATION Code Ann. § 16-314

§ 16-314. Sole source procurement contracts

(a) In general. -- The board of trustees may provide for sole source procurement contracts in accordance with the provisions of this section.

(b) When allowed. --

(1) Whenever the procurement officer determines that there is only one available source for the subject of a procurement contract, the procurement officer may award the procurement contract without competition to that source.

(2) Before awarding a procurement contract to a sole source, the procurement officer shall obtain:

(i) The approval of the board of trustees; and

(ii) Any other approval required by law.

Md. EDUCATION Code Ann. § 16-314.1

§ 16-314.1. Noncompetitive negotiation

(a) **Application.** -- This section applies to contracts in amounts not exceeding \$ 100,000.

(b) **Awarding of procurement contract.** -- The Board of Trustees of the Community College of Baltimore County may award a procurement contract on the basis of noncompetitive negotiation:

(1) For unsolicited offers that:

(i) Are in writing;

(ii) Are sufficiently detailed to allow a judgment regarding the potential utility of the offer;

(iii) Are unique or innovative;

(iv) Demonstrate the proprietary character of the offering warranting consideration of the use of competitive negotiation;

(v) May be subject to testing under terms and conditions specified by the Director of Purchasing; and

(vi) Cannot be procured through competitive methodologies;

(2) For the procurement of goods or services related to instruction or curriculum development;

(3) For the procurement of services related to private fund-raising activities; or

(4) Under other circumstances when the Director of Purchasing determines that noncompetitive negotiation is in the best interests of the College and the State.

(c) **Standards and procedures.** --

(1) The Board of Trustees of the Community College of Baltimore County shall establish standards and procedures for the application of subsection (b) of this section to a particular transaction.

(2) The standards and procedures shall require:

(i) The office, division, or department requesting noncompetitive negotiation to submit a written justification to the Director of Purchasing;

(ii) A written determination by the Director of Purchasing that noncompetitive negotiation is in the best interest of the College and the State; and

(iii) The written approval of the award of the contract on the basis of noncompetitive negotiation by the Board of Trustees.

Md. EDUCATION Code Ann. § 16-315

§ 16-315. Audits

(a) **Adoption of guidelines.** -- The Commission shall adopt guidelines for financial record keeping and the preparation of annual audit reports by the community colleges. The community colleges shall comply with the guidelines of the Commission.

(b) **Compliance with guidelines.** -- Each community college in the State shall have an annual audit of its books of accounts, accounting procedures and principles, and other fiscal and operational methods and procedures in accordance with guidelines as prescribed by the Commission. A copy of the audit report, together with the related management letter, shall be submitted to the Commission for review and assessment and to the Legislative Auditor within 90 days of the close of each fiscal year. The Commission shall ascertain that the community colleges are audited in accordance with this section.

(c) **Recommendations in audit report.** -- The Commission shall evaluate audit reports and related management letters for purposes of determining material weaknesses and assessing which recommendations should be considered for implementation. If a community college establishes to the satisfaction of the Commission that a recommendation in an audit report or related management letter has been satisfactorily addressed and should not be implemented, then the Commission shall notify the Legislative Auditor of the reasons for not implementing the recommendation. If the Commission finds that satisfactory progress has not been made toward correcting recurring material weaknesses or implementing any other audit recommendations which the Commission deems appropriate, then with due notice to the community college, the Commission shall direct the State Comptroller to withhold aid payments or any portion of aid payments due a college under this article.

(d) **Annual audit by Legislative Auditor.** -- The Legislative Auditor may upon the Legislative Auditor's own initiative perform the required annual audits. However, notification of such intent must be given to each affected community college before the start of the fiscal year to be audited.

(e) **Special audits.** -- The Legislative Auditor may be directed to undertake special audits of any community college by the Joint Audit and Evaluation Committee at State expense.

(f) **Local government auditors.** -- An audit performed by an official auditor of any county or Baltimore City approved by the Commission shall satisfy the annual audit requirement if it otherwise meets the requirements of this section.

(g) **Cost of annual audit.** -- The cost of the annual audit required by this section is the responsibility of the community college.

(h) **Report of audit.** -- Each year the Legislative Auditor shall submit a report to the Commission and, subject to § 2-1257 of the State Government Article, the Joint Audit and Evaluation Committee and the Executive Director of the Department of Legislative Services, on the results of the annual and special community college audits.

(i) **Audit of community college.** -- Nothing contained in this section may be construed to prohibit a periodic or special audit by an official auditor of any county providing funds for a community college.


Md. EDUCATION Code Ann. § 16-316

§ 16-316. Sick pay

Remuneration of an employee on account of sickness or accident of the employee shall be paid and treated as sick pay and not as continuation of salary.

Md. EDUCATION Code Ann. § 16-317

Notice


 This section has more than one version with varying effective dates. To view a complete list of the versions of this section see Table of Contents.

§ 16-317. Limitation of increase of in-county tuition rates for community colleges [Section subject to abrogation]

Beginning in the 2019-2020 academic year, a community college in the State may not increase the in-county tuition rate over the prior year by more than the higher of the increase in the 3-year rolling average of the State's median family income or 4% over the prior year tuition rate.

Md. EDUCATION Code Ann. § 16-317

Notice

 This section has more than one version with varying effective dates. To view a complete list of the versions of this section see Table of Contents.

§ 16-317. Limitation of increase of in-county tuition rates for community colleges (Abrogation of section effective June 30, 2021.)

Abrogated.

Md. EDUCATION Code Ann. § 16-318

§ 16-318. Nonvisual access clause for procurement of computer-based instructional technology.

(a) **Definitions.** --

(1) In this section the following words have the meanings indicated.

(2) "Computer-based instructional technology" has the meaning stated in § 12-101 of this article.

(3) "Technology" has the meaning stated in § 12-101 of this article.

(b) **In general.** -- By January 1, 2007, the board of community college trustees for each community college shall develop a nonvisual access clause for use in the procurement of computer-based instructional technology.

(c) **Requirements.** -- The nonvisual access clause developed under subsection (b) of this section shall be consistent with the standards developed by the Department of Budget and Management in accordance with the provisions of § 3-412 of the State Finance and Procurement Article.

Md. EDUCATION Code Ann. § 16-319

§ 16-319. Supplemental services and support for students with disabilities; grant program.

(a) **Establishment.** -- The Commission shall establish and administer a grant program for supplemental services and supports for students with disabilities in community colleges.

(b) **Review process.** -- The Commission, in cooperation with the Department of Disabilities, shall:

(1) Establish a competitive review process for the awarding of grants to community colleges; and

(2) Adopt any other guidelines or regulations necessary for the administration of this section.

Md. EDUCATION Code Ann. § 16-320

§ 16-320. Community College Facilities Renewal Grant Program

(a) **Definitions.** --

(1) In this section the following words have the meanings indicated.

- (2) "Community college" includes Baltimore City Community College.
- (3) "Eligible project" means a facility renewal project, including improvements, repairs, and deferred maintenance, that has a total estimated cost of not more than \$ 1,000,000 and has been submitted to the Commission as part of an annual master plan or a 10-year master plan.
- (4) "Program" means the Community College Facilities Renewal Grant Program.

(b) Established; administration. --

- (1) There is a Community College Facilities Renewal Grant Program that shall provide State funds to community colleges for improvements, repairs, and deferred maintenance projects in accordance with this section.
- (2) The Commission shall administer the Program.

(c) Annual appropriation. --

- (1)
 - (i) In fiscal years 2019 through 2021, the Governor shall annually appropriate in the operating budget of the Commission an amount equal to 5% of the appropriation to the Community College Construction Grant Program in the same fiscal year.
 - (ii) In fiscal year 2022 and each fiscal year thereafter, the Governor shall annually appropriate in the operating or capital budget of the Commission an amount equal to 5% of the appropriation to the Community College Construction Grant Program in the same fiscal year.
- (2) The appropriation required under paragraph (1) of this subsection shall be in addition to and may not supplant the amount appropriated to the Community College Construction Grant Program in the State budget.

(d) Grants. --

- (1) On or before September 1 of the fiscal year preceding the fiscal year of the grant award, a community college shall provide to the Commission information about the eligible project for which the community college is requesting a grant.
- (2)
 - (i) The Commission may make up to eight grants in each fiscal year.
 - (ii)
 - 1. Subject to subparagraph 2 of this subparagraph, a community college may not receive a grant in 2 consecutive fiscal years.
 - 2. If a community college does not request funds in a fiscal year, the community college may not receive a grant until the second following fiscal year.

(iii)

1. Subject to subparagraph 2 of this subparagraph, a community college may not receive more than \$ 500,000 in a fiscal year under the Program.

2. If the appropriation provided under subsection (c) of this section is less than \$ 4,000,000 in a fiscal year, the appropriation shall be awarded equally to each community college that is eligible for a grant in that fiscal year.


3. Subject to the limitation established in subparagraph 1 of this subparagraph, a community college may receive funding for more than one eligible project in a fiscal year.

(iv) The Commission shall consult with each community college to determine which community colleges will receive a grant for eligible projects under the Program in each fiscal year.

(e) Regulations. -- The Commission, in collaboration with the community colleges, shall adopt any regulations necessary to carry out the provisions of this section.

Md. EDUCATION Code Ann. § 16-321

Notice

 This section has more than one version with varying effective dates. To view a complete list of the versions of this section see Table of Contents.

§ 16-321. Workforce Readiness Grant Program [Section subject to abrogation].

(a) Definitions. --

(1) In this section the following words have the meanings indicated.

(2) "Community college" includes Baltimore City Community College.

(3) "Eligible donor" means a person other than a local, state, federal, or foreign government.

(4) "Program" means the Workforce Readiness Grant Program.

(b) Established. -- There is a Workforce Readiness Grant Program.

(c) Purpose. -- The purpose of the Program is to provide matching grants to a community college to improve the community college's technology.

(d) Donations. -- Each community college campus may accept donations from eligible donors that further the purpose of the Program.

(e) Supplemental funding in State budget. --

(1)

(i) In fiscal year 2022, the Governor may include in the State budget for each community college supplemental funding in an amount equal to the lesser of \$ 250,000 for each campus of each community college or the amount donated under subsection (d) of this section in fiscal years 2020 and 2021.

(ii) In fiscal year 2024, the Governor may include in the State budget for each community college supplemental funding equal to the lesser of \$ 250,000 for each campus of each community college or the amount donated under subsection (d) of this section in fiscal years 2022 and 2023.

(2) For purposes of calculating the Governor's appropriation under this subsection, an amount donated by an eligible donor may be counted only for the fiscal year in which it was pledged.

(3) The Governor's appropriation shall be used to further the purpose of the Program.

(4) The supplemental funding authorized under this subsection is in addition to the State funding provided to each community college under § 16-305 of this subtitle or Subtitle 5 of this title.

(5) For fiscal years 2022 and 2024, the Governor shall identify in the annual budget how the revenue authorized under this subsection is being used to supplement and not supplant the appropriation for each community college.

(f) Regulations. -- The Commission shall adopt regulations to implement the Program.

(g) Report. --

(1) On or before September 1, 2022, and on or before September 1, 2024, the Commission shall submit a report to the Governor and, in accordance with § 2-1257 of the State Government Article, the General Assembly.

(2) The report submitted under this subsection shall summarize for each community college the total amount of funds raised for the Program and how those funds were spent.

Md. EDUCATION Code Ann. § 16-407.1

§ 16-407.1. Hagerstown Community College Police Force

- (a) Established. -- There is a Hagerstown Community College Police Force.
- (b) Scope of powers. --
 - (1) A Hagerstown Community College police officer has the powers granted to a peace and police officer.
 - (2)
 - (i) A Hagerstown Community College police officer may exercise these powers only on property that is owned, leased, operated by, or under the control of Hagerstown Community College.
 - (ii) The police officer may not exercise these powers on any other property unless:
 - 1. Engaged in fresh pursuit of a suspected offender;
 - 2. Necessary to facilitate the orderly flow of traffic to and from property owned, leased, operated by, or under the control of Hagerstown Community College; or
 - 3. Ordered to do so by the Governor.
- (c) Standards. --
 - (1) In consultation with the Secretary of State Police and the Maryland Police Training and Standards Commission, the Hagerstown Community College Board of Trustees shall adopt standards, qualifications, and prerequisites of character, training, education, human and public relations, and experience for Hagerstown Community College police officers, including standards for the performance of their duties.
 - (2) To the extent practicable, the Board shall adopt standards that are similar to the standards adopted for the Department of State Police.
- (d) Regulations. -- The Hagerstown Community College Board of Trustees shall adopt regulations governing the operation and conduct of the Hagerstown Community College Police Force and of Hagerstown Community College police officers.

Md. EDUCATION Code Ann. § 16-419

§ 16-419. Washington County Board of Trustees

(a) Composition. -- The Board of Community College Trustees for Washington County consists of seven members appointed by the Governor with the advice and consent of the Senate.

(b) Residency. -- Each of the members:

- (1) Shall be residents of Washington County at the time of appointment; and
- (2) Shall maintain residency in Washington County throughout the term of appointment.

*Policy No.: 2010
Board Approved: October 7, 1971
Last Amended: June 18, 2024*

**Hagerstown Community
College
Hagerstown, Maryland**

**BOARD OF
TRUSTEES
BY-LAWS
Hagerstown Community College
Hagerstown, Maryland**

I. IDENTIFICATION

- A. The name of the College shall be *Hagerstown Community College*.
- B. The Board of Trustees of Hagerstown Community College hereafter is referred to as “Board”, Hagerstown Community College as “College”, and the President of the College as “President”.
- C. The State of Maryland hereafter is referred to as “State”, and Washington County as “County”.
- D. The Maryland Higher Education Commission hereafter is referred to as “MHEC”.
- E. Unless otherwise noted, all Section (§) references are from the Annotated Code of Maryland, Education Article, Division III – Higher Education, Title 16 – Community Colleges.

II. AUTHORITY

- A. The Board derives its authority from the Annotated Code of Maryland, Education Article, Division III- HIGHER EDUCATION, Title 16 - Community Colleges, Subtitle 1- Organization and Government of Community Colleges.
- B. The Board is responsible to the people of Washington County and to the people of the State of Maryland for developing the policies governing the general conduct of the affairs of the College in accordance with Education Article, Division III-Higher Education, Title 16 – Community Colleges, which provides the legal basis for the control and administration of Maryland’s community colleges.
- C. Service on the Board is a public trust of the highest order. Responsibility for the extension, improvement, and lasting success of democracy rests heavily on public education and, consequently, on the stewardship of the Board members. The educational welfare of the youth and adults of this County shall be the primary objective underlying all decisions of the Board of

Trustees.

- D. The Board, as the final institutional authority, has the responsibility to guarantee the integrity of the College, to develop and periodically to evaluate policies and procedures for the College, and to entrust the administration of those policies to the President.
- E. All business by the Board shall be transacted at an official meeting of the Board. Individual members of the Board have no power to act for the Board in any matter except as specifically authorized by official action of the Board as recorded in its minutes. The members of the Board have legal authority only when the Board is in formal session and when a quorum is present.

III. MEMBERSHIP

- A. The Trustees of the College shall be those individuals appointed by the Governor pursuant to §16-101. Consistent with these provisions are the following:
 - 1. The Board is comprised of seven (7) members appointed by the Governor, with the advice and consent of the Senate.
 - 2. Each member serves for a term of six (6) years from July 1 of the year the appointment is made and until a successor is appointed and qualifies. The terms are staggered.
 - 3. A member appointed to fill a vacancy serves only for the remainder of that term and until a successor is appointed and qualifies.
 - 4. A member may be reappointed.
- B. In accordance with Title 8, §8-501 of the Annotated Code of Maryland a member is expected to attend at least 50% of the regularly scheduled meetings of the Board.
- C. Members serve without compensation and shall be entitled to reimbursement for their college-associated and professional development expenses as approved by the Chairperson consistent with the Board's budget.

IV. ELECTION OF OFFICERS

- A. The Board shall elect one of its members as its Chairperson. (§16-102). At the last regular meeting of the Board in each fiscal year, the President, serving as the Secretary of the Board, will conduct an election of Board members for the office of Chairperson. The Board shall hear first from the chair of the Nominating Committee and then nominations will be taken from the floor. The election of the Board Chairperson shall follow the close of nominations.
- B. At the same meeting, the President, serving as the Secretary of the Board, will conduct an election of Board members for the office of Vice-Chairperson. The Board shall hear first from the chair of the Nominating Committee and then nominations will be taken from the floor. The election of the Board Vice-Chairperson shall follow the close of nominations.
- C. The President shall be Secretary/Treasurer of the Board, (§16-102).

D. Term of Office:

1. The term of office for each elected position shall be from July 1 until June 30 of the following year, or until a successor is named, whichever occurs later.
2. An elected officer may be removed from office by an affirmative vote of at least five (5) members of the Board.
3. Vacancies in any office shall be filled by the Board under the election procedures of this Section IV.

V. DUTIES OF THE BOARD OFFICERS

A. Duties of the Chairperson

1. Preside at all meetings of the Board
2. Provide advice on the Board agendas
3. Appoint all standing and special committees of the Board including any committee chairperson and vice-chairperson
4. Appoint liaisons to the Hagerstown Community College Foundation Board as may be permitted by the bylaws of the Foundation.
5. Decide all questions of order subject to an appeal to the Board
6. Sign and execute all the necessary legal instruments approved by the Board, or delegate such authority to the President
7. Sign reports as may be required by law
8. Call special meetings of the Board
9. Perform other duties common to this office, or as may be assigned to him/her from time to time by the Board

B. Duties of the Vice-Chairperson

1. In the absence of the Chairperson, have all executive powers of the Chairperson
2. Execute such powers as may be delegated to him/her by the Chairperson

C. Duties of the Secretary/Treasurer

1. Prepare the agenda for meetings of the Board
2. Send out notices and correspondence of the Board
3. Maintain an accurate record of Board meetings
4. Sign the checks according to the policy established by the Board
5. Prepare any reports required by the Board, and perform such other duties as may be assigned by the Board

VI. COMMITTEES

- A. The Audit Committee shall have oversight responsibility for the annual financial audit of the College and perform such functions as may be defined in Board policy for the Committee.

- B. The Nominating Committee shall be responsible for preparing a slate of officers to present to the Board at the last regular meeting of each fiscal year and for making recommendations to the Board when a vacancy occurs in any elected office.
- C. Special committees may be formed by the Chairperson or the Board as necessary.

VII. MEETINGS OF THE BOARD

- A. The Board shall meet at least six times a year. In addition, the Chairperson shall call special meetings at the request of three or more members of the Board, or whenever it is deemed necessary.
- B. A simple majority of members shall constitute a quorum for any meeting and for conducting business. A simple majority of the members voting on any motion shall determine the outcome thereof except for a) amending these Bylaws and b) approving a contract for the President, both of which shall require an affirmative vote of at least four (4) members of the Board, and c) removing an elected officer of the Board from elected office which shall require an affirmative vote of at least five (5) members of the Board.
- C. When attendance at Board meetings is not possible in person, Trustees may connect to a meeting by phone, computer or other electronic means deemed appropriate by the Board.
- D. All meetings shall be open to the public except when the Board is in closed session in compliance with the Maryland Open Meetings Act when applicable. All formal and final actions of the Board shall be taken during an open meeting.
- E. A closed session may be scheduled by the Chairperson at the request of any member or the President. A majority vote of Board members present at a duly authorized Board meeting is required to go into closed session. Closed sessions are attended only by the Trustees, the President, and other persons invited by the President or the Chairperson.
- F. Meetings of the Board shall be conducted in accordance with the parliamentary procedure prescribed in the latest edition of Robert's Rules of Order. The Chairperson shall have a vote in all matters of the Board.
- G. The President shall prepare an agenda for each meeting in consultation with the Board Chairperson to include matters relating to the business and operations of the College as well as concerns or topics of interests. Individuals or groups wishing to present a topic pertaining to the College may make written requests to the Chairperson through the President at least 10 days prior to the regularly scheduled meetings, in order that the matter may be considered as an agenda item for the meeting, and said individuals or groups shall provide a copy of their testimony, evidence, or resolutions at least ten days in advance, so that it may be duly considered. In addition, at the Board's discretion and based on available time, the Board may offer an opportunity for public comment on the Business Meeting Agenda.
- H. All meetings of the Board shall be attended by the President, except those involving his/her personal position as President. (§16-104)
- I. The Chairperson of the Faculty Assembly will be invited to attend regular meetings of the Board. This representative, elected by the faculty, will be given the opportunity to report on

faculty matters.

- J. The President of the Student Government Association or an alternate representative appointed by that organization will be invited to attend the regular meetings of the Board. This individual will be given the opportunity to report on student matters.

VIII. POWERS AND RESPONSIBILITIES OF THE BOARD

A. General

1. The Board shall exercise general control over the College, keep separate records and minutes, establish policy governing the College and adopt reasonable rules, regulations or bylaws to carry out the provisions of the State law. (§16-103)
2. The Board shall review the philosophy, mission, and objectives of the College at appropriate intervals and assist the staff in making desired changes.
3. The Board shall ensure that comprehensive and continuous short and long-range institutional assessment and planning occurs.
4. The Board shall review on appropriate intervals the outcomes evaluations of all the College's major programs and services.

B. Student Admissions, Curriculum, and Graduation

1. The Board shall approve standards for student admission to the College and will consider policy recommendations in the areas of general entry assessment (§16-103), as well as policy provisions governing admission to oversubscribed programs that have restrictive admissions components, consistent with Maryland law and the provisions of MHEC.
2. The Board shall approve all new college degrees as permitted by Maryland law and the provisions of MHEC. (§16-103)
3. The Board shall approve all new credit bearing degree and certificate programs and shall approve the discontinuance of such programs, consistent with Maryland law and the provisions of MHEC. (§16-103)
4. The Board shall approve all non-program specific graduation requirements, such as general education requirements, consistent with Maryland law and the provisions of MHEC. (§16-103)
5. The Board shall approve candidates for degrees and credit certificates who have satisfied all the requirements for the award of the specific certificates and degrees as determined by the faculty and the administration.
6. The Board shall approve the awarding of any honorary degrees.

C. Fiscal Matters

1. Each year, the Board and the President shall prepare and approve an operating budget and a

capital budget.(§16-301)

2. The Board may enter into contracts and agreements with the State or any of its political subdivisions; the federal government; any public body, department or agency in the State or the United States; or an individual firm or corporation when such agreements are deemed by the Board to be necessary or advisable to the maintenance and operation of the College.
3. The Board may receive and expend local, State, and federal funds to operate the College programs and may accept and disburse conditional and unconditional gifts from private individuals and may determine the depository of such funds.
4. The Board shall establish annually a schedule of tuition and fees. (§16-103)
5. The Board shall approve the transfer of funds between and among major function areas of the operating budget. The Board shall also approve the transfer of funds between fund balance and approved projects.
6. The Board shall determine that all funds are managed under an adequate accounting system. A certified public accounting firm licensed in Maryland shall be recommended by the Audit Committee and approved by the Board to conduct an audit of all College accounts and all College Foundation accounts after the close of each fiscal year.

D. Property

1. The Board may purchase, lease, condemn or otherwise acquire any property it considers necessary for the operation of the College. (§16-103)
2. The Board may sell, lease or otherwise dispose of College assets or property. The President and the Chairperson may execute a conveyance or other legal document under an appropriate resolution of the Board.(§16-103)
- 3.The Board may approve the use of College facilities by other institutions in partnership with those institutions provided any necessary State approvals are obtained. (§16-103)

E. Legal Matters

1. The Board will carry appropriate comprehensive liability insurance to protect the Board, its agents and employees. (§16-107)
2. The Board may appoint a practicing attorney admitted to the Maryland Bar to furnish professional legal advice and services for it and the President. Requests for legal services are channeled through the President unless otherwise decided by the Board.
3. The Board may sue or be sued. (§16-103)

F. Presidential Appointment

1. The President is appointed by the Board and is the executive officer through whom the Board carries out its programs and exercises its policies. He/she is responsible for the conduct of the College and for the administration and supervision of its departments. (§16-104)

2. The President may sign grant proposals and accept grant awards and shall provide the Board with a grants report at least one time a year.
3. The President shall be the official channel of communication between the College staff and the Trustees.
4. The President shall report directly to the Board and recommend the appointment of qualified faculty and other personnel necessary for the efficient and effective administration of the College. (§16-104)
5. The President's term of appointment will be determined by a contract between the Board and the President, which shall require an affirmative vote of at least four (4) members of the Board.
6. The President shall be evaluated by the Board on a fiscal year basis. The Board's evaluation of the President shall be presented to the President by the person who served as Chairperson at the close of the evaluation period and either the Chairperson of the upcoming fiscal period or the Vice-Chairperson if there is no change in the office of Chairperson.

G. Personnel

1. The Board will review and approve the salary schedules, fringe benefits, and standards for promotion for all members of the staff. (§16-103)
2. The Board will review and approve the tenure for members of the faculty as recommended by the President. (§16-103)
3. The Board will consider any recommendation by the President for dismissal of any member of the staff who fails to fulfill contract requirements or to comply with the personnel policies of the College, provided the dismissal is consistent with the personnel policies of the College. (§16-104)
4. The Board may approve exceptions to College personnel policies as recommended by the President.

H. Other

Among its other responsibilities, the Board will consider and approve the following:

1. College policies incorporated in the Board of Trustees Policy Manual
2. The College academic calendar and personnel work calendar
3. The appointment of members to the major institutional advisory committees of the College, excepting academic program committee appointments, which shall be conducted at the discretion of the President

IX. SHARED GOVERNANCE

The College shall operate under a shared governance model that includes faculty, students and administration in the formulation, modification, and adoption of Board policies

X. AMENDMENT

These By-Laws may be amended by an affirmative vote of at least four (4) members of the Board. A proposed amendment must be submitted in writing to the Board at least two weeks in advance of the date of the meeting during which the amendment will be considered.

The bylaws were also amended on March 24, 1983; September 27, 1994; September 17, 2002; September 21, 2010; May 24, 2016; May 23, 2017; and February 21, 2023

Policy No.: 2010A
Board Approved: March 17, 2020

Hagerstown Community College
Bylaws

Temporary Amendment

At their March 17, 2020 meeting, the Board of Trustees unanimously adopted a temporary amendment to the bylaws to allow for a meeting quorum to be satisfied by any combination of in-person, teleconference, or videoconference attendance for the duration of the COVID-19 pandemic.

Policy No.: 2011
Board Approved: March 19, 2019
Revised:

Special Rule of Order to Permit the Use of Consent Agendas

The Board adopted a special rule of order as permitted by Roberts Rules of Order to permit the use of a Consent Agenda at regular Board meetings. A consent agenda allows for multiple non-controversial items to be approved at one time. The Chairperson decides what will be on a consent agenda. An item will be removed from the consent agenda if requested by any member. While no reason is required to remove an item from a consent agenda, common reasons include 1) to allow for discussion, 2) to allow for a 'no' vote, and 3) to hold a separate recorded vote.

A consent agenda is approved when there are no objections raised to approval.

The Chairperson anticipates consent agendas will include minutes, personnel reports, approval of candidates for degrees and certificates, and certain policies that have been previously discussed by the Board.

Mission, Vision, and Strategic Commitments

Mission Statement:

HCC ensures equitable access to affordable, high-quality educational programs, while fostering workforce development and cultural vitality in the region.

Vision Statement:

HCC will be the college of choice through demonstration of inclusive educational excellence, transformative growth, and community enrichment.

Strategic Commitments:

Commitment 1: Enrollment

Ensure HCC's dedication to enrollment through excellent recruitment, outreach, and marketing strategies, guiding students to an affordable, high-quality education.

Commitment 2: Assessment

Design, promote, and deliver best practices of assessment and continuous improvement that are systematic, coordinated, and campus-wide.

Commitment 3: Retention

Develop, strengthen, and implement focused retention strategies that foster completion and success.

Commitment 4: Integration

Initiate the comprehensive integration of Workforce Solutions and Continuing Education into the culture, administration, services, and procedures of the college.

Commitment 5: Partnerships

Develop and strengthen community partnerships to meet institutional needs and improve the economy of the region.

Commitment 6: Community

Strengthen the internal culture to enhance the campus community.

This policy was also revised on November 20, 2018

Policy No.: 2025

Board Approved: January 30, 2014

Revised: April 19, 2022

Board of Trustees and President Conflict of Interest Policy

Trustees and the President of Hagerstown Community College in the performance of their responsibilities on behalf of the college desire to avoid any conflict or appearance of conflict between the interests of Hagerstown Community College and any personal interest they may have. To this end, the Board considers it desirable to adopt the following:

1. Trustees and the College President, upon appointment and annually thereafter, shall sign a form which will go to the Board Chair and be retained in Board records, acknowledging their receipt of this statement and disclosing any matter or relationship that a Trustee or President believes could constitute a conflict of interest.
2. Trustees and the President shall disclose any actual or potential conflict of interest on any issue before the Board or Board committee. While the Trustee can be counted in determining a quorum, s/he shall abstain from voting on any matter where a direct or indirect personal or financial interest exists. The Trustee or President may stay in the room for discussion of the topic, but not participate in the discussion unless specifically asked to clarify a point. The minutes shall reflect the disclosure of conflict of interest and abstention from voting on that issue.
3. The potential for conflict of interest exists when actions on behalf of Hagerstown Community College by a Trustee or the President, or any such person's relative by marriage or blood (or any party, group, or organization in which any such person has interest) may result in a personal gain to such person.
4. Although it is impossible to list every circumstance, activities including but not limited to the following, appear to involve an actual or potential conflict and should be disclosed:
 - A. Outside Interests
 1. To hold (or have an immediate family member hold) directly or indirectly, a financial interest or any position in any concern with which Hagerstown Community College does business;
 2. To compete (or have an immediate family member compete) directly or indirectly, with Hagerstown Community College in the purchase or sale of property or property rights, interests, or services.
 - B. Inside Interests
 1. To hold (or have an immediate family member hold) a position with Hagerstown Community College as an employee or contract for goods or services.
 2. To accept gifts, entertainment, or other favors (or to have an immediate family member accept gifts, entertainment, or other favors) from any person or concern that does, or seeks to do, business with Hagerstown Community College under circumstances which might give a reasonable person cause to believe the Trustee or the President would be influenced by such favor in the performance of their

duties.

Position Description - Member, Board of Trustees

SUMMARY STATEMENT OF RESPONSIBILITIES:

The Board of Trustees (Board) is the seven-member governing body of the College, with members appointed by the governor with advice and consent of the Senate for six-year terms (Annotated Code of Maryland: Education-Section 16-101). The Board is responsible for governance of the College including policy development, institutional planning, and the overall efficiency and effectiveness of the College.

The Board hires, evaluates and if necessary, dismisses the President. The Board entrusts the day-to-day operation of the College to the President. The Board approves the annual operating plan, budget, and salary scales; approves recommendations for the hiring of personnel; assists in generating revenues to sustain and improve the vitality of the institution by lobbying at county and state levels; supports private fundraising for scholarships and other college needs; approves major purchases, building construction, tuition and fee rates, and new programs and initiatives.

The Board entrusts to the administration compliance with accreditation standards and local, state, and federal law and regulations. Annually, the President reviews with the Board the status of all mission and strategic goal areas and related plans.

Trustees serve on Board committees and may represent the College at meetings of the Maryland Association of Community Colleges.

The Board usually meets monthly from September through June. Special meetings may be called as necessary. All meetings are organized around an agenda prepared by the President and the Board Chairperson. The Board reviews all policy-related aspects of the College with particular focus on major financial, personnel, facilities, planning and institutional effectiveness topics.

Board members conduct an annual self-evaluation in which they assess how well they meet their individual and collective responsibilities.

Trustees are required to annually file a financial disclosure statement with the State of Maryland.

The College provides new board member orientation, coordinated by the President's office, to acquaint new Trustees with the functions and various aspects of the College.

ORGANIZATIONAL RELATIONSHIPS:

A. The Board derives its authority from Education Article, Division III- HIGHER

EDUCATION, Title 16- COMMUNITY COLLEGES, Subtitle 1- Organization and Government of Community Colleges, and the Annotated Code of the Public General Laws of Maryland as amended.

- B. The Board is responsible to the State of Maryland and the citizens of Washington County for developing the policies governing the affairs of the College.
- C. The Board has the responsibility to guarantee the integrity of the College, to develop and periodically evaluate policies and procedures for the College, and to entrust the administration of those policies to the President.
- D. The control over the College by the Board is not by individual members, but through action as a body in accordance with State law and the Board's bylaws. The members of the Board have legal authority only when the Board is in formal session with a quorum present.
- E. Trustees serve on Board committees as appointed by the Chairperson.

DESIRED ATTRIBUTES:

- A. Experience
 - 1. General understanding of public boards and their fiscal and legal responsibility.
 - 2. Fund-raising and resource development.
 - 3. Working with community leaders.
- B. Leadership skills, and abilities
 - 1. Demonstrated ability to build consensus among colleagues and to establish positive working relationships.
 - 2. Understanding of, and ability to work with, the political process.
 - 3. General understanding of business and financial processes.
 - 4. High level of integrity and commitment to collaborative decision making.
 - 5. Knowledge of, and active involvement with, community groups.
- C. Time Commitment
 - 1. Monthly Board meetings 3 to 4 hours in length and committee meetings.
 - 2. Training and professional development opportunities.
 - 3. Attendance at academic-related campus activities including Honors Convocation, Commencement, and specialized program completion ceremonies is expected to demonstrate commitment to the celebration of student success.
 - 4. HCC Foundation events, including donor recognition and the annual Tribute. Trustee attendance at these events is important to the work of the Foundation.
 - 5. Special events on campus, such as groundbreakings, building dedications, press conferences, and visits by state and federal officials.

*Policy No.: 2036
Board Approved: June 20, 2006
Revised: June 18, 2024*

AUDIT COMMITTEE

PURPOSE. This Policy defines the authority, role and duties of the Audit Committee (Committee) of Hagerstown Community College Board of Trustees (Board).

AUTHORITY. The Committee receives its authority from this Policy as approved by the Board, and from any additional authority which may be granted from time to time by the Board. The Committee is empowered to investigate any matter brought to its attention related to its role and duties, with full access to all books, records, facilities and personnel of the College, and has the authority to engage independent counsel and other advisors as it determines necessary to carry out its duties.

MEMBERSHIP. The Committee is comprised of three (3) College Trustees who shall be appointed pursuant to the bylaws of the Board. The appointments shall include the designation of a Chairperson and a Vice-Chairperson. Consideration should be given to financial and managerial experience in the selection of Committee members. Each member shall be free of any relationship that, in the judgment of the Board, would interfere with their exercise of independent judgment. The President of the College serves as a non-voting, ex-officio member.

MEETINGS. The Committee will meet as needed to address its responsibilities. The Committee will meet, at a minimum, to receive the external auditor's annual financial report. The Committee may ask members of management or others to attend meetings and provide pertinent information as necessary. Members may participate by telephone or video conference if unable to attend in person. Meeting minutes will be prepared and distributed no later than the next meeting of the Committee.

ROLES.

Board of Trustees. In support of its overall financial responsibility for the College the Board will 1) appoint members to the Committee pursuant to this Policy and the bylaws of the Board, 2) receive reports from the Committee, and 3) give consideration to recommendations of the Committee.

Audit Committee. The Committee assists the Board in fulfilling its responsibility for oversight of the quality and integrity of the accounting and budgeting polices, auditing, reporting practices and internal control of the College, and other duties as directed by the Board. The Committee's role includes a focus on the qualitative aspects of the financial reporting to stakeholders and on the College's processes to manage business and financial risk.

Administration. The College administration is responsible for 1) preparation, presentation and integrity of the College's accounting records, budgets and financial statements, 2) education of audit committee members on changes to applicable accounting standards, 3) implementation of internal controls and procedures in order to promote compliance with accounting standards and applicable laws and regulations, and 4) day-to-day interface with external auditors during the audit process.

External Auditors. External auditors provide independent review of the College's financial systems, controls and reporting, and compliance with applicable financial standards, and shall present their findings in an annual financial statement in accordance with generally accepted auditing standards. In addition, the external auditors will prepare filings as directed in their contract. Although the external auditors work primarily with the College

administration and staff, the external auditors report to the Board through the Audit Committee.

DUTIES OF THE AUDIT COMMITTEE:

External Audit

1. Recommend to the Board the appointment, retention and dismissal of external auditors.
2. Provide oversight to the annual financial audit process including compliance with Board Policy 6030 Appointment of External Auditors.
3. May review the proposed external audit scope and approach for the current year in light of the College's present circumstances, risk profiles, and changes in the regulatory environment.
4. Maintain free and open communication with the external audit firm and the administration.
5. Review any management response to audit findings.
6. May meet with auditors privately to discuss any concerns related to the College financial operations, reporting, controls or difficulties encountered in the course of the audit.
7. Approve the use of any non-audit services to be performed by any external auditor in order to limit an audit firm reviewing its own work.

Financial Reporting

8. Understand how management develops interim financial statements and provide guidance on the format of regular financial reporting to the Board.
9. Review significant accounting and financial reporting issues, including recent professional and regulatory pronouncements, and understand their impact on the College.

Ethical and Legal Compliance Regarding Financial Matters

10. Investigate potential and actual improprieties in the College's operations, in consultation and coordination with appropriate legal counsel and other authorities.

Reporting to the Board

11. The Committee Chair, or designee, will present reports to the Board following Committee meetings, or as requested by the Board Chair. Reports will include, but not be limited to, action taken by the Committee concerning its specific roles and responsibilities.

CHARTER REVISIONS: Review and revision to this Policy may be initiated by the Committee or the Board. Any changes to this Policy must be approved by the Board.

This policy was also revised on May 23, 2017.

*Policy No.: 2040
Board Approved: July 1993
Revised: March 19, 2019*

Policy Creation and Review

It is the policy of Hagerstown Community College that the Board of Trustees appoints the President who shall be responsible to oversee the development of policy recommendations, for the implementation and administration of all Board approved policies, and for the administrative operation of the College and supervision of all its units consistent with the policies approved by the Board of Trustees.

The President shall present written proposed policies with justification to the Board of Trustees after securing the appropriate support from affected segments of the college community at the President's discretion. The Board after review of proposed policies shall take one of the following actions:

- Approve the proposed policy and establish the effective date of implementation,
- Refer the proposed policy for suggested changes, or
- Disapprove the proposed policy.

At a point not to exceed once every five years, the President shall ensure that individual policies are reviewed by the appropriate committees within the College, updated as necessary, and presented to the Board for reapproval. Policies shall have stated on their face the number assigned, date of initial approval, date of most recent revision or periodic review whichever occurs later.

This policy was also revised on September 21, 2004.

*Policy No.: 2050
Board Approved: January 19, 2010
Reviewed: April 19, 2022*

Trustees Travel Expense Reimbursement

Reasonable expenses incurred by a trustee while participating in college-related business and/or travel shall be reimbursed by the College upon trustee request. Reimbursable expenses include conference-related costs (registration fees), transportation (air fare at coach rates) and related travel expenses (taxis, shuttles, parking, tolls), lodging, and meals. If driving in a non-college vehicle, mileage will be reimbursed at the College's current rate of reimbursement that applies to faculty and staff. Alcoholic beverages, room service, hotel mini-bar contents, and any other non-business related expense is not eligible for reimbursement. All applicable receipts must be forwarded to the president's office within thirty days of return for proper processing.

*Policy No.: 3005
Board Approved: March 15, 2005
Revised: September 18, 2018*

Admissions Policy

The academic mission of Hagerstown Community College is to offer a diverse array of courses and programs to address the curricular functions of university transfer, career entry or advancement, adult basic skills enhancement, and general and continuing education. In support of the mission, HCC has established an inclusive open door admissions policy for those who have the requisite skills to benefit from the educational programs offered by the college.

The College President oversees the impact of the admissions policy and student enrollment patterns on institutional planning, funding, and staffing.

Students are admitted without regard to race, gender, ethnicity, religion, sexual orientation, national origin or disability.

The specific admissions provisions relating to credit, non-credit, and oversubscribed programs at the College are as follows:

Admission to Credit Degree Programs

Entering students receive assistance in selecting courses based on placement test results and academic advising. All students seeking a degree must complete a basic skills assessment, unless exempted. New students are required to consult with an academic advisor individually, in a group, and/or on-line to select courses based on their educational goals and academic skill level. Supportive services are available to help students succeed academically.

Students who are 16 years or older and can benefit from the learning experience at the college as well as students under the age of 16 with exceptional academic ability are admitted to **credit programs**. Individuals who meet a minimum of a 6th grade proficiency level in reading and math and meet any of the following criteria, qualify for admission to developmental or college-level coursework and programs at HCC:

- a) High school diploma
- b) GED or EDP certificate
- c) Ability to benefit criteria on *Accuplacer* scores established by the Federal Department of Education
- d) ESSENCE or early entry criteria
- e) Home school criteria
- f) Gifted and talented criteria

Admission to Credit Certificate and Letter of Recognition Programs

Students who are pursuing a certificate or letter of recognition program must meet specific program prerequisites and demonstrate requisite ability.

Individuals who are not pursuing a degree, certificate, or letter of recognition program may take developmental or college-level coursework as long as they meet course prerequisites.

Admission to Non-Credit Programs

Students are free to take non-credit courses and programs as long as they are able to profit from the educational experience and meet specific course prerequisites. There are no academic criteria established for admission.

The non-credit Adult Education and Literacy Services Program is available for students who need to develop basic academic skills or earn a high school diploma. Students who have earned a high school diploma are not eligible for the program with the exception of students who enroll in the ESL sessions or whose literacy skills test below the 9th grade level.

Admission to Oversubscribed Programs

Oversubscribed programs have more eligible applicants than available capacity. The policy for admission to these programs is based on a uniformly designed point system. Eligibility requirements for these programs must be met before applications can be submitted for consideration. Students interested in these program should consult with the HCC Catalog for course requirements. Admission to oversubscribed programs is based on the following:

- a) *having required prerequisite coursework completed or in progress at the application deadline*
- b) *grade point average for required prerequisite courses*
- c) *cumulative grade point average (from all college course work - official transcripts from all colleges attended must be received by the program application deadline)*
- d) *residency*

The program director and the Director of Admissions determine admissions procedures based on these guidelines in order to maximize student success.

Appeal Process

A student may appeal an admissions decision by submitting a written rationale to the Director of Admissions within fifteen work days after receiving notification of non-acceptance. Within ten work days, the Director will render a decision.

A student may submit an additional written appeal to the Dean of Student Affairs within five work days. The Dean shall render a decision within five work days after the appeal is submitted.

*Policy No.: 3006
Board Approved: February 16, 2010
Revised: December 15, 2020*

College Entry Assessment and Course Placement Policy

Hagerstown Community College is committed to providing access to postsecondary education through an open-door admission policy while maintaining high academic standards. Initial basic skills assessment and appropriate course placement are critical factors in student success.

First-Time College Students

First-time HCC applicants for admission into degree programs are required by this policy to be assessed for reading, writing, computer literacy, and mathematics proficiency prior to initial registration. Students will take the appropriate placement and assessment test as determined by the faculty and academic officers. Based on assessment scores, students will be placed in the appropriate level of developmental or college-level mathematics and English courses(s). See ACT or SAT Test Results below for exemptions.

Transfer Students

Transfer students with no current placement test scores or official transcripts will take the standard entry assessments test(s). See ACT or SAT Test Results below for exemptions.

Readmit Students

Readmit students and students who change from certificate to degree programs with no current placement test scores will take the standard entry assessment test(s). See ACT or SAT Test Results below for exemptions.

ACT or SAT Test Results

HCC will maintain and list in the College Catalog or on its web site equivalent ACT and SAT test scores needed to be exempt from taking HCC entry assessment tests.

Waivers from the Entry Assessment Requirement

1. **Students Who Have Already Earned a College Degree**
Students who have already earned a college degree from a regionally accredited higher education institution are exempt; however, students enrolling in programs with specific requirements may be required to take the mathematics assessment.
2. **Students Enrolled at Another College or University** who have written approval from their home institution to take a course at HCC may be exempt. Some prerequisites may apply
3. **Students not pursuing a degree**, taking courses without pre-requisites, are exempt.
4. **Students with special circumstances may petition for approval by faculty and division chairs and directors.**

*Policy No.: 3010
Board Approved: April 20, 2004
Revised: Annually*

Credit Tuition Rates

Annually, the Board of Trustees approves credit tuition rates that are competitive and reasonable, based on funding from other sources, enrollment projections, and anticipated funding needs of the College. Credit tuition rates are in adherence with required minimum rates set forth by COMAR Title 16, Subtitle 3, Section 310.

Current credit tuition rates are published in the HCC catalog and on the HCC Web site.

*Policy No.: 3020
Board Approved: February 17, 2004
Revised: Annually*

Student and Community Fee Schedule

The College performs an annual review of student and community fees and recommends changes based on program expenditures, required specialized equipment and software, College and outside agency surveys and the financial conditions of the College.

The current Student and Community Fee Schedule can be found in the annual Plan and Budget on the HCC Web site.

Policy No.: 3021
Board Approved: May 30, 2006
Revised: March 19, 2024

Make Up Exam Fees

No fees will be charged to students for makeup examinations.

Policy No.: 3023

Board Approved: October 20, 2015

Revised: April 16, 2024

The Tracking of Photocopying and Printing Fees

A system of software and hardware that allows the College to track the number of copies or sheets printed on a person-by-person and department basis by use of a unique log-in and the student or employee identification card.

By using this system, the College is able to charge students, internal departments, and community members per sheet copied or printed on the walk-up printers and copiers on campus, including those walk-up units in the Digital Printing & Design Services department.

Policy No.: 3040

Board Approved: June 25, 1980

Revised: October 20, 2020

Student Residency Tuition Policy

This policy governs the classification of students enrolling in credit courses by domicile for tuition purposes in accordance with the requirements of the Code of Maryland and for distance learning purposes in accordance with regulations put forth by the Federal Department of Education. The following are the three residency categories of students:

1) Residents of Washington County

An in-county resident is defined as a student who has maintained a domicile in Washington County for at least three months before the starting date of the term.

The following may be considered in-county residents under certain conditions:

- a. Students enrolled in health manpower, statewide or regional programs
- b. Active duty military personnel who have been active duty for a period of 30 or more days. Spouses and dependents also pay the in-county tuition rate, as long as the individual is continuously enrolled even if there is a subsequent change in permanent duty station of the service member to a location out of the state.
- c. Members of the Maryland National Guard who submit a letter from their Commanding Officer to receive a one-half off the in-county tuition rate.
- d. Nursing students who reside outside of Maryland and agree to work full-time in the state for at least two years in a hospital or related institution
- e. Employees of a public or private sector employer that maintains facilities, operates, or does business in the county if the College has a signed contract with that employer and if the student submits proof of employment for each semester.

2) Maryland residents from outside Washington County

An out-of-county resident is defined as a student who has maintained a domicile in the state of Maryland but outside Washington County for at least three months before the term begins.

The following may be considered out-of-county residents under certain conditions:

- a. Military Veteran and Spouse/ dependents who reside in Maryland but outside the county.
- b. Military Veteran who resides out-of-state and is using VA benefits to pay for tuition and fees.
- c. Employees of a public or private sector employer that maintains facilities, operates, or does business in Maryland but outside of the county if the College has a signed contract with that employer and if the student submits proof of employment for each semester.

3) Out-of-state residents

An out-of-state resident is defined as a student who does not fall into either of the previous two categories.

Tuition rates are based on residency classifications. Out-of-state and out-of-county students shall pay tuition in accordance with Education Article, 16-310(a)(b), Annotated Code of Maryland. The College may enter into a contract to provide education or training for public or private sector employees for a set fee in place of tuition.

Legal domicile is defined as a student's permanent place of abode, where physical presence and possessions are maintained with the intention of remaining indefinitely *or* the permanent place of abode of any person or persons contributing more than half of the student's financial support during the most recently completed year.

The College administration has the responsibility for determining residency through the use of published procedures outlined in the College Catalog. Students have a right to request a change in residency classification through the Office of Admissions and Enrollment Management and/or to appeal their residency classification to the Dean of Students.

This policy was also revised on August 15, 2006.

Policy No.: 3041

Board Approved: September 20, 2005

Revised: February 20, 2024

In-County Resident Status for Students Displaced by Natural Disasters

In compliance with the Code of Maryland Regulations (COMAR), the Board of Trustees may designate students displaced as a result of natural disasters as in-county residents for the purpose of tuition. This in-county designation would apply only for specific evacuation situations resulting from a United States Presidential Major Disaster Declaration (the process of which is regulated by the U. S. Department of Homeland Security's Federal Emergency Management Agency [FEMA]). Such designations must be recommended by the College president and approved by the Board on a case-by-case basis. All actions would be limited to the academic years specified. All normal course fees would apply. Requests for financial assistance would be examined on an individual student basis and Opportunity Scholarships may be awarded if deemed appropriate by the administration based upon individual student financial need.

This policy was also revised on November 13, 2009.

*Policy No.: 3060
Board Approved: May 28, 2013
Revised: May 21, 2019*

Tuition Rate Discounts for Dual Credit Students

The purpose of this policy is to set forth the tuition rates for students dually enrolled at Hagerstown Community College. The terms “dual credit” and “dual enrollment” are applied to those students being enrolled concurrently at two separate educational institutions, typically a high school and a community college, and earning credit for coursework at both institutions. For dual-credit students, the following tuition discounts apply:

For students who are residents of Washington County, or students who reside in a Maryland county outside of Washington County who are attending a public high school, private school, or home school, there is a 25 percent tuition discount for the first four courses the student takes while still in high school. After the fourth course, any subsequent courses would receive a 10 percent tuition discount.

For students who reside out-of-state, there is a 25 percent tuition discount for the first four courses, regardless of the type of school attended.

Supplemental scholarships may be made available for institutional and course fees. Students are encouraged to apply for early-to-college Dual Enrollment Pell grants under the Experimental Pell program or to the Hagerstown Community College Foundation for merit- or need-based assistance.

Hagerstown Community College may charge applicable fees for all dually-enrolled students.

This policy is in accordance with the Maryland College and Career Readiness and Completion Act of 2013.

This policy was also revised on June 25, 2013 and June 21, 2016.

Policy No.: 3070

Board Approved: October 15, 2002

Revised: March 19, 2024

Maryland National Guard Tuition Discount

Maryland National Guard members receive 50% tuition waiver of in-county rates for credit courses regardless of their place of residence. All applicable registration and course fees will be charged. Continuing Education courses are excluded from this tuition discount. This discount will be extended to each fiscal year unless otherwise specified by the Board of Trustees.

This policy was also revised on April 19, 2005; April 18, 2006; September 20, 2011; and October 17, 2017.

Policy No.: 3075

Board Approved: May 21, 2019

Revised:

Tuition Discount for Out of State Veterans Using VA Benefits

Out of State Veterans actively eligible for Veterans Administration educational benefits will pay the In State tuition rate for credit courses. Continuing Education courses are excluded from this tuition rate adjustment. This rate adjustment will be extended to each fiscal year unless otherwise specified by the Board of Trustees. This policy is in accordance with the Veteran Access, Choice, and Accountability Act of 2014, section 702.

Policy No.: 3078
Board Approved: May 21, 2019
Revised:

Victims of Human Trafficking Tuition Discount

Individuals residing outside the county who have been victims of human trafficking will be granted resident tuition status and will pay the In County tuition rate for credit courses. This rate adjustment will be extended to each fiscal year unless other wise specified by the Board of Trustees. This policy is in accordance with chapters 340 and 341, 2015 Acts of Maryland, amending Md. Code Ann., Ed. Art. 16-310.

Policy No.: 4001

Board Approved: October 21, 2014

Revised: May 26, 2020

Institutional Student Learning Outcomes

HCC will prepare individuals to:

1. **Responsibility.** Exhibit personal and social responsibility by practicing self-direction, persistence, lifelong learning, and responsible citizenship.
2. **Globalization and Diversity.** Explore and analyze new ideas, and understand the value of moral sensitivity and cultural diversity.
3. **Critical Thinking and Communication.** Practice intellectual skills such as critical and independent thinking, effective communication, and knowledge acquisition and application.
4. **Scientific and Quantitative Reasoning.** Process, analyze, and synthesize scientific and numerical data, and apply mathematical concepts appropriately.
5. **Information Literacy and Technology.** Apply the research process to access information and use technology to analyze, evaluate, synthesize, and use information resourcefully.
6. **Professionalism.** Apply the knowledge and skills gained from academic discipline to complete personal and professional goals.

Related College Policies

1. Mission, Vision and Strategic Outcomes (Policy No. 2020)
2. General Education Requirements (Policy No. 4010)
3. Minimum Number of Credits Required for Graduation (Policy No. 4005)

Policy No.: 4005

Board Approved: November 15, 2016

Revised: December 21, 2021

Degree Types and Related Distribution of Credits

Hagerstown Community College offers the following degree types, Associate of Arts (A.A.), Associate of Science (A.S.), Associate of Arts in Teaching (A.A.T) and Associate of Applied Science (A.A.S.). All degree types must include credits in each of the six general education areas outlined in Policy 4010, as well as program specific credits. Each degree may elect to offer program support courses as restricted electives, as well as unrestricted general electives.

General education requirements at Hagerstown Community College leading to an Associate of Arts (A.A.) degree, Associate of Science (A.S.) degree, or Associate of Arts in Teaching (A.A.T) degree must include not less than 28 and not more than 36 credit hours of designated courses. General education requirements leading to the Associate of Applied Science (A.A.S.) degree must include at least 18 credit hours of designated courses.

In compliance with COMAR and SB740, Hagerstown Community College, requires 60 credits hours for graduation from an associate degree program. A list of state approved exceptions to the 60 credit hour maximum is housed with the Vice President of Academic Affairs and Student Services. The following HCC degree programs are approved by the state to exceed 60 credits hours due to requirements for accreditation, certification or licensure, and/or articulation: Dental Hygiene, Engineering Technology, Engineering Transfer, Health Information Management, Nursing, and Radiography.

All new proposed degree programs must conform to the distribution of credits outlined in this policy before approval would be granted by the President and the Board of Trustees.

Associate of Arts (A.A.) - Awarded for successful completion of a degree sequence in the liberal arts (social sciences, humanities, and similar subjects) and in the fine arts (music, art, etc.).

Program Specific: At least 12 credits in the major, which are essential to the programmatic outcomes and transfer requirements

Program Support: Optional credits that may be outside of the program specific courses, but support programmatic outcomes and/or transfer requirements. May be listed as restricted electives

Free Electives: Optional courses which may be in any discipline, except developmental
General Education: 28-36 credits

English: 6 credits

Arts/Humanities: 6 credits

Behavioral/ Social Science: 6 credits

Biological/Physical Science: 7-8 credits (at least one course must have a lab)

Mathematics: 3 credits

Diversity: 3 credits

Associate of Science (A.S.) – Awarded for successful completion of a degree sequence in science or technology (engineering, agriculture, the natural sciences) with a heavy emphasis on undergraduate mathematics or science.

Program Specific: At least 12 credits in the major, which are essential to the programmatic outcomes and transfer requirements

Program Support: Optional credits that may be outside of the program specific discipline, but support programmatic outcomes and/or transfer requirements. May be listed as restricted electives

Free Electives: Optional courses which may be in any discipline, except developmental

General Education: 28-36 credits

English: 3 credits

Arts/Humanities: 6 credits

Behavioral/Social Science: 6 credits

Biological/Physical Science: 7-8 credits (at least one course must have a lab)

Mathematics: 3 credits

Diversity: 3 credits

Associate of Art in Teaching (A.A.T.) – Awarded for the successful completion of the lower-level degree academic content, outcomes, and requirements for teacher education, similar to the first 2 years of a bachelor's program in teacher education; evidence of qualifying scores as established by the State Superintendent of Schools on the teacher certification tests approved by the State Board of Education; and a cumulative grade point average of at least 2.75 on a 4.00 scale.

Program Specific: At least 12 credits in the major, which are essential to the programmatic outcomes and transfer requirements

Program Support: Optional credits that may be outside of the program specific discipline, but support programmatic outcomes and/or transfer requirements. May be listed as restricted electives

Free Electives: Optional courses which may be in any discipline, except developmental

General Education: 28-36 credits

English: 3-6 credits

Arts/Humanities: 3-6 credits

Behavioral/Social Science: 6 credits

Biological/Physical Science: 7-8 credits

Mathematics: 3-6 credits

Diversity: 3 credits

Associate of Applied Science (A.A.S.) – Awarded for the successful completion of a degree sequence in vocational-technical occupational skills, including law enforcement, computer technology, and engineering technology.

Program Specific: At least 12 credits in the major, which are essential to the

programmatic outcomes and transfer requirements

Program Support: Optional credits that may be outside of the program specific discipline, but support programmatic outcomes and/or transfer requirements. May be listed as restricted electives

Free Electives: Optional courses which may be in any discipline, except developmental

General Education: at least 18 credits

English: 3 credits

Arts/Humanities: 3 credits

Behavioral/Social Science: 3 credits

Biological/Physical Science: 3 credits

Mathematics: 3 credits

Diversity: 3 credits

This policy was also revised on December 20, 2016, October 16, 2018, and December 15, 2020.

Policy No.: 4006
Board Approved: September 20, 2022
Reviewed or Revised:

Limitation on Majors/Programs

Students are permitted up to two active majors/programs at one time, to include any combination of degrees, certificates, and/or letters, with the exception of the Associate of Arts in General Studies (AA.GST), which is not allowed to double with another Associate of Arts (AA) degree program.

Students may be approved for an *additional program/major* by submitting a *Change of Major Form* signed by the Dean of Instruction in consultation with the Retention and Registration Team and the appropriate area academic leadership.

General Education

Philosophy

General education at Hagerstown Community College is the foundation of the higher education degree curriculum which provides a coherent intellectual experience for all students. General education encourages the pursuit of lifelong learning and fosters the development of educated members of the community and the world. General education is also designed to introduce students to the fundamental knowledge, skills, and values that are essential to the study of academic disciplines and occupational education.

Definition

The college defines general education as a prescribed college curriculum that provides a broad introduction to the basic areas of academic study. The general education requirements are designed to provide degree students with certain skills and knowledge that include critical thinking, communication, inquiry, and an understanding of aesthetic form, living systems, the physical universe, values, cultural heritage, behavior of individuals and groups, and mathematical concepts.

The following six areas of general education coursework must be included in the credit-hour requirements for the A.A., A.S., A.A.T., and A.A.S. degrees:

1. Arts and Humanities - Examine aesthetics and the development of the aesthetic form and explore the relationship between theory and practice. Examine the values of cultural heritage that establish the framework for the inquiry into the meaning of life. *Drawn from the following disciplines codes: ART, COM, DNC, ENG, HUM, MUS, PHL, any Foreign Language, and any additional disciplines codes that are deemed appropriate by the academic administration.*
2. Behavioral and Social Sciences - Concerned with the examination of society and the relationships among individuals within a society. *Drawn from the following disciplines codes: ECO, HIS, POL, PSY, SOC, and any additional disciplines codes that are deemed appropriate by the academic administration.*
3. Biological and Physical Sciences - Examine living systems and the physical universe. They introduce students to the variety of methods used to collect, interpret and apply scientific data, and to an understanding of the relationship between scientific theory and application. *Drawn from the following disciplines codes: BIO, BTC, CHM, ENV, PHS, PHY, and any additional disciplines codes that are deemed appropriate by the academic administration.*
4. English Composition- Provide students with the communication knowledge and skills appropriate to various writing situations, including intellectual inquiry and academic

research. *Drawn from the following disciplines codes: ENG, , and any additional disciplines codes that are deemed appropriate by the academic administration.*

5. Mathematics - Provide students with numerical, analytical, statistical, and problem-solving skills. *Drawn from the following disciplines codes: MAT and any additional disciplines codes that are deemed appropriate by the academic administration.*
6. Globalization and Diversity – *Explore and analyze new ideas, and understand the value of moral sensitivity and cultural diversity Drawn from the following disciplines codes ANT, ENG, GEO, HIS, HUM, PED, SOC, and any additional disciplines codes that are deemed appropriate by the academic administration.*

Policy Outcomes

Graduates of Hagerstown Community College's associate degree programs will possess the skills and knowledge they need to pursue their chosen careers or educational studies and to be responsible citizens of their communities. Through a general education that includes communication and intellectual inquiry skills, as well as a knowledge of and appreciation for scientific, cultural, and artistic learnings, degree graduates will be able to enhance their lifelong success.

Policy also revised on June 26, 2012; November 15, 2016; and December 18, 2018

Administrative Student Course Withdrawal Policy

Purpose and Scope:

As outlined below, this policy gives the administration the authority to withdraw students from their classes as a last-resort action to support and facilitate a safe and healthy learning environment and to promote the well-being of the College community. In creating this policy, particular attention was paid to policies at other community colleges and ensuring the rights of students.

Students with Disabilities – Considerations:

The College prohibits discrimination in educational programs and activities on the basis of disability or any other characteristic protected by applicable law. The College provides a range of resources, support services, and accommodations for otherwise qualified students experiencing medical, emotional, or mental health concerns to promote their safe participation in the College's educational program, including assisting in reducing disruptive behavior. The College will provide reasonable accommodations when properly requested and with appropriate documentation, as long as the accommodations do not require a fundamental alteration of the learning environment. However, there may be situations that create significant and imminent risks and/or that require a level of support that exceeds what would be considered a reasonable accommodation or support for the College to provide. When current medical documentation and/or the best available objective evidence (not speculation, stereotypes, or generalizations) indicates that there is a significant risk to the safety, health, or well-being of the individual student or the College community, the Dean of Students has the authority to initiate the process for an Administrative Student Course Withdrawal.

Criteria:

Based on an investigation by the Dean of Students and in consultation with Disability Support Services to determine if there are reasonable modifications/accommodations to reduce the risk and/or address the behavior while allowing the student to continue their academic progress, students may be administratively withdrawn from their courses for the following reasons:

- To protect the safety of the student and/or others or to protect the integrity of the College's learning environment; or
- Under extraordinary and/or unforeseen circumstances; or
- After academic or disciplinary action that has a specified return date and the student has not returned by the specified time.

Process:

The full process for an Administrative Student Course Withdrawal is outlined in the Student Handbook. Students may appeal to the Vice President of Academic Affairs and Student Services within ten business¹ days from the date of receipt of the written notification of the administrative withdrawal. The withdrawal remains in effect during the appeal process. Students who engage in behaviors that cause a significant disruption to the community may also be subject to the Code of Student Conduct.

¹ Business day is defined as a day when the college is open for business.

Policy No.: 4012
Board Approved: May 30, 2006
Reviewed: April 23, 2019

Acceptance of Pass or Satisfactory Grade Transfer Credits

A Pass or Satisfactory grade is awarded when students select the pass/fail or satisfactory/unsatisfactory option instead of receiving a typical letter grade.

Hagerstown Community College will accept transfer credits for those students who complete courses at another institution and receive a Pass or Satisfactory grade under the following conditions:

- If the sending institution or HCC designates the course as general education, the course and credits will transfer.
- If the sending institution or HCC designates the course as non-general education, elective, or a program of study requirement, the Pass or Satisfactory grade will transfer providing the block of courses being transferred has a minimum GPA of 2.0
- For HCC programs that have courses that require a grade of C for successful completion, the pass/fail or satisfactory/unsatisfactory policy of the sending institution must be evaluated by the Office of Admissions, Records and Registration. If such policy allows students to earn a D grade, but still receive a Pass or Satisfactory, course(s) will not be accepted for transfer.

Repeating a Course

Purpose:

It is an expectation that students achieve academic progress in their courses. Students who do not successfully complete a course may be permitted to repeat the course based on the criteria outlined below.

Criteria:

Unless otherwise restricted below, students may attempt a credit or developmental course three times including failures or withdrawals. A student may appeal to take the course a fourth time to the Vice President of Academic Affairs and Student Services who will review the appeal and render a decision within 10 business days² of receiving the appeal.

Restrictions:

Cohort degree and certification programs may have program criteria restricting a student from being able to repeat a course. Such criteria and/or restrictions will be identified in the specific program handbook.

Federal Student Aid regulations limit the number of times a student is eligible to receive financial aid for a graded course.

Grading:

If a student repeats a course, an "R" appears as the grade on the student's academic record. The higher grade and its associated quality points supersede the lower grade. In computing the cumulative grade point average, the credit hours of the course are counted once.

This policy was also revised October 29, 2019

² Business day is defined as a day the College is open for business.

Policy No.: 4014

Board Approved: February 17, 2009

Revised: December 18, 2018

Discontinued Credit Programs

When a program of study is discontinued, students will be afforded time to complete the program requirements. Academic Directors are responsible for approving a student's plan to complete his/her coursework. This plan may include a combination of waivers and substitutions for program requirements, not to exceed 9 combined credits. Under no circumstances can an alternative completion plan result in students graduating with fewer than 60 credits. The length of time for services and benefits to be extended is determined by the number of credits the student needs to complete the program with a maximum of two years after the discontinuance of the program. Requests for further extension must be submitted in writing to the Vice President of Academic Affairs and Student Services.

This policy was also revised on April 17, 2012.

Multiple HCC Credit Credentials

The awarding of multiple credit bearing degrees, certificates, and letters of recognition must follow criteria as specified below:

- **Letters of Recognition (LOR)** – There must be at least *three* additional earned credits from different course work, not used in a previously earned HCC credential, for each additional LOR awarded.
- **Certificates** – There must be at least *six* additional earned credits from different course work, not used in a previously earned HCC credential, for each additional certificate awarded.
- **Degrees** – There must be at least *twelve* additional earned credits from different course work, not used in a previously earned HCC credential, for each additional degree awarded.

For students seeking to earn multiple credentials as listed above, if their new program does not have enough new credits listed as requirements, then the student must take additional course work to meet the minimum new course work provision as stated above. In such cases a faculty advisor will approve the appropriate course(s) to meet the requirement.

In cases where students' completed course work does not qualify them to receive a new credential (LOR, Certificate, Degree) they may be entitled to a *double major* designation. This would mean that they have combined the requirements of two credentials, without meeting the minimum requirements for receiving multiple credentials as specified above.

Although it is unlikely that a student would attempt to receive a certificate or letter of recognition after receiving a degree, (s)he would not be permitted to do so unless the new certificate/LOR is in a different discipline.

Workplace Learning

Value and Purpose of Workplace Learning

Hagerstown Community College recognizes the value, and sometimes necessity, of experiential education and workplace learning experiences. The College encourages student participation in internships in a wide variety of fields. Internships allow students to hone their professionalism, sample different real-world environments, and gain valuable work experience to attract potential employers. The primary intention of the internship is to educate students. The working conditions must be safe and the environment conducive to learning. Interns cannot replace existing staff; if so, the student is entitled to regular wages and overtime. HCC will perform due diligence to make certain that both the college and the internship site comply with the Fair Labor Standards Act and are prepared for legal issues as they affect internships. The college is committed to finding internships, securing support for the student intern, and providing oversight to the internship experience. The Internship and Job Services office and faculty work collaboratively to facilitate the coordination of credit internships through the established internship procedures. In the event a suitable internship cannot be found, an alternative pathway for program completion, that meets the approval of the program director and the chief academic affairs officer, will be developed by appropriate program faculty. Internship sites must be within an acceptable distance from the college to enable site supervision by faculty and staff. Exceptions to internship requirements, that meet the approval of program faculty, the program director, and the office coordinating student internships, may be made jointly by the chief academic affairs officer and the chief student affairs officer.

Definition of Workplace Learning Experiences: For student workplace learning that is not governed by external accrediting bodies, the term *Internships* is used to designate supervised work experience or field placement directly related to a student's program of study.

Credit-to-Contact Hour Standards for Internships: For student workplace learning that is not governed by external accrediting bodies, the credit-to-contact hours standard is 60 hours of internship experience for each credit awarded.

Eligibility Requirements for Internships: Minimum eligibility requirements for participation in an internship include:

- Submission of an application for internship by the publicized institutional deadline.
- Acceptable recommendation by faculty in a related field of study;
- Minimum overall GPA of 2.5;
- Completion of at least 50% of the discipline-specific program requirements in a student's field of study, at least two of which courses are completed at HCC
- Final Course grades of A, B, or C in a student's specialty program courses; and
- Acceptable review of the student's HCC conduct record by the chief student affairs officer (behavioral violations) and the chief academic affairs officer (academic integrity violations)

This policy was also revised on October 16, 2012.

Policy No.: 4018
Board Approved: February 17, 2009
Revised: April 23, 2019

Independent Study Credit Courses

Hagerstown Community College provides the opportunity for qualified students to pursue topics of special interest for credit through the process of independent study. The College permits the qualified student, with faculty and academic officer approval, to receive a course of study contract ranging from one to three credit hours. Students seeking more than three credits for one independent study project must present written justification to the division providing the instruction. Students may earn a maximum of 6 credits of independent study while at HCC. These credits may be used to replace discipline-related open electives or restricted electives only, and are not to replace program requirements or required specialty courses. Qualified students are those who have successfully completed six credit hours in the subject matter field and have achieved at least a 3.0 GPA. Interested students must obtain the approval of the appropriate faculty and division director.

Policy No.: 4020
Board Approved: May 25, 2004
Reviewed: April 23, 2019

Student Grade Point Average Calculation Policy

Developmental courses are not considered college level courses and cannot satisfy graduation requirements. Developmental courses are only counted in the total cumulative quality point average to determine academic probation and dismissal.

*Policy No.: 4021
Board Approved: February 20, 2007
Revised: February 16, 2021*

Dean's List Eligibility

To qualify for the Dean's List, a student must earn a minimum quality-point average of 3.50 for the most recent semester. A student must have accumulated at least 12 semester hours of college-level coursework at Hagerstown Community College and have completed at least 6 hours of college level coursework during the most recent semester. A student will not be considered for Dean's List eligibility in a given semester until all incomplete ("I") grades received for classes in that semester have been resolved to final grades.

This policy was also reviewed on April 23, 2019

Policy No.: 4022

Board Approved: December 21, 2010

Reviewed: October 20, 2020

Online Degree, Certificate, and Letters of Recognition Programs

To satisfy student demand for flexibility, the Administration can offer degree, certificate, and letters of recognition programs of study completely online.

Policy No.: 4023

Board Approved: September 18, 2012

Revised: November 19, 2019

Student Success and the Integrity of Web-based Courses and Programs

Hagerstown Community College offers a variety of structured, web-based (online) courses and programs that allow students flexibility in course scheduling and program completion. Web-based courses and programs deliver the same content and have the same learning objectives as traditional classes.

Students enrolling in web-based classes will need particular skills in order to succeed in these classes. Hagerstown Community College will offer self-assessment guidelines designed to help students determine if they possess these skills. It is the student's responsibility to use the guidelines provided by HCC to self-assess their own readiness before enrolling in web-based classes. In cases where students have difficulty self-assessing their skills, the college will make available faculty and advisors to provide assistance; however, the final determination of readiness for web-based classes lies with the student. Required skills may include, but are not limited to:

- Basic computer skills, necessary for accessing and engaging with online course content
- Digital information literacy skills, particularly the ability to conduct online research and evaluate web-based sources of information,
- An ability to learn and work independently and meet deadlines,
- An awareness of and compliance with the HCC academic honor code is important in web-based classes

HCC recognizes that web-based courses are best suited for students who possess the necessary skills and have demonstrated their ability to successfully complete college-level classes. It shall be the responsibility of the college administration to implement academic guidelines and procedures, such as the use of proctored testing and other protocols, to ensure that the highest level of integrity is met in awarding credits for online courses and programs.

Policy No.: 4025

Board Approved: January 20, 2015

Revised: January 21, 2020

Alternative Methods for Earning College Credit

HCC recognizes and shall make available the following as alternative methods for students to earn credits awarded by Hagerstown Community College.

Military Education and Training

Credit may be granted for a variety of formal military, technical and educational programs based on the student's program at HCC. Official Joint Services or Community College of the Air Force will serve as documentation of this prior learning.

Industry Certifications

Credit may be granted for students who have earned nationally recognized and HCC faculty endorsed certifications, or those who have received specialized training through non-collegiate organizations that teach course content that matches HCC curricula.

Advanced Placement Examinations

These subject exams sponsored by the Educational Testing Service are usually administered through high schools at the completion of AP course offerings. HCC shall award credits based on the AP exams and minimum scores listed in the HCC catalog.

College Level Examination Program (CLEP)

CLEP is a national credit by examination program that provides individuals with the opportunity to receive credit for college level achievement acquired in a variety of ways. HCC shall award credit for passing the CLEP tests that are listed in the catalog.

Dantes Subject Standardized Tests (DSST)

Credits may be awarded via the DSST testing program which permits persons to receive credit for college-level competencies gained through life-long learning based on criteria approved by faculty and/or academic officers.

Excelsior College Examinations (ECE)

HCC shall award credit based on satisfactory scores on ECEs exams that have been evaluated and found worthy of credit by the American Council of Education.

Articulation Agreements

The college maintains special articulation agreements with various schools, colleges and universities that address course-to-course articulation.

HCC/WCPS

Hagerstown Community College and Washington County Public Schools have articulation agreements that award college credit for selected WCPS coursework.

To receive college for these courses students must have earned a specific grade as designated in the particular agreements, and in some cases be enrolled in a specific HCC program. This includes Tech-Prep agreements. Under these agreements, students must request to have the credits applied to their HCC transcript within one year of their high school graduation.

International Baccalaureate (IB) Credits

HCC will award incoming students, who have scores consistent with the list of cut-off scores that the faculty and academic officers deem appropriate, college course credits for higher level International Baccalaureate (IB) examinations in the subject areas offered at Hagerstown Community College. Annually, the faculty and academic officers will review the list of cut-off scores and modify them if needed.

Out-of-County and Out-of-State High Schools

HCC has articulation agreements with selected out-of-county and out-of-state high schools. Under these agreements, students must request to have the credits applied to their HCC transcript within one year of their high school graduation.

The following alternative methods for students to earn credits require faculty approval:

Institutional Examinations Prepared by HCC Faculty

Institutional examinations (practical or written) are offered at HCC in selected subjects for which CLEP and DSST exams are not available. Students must be admitted to the College before taking an institutional exam. An institutional exam per subject area may be taken only once and is arranged through the faculty and the division chair or director.

Advanced Standing

By completing upper-level courses, students can demonstrate their prior knowledge and receive corresponding lower-level course credits retroactively. Students must first meet with an appropriate faculty member and complete all paperwork before beginning the upper-level course.

Credit by Portfolio

Students can present portfolios of their work history to appropriate faculty members to receive college credit. Portfolios can include writing/work samples, job descriptions, etc.

Policy No.: 4026

Board Approved: January 20, 2015

Revised: March 17, 2020

Academic Program Review

An academic program is a series of courses leading to a college credential. The College will maintain procedures to assure end-to-end currency, quality, and efficacy standards are maintained in all academic programs and constituent courses. Standards of currency, quality, and efficacy of curriculum and instruction are based upon the expectations of peer and transfer educational institutions, students, faculty, employers, and community needs/interests. These expectations shall be continuously reviewed through ongoing routine professional contact between stakeholders. Standards of curricular and instruction currency, quality will be maintained in a systematic way. To this end, the College will: (1) maintain responsiveness to stakeholders, (2) promote subject-matter integration and reinforcement across disciplines, (3) ensure external continuity through ongoing articulation with other institutions, (4) promote the use of innovative curriculum and instructional techniques, and (5) consistently apply cost/benefits standards when assessing program viability.

Instructional faculty and academic officers, supported by appropriate administrative offices and College committees, are responsible for review and analysis leading to recommendations that will improve programs of study. The program reviews are to both be part of planning and assessment activities, as well as activated when major program concerns arise. (For example: low enrollments or high costs.) The processes for program review are to be open and collaborative.

Related College Policies:

1. Contact Hour to Academic Credit (Policy No. 5052)
2. Minimum Number of Credits Required for Graduation (Policy No. 4005)

Policy No. 4034

Board Approved: October 18, 2016

Reviewed: April 21, 2020

Student Athlete Meal Money Plan

The new Student Athlete Meal Money Plan identifies a series of levels to define meal money allocation. This plan allows the Dean of Students and the Athletic Director the ability to consider the distance a team will travel, the meals missed by student athletes and paid coaches, the nature of the competition such as single or double-header competitions, and tournament competitions that expect waiting periods between games in order to pre-determine meal allowances for each trip.

Level I identifies trips such as scrimmages and contests in the local Hagerstown area. Level II identifies trips within a pre-determined distance of HCC. Level III identifies extended trips, and Level IV provides authorization for \$25 for three meals during the day. Overnight trips for team competition uses the same set of Levels, and each day of the trip will have its level pre-determined. Flat rates for each Level are:

- \$0 for Level I trips;
- \$12 for Level II trips;
- \$18 for Level III trips; and
- \$25 for Level IV trips

Note: In the future, these rates will be included in the Student and Community Fee Schedule.

Policy No.: 4035

Board Approved: March 20, 2012

Reviewed: April 21, 2020

Intercollegiate Athletic Program

The intercollegiate athletic program is maintained as a valuable part of the Hagerstown Community College (HCC) student experience, and student athletes shall be an integral part of the student body. Participation in the intercollegiate athletic programs of the College shall be an opportunity provided to all students to compete to earn a place on a team, as determined by the College's coaching staff. All student athletes must honor the HCC Code of Student Conduct, without exception. In order to become and remain eligible for HCC athletics, the admission, academic standing and academic progress of student athletes shall be consistent with the standards adopted by the College for the student body in general, and with NJCAA (National Junior College Athletic Association) standards. Each student athlete shall be viewed first as a student, and each coach shall be viewed as an educator. All student athletes must be enrolled in a minimum of a 12-credit hour course load during a given athletic season, as determined by NJCAA rules and regulations. The college administration is to annually provide a report to the Board that summarizes student athlete academic performance and eligibility status for the prior academic year, as well as the ongoing work that is being done to review and enforce eligibility rules and enhance the success of student athletes.

This policy was also revised on September 20, 2016.

Student Organization Policy

Student Organization Policy Statement

HCC is a state- and county-supported comprehensive community college. Its central purpose is to offer a diverse array of courses and programs designed to address the curricular functions of university transfer, career entry or advancement, adult basic skills enhancement, general and continuing education, as well as student and community service.

HCC's vision is to be a learner-centered, accessible, lifelong learning institution dedicated to student and community success. The college maintains a wide spectrum of college programs and services, with a special emphasis on teaching excellence as measured by verifiable student academic achievement.

The college believes in and teaches the ideals and values of cultural and racial diversity and an openness to new ideas, a sense of self-direction, moral sensitivity, and the value of continuing education and lifelong learning. These ideas and values form the basis of the college's Institutional Learning Goals, which are:

- A. Personal and Social Responsibility
- B. Globalization and Diversity
- C. Critical Thinking and Communication
- D. Scientific and Quantitative Reasoning
- E. Information Literacy and Technology
- F. Professionalism

HCC supports students' rights to join, form, and participate in Student Organizations as a critical component of student growth and development. The student experience is enhanced by active engagement in activities that promote leadership and learning. The purpose of this policy is to assure that Active Students and Student Organizations have reasonable access to college resources, without undue disruption to college operations, violation of protected speech activity of others, and endangerment of others or risk to college property. Informal, spontaneous student gatherings are encouraged as long as they are honoring the provisions of the Student Code of Conduct, and the provisions of the HCC policy on Freedom of Expression on Campus. The college administration is expected to establish and update as needed guidelines for Student Organizations and related procedures to implement all the provisions of this policy.

Levels of Engagement:

To represent these values, the college has organized Student Organizations into the following levels of engagement:

- A. **Registered Student Group (RSG)** – This is a group of two or more Active Students at HCC which is registered in the Dean of Students' Office or designee, and is not affiliated with or sponsored by the college. No college funding is granted in the form of a group budget, but limited use of college space is permitted for group activity, in accordance with this policy, the Code of Student Conduct, the Freedom of Expression on Campus policy and other related student policies and administrative procedures. RSGs may petition the Dean of Students Office or designee for

funding to support special projects and activities, such as printed handouts or refreshments for student gatherings or presentations.

- B. **Registered Student Funded Organization (RSFO)** – This is an organization of five or more Active Students at HCC which is recognized and registered in the Dean of Students Office, or designee, as an active Student Organization. Use of college space for organization activities is granted and, the organization will receive funds to conduct its activities, based on the criteria listed in the Student Organization Administrative Procedures. The RSFO must have a Faculty/Exempt Staff Advisor and be in compliance with all administrative procedures. RSFOs are permitted to raise additional funds into a college-issued account, with prior approval for the designated fundraising activity by the Faculty/Exempt Staff Advisor and the Office of the Dean of Students or designee.

Definitions:

For the purposes of this policy and related procedures and guidelines, the following definitions apply:

- A. **Active Student** – An Active Student is defined as a currently registered HCC credit student, an HCC Workforce Solutions and Continuing Education non-credit student who is currently registered in a workforce licensure program, or a currently registered HCC Program for Adult Literacy student who has demonstrated consistent enrollment, attendance, and progress. Credit Student status and minimum GPA requirements may be required for academic or honorary groups or to serve as a Student Government Association officer.
- B. **Faculty/Exempt Staff Advisor** – Full-time faculty and full-time exempt-status college employees are eligible to volunteer their time as service to the College. A Faculty/Exempt Staff Advisor is required for all RSFOs. Faculty and exempt staff may serve as advisor to more than one Student Organization.
- C. In regard to this policy, **Student Organization** means Registered Student Group (RSG), and Registered Student Funded Organization (RSFO). Use of the term “Student Organization” in this policy does include student group terminology frequently used in higher education such as chapters, clubs, and all other similar entities, funded and /or not funded. This definition excludes student academic program memberships and related fees, supplies, equipment, and apparel that are funded through the instructional budget of the college.

Administrative Procedures for Student Organizations

A. Scope

1. These procedures apply to all Active Students. Only Active Students may be members of Student Organizations.
2. Registration of a Student Organization does not mean that the college endorses the student group, its purposes, values, and/or viewpoint.
3. Student Organizations must not be connected to a commercial enterprise, and must not be for a commercial purpose.

4. Student Organizations can have no violations of the HCC Student Code of Conduct or other published HCC rules or regulations to remain in good standing.

B. Registered Student Group (RSG)

1. To become a Registered Student Group, these criteria must be submitted to, and confirmed by the Office of the Dean of Students:
 - a. Membership must be open to all Active Students.
 - b. Membership must maintain at least two (2) Active Students.
The Office of the Dean of Students or designee will verify membership each semester.
 - c. The group must have a designated leader who meets the criteria as an Active Student and whose name is registered with the Office of the Dean of Students or designee. Any change in the leader of a Registered Student Group must be updated as soon as possible.
 - d. The Registered Student Group must maintain a current membership list of Active Students and an up-to-date purpose statement.
 - e. The group may petition the Office of the Dean of Students or designee for funding of special projects and activities, such as refreshments for student gatherings or presentations related to the group's purpose, in accordance with the criteria referenced in Section D of these administrative procedures.
 - f. The Student Activities Coordinator will serve in an advisory role for RSGs, as needed, especially when a financial allocation has been granted by the Dean of Students, unless the group prefers, and has identified, a Faculty/Exempt Staff Advisor.

C. Registered Student Funded Organization (RSFO)

1. To become a Registered Student Funded Organization (RSFO), the following criteria must be met:
 - a. Membership must be open to all Active Students.
 - b. Must have and maintain a membership of at least five (5) Active Students.
 - c. Must have a Faculty/Exempt Staff Advisor. Any change in the Advisor for an RSFO must be updated within one week of the change, with written notification to the Office of the Dean of Students or designee.
 - d. The Student Organization must maintain an up-to-date membership list and a one or two page prospectus including the names of Active Students officers or leaders and a purpose statement. Any change in the student officers or leader of an RSFO student group must be updated within one week of the change and written notification sent to the Office of the Dean of Students or designee.

- e. Each RSFO will get an equal share of the Student Organization funds to conduct its activities, which will be the lesser of \$200 a year (\$100 in the fall semester and \$100 in the spring semester) or an amount equal to the quotient of the total funds available for Student Organizations divided by the number of RSFOs. This amount will be reviewed annually as part of the HCC's budget development processes. The Office of the Dean of Students or designee will verify membership numbers, as submitted by each RSFO, prior to the funding allocations each fall and spring semester. Additional funds may be requested, in accordance with the criteria referenced in Section D of these administrative procedures. RSFOs are permitted to raise additional funds into a college-issued account, with prior approval for all designated fundraising activity by the Faculty/Exempt Staff Advisor and the Office of the Dean of Students or designee. As part of the Board of Trustees approved annual college budget, funds are designated to cover the cost of all student activities, including student organizations. No student activity fee is charged and budgets for student activities and student groups are allocated from the college's general fund revenue.
- f. Must deposit all organizational funds into restricted accounts established by HCC's Financial Services Office. This includes their allocated equal, proportional share of the Student Organization funds, additional funds approved beyond the annual allocation, and any additional raised funds. All funds must be utilized according to college policies.
- g. If an RSFO fails to maintain all of these requirements, its funding will be dropped and its status will be reclassified as an RSG, depending on active membership numbers.

D. Criteria for Requesting Additional Funds

1. Student Organizations may request additional funding, which may or may not be granted, based on budget availability and adherence to the following criteria, which will be applied in a viewpoint neutral manner.
 - a. The Student Organization must have shown fiscal responsibility with any funding it received in the past.
 - b. The activity levels of the Student Organization will be assessed, with consideration given to the number and frequency of meetings held, the number and frequency of activities and events planned, and the number and frequency of communications about their activities and events.
 - c. There must be evidence of research, planning, and detailed budgeting for all the activities for which funding is being requested.
 - d. For events or activities where attendance will affect the amount of money being requested, the Student Organization must show the number of attendees at any similar past event and the number of proposed attendees for the planned event.
 - e. Student Organization funding will not be allocated for equipment, supplies, or programs whose primary function is for classroom or instructional use.

- f. Advisors, coaches, or full-time employees of the college will not be paid from Student Organization funding or contracted services rendered to Student Organizations. A Student Organization may use fundraising income for this purpose.
 - g. Student Organization funding may not be used to purchase self-promotional items (t-shirts, mugs, pens, etc.). Only fundraising income may be used for this purpose.
 - h. All requests for additional funds must be submitted to the Dean of Students and Student Activities Office via an online process. Annual funding for clubs is limited and funding requests may be restricted.
2. Any Student Organization or student aggrieved by any decision under this Policy shall have a right to appeal to the Vice President of Academic Affairs and Student Services if they have not been able to resolve the matter up through the level of the Dean of Students.

E. Registered Student Groups (RSG) and Registered Student Funded Organizations (RSFO) Benefits

1. The benefits for Registered Student Groups include:
- a. permission to post fliers on bulletin boards;
 - b. promotional space on the college website;
 - c. reserving meeting space in or near the Student Activities Office and space for events free of charge;
 - d. being listed on the Student Organization directory;
 - e. being provided assistance from the Dean of Students and their staff;
 - f. participating in the Student Organization fair, the annual open house, and other student recruitment events;
 - g. copy services
2. Registered Student Funded Organizations (RSFO) receive the following benefits:
- a. permission to post fliers on bulletin board;
 - b. free promotional space on the college website;
 - c. reserving spaces on campus for meetings and events free of charge;
 - d. being listed on the Student Organization directory;
 - e. being provided with free organizational email;
 - f. being provided assistance from the Dean of Students and their staff;

- g. being listed in recruiting publications;
- h. participating in the Student Organization fair, the annual open house, and other student recruitment events;
- i. receiving a budget allotment for the organization;
- j. consultation meetings as needed with Student Activities;
- k. college vehicles at the paid mileage and driver rates for approved trips;
- l. bulk mailings for a fee; and
- m. copy services for a fee.

F. Expectations for ALL Student Organizations (RSGs and RSFOs)

1. Must complete the annual registration process by submitting all required information and participate in available training opportunities;-
2. Must update membership and other pertinent information in a timely manner;
3. Must maintain the minimum membership required for registration category and have a registered Faculty/Exempt Staff Advisor if required;
4. Must follow and abide by all applicable federal, state, and local laws and regulations, and all policies and procedures of the college including the Student Code of Conduct; and
5. Must meet all fiscal obligations incurred by the Student Organization.

This policy was also revised on April 26, 2016 and April 20, 2020.

Code of Student Conduct

All HCC students in every academic program fall under this code of conduct. Some academic programs may have supplemental behavioral codes with additional requirements.

Students' Honor Pledge: I promise to uphold the Hagerstown Community College Code of Student Conduct as outlined in the Student Handbook. As a member of the College community, I hold the qualities of honesty and integrity in the highest regard and will neither violate them nor tolerate those who do.

1. Basic Principles

Freedom to teach and freedom to learn are inseparable facets of academic conditions in the classroom, on the campus, at other College sites, and in the community. The student rights of free inquiry and free expression are indispensable to the learning experience and to participation in an academic community. As members of the larger community of which the College is a part, students are entitled to all rights and protection accorded them by the laws of the community.

Students are expected to exercise their freedom with responsibility. The College has established rules relating to academic integrity and behavior that students must follow so the teaching/learning process is not disrupted. Students are expected to produce work that is the product of their own learning and academic effort and will sign a pledge to that effect. Grades and degrees must represent honest work and accomplishments. If a student chooses not to abide by these rules and expectations, s/he may lose the privilege of attending Hagerstown Community College.

By the same token, students are also subject to all laws of the community, which are implemented by law enforcement officers. When students violate College regulations, they are subject to disciplinary action by the College whether or not their conduct violates the law.

2. Student Bill of Rights

- A. All rights and privileges guaranteed to every citizen by the Constitution of the United States and by the State of Maryland apply to all students.
- B. Students have a right to pursue appropriate opportunities for learning in the classroom, on the campus, and in the community that are provided by the College. They should expect faculty to evaluate their performance objectively based on academic criteria, not on opinions or conduct in matters unrelated to academic standards unless that conduct violates College regulations or the Code of Conduct.
- C. Students have the right to learn in an environment in which academic integrity is valued and practiced.
- D. Students have the right to freedom of expression, inquiry, and assembly without restraint or censorship subject to reasonable and non-discriminatory College rules and regulations

regarding time, place, and manner.

- E. Students have the right to inquire about and to propose improvements in policies, regulations, and procedures affecting the welfare of students through established student government procedures, campus committees, and College staff.
- F. Students shall have access to their educational records and the College will protect student educational records from dissemination or transferability without a student's consent. In this regard, it is College policy to comply fully with the provision and regulations of the Family Educational Rights and Privacy Act (FERPA) of 1974.
- G. Students have the right to an impartial hearing and the right of appeal.

3. Prohibited Conduct

Academic integrity violations include but are not limited to the following types of conduct:

- A. Cheating on placement tests, exams, tests, and quizzes. Examples of cheating include but are not limited to: 1) giving or accepting unauthorized exam material or using illegitimate sources of information, 2) dishonestly obtaining copies of an exam or providing or receiving information about an exam, 3) exchanging information during an exam or copying from another's paper, 4) using "crib sheets" or any other unauthorized aids including all electronic retrieval devices or materials during an exam, and 5) taking an exam in the name of someone else, and 6) improperly using the work of another person, entity, artificial intelligence, etc.
- B. Plagiarism is the use of ideas or work of another (including but not limited to another person, entity, artificial intelligence, etc.) without sufficient acknowledgment that the material is not one's own. Examples of plagiarism include 1) submitting material created by another as one's own work or including passages of another author without giving due credit and 2) submitting purchased material, in any form of communication, as one's own work.
- C. Computers should be used for academic purposes only. Examples of misuse of computers include:
 - 1) illegal copying of commercial software or data protected by copyright or special license,
 - 2) unauthorized access to computer files,
 - 3) copying/pasting, in any form, another student's exam or homework files or the work generated by artificial intelligence and submitting as one's own;
 - 4) planting viruses on local or network drives, and
 - 5) sharing one's own or using the account number of another to access the system.

- D. Unauthorized collaboration with other entities, including artificial intelligence, etc. in the completion of course assignments.
- E. Using fraudulent methods in laboratory, studio, special projects, or field work.
- F. Intentionally or knowingly helping or attempting to help another student violate any provision relating to academic integrity.

Behavioral violations on College premises or at College-sponsored or College-supervised functions include but are not limited to the following types of conduct:

- A. Failure to comply with directions of College staff acting in performance of their duties. Showing disrespect toward any faculty or staff member, through actions, comments, obscene or excessively loud language.
- B. Theft, misuse, or damage to College property (including equipment, the computer network, phones, mail, and transportation), property of a member of the College community or a campus visitor.
- C. Unauthorized entry onto the property of the College or into faculty/staff offices or facilities which have been placed off limits; unauthorized presence in a College facility after closing hours.
- D. Unauthorized use of skateboards, roller blades, and scooters.
- E. Illegal possession, use, sale or distribution of alcohol, any controlled substance, street drugs, or drug paraphernalia. The use of drugs or of alcoholic beverages shall not in any way limit the responsibility of the individual for the consequences of his/her actions.
- F. Disorderly, lewd or indecent behavior; or distribution of obscene or libelous written material.
- G. Mental or physical abuse, including verbal or physical actions which threaten or harm individuals or which promote hatred or prejudice.
- H. Any act, comment, or behavior which is of a sexually suggestive or harassing nature and which creates an intimidating, hostile, or offensive environment and interferes with another student's or employee's rights or performance.
- I. Engaging in hostile, harassing, intimidating or bullying conduct or behavior that creates an imminent or perceived risk of violence or damage to property or that is likely to cause emotional harm by mocking, ridiculing or disparaging a student or group of students either in-person, online, or both.
- J. Disruption of teaching, research, administration, or disciplinary proceedings, or other College activities, including public service functions, and other authorized activities.
- K. Children under the age of 12 who are not registered credit or noncredit students, who are not participating in an authorized college activity, or who are not attending

a scheduled event shall not be left unattended anywhere on the college campus.

- L. Only properly registered students should attend scheduled classes. However, individuals including students' children, relatives or friends may accompany them to a class session with the instructor's permission as long as there is no potential danger for children.
- M. Use of cellular phones or electronic devices during class. HCC allows the use of smart devices in classrooms, labs, and other instructional spaces as teaching and learning tools at the discretion of the faculty member. Students must request and receive prior written approval from a faculty member to make audio or video recordings of instructional activities. Please refer to the Use of Computing, Networking, and Communication Resources Policy 5093 and Social Media Policy 8095 for more information.
Definitions: Smart devices: A mobile computing device of any form or format
Instructional spaces: This includes but is not limited to: physical classrooms, labs, clinical settings, the Learning Support Center, Library, and other areas designed for instructional purposes.
- N. Occupation or seizure of College property or facilities, or participation in informal or formal assembly that threatens or causes injury to person or property. This includes activities that interfere with access to College facilities, as well as remaining at the scene of such an assembly after being asked to leave by College staff.
- O. Possession, use, and/or threat of use of firearms, weapons, incendiary devices, explosives, or the unauthorized use of any agent capable of inflicting serious bodily injury to any person on College property or at College-sponsored activity sites.
- P. The act of maliciously setting off a fire alarm or the use of any fire safety equipment.
- Q. Smoking and/or the use of other forms of tobacco products. Please refer to the College's Tobacco-Free Policy for more information.
- R. Operation and parking of motor vehicles on HCC property in violation of College regulations.
- S. Violation of the terms of disciplinary probation or any College regulation during the period of probation.
- T. Gambling except for approved charitable fund-raising activities.
- U. Fiscal irresponsibility such as failure to pay College-levied fees and fines, failure to repay College-funded loans, or the passing of worthless checks to College officials.
- V. The intentional provision of false information to College officials.

4. Persons who are both students and employees are guided by the provisions included in the HCC Employee handbook. The employee status supersedes student status, especially in regard to behavioral codes of conduct.

5. Sanctions

The following are sanctions which may be invoked by the College for individual students, groups of students, or student organizations in cases where there has been a violation of the Code of Student Conduct. The listing is not inclusive of all options which the College may choose to exercise. The Dean of Student Affairs will maintain a record of imposed sanction(s) for behavioral violations and the Vice President of Academic Affairs will keep a record of imposed sanction(s) for academic integrity violations.

Student Sanctions:

- A. *Grade of F:* A failing grade for an assignment or for a course grade may be assigned by a faculty member for academic integrity violations.
- B. *Reprimand:* A reprimand gives official written notice to the student that any subsequent offense against the Code of Student Conduct will carry heavier penalties because of a prior infraction.
- C. *General Probation:* A student may be placed on General Probation when involved in a minor disciplinary offense. Under General Probation, the student is given a chance to show capability and willingness to observe the Code of Student Conduct without further penalty. If the student errs again, further action will be taken.
- D. *Restrictive Probation:* Restrictive Probation results in loss of good standing, which may limit activity in the College community. Generally, the student will not be eligible for initiation into any local or national organization, and may not receive any College award or other honorary recognition. The student may not occupy a position of leadership or responsibility with any College or student organization, publication, or activity. Any violation of Restrictive Probation may result in immediate suspension.
- E. *Suspension:* Suspension results in the exclusion from class(es), and/or all other privileges or activities of the College for a specified period of time as determined by the Dean of Student Affairs. This sanction is reserved for those offenses warranting discipline more severe than probation or for repeated misconduct. Students who receive this sanction must request and obtain specific written permission from the Dean of Student Affairs before returning to campus.
- F. *Expulsion:* When expelled, a student is dismissed from campus for an indefinite period of time and loses student status. The student may be readmitted to the College only with the approval of the President.
- G. *Restitution:* Students will be responsible for paying for damaged, misused, destroyed, or lost property belonging to the College, College personnel, students, or others.
- H. *Loss of Academic Credit or Grade:* Loss of academic credit or a grade can be imposed as a result of academic dishonesty.

- I. *Withholding diploma or right to register or participate in graduation ceremonies:* These sanctions can be imposed when financial obligations are not met. The student will not be allowed to register or to participate in commencement until all financial obligations are met.

Organizations/Group Sanctions:

- J. *Group Probation:* Group probation is given to a College club or other organized group for a specified period of time. If group violations are repeated during the term of the sentence, the charter may be revoked or activities restricted.
- K. *Group Restriction:* College recognition is removed during the semester in which the offense occurred or for a longer period of time. While under restriction, allocated activity funds will be revoked and the group may not seek or add members, hold or sponsor events in the College community, or engage in other activities as specified.
- L. *Group Charter Revocation:* College recognition is removed for a group, club, society, or other organizations for a minimum of two years. Re-charter after that time must be approved by the President.
- M. *Group Restitution:* Student organizations will be responsible for paying for damaged, misused, destroyed, or lost property belonging to the College, College personnel, students, or others.

This policy was also revised on May 30, 2006, June 24, 2014, December 18, 2018, and January 16, 2024.

STUDENT DRUG AND ALCOHOL ABUSE POLICY

I. Statement of the College:

The College, recognizing that drug and alcohol abuse present serious threats to individual health and community safety, strives to maintain a campus free from the illegal use and abuse of alcohol, and from the use, possession or distribution of illegal drugs. Drugs and Alcohol will not be allowed to interfere with student learning or extra-curricular activities. The College strictly enforces state and federal laws that prohibit illegal drug and alcohol use, such as the Federal-Drug-Free Workplace Act of 1988, the Federal Drug-Free Schools and Community Act Amendments of 1989, and the drug and alcohol abuse policies of the Maryland Higher Education Commission. All HCC students are covered by this Drug and Alcohol Abuse Policy. Some College programs or activities, such as nursing or intercollegiate athletics, may have additional “drug free” requirements externally and/or internally imposed on students.

II. Definitions:

A. Alcohol means alcohol, brandy, whiskey, rum, gin, cordial, beer, ale, porter, stout, wine, cider, and any other spirituous, vinous malt or fermented liquor, liquid, or compound, by whatever name called, containing one half of one percent or more by alcohol by volume, which may be ingested.

B. Drug means:

1. Substances recognized in the official United States Pharmacopoeia, official homeopathic Pharmacopoeia of the United States, or official National Formulary, or any supplement to any of them; and
2. Substances intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and
3. Substances (other than food) intended to affect the structure of any function of the body of man or other animals; and
4. Substances intended for use as a component of any article specified in clause 1, 2, or 3 of this paragraph; but does not include devices or their components, parts, or accessories.

C. Drug includes:

A controlled dangerous substance that is regulated under the Maryland Controlled Dangerous Substances Act;

A prescription medication used or dispensed improperly or in contradiction to the prescription; or

A chemical substance when used for unintended and harmful purposes.

III. Notification:

Students will receive a copy of the HCC Alcohol and Drug Policy annually. In addition, the College conducts a biennial review to determine the effectiveness and consistent enforcement of the policy.

IV. Health Risks/Referral Services:

Alcohol and illicit drug use poses many health risks. Such use may result in: impaired judgment and coordination; physical and psychological dependence; damage to vital organs such as the heart, stomach, liver and brain; inability to learn and remember information, psychosis and severe anxiety; unwanted or unprotected sex resulting in pregnancy and sexually transmitted diseases, including AIDS; and injury and death. Information about health risks associated with alcohol and drugs may be found in the Student Activities Office. Students may receive therapeutic intervention through referral of the Dean of Student Affairs. In addition, Washington County Hospital Behavioral Services, the Washington County Health Department, and Brook Lane Health Services are community resources that provide treatment for alcohol and other drug related issues. These resources also maintain current lists of area programs such as Alcoholics Anonymous, Al-Anon, Narcotics Anonymous and Marijuana Anonymous.

V. Alcohol/Drug Policy – Student Violations:

This policy prohibits students from participating in the unlawful manufacture, distribution, dispensing, possession and/or use of a controlled substance. Also, all students are expected to honor the College's policy of prohibiting the provision of alcoholic beverages at student events and activities held on campus. The definition of campus includes all locations where HCC classes and activities are held, which includes student travel in association with a college function.

The behavior of a college employee who is also enrolled in HCC classes is guided by the provisions included in the HCC Employee handbook. The employee status supersedes student status, especially in regard to behavioral codes of conduct.

Exceptions:

For special campus events that are designed for an audience other than students, the President is authorized to determine if alcohol may be served. Also, students of legal drinking age who participate in College-sponsored activities off campus may be permitted to consume alcohol; however, college funds will not be used to purchase alcoholic beverages. At these types of events, strict controls will be enforced in order to prevent student underage drinking and irresponsible use of alcohol by students who are of legal drinking age.

VI. Federal, State and College Imposed Penalties:

Students who violate this policy shall be disciplined through the Code of Student Conduct process. Possible sanctions include disciplinary probation, suspension, or expulsion from the institution. The College may also refer student violations to appropriate law enforcement authorities for criminal prosecution as it pertains to violation of State and Federal law.

Policy No.: 4043

Board Approved: September 18, 2018

Revised:

Hazing Policy

Hagerstown Community College is committed to providing a safe and healthy environment for students and is therefore adopting a Hazing Policy effective October 1, 2018. In consideration of hazing incidents, college administration shall offer anti-hazing awareness and educational programming that encourages individuals to immediately report hazing behaviors to appropriate College officials.

The Hazing Policy applies to acts that take place in all Hagerstown Community College facilities and at on-campus and off-campus events that are sponsored by Hagerstown Community College. Hazing behaviors of any sort do not reflect the values and mission of Hagerstown Community College and are an expressed violation of the Code of Student Conduct. The College administration shall provide students with educational programming on hazing, including information on hazing awareness, information on hazing prevention and Hagerstown Community College's policy on Hazing. The programming and awareness will take place via Hagerstown Community College's new student orientation programs and, as available, during meetings with specific student groups or organizations. The College administration shall encourage prompt reporting and investigation of reported incidents, within the established guidelines of the Code of Student Conduct.

The College administration will report before June 1 each year to the Maryland Higher Education Commission the number of hazing incidents reported at Hagerstown Community College in the prior academic year and the outcomes of the incidents.

Definitions: "Hazing" means an act that is prohibited under Section 3-607 of the Criminal Law Article, and includes the following:

- A person may not recklessly or intentionally do an act or create a situation that subjects a student to the risk of serious bodily injury and/or that may negatively impact a student's physical or psychological well-being, for the purpose of an initiation into a student organization and/or group of a college.
- The implied or expressed consent of a student to hazing is not a defense of hazing activity.

A Hagerstown Community College student who violates Section 3-607 of the Criminal Law Article will be subjected to on campus disciplinary review as well as off-campus review; individuals may be found guilty of a misdemeanor and on conviction subject to imprisonment not exceeding 6 months or a fine not exceeding \$500 or both.

Policy No.: 4045

Board Approved: November 19, 2013

Reviewed: April 23, 2019

Academic Integrity Policy

Hagerstown Community College is committed to upholding the highest standards of integrity, honesty, and ethical behavior among its students, faculty, and staff. Everyone in the College community is expected to obey the law, promote a sense of respect and consideration of others, perform contractual obligations, maintain integrity and high standards in academic work, and observe appropriate standards of conduct. Accordingly, HCC has adopted the following Code of Integrity to uphold standards of academic honesty and social conduct that adopts five fundamental values:

1. Honesty

The commitment to honesty is the core pursuit. Cheating, lying, fraud, theft, and other dishonest behaviors undermine the rights, welfare, and worth of the academic community. Honesty is expected of all members of the College community: students, faculty, staff, and administrators.

2. Trust

Consistent and reciprocal honesty creates trust among individuals. Faculty must provide clear expectations and evaluations of students' work, and students must perform this work honestly and diligently.

3. Fairness

All members of the College have a right to be treated fairly. Fairness implies predictability, clear expectations, and a consistent application of policies and procedures. A violation by one member of the community affects the entire community and will not be tolerated.

4. Respect

All members of the College community must respect each other as individuals, as all are entitled to their beliefs, opinions, culture, traditions, and property. All members should take others' ideas seriously and recognize all as individuals. Rudeness, demeaning or disruptive behavior is the antithesis of respectful conduct.

5. Responsibility

Each member of the College community must understand his/her role in creating institutional integrity. Upholding high standards of individual scholarship and conduct are pivotal to the learning environment.

Policy No.: 4060
Board Approved: June 22, 1993
Revised: April 21, 2020

General Grievance Policy for Students

The Hagerstown Community College Board of Trustees establishes a General Grievance Policy for Students to provide a method of recourse to students who feel that a particular action or series of actions on the part of a Hagerstown Community College employee has violated accepted or stated institutional practices and standards.

Student concerns appropriate to this policy include, but are not necessarily limited to, concerns regarding ethical and professional behavior of employees, arbitrary application of current College policies by College employees, and perceived violations by College employees of accepted rights of students in institutions of higher learning such as the right to free expression and the right to assemble.

The current Grievance Policy in effect for students and the procedures for acting under that policy are found in the Student Handbook.

*Board Policy No.: 4061
Board Approved: September 17, 2019
Reviewed:*

Athletic Programs and Activities Grievance Policy

The purpose of the Athletic Programs and Activities Grievance Policy is to ensure a process through which students can share concerns about Hagerstown Community College's athletic programs and activities with senior administrative professionals who are not directly involved with the management of athletic programs or activities.

Students with concerns about HCC's athletic programs or activities may submit their concerns confidentially and without fear of retaliation or discrimination. The policy and procedure will be posted on HCC's website and will be made available to each student who participates in HCC's athletic program. The policy shall take effect by October 1, 2019. On or before July 1st of each year, Hagerstown Community College will report to the Maryland Higher Education Commission the number of students who report under the Athletic Programs and Activities Grievance Policy during the immediately preceding fiscal year. Changes to this policy will be submitted to the Maryland Higher Education Commission. This policy is keeping with 2019 Maryland Article – Education, Section 11-1601 Subtitle 16 Policy on Student Concerns About Athletic Programs and Activities.

*Policy No.: 4070
Board Approved: September 26, 1995
Revised: May 18, 2024*

**Hagerstown
Community College
Student Government
Association
Constitution**

Preamble

In order that we may better achieve our goals through education and participation in campus life, we, the Student Government Association (SGA) at Hagerstown Community College (HCC), do hereby adopt this Constitution and these By-Laws under the approval and support of the students of Hagerstown Community College.

Be it known to the Hagerstown Community College Board of Trustees, Administration, Faculty, and Staff that the following are the primary objectives of the SGA.

Mission Statement

The Student Government Association is the lead voice of all students attending Hagerstown Community College, whether credit or non-credit. The SGA represents to all parties the interests of the students at the College.

Objectives

1. To provide an official student voice for matters affecting the student body.
2. To maintain a positive system of communication between the student body and other members of the College community
3. To ensure all rights granted to student involvement for traditional and non-traditional students
4. To uphold all rules, regulations, and privileges set forth by Hagerstown Community College
5. To promote the development of leadership skills for all students
6. To support activities for the student population such as social and cultural events, leadership training, and other such services needed by students
7. To actively participate in the Hagerstown Community College Shared Governance system.
8. To increase student awareness of campus opportunities and student involvement.

Article I: Name

The name of this organization shall be the Student Government Association (SGA) of Hagerstown Community College (HCC). Article II: Source of Authority

All authority of the SGA is derived from the President and Board of Trustees of the College.

Article II: Membership

Section 1: SGA Officers

Officer Voting Membership shall be granted to any Active Student who is elected by the student body to an office or appointed by the SGA - Executive Committee after the election period, should the spot remain vacant, and who meets the qualifications as stated in Article V. The Officers of the SGA shall be the President, Vice-President, Secretary, Treasurer, Public Relations, and four (4) Senators.

The Officer Committee shall consist of the nine Officers. The Executive Committee shall consist of the Executive Officers: President, Vice-President, Secretary, Treasurer, and Public Relations.

Section 2: Student Organizations

Full voting membership in any Student Organization must be available to all Active Students who meet the eligibility requirement put forth in the Student Organization Policy section of the Board Policy Manual and the Student Organization's constitution.

Each officially recognized Student Organization in good standing, as defined in the Administrative Procedures for Student Organizations, and not on probation shall be granted Student Organization Voting Membership of one voting seat, which shall be filled by a representative chosen by each respective Student Organization. (An individual may not vote for more than one Student Organization.)

Section 3: Active Students

All Active Students of the College, as defined in the Student Organization Policy, can be members of the SGA Program Board and therefore being granted Student Voting Membership.

Article III: Elections

Section 1

An Active Student wishing to run for office shall file a notice with the Nominations and Elections Committee, which shall be formed by the SGA Officers, by the date specified by it.

Section 2

The Nominations and Elections Committee shall supervise the entire election process and shall be chaired by the SGA Vice President.

Section 3

The general election shall be completed during the spring semester before graduation.

Section 4

Each SGA member shall hold office for a term of one academic year unless the term shall terminate sooner by reason of resignation, disqualification, or removal from office. Each Officer's term shall begin on the day following commencement and last until the subsequent academic year's commencement date.

Article IV: Qualifications

Section 1

To be eligible to run for office, a person must be an Active Student at Hagerstown Community College and must be able to fulfill requirements of the office as stated in the SGA Constitution and By-Laws.

Section 2

All SGA Officers must have earned at least six (6) credits from HCC at the time of application, including developmental courses. Officers must also have at the time of application and maintain a minimum of a 2.5 institutional grade point average (GPA), which shall be calculated as the cumulative grade point average of both college and developmental coursework taken at HCC. Applicants must submit a short Note of Recommendation from an HCC employee with their application. Finally, at the time of application, all Officers must plan to be a credit student for the entirety of their term in office.

Section 3

The SGA President shall not hold the title of president in another HCC Student Organization. If the president holds an office in another student organization, they must prioritize SGA responsibilities.

Article V: Quorum

Section 1

A quorum to vote and conduct official business in the Officer Committee meeting shall consist of a 50% plus one (1) person majority of the Officer Committee membership and Student Voting Membership (if the Student Programming Board is involved).

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Section 2

A quorum to vote and conduct official business in the Executive Committee meeting shall consist of a majority of the Executive Committee membership.

Section 3

A quorum to vote and conduct official business in a general SGA meeting shall consist of a 50% plus one (1) person majority of the combined Officer Voting Membership, Student Voting Membership, and Student Organization Voting Membership.

Article VI: Resignation

All resignations of the SGA Officers shall be in writing and addressed to the SGA President; copies of all resignations shall be given to the Student Activities Coordinator and Dean of Students. Resignations shall be dated and signed. A two-week notice of resignation is expected.

Article VII: Vacancy and Change in Office

Section 1

If for any reason the President cannot complete their term of office, the Vice-President shall assume the office of President and complete the term.

Section 2

In the event that a vacancy occurs in any other Officer Committee office, the SGA will announce and publicize the openings at least two (2) weeks prior to the selection of a replacement. The SGA President shall appoint a replacement, pending confirmation by the Executive Committee by a majority vote. Candidates for a vacancy shall possess the qualifications stated in Article V.

Section 3

In the event that the President resigns, they shall give their notice of resignation to the Vice President. A copy of this resignation, or the resignation of any other officer, shall be given to the Dean of Students and Student Activities Coordinator as well.

Article VIII: Removal and Censure of Members

Section 1

Being derelict in one's duties shall be defined as a failure to complete or abide by sections or sub-sections in the SGA Constitution and By-Laws.

Section 2

If an SGA Officer has been derelict in their duties, then that Officer shall be censured upon recommendation of the SGA Officer Committee as constituted by a majority vote.

Section 3

If an SGA Officer continues to be derelict in their duties, then that Officer shall be removed from their position upon the completion of the following actions:

- A) Having been previously censured.

B) A majority vote at a meeting of the SGA Officer Committee and Student Voting Membership. (Such a meeting can be handled electronically.)

Section 4

The Vice President shall proceed over all cases of censure or removal of an Officer. In the case of the censure or removal of the Vice President, the President shall proceed over the censure or removal.

Section 5

If an SGA Officer fails to meet the qualifications in Article V, they shall be immediately removed from their office.

Article IX: Amendments

Section 1

Any Student Organization Voting or Officer Voting Member may propose an amendment to the Constitution by presenting the proposed amendment in writing to the SGA during a regular meeting. Any Active Student may present to the SGA at a regular meeting a petition of signatures of 15 Active Students for the purpose of amending the Constitution. Student Organization Voting Members may only propose amendments which relate to Student Organizations; Active Students may only propose amendments which relate to students as a whole.

Section 2

A proposed amendment shall be allowed to rest for no longer than one week during which time the amendment shall be posted for campus notice. One week after posting (or the next weekday on which the College is open and classes held), a vote shall take place on the proposed amendment. Such a vote may be electronic; otherwise, the vote is to be taken by way of special meeting as called upon by the President. The voting period shall last one week (or the next weekday on which the College is open and classes held), after which time the votes shall be tallied by the Executive Committee.

Section 3

Amendments proposed by the Student Voting Membership an Active Student shall be voted on by those with Officer Voting Membership, Student Organization Voting Membership and Student Voting Membership, and shall pass by a two-thirds (2/3) affirmative vote of those who voted, of which there must be at least 15. Amendments proposed by a Student Organization Voting Member shall be voted on by the same membership groups, and shall pass by a majority 50% plus one (1) person affirmative vote. Amendments proposed by an Officer shall be voted on by those with Student Organization Voting Membership and those with Officer Voting Membership, and Student Voting Membership and shall pass by a majority 50% plus one (1) person affirmative vote. All amendments shall be ratified by a three-fourths(¾) affirmative vote of the Officers.

Section 4

Amendments ratified by the Officers must be sent to the President of the College to be reviewed and considered by the Board of Trustees. Passed amendments which have been approved by the Board shall be entered into the text of this document and take effect the next academic year. No amendment shall affect the validity of the entire document aside from the specific Article or Section amended.

Article X: Ratification of Constitution

This Constitution was voted and approved by the Student Government Association on May 24, 1999. It shall become effective immediately upon the approval of the President of the College and the Board of Trustees of Hagerstown Community College. This renders all previous Constitutions and Amendments null and void.

This policy was also revised on May 24, 2016.

Policy No.: 5001
Board Approved: September 21, 2004
Revised: June 18, 2024

Employee Handbook

Employee Handbook Overview:

The College Employee Handbook has been developed to provide a general overview of the policies of the College, information about employment and benefits, and the mission, vision and goals that strategically guide the work of the College.

The provisions of the Employee Handbook are not intended to limit the authority of the Board of Trustees as the Board has the responsibility and legal duty to develop, evaluate and modify policies of the College based on business necessity, legislation, economic conditions and meeting the operational and strategic goals of the College.

The Board entrusts the administration of its policies and corresponding procedures to the President.

The Employee Handbook does not create an employment contract. The most current version supersedes any prior editions.

Authority of the Board:

The Board of Trustees as a legally constituted body has authority both in law and in its bylaws to institute human resources policies for the College and entrusts the development and implementation of procedures to the President of the College.

For all policies of the College, the Board of Trustees shall be the final authority in both interpretation and implementation. Any action taken by the Board of Trustees shall apply to all existing as well as to future employees.

No statement or promise by a supervisor, manager, department head, Dean, or Vice President past or present, may be interpreted as a change in policy nor will it constitute an agreement with an employee.

Legal Validity:

Should any provision in this Employee Handbook be found to be unenforceable and invalid, such finding does not invalidate the entire Employee Handbook, but only that particular provision.

Furlough Policy

Hagerstown Community College (“the College”) recognizes that there are certain situations in which the College may determine that it must temporarily suspend or reduce certain of the College’s operations or functions. These include but are not limited to: economic slowdown, decline in enrollment, reduction of a department or program, public emergency, pandemic, financial challenges, or any other circumstance determined by the College to justify suspension or reduction of College operations or functions. In these situations, the College may decide to furlough employees by placing them on an unpaid leave of absence. The College will furlough employees in the department or division whose operations are negatively impacted using non-discriminatory criteria.

The College will issue a notice to employees selected for furlough that will contain the following information:

- Nature of the Reduction of Work Hours:
 - The College will inform selected employees if the furlough will be intermittent, that is interspersed with periods of work time, or constant, that is for longer periods of time such as multiple weeks or months.
- Duration:
 - The College will communicate the expected duration of the furlough at the time the notice is issued.
 - In addition, during the furlough, the College will notify employees periodically to advise when employees might be called back to work, any furlough extensions, or if circumstances will necessitate transitioning the furlough to a layoff.
- Compensation & Cessation of Work:
 - Employees will not be paid during a furlough and therefore are instructed not to perform any work for the College. The College understands that an employee might feel compelled to continue working in some capacity (for example, on administrative tasks) but the College must insist that the employee not do so.
 - Unless otherwise indicated in the furlough notice, employees may not use accrued leave during the furlough.

- Benefits:
 - Prior to furloughing employees, the College will determine, with its insurer, if it will be able to continue employee health insurance benefits during the furlough and the terms of any such benefit continuation
- Personal Items:
 - Employees may be instructed to gather their personal belongings from the worksite prior to initiation of the furlough.
- Outside Employment:
 - The College understands that this is an extremely difficult situation, and that if the furlough is prolonged an employee may determine that he or she needs to seek employment elsewhere. If an employee secures outside employment during their furlough period, they must contact HCC Office of Human Resources and complete the Outside Employment Form. If at any time the furloughed employee seeks to sever their employment relationship with the College then they should contact the Office of Human Resources.
 - All decisions regarding furloughs or reduction in force are in the sole discretion of the College.

*Policy No.: 5003
Board Approved: July 1993
Revised: October 17, 2023*

Equal Employment Opportunity

Hagerstown Community College is committed to recruiting, employing, training and promoting the best qualified applicants and employees in all job classifications and academic rank without regard to race, color, religion, age, gender (except where gender is a bona fide occupational qualification), ancestry, gender identity, national origin, sexual orientation, disability or protected veteran's status, and to creating a workforce that is diverse and reflective of the ability and talent available in the field of higher education.

The maintenance of equal employment opportunity at the College is the responsibility of the President through the Office of Human Resources in developing and initiating procedures to ensure the fulfillment of the policy.

The President of the College is responsible for the implementation of this policy including establishment of procedures to investigate and make final determination of complaints on alleged violations of this policy.

In addition, the College will go beyond avoiding overt discrimination and will, through educational programs, help faculty and staff become aware of and to recognize more covert and subtle forms of discrimination and then remove those institutional barriers to equality.

This policy was also revised on September 21, 2004.

Policy No.: 5004

Board Approved: September 21, 2004

Revised: March 19, 2024

Employee Guidance and Progressive Discipline

Hagerstown Community College strives to create a safe work environment with clear expectations that uphold accountability for individual conduct and address behaviors that disrupt that environment. When appropriate, an employee will be given the opportunity to correct the conduct or behavior by working with their direct supervisor through information resolution.

If the misconduct continues, the disciplinary action will be taken in a timely manner and in accordance with due process rights as defined in this Policy and Procedures. Disciplinary action may be progressive depending on the severity of the misconduct, and may take the form of a written warning, disciplinary suspension with or without pay, or separation from employment.

This Policy applies to misconduct related to violation of College policies and procedures, local, state and federal laws, adherence to work schedules and attendance, appropriate standards of conduct, and ethical and professional behavior.

The College reserves the right to immediately dismiss an employee in cases the College deems to be extreme misconduct.

*Policy No.: 5005
Board Approved: July 1993
Revised: June 18, 2024*

Employee Performance Evaluations/Assessment

Purpose:

Each employee contributes to the overall success of the College in fulfillment of its mission and vision in serving students and the community. It is therefore important for employees to grow professionally and strive for continuous improvement and equally important for supervisors to support employees in this achievement.

Expectation:

It is an expectation that all employees are evaluated annually. Supervisors are to work in partnership with employees to establish performance goals, provide clear expectations and offer supports and coaching. Specifically, the College utilizes a performance evaluation system through Kronos where the employee and supervisor address accomplishments, professional development and identified and measurable goals.

This policy was also revised on September 21, 2004.

*Policy No.: 5006
Board Approved: July 1993
Revised: June 18, 2024*

Employee Discipline, Due Process and Appeal Policy

The College strives to create a safe work environment with clear expectations that uphold accountability for individual conduct and address behaviors that disrupt the work environment.

When appropriate, an employee will be given the opportunity to correct their conduct working with their direct supervisor through informal resolution.

The employee may voluntarily access the Employee Assistance Program (EAP) services offered by the College for assistance in addressing issues related to misconduct. When appropriate, EAP referral may be formally recommended or mandated.

Appropriate disciplinary action up to and including termination will be taken in a timely manner and in accordance with due process as outlined in the Employee Handbook.

The College reserves the right to immediately dismiss an employee as deemed appropriate. All termination decisions require review by the Executive Director of Human Resources to ensure due process rights are afforded.

The employee has a right to appeal decisions of discipline as outlined in the Employee Handbook.

This policy was also revised on September 21, 2004.

*Policy No.: 5007
Board Approved: July 1993
Revised: June 18, 2024*

Employee Grievance Process

The College recognizes the importance of providing employees with a prompt disposition of grievances and concerns that may arise out of the interpretation, application, or alleged breach of any provision of the Employee Handbook. The specific grievance steps and procedures are outlined in the Employee Handbook.

This policy was also revised on September 21, 2004.

Policy No.: 5010
Board Approved: June 17, 2003
Revised: March 19, 2024

Compensation Policy

Hagerstown Community College will maintain a competitive compensation program consistent with available fiscal resources and consistent with federal and state laws and regulations pertaining to wage and hour practices. The College Board of Trustees reviews and establishes the annual salary scales for all employees and is committed to maintaining competitive compensation for all employee groups as compared to similar public institutions in the state and region. To establish fair and competitive compensation, the College will periodically review salaries internally and externally.

*Policy No.: 5019
Board Approved: May 2, 2006
Revised: March 19, 2024*

Retiree Health Benefits

Hagerstown Community College will offer its retirees a quality and competitive cafeteria style benefit plan composed of the following benefits, eligibility criteria, and years of service tiers.

Benefits Include:

- Medical
- Prescription
- Dental
- Basic Retiree Life

Eligibility Criteria:

- A minimum of 10 years of service to the College
- Must be an active participant in the benefit plan on the date of their retirement.
- Dependent eligibility – Dependents must be active participants in the benefit plan on the retirement date of the employee to be eligible.

Contribution Rates are based on the following consecutive Years of Service Tiers:

10-14 Years of Service
15-19 Years of Service
20+ Years of Service

The Board of Trustees directs the college Administration to annually review the benefits program and to continue to recommend strategies and options to contain or reduce cost, while enhancing benefit options to retirees.

This policy was also revised on June 20, 2017

Policy No.: 5020

Board Approved: April 15, 2003

Revised: June 18, 2024

Group Health Benefits Policy

The College provides a comprehensive group health plan to full-time employees and their dependents that includes medical, dental, vision, prescription, life insurance, an employee assistance program and a flexible spending account.

The College desires to offer a competitive benefits program to attract and retain high caliber candidates, comparable to other secondary and post-secondary institutions in the tri-state region of Western Maryland.

The Board of Trustees directs the College Administration to annually review the total benefits program to continue to develop strategies and options to contain or reduce cost for the College, while enhancing benefit options to employees and retirees.

Policy No.: 5021

Board Approved: October 18, 2005

Revised: December 20, 2011

The Employee Sick Leave Bank

Hagerstown Community College offers an employee Sick Leave Bank to serve as a depository into which participating employees may donate accrued sick leave time for allocation to other participating employees in order to support them when they face a major health crisis. The purpose is to create a caring environment and to alleviate the economic hardship caused when a major health condition or injury occurs.

A serious health condition is defined as a condition of the employee that renders the employee unable to perform his or her job functions. The serious health condition must be certified by a "health care provider." A health care provider, for purposes of this policy, is any professional that is recognized by any of the College's group health plan(s) performing within the scope of their practice as defined under state regulations issued by the U.S. Department of Labor.

The following criterion applies for employee participation in the sick leave bank:

- Employees voluntarily participate through an annual enrollment into the program during the College's open enrollment period.
- Employees must exhaust all accrued and unaccrued vacation and sick leave prior to requesting additional leave from the sick leave bank.
- Days drawn from the sick leave bank in addition to the vacation and sick leave days taken shall not exceed 60 consecutive calendar days. Employees may be eligible for long term disability after 90 consecutive calendar days if all conditions are met in accordance with the long term disability policy.
- A thirty (30) working day waiting period is required before any Sick Leave Bank benefits may begin.

This policy was also revised on May 30, 2006.

Policy No.: 5022
Board Approved: March 20, 2018
Revised:

Maryland Paid Sick and Safe Leave (Maryland Healthy Working Families Act)

In accordance with HB1 – Maryland Healthy Working Families Act, effective February 11, 2018, Hagerstown Community College will provide paid “earned sick and safe” (ESS) leave for part time employees 18 and older who regularly work at least 12 hours per week. This includes; hourly part-time, credit adjunct faculty, non-credit adjunct faculty, coaches, student workers, temporary and seasonal employees if they meet the hourly requirements.

Use of Sick and Safe Leave

An employee is required to make a request to the supervisor to take earned sick and safe leave as soon as it is practical after the employee is aware of the necessity for the leave and should include the expected duration of the leave.

For purposes of sick and safe leave usage, family member is defined as; biological, adopted, foster or step children, parents, grandparents, grandchildren, and siblings; a child for whom the employee has legal or physical custody or guardianship; a child for whom the employee stands in loco parentis regardless of the child’s age; the legal guardianship of the employee; an individual who acted as a parent or stood in loco parentis to the employee or the employee’s spouse when the employee or the employee’s spouse was a minor; and the spouse of the employee.

Payment of Sick and Safe Leave

Sick and safe leave will be paid to employee at the same wage rate as the employee normally earns.

Employment Expectations and Professional Conduct of Trust – All Employees

Employment Expectations:

It is the expectation of all Hagerstown Community College employees to:

- (1) comply with all College policies, procedures and codes,
- (2) serve in an initial probationary period,
- (3) satisfactorily fulfill the duties and responsibilities as stated in their job description,
- (4) satisfactorily fulfill teaching responsibilities where applicable,
- (5) receive an annual performance evaluation,
- (6) develop a professional development plan,
- (7) aspire to progress in their skills as the job evolves and/or seek promotional opportunities if qualified,
- (8) aspire to receive tenure, where applicable,
- (9) report to work and work their daily schedule unless on approved leave,
- (10) accurately and timely complete a timesheet in accordance to their classification,
- (11) satisfactorily fulfill reasonable requests and accept assignments designated by the President and/or their supervisor relative to their competencies,
- (12) conduct themselves appropriately and to adhere to high standards of ethics, which included but not limited to honesty, integrity, mutual respect, trust, acceptance, and support of a diversity and varied points of view,
- (13) regard employment with the College as their primary work obligation (full-time employees only),
- (14) maintain a safe work and academic environment for all employees, students, and visitors free from any form of violence, threats of violence, harassment, intimidation of others, or attempts to instill fear in others, including the possession of weapons of any kind in the workplace, on campus, or at off-campus events, and
- (15) provide appropriate notification in event of resignation or retirement from their position based on their classification and position within the College.

Note: All employees are classified in accordance with the Fair Labor Standards Act (FLSA), compensated in accordance with applicable federal, state, and local regulations, and receive a College-approved title.

Professional Code of Trust:

1. **I will work with other members of the college community openly and in good faith.** I will treat other members of the college community with respect, good will, and candor. I will share information in helping others and I will cooperatively participate in making decisions. I will view myself and others as capable of constructive change and will remain open to new ideas and different viewpoints. I will not be deceitful. When I possess relevant information, I will not withhold it unless I have received the information in confidence. In such circumstances, I will urge others with relevant information to share it openly for the good of the college.

2. **I will respectfully and supportively work with others in doing college business to the best of my ability.** For example, I will do everything possible to attend all meetings of committees and other groups on which I serve. I will prepare for meetings and, where possible, I will help others prepare as needed. I will do my fair share of work for the campus groups to which I have been assigned. I will accept responsibilities which challenge me, while contributing to strengthen the college's culture as one that is collaborative and respectful.

3. **Whenever I serve as a representative, I will work with those I represent to identify their concerns.** I will actively seek out the opinion of others when I serve as a member of a small group charged with making a decision on a matter that has a large "community of interest." I will listen from the speakers' viewpoints and then I will articulate their concerns, when appropriate, and encourage them to become active in the decision-making process.

4. **I will work in cooperation with my colleagues to support the mission and vision of the College.**

5. **I will not seek retribution against anyone for being candid, expressing unpopular viewpoints, or participating in shared governance activities.** For example, when I learn that someone has expressed a viewpoint for which I strongly disagree, I will respect their right to freely express their opinion and will not deny them the opportunity to persuade others. I will view differences of opinion as constructive rather than negative, and I will always respect the individual, regardless of rank or position in the college.

Policy: 5032
Board Approved: September 21, 2004
Revised: November 14, 2023

Discrimination, Hate Crimes, and Biased Incident Reporting

Hagerstown Community College is committed to providing all students and employees with a safe and supportive environment. All members of the campus community and third party persons who are associated with the College are expected to treat each other with mutual respect, to accept the rich diversity that makes up the community, and are free to take part in open dialogue that furthers understanding of diverse philosophies, cultural perspectives and respect for individuals.

The College prohibits discrimination and harassment of any type without regard to race, color, religion, age, sex, national origin, disability status, genetics, protected veteran status, sexual orientation, gender identity or expression, marital status, or any other characteristic protected by federal, state or local laws and is committed to maintaining an environment that is free from such conduct.

Language, action, or behavior – including acts of intimidation, destruction, violence - that is hostile to others and/or which are motivated by animosity against a person or group because of real or perceived identity or membership in any of the above mentioned groups will not be tolerated at Hagerstown Community College. The College will act to promptly investigate all complaints and take appropriate action to protect individuals from further discriminatory acts. If it is determined that unlawful discrimination occurred, prompt and appropriate action will result.

Any persons witnessing or learning of a hate crime or bias incident that occurs on campus or that involves College students, faculty or staff, can file a report by contacting the Hagerstown Community College Campus Police, the Dean of Students or the Human Resources offices. Upon report, supportive resources will be provided to the reporter(s) and/or alleged victim(s). In cases of hate crimes, individuals can be punished with fines and/or imprisonment. Felony offenses demonstrated to be motivated by bias are subject to enhanced penalties. No-contact orders can be requested even if there is no finding of a violation of College policy. The Hagerstown Community College's Code of Student Conduct list possible sanctions related to prohibited student conduct. While it may be unclear if an incident is motivated by bias, a behavior may still violate College policies.

Any personal information obtained during the course of an investigation of a hate crime and/or bias incident will be handled with discretion and kept confidential to the greatest extent possible. At times, administrators or investigating police officers may need to share information with appropriate parties. The College may also respond to the incident with actions including, but not limited to, campus-wide programming, conversations with student

leaders, and/or meetings with individuals and communities most impacted; such actions may take place separate from and while the investigation is on-going.

Definitions:

A hate crime is a criminal offense committed against a person(s) or property which is motivated, in whole or in part, by the offender's bias towards the actual or perceived group membership(s). Hate itself is not a crime and Hagerstown Community College is mindful of protecting freedom of speech and other civil liberties.

Bias incidents involve verbal, written, or physical behaviors which are not criminal offenses, but target a person because of their actual or perceived identity or group membership(s) and may be in violation of a College policy. This includes inflicting mental or emotional distress upon a person through a course of conduct involving abuse or disparagement of that person's actual or perceived identity or group membership(s). While all hate crimes are bias incidents, not all bias incidents are hate crimes.

Information about the frequency of reported hate crimes and bias incidents are available via the Hagerstown Community College Campus Police. Due to privacy laws, Hagerstown Community College is not able to provide the name and specific sanction(s) related to incidents where an individual is found responsible for violating College Policy.

This policy was also revised on September 18, 2018.

Note: The revision of this policy in 2018 also included the name to be changed from *Discrimination and Harassment* to the current title.

Conflict of Interest Policy

General Provision:

It is the expectation that employees avoid conflicts of interest, or appearances of conflict, between their own personal or professional interests and the interests of the College.

Definitions:

Conflict of interest – refers to a situation that may undermine the impartiality of a person’s judgment because of their financial interest may conflict with the public interest.

Conflicts:

A conflict of interest may occur if an employee:

- (1) has an existing or potential interest, financial or non-financial, which may impair or which may appear to impair the individual’s independent judgment when performing College responsibilities.
- (2) receives or may receive a material, financial, or other benefit from knowledge of confidential or proprietary College information.
- (3) uses College property for personal gains

A conflict may occur if either of these situations exists involving a member of the immediate family or household of an employee, or an organization with which the employee or family member has significant management, ownership, or material association.

The above-noted conflict of interest provisions are not intended to be a complete list of prohibited conduct or activity by employees. Employees should be continually aware of any situations which may create actual or perceived conflicts of interest.

Reporting Requirements:

If an employee believes that he or she is involved in a matter or is engaged in an activity in which a conflict of interest may exist, the individual must promptly and fully disclose the conflict to the President, Vice President, or Dean of their area, refrain from further participation in the matter until the question is resolved, and follow any directions given by the College concerning the matter.

Consequences:

Violations of this policy may result in discipline up to and including termination of employment.

Filing a Complaint:

Anyone may file a complaint with the Maryland State Ethics Commission alleging a violation of the Public Ethics Law by an employee or official. Procedures to do so are found on the Maryland State Ethics Commission [website](#).

Administrative Staff and Faculty Sabbatical Leave

I. Purpose

The primary purpose of a long-range program of staff sabbatical leaves is to increase the value of the administrative staff to the College which may be accomplished by further study, research, or other experience leading to professional growth or personal worth to the College.

II. Duration

The normal administrative staff sabbatical leave will be for a period of two months. A period longer than two months is possible in those cases where graduate coursework is involved.

III. Selection

All benefits, privileges and opportunities of a person on sabbatical leave will be continued in the same manner as though the individual were on active duty.

The number of individuals on leave at any one time will be determined by the President of the College.

The application for sabbatical leave will be accompanied by a written request in which the applicant outlines the complete activity and the means by which he expects to increase his personal worth to the College.

The President's Cabinet will review the applications and determine a plan of operation to recommend to the President every January 1 and July 1 of each year.

After reviewing, the President will submit the request to the Board of Trustees at the next Board meeting.

Upon the final recommendation of the President, the Board may grant sabbatical leave to any administrative staff member if, in the best interests of the College, such action is judged desirable.

IV. General Provisions

A. Pay

(1) The recipient of a sabbatical leave will receive his regular salary and employee benefits.

(2) Pay for a substitute, if such is needed during the period of leave, will not be deducted from the sabbatical stipend

B. Eligibility

(1) Initial Eligibility: An employee who has been in one or more administrative staff positions for at least five years is eligible to apply for sabbatical leave.

(2) Subsequent Eligibility: An employee is again eligible to apply for subsequent sabbatical leave upon serving seven additional years in an administrative position following the completion of his last sabbatical leave,

C. Responsibilities

The recipient of a sabbatical leave must agree to return to the service of the College immediately following the completion of his leave, or at a time otherwise acceptable to the College. The recipient must also agree to serve for at least five years in full-time professional capacity or reimburse the College the gross salary paid him during the time of leave.

Faculty Sabbatical Leave

- A. **Importance of Sabbaticals** – Sabbatical leave is an important part of a comprehensive college professional development program for its faculty and administrators, which contributes to the scholarly growth and/or effectiveness of educators and administrators. Sabbatical leave is for a half or full year. Approval of sabbatical leave proposals should be granted on the merits of the proposals and generally should not be denied for financial reasons, except in circumstances where the College is in a period of financial exigency. The College should strive to support all meritorious sabbatical proposals, which are to be funded from the annual professional development funds allocated for faculty and administrators. Assuming that annually one or more meritorious sabbatical proposals are submitted, the College should fund at least one proposal to clearly denote the importance of these unique development opportunities.
- B. **Eligibility** – An employee must be either a full-time tenured faculty member (any rank) or an administrator (generally at the director or dean level). Sabbatical leave should apply only to those employees who have served the College for six (6) or more years.
- C. **Purpose of a Sabbatical** – Sabbatical leave should be made available for the pursuit of formal graduate level study, usually, but not always, associated with an advanced degree, as well as training, research or professional writing related to a person's HCC duties or other activities that would mutually benefit the employee and the College.
- D. **Pay During Sabbatical Leave** – Sabbatical leave may be paid or unpaid.
 - 1. An unpaid sabbatical would meet all of the rationale that applies to a paid sabbatical in regard to a unique professional development opportunity, but the employee requesting the sabbatical leave may accept short term employment with another entity during the sabbatical and for this or some other reason does not need their College salary continued during the leave period.
 - 2. A paid sabbatical leave would be either a full salary for one semester or half salary for a full year.

- E. **Application Process** – An employee must submit a written sabbatical request/proposal to the appropriate Division Chair/Director/Dean for initial assessment at least ninety (90) days in advance of the proposed start of the leave. The President must recommend the sabbatical leave to the Board of Trustees for approval.
- F. **Content of Proposal** – The written sabbatical leave request must minimally address the following questions:
1. What is the specific professional development plan for the requested leave? What does the applicant expect to accomplish.
 2. Why is a sabbatical needed to accomplish the desired outcomes? If the request is for more than one semester of leave, please explain why a full year's leave is needed.
 3. How is this activity valuable to the College? Include a statement that demonstrates how the leave request is compatible with the work of the College as represented in its mission, vision, and strategic goals?
 4. In addition to a written self-evaluation report of your leave activities, are there other tangible outcomes of your leave (for example, new curricula) that would be of particular benefit to your professional colleagues or students?
 5. The granting of a sabbatical includes a financial commitment by the College to continue an employee's salary and benefits as specified above. If additional financial assistance is requested of the College to support the sabbatical, this information must be explicitly stated in the leave proposal.
- G. **Conditions** – Only one sabbatical should be granted to a qualifying employee in a seven (7) year span. Upon completion of a sabbatical, the employee must agree to prepare a written self-evaluation report concerning the leave activities/accomplishments and return to full-time college service for at least five years or reimburse the College for the gross salary paid during the leave time. A College employee on sabbatical leave will be entitled to receive any increments of salary and other benefits for which the employee would normally be eligible from regular full-time service. Time spent on sabbatical leave shall be counted as regular service as it applies to retirement. Sabbatical leaves and one or two-semester leaves of absence without pay (unpaid sabbaticals or mutual consent leaves) will be counted as years in rank toward promotion. However, a leave of absence without pay will not be counted toward eligibility for future sabbaticals.
- H. **Division Chair/Director/Dean Impact Statement** – In processing all sabbatical requests in their areas of responsibility the appropriate administrator or academic officer must prepare an impact statement detailing how the employee's absence would be covered should the sabbatical be approved. The impact statement should also summarize the added financial cost to the College if the leave is granted.

*Policy No.: 5041
Board Approved: July 1993
Revised: October 17, 2023*

Employee Leave

It is the policy of Hagerstown Community College to grant approved paid leave to all regular employees to include: (1) annual leave, (2) sick leave, (3) holiday leave, (4) bereavement leave, (5) jury/court duty leave, (6) sabbatical leave. In other circumstances, leave without pay or a mutual consent leave may be approved when paid leave is not applicable.

This policy was also revised on September 21, 2004.

*Policy No.: 5042
Board Approved: July 1993
Revised: March 19, 2024*

Family and Medical Leave

Hagerstown Community College complies with the state of Maryland and the Federal Family and Medical Leave laws to provide a leave of absence from work for a qualified family and medical purposes to eligible employees. This is an unpaid leave from work unless the employee has paid leave that may be used, in accordance with the provisions of FMLA and the procedures set forth in the College's policies. All employees must consult with Human Resources before going on Family and Medical Leave, or as soon as possible if due to an emergency or unforeseeable circumstance. Taking leave under this policy will not be used against an employee in any employment decisions, including the determination of raises or discipline.

This policy was also revised on September 21, 2004

Policy No.: 5043
Board Approved: September 21, 2004
Revised: June 18, 2024

Military Leave – Reserve Training and Active Duty

The College will provide military leave to eligible employees for reserve training with a any branch of the U.S. Armed Forces and provide military leave for active military duty in accordance with The Uniformed Services Employment and Reemployment Rights Act (USERRA) of 1994³, which clarifies uniformed service military leave rights for full-time and part-time employees.

Employees are required to provide a copy of their activation orders to Human Resources in advance of their service.

³ Title 32 US Code, Chapter 43, §4301-4335, Public Law 103-353.

Policy No.: 5044
Board Approved: May 26, 2009
Revised: April 19, 2022

Carry Over Vacation Plan

Hagerstown Community College acknowledges that annual leave is important to staff employees' health and work performance. Employees earn annual leave days in accordance to their employment classification each fiscal year and are encouraged to use it in the fiscal year that it is earned. Effective July 1, 2022, carry-over of up to, but no more than ten (10) annual leave days, based upon a standard work week for the employee, is permitted. The carry-over computation will occur automatically in the Kronos system. Carry-over days must be used in the new fiscal year prior to taking new annual leave.

Full-Time Faculty Load, Promotion, and Tenure Policy

FACULTY WORK LOAD

All full-time faculty at HCC are expected to allocate their work hours in the following manner:

75% Teaching and Learning	30 hours a week
• Learner support activity (office hrs.)	
• Class preparation	
• Student contact hours (15-21 hrs.)	
15% College and Community Service	6 hours a week
• Serving on committees	
• Recruiting students	
• Presentations to faculty	
10% Professional Development	4 hours a week
Total	40 hours a week

These hours represent a minimum workload and many faculty members will work more than 40 hours in an average week to meet their responsibilities.

FACULTY DUTIES AND RESPONSIBILITIES

All full-time faculty are responsible for meeting the following duties:

Teaching, Assessment, Student Advisement and Retention, Student Advocate, Curriculum Development, Student Recruitment and Program Marketing, Shared Governance, Professional Development, College Service, and Community Service.

Teaching Load

The base faculty teaching load shall be 15 credit-hour equivalents. For most faculty this would mean 15 hours and 15 credits of base load, since lecture or didactic hours are treated 1 for 1 in student contact hour to credit equivalency. Laboratory instruction is equivalent to clinical instruction for determination of load. In general, credit hours assigned to laboratory or clinical sections is a ratio of one to three (1:3). Therefore, one credit hour for three hours of instruction would be assigned. For clinical instruction of six hours, the credit hours that could be assigned are variable (i.e., 1.0, 1.5, 2.0). As an

example, in NUR 101 the clinical portion of the course meets for 12 hours/week (2x6) and equates to three credits of instruction (e.g., 1.5:6 or 1:4).

The College will use a load multiplier of .75 in equating labs and clinical assignments in calculating a base load of 15 credits. These courses or sections have more clock hours of instruction than credit hours assigned (i.e., one credit: three hours of instruction).

Regarding credits and contact hour, a full load should be equal to 15 credit hours AND 225 contact hours (15 contact hours/week), and any fractional overload that is accrued should be paid in the semester that it is assigned. Exceptions within specific time frames may be made for new programs or other situations with approval from the Vice President of Academic Affairs and Student Services.

Program Coordinator status is available for faculty whose academic program requires additional administrative work that does not fall within the area of expertise of the Division Director or as required by external accrediting bodies. Program Coordinators are eligible to earn release time or compensation using the same hourly conversion formula (1 credit = 37.5 hours) used for Alternative Assignments.

Professional Development Plan

A yearly or multi-year professional development plan must be approved by the Division Director and the Vice President of Academic Affairs and Student Services for each full-time faculty member. This plan should be periodically evaluated for substance and outcomes attained following the procedure listed below.

Each full-time faculty member will annually construct (or update in the case of multi-year plans) a Professional Development Plan in consultation with their division director. This entails the faculty member creating goals and determining the relationship of the goals and expected outcomes to the ten Faculty Duties and Responsibilities listed in this policy.

FACULTY RANK AND PROMOTION

Criteria for Initial Placement in Rank

For initial placement in rank, each applicant's previous experiences will be considered in relation to the position for which he/she is being considered. Experience will be determined by the Vice President of Academic Affairs and Student Services, subject to the approval of the President, according to the following guidelines.

One year of experience is given for each year of prior college experience that is directly related to the assignment.

Credit may be given for prior non-college educational experience, which may include teaching area related business, industrial or other activities.

A maximum of five years of credit will be recognized for each year of related prior experience as a graduate teaching assistant or an adjunct instructor. This cannot exceed

five years. Fifteen teaching credit hours will be equal to one-half year of credit and thirty teaching credit hours will equal the maximum of one year of experience.

Recommended rank placement and starting salary are to be part of a position offer and will appear in the formal letter of appointment.

Performance Review and Tenure Eligibility

Initial Faculty Probationary Period

All new faculty members will serve an initial probationary period of two years. During this initial probation period the faculty member will be evaluated each semester. Evaluation criteria during this probationary period may include student evaluations, classroom visitations, peer review, college and community service recognition, and an annual review by academic supervisors including Division Directors and the Vice President of Academic Affairs and Student Services.

This initial probationary period may be extended for one year at the discretion of the Vice President of Academic Affairs and Student Services due to unsatisfactory performance. At the conclusion of the extended evaluation period a decision will be made by the Division Director and the Vice President of Academic Affairs and Student Services to retain the faculty member, with concurrence of the College President and a Board personnel action. If the faculty member is retained, he/she will be placed into the tenured track probation period.

Tenure Track Probationary Period

Faculty members successfully completing their initial probationary period will serve a tenured track probationary period prior to becoming eligible for tenure (4 years for Instructor/Assistant Professor; 2 years for Associate Professor). During the tenure track probationary period, a faculty member will participate with the Division Director in a series of annual reviews of faculty performance in the areas of (1) teaching competence, (2) professional growth, and (3) participation in college/division service. These reviews will be completed after the required classroom evaluation, but prior to March 15 of each academic year.

During these meetings the Division Director will review with the faculty member the accomplishments in the three areas identified above. The faculty member must also complete a self-evaluation and portfolio in which accomplishments are noted and goals stated for the next academic year. In the Division Director's evaluation, problems in any of the three areas will be described and corrective measures will be identified. The Vice President of Academic Affairs and Student Services will conduct a performance review with the faculty member and Division Director.

Accelerated Tenure Track

A tenured faculty member leaving an accredited institution, recognized by the United States Department of Education, in good standing, who is hired at HCC, may be eligible for an accelerated tenure track. This previously tenured faculty member should have been at the full professor rank and have at least 10 years of full-time teaching experience.

The accelerated tenure track will consist of a two- year probationary period and a two-year tenure track period.

At the end of the appropriate successful probationary period, the faculty member will submit a letter requesting tenure to the Division Director who will forward it to the Vice President of Academic Affairs and Student Services. The VP will provide a recommendation to the College President.

In all cases of contract renewal or denial, granting of tenure, or promotion in rank, final actions rest with the Board, acting to approve or not approve a recommendation from the president.

Administrators are not eligible for tenure. Part-time or adjunct faculty members are hired on a semester basis as needed and are not eligible for tenure or promotion.

TENURE AND PROMOTION CRITERIA

In order for a faculty member to become eligible for tenure consideration, they must complete a probationary period and must serve a minimum number of years at the college. If a person is hired as instructor, the person is placed on a two-year probationary period. The person will work a minimum of one additional year in the Instructor rank (after the probationary period), three years minimum at Assistant rank, five years minimum at the Associate rank to reach the Professor rank. System: 3-3-5, a total of eleven years as the minimum to go from instructor to full professor. Most faculty will need more than eleven years (the minimum) to move through the ranks of instructor to full professor.

Minimum length of the probationary period:

- Faculty at the rank of Instructor, Assistant, or Associate must successfully complete a two-year probationary period.
- Faculty at the rank of Professor must successfully complete a one-year probationary period

FACULTY EVALUATION

Evaluation is the primary tool for assessing teaching effectiveness. The student evaluations of faculty are especially valuable. That process is to be structured to provide useful information for faculty, not only including their own evaluations, but also grouped and anonymous comparative data on evaluation results for other faculty within a department, a division, and college-wide. Faculty evaluations by students must in a clear and detailed manner be connected to promotion and tenure decisions Through the use of high-quality evaluation instruments faculty members will obtain a better sense of their effectiveness and quality instruction will remain the central focus of what faculty are expected to do.

TENURE AND PROMOTION CRITERIA CHART

Faculty Rank	Career Program Faculty Promotion Criteria	Transfer Program Faculty Promotion Criteria	Tenure
Instructor	Bachelor's in teaching field or Associate's in teaching field with demonstrated competency in teaching field.	Master's Degree or its equivalent.	2 years probation + 4 years tenure track
Assistant	Bachelor's in teaching field or Associate's in teaching field. One year at Instructor rank plus two years probationary at HCC. Demonstrated teaching excellence based on Supervisor's observation, peer review, and student evaluations. Demonstrated progress on an approved professional development plan.	Master's Degree or its equivalent. One year at Instructor rank plus two years probationary at HCC. Demonstrated teaching excellence based on Supervisor's observation, peer review, and student evaluations. Demonstrated progress on an approved professional development plan.	2 years probation + 3 years tenure track
Associate	Bachelor's in teaching field, plus 30 additional approved graduate semester hours or their equivalent as defined by the Academic Affairs Faculty Guidebook to include special technical training and credit for related occupational learning experiences such as industry and professionally recognized certificates and licenses, teaching certificates, Journeyman's cards, and Master's cards, when connected with the teaching area of instructor responsibility. Three years at Assistant rank. Demonstrated teaching excellence based on Supervisor's observation, peer review, and student evaluations. Demonstrated progress on an approved professional development plan.	Master's Degree, plus 30 additional approved graduate semester hours or their equivalent (i.e. MFA, Ph.D.; to total 60 credits), as defined by the Academic Affairs Faculty Guidebook. Three years at Assistant rank. Demonstrated teaching excellence based on Supervisor's observation, peer review, and student evaluations. Demonstrated progress on an approved professional development plan.	2 years probation + 2 years tenure track
Professor	Bachelor's in teaching field, plus 30 additional approved graduate semester hours or their equivalent as defined by the Academic Affairs Faculty Guidebook to include special technical training and credit for related occupational learning experiences such as industry and professionally recognized certificates and licenses, teaching certificates, Journeyman's cards, and Master's cards, when connected with the teaching area of instructor responsibility. Five years at Associate rank. Peer review committee review. Demonstrated teaching excellence based on a rubric completed by a peer review team. Evidence supplied may include: student evaluations and comments, peer teaching evaluations, annual performance reviews, copies of awards, as well	Master's Degree, plus 30 additional approved graduate semester hours or their equivalent (i.e. MFA, Ph.D.; to total 60 credits), as defined by the Academic Affairs Faculty Guidebook. Five years at Associate rank. Peer review committee review. Demonstrated teaching excellence based on a rubric completed by a peer review team. Evidence supplied may include: student evaluations and comments, peer teaching evaluations, annual performance reviews, copies of awards, as well as other evidence identified by the applicant. Demonstrated progress on an approved professional development plan. A record of ongoing service to the college.	1 year probation + 1 year tenure track

	<p>as other evidence identified by the applicant.</p> <p>Demonstrated progress on an approved professional development plan.</p> <p>A record of ongoing service to the college. Examples of corroborating evidence may include: a record of activities, with notable accomplishments identified; letters from colleagues, students or others familiar with the applicant's accomplishments; copies of reports produced or policies written, or other evidence identified by the applicant.</p> <p>Effective leadership among colleagues. Examples of substantiating evidence include: documentation of activities with dates and examples of notable accomplishments described; copies of the applicant's publications; samples of the applicant's work; grant award letters/reports, or letters from colleagues familiar with the applicant's work.</p>	<p>Examples of corroborating evidence may include: a record of activities, with notable accomplishments identified; letters from colleagues, students or others familiar with the applicant's accomplishments; copies of reports produced or policies written, or other evidence identified by the applicant.</p> <p>Effective leadership among colleagues. Examples of substantiating evidence include: documentation of activities with dates and examples of notable accomplishments described; copies of the applicant's publications; samples of the applicant's work; grant award letters/reports, or letters from colleagues familiar with the applicant's work.</p>	
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This policy was also revised on March 17, 2015 and June 18, 2019.

Policy No.: 5051

Board Approved: April 22, 2014

Revised: April 20, 2021

Faculty Professional Development

In order to align with Faculty Load, Promotion, and Tenure standards, faculty are required to pursue an annual plan of professional development that encourages reaching the highest levels of teaching excellence, contributes to realizing College goals, and facilitates staying current in their academic field and in the application of effective and efficient instructional designs. The College recognizes its responsibility to fund professional development for faculty and will continue to do so through its annual planning and budgeting processes. Faculty have the responsibility to work with division directors to ensure that classes meet during any absence occurring due to a professional development activity.

Policy No.: 5052

Board Approved: November 12, 2010

Revised: April 23, 2019

Contact Hour to Academic Credit Policy

It is in the interest of students that the relationship between contact hours and academic credit be managed judiciously to conform to standards generally in place at most colleges and universities, and provide internal guidance for future curriculum development at HCC, therefore:

- 1) The ratio of contact hours to academic credit will, at a minimum, comply with standards prescribed by the Code of Maryland.
- 2) Definitions of instructional methods with contact hour to credit ratios will be maintained by HCC's academic administration with oversight by the Vice President of Academic Affairs and Student Services.
- 3) In the process of determining contact hour to academic credit ratios, criteria such as the following will be taken into consideration:
 - a) contact hour to credit ratios generally applied per instructional method by community colleges throughout Maryland in accordance with standards of the Middle States Commission on Higher Education.
 - b) cost both to students and to the institution to deliver a program and/or course
- 4) Contact hours and credits for all courses will be published as part of official HCC course descriptions.

Policy No.: 5053

Board Approved: September 18, 2012

Reviewed: December 15, 2020

Team Teaching Contact Hours

Team teaching is defined as a learning situation involving multiple instructors who plan, conduct, and evaluate course work for the same group of students. Contact hours will be divided between the instructors with respect to credit load as mutually agreed upon by the instructors in consultation with the Division Chair or Director and with approval of the Vice President of Academic Affairs before the start of the semester, as long as the total contact hours do not exceed the normal contact hour expectations of the class and the percent contribution does not exceed 100%.

*Policy No.: 5055
Board Approved: June 19, 2007
Reviewed: December 15, 2020*

Flexible Scheduling for Full-Time Faculty

Flexible scheduling may be initiated at the request of either the division chair/director to ensure course coverage throughout the year or the faculty member experiencing extraordinary circumstances. Flexible schedule at a faculty member's request requires completion of a request form and approval by the division chair/director and the Vice President of Academic Affairs. Priority will be given to requests which support the mission, institutional priorities and learning outcomes of the College and the goals of the academic division.

This policy does not include requests for sabbatical or leave of absence.

Note: The policy will go into effect January 1, 2022

Telework Policy

Telework is a mutually agreed upon arrangement between Hagerstown Community College and an employee where the employee works at specified times at a location other than a traditional campus setting, such as a home office. In appropriate circumstances, telework is a viable, flexible work option that can benefit the College and its employees, but telework is not possible for all positions, nor is it right for all employees. Certain positions, including but not limited to those responsible for providing in-person teaching or customer service, and those requiring on-site presence, are not suitable for telework. The President of the College will determine which positions are suitable and eligible for telework.

Only employees who reside in DC, MD, PA, VA, and WV are eligible for telework. Whether a particular eligible employee may telework will depend on the business needs of the College and its various departments. In addition, an employee must have a demonstrated record of satisfactory performance to be approved for telework. Teleworking arrangements must be approved in writing by an employee's supervisor, area Vice President, and Human Resources. Telework arrangements may be approved on an indefinite basis, or for a limited term such as for a particular project, or on a trial basis. Employees will be expected to have a physical presence on campus when required by the College. Once approved, a telework arrangement may be ended by the College or the employee at any time. Decisions regarding the approval, denial, or revocation of telework arrangements will be made fairly, equitably, and based on work-related factors.

Employees who are teleworking must continue to adhere to all College policies and procedures while working remotely, including but not limited to, the College's non-discrimination, anti-harassment, and non-retaliation policies. This also includes compliance with College policies and procedures regarding the security of the College's confidential information, data, and information systems.

Teleworkers must adhere to their agreed upon schedules and maintain consistently good performance levels as determined and evaluated by their supervisors. Teleworkers must be reachable by during their normally scheduled business hours by phone, email, or text just as if they were in the office in person.

Telework requires an employee to have a high-speed broadband internet connection through a reputable provider for the duration of telework arrangement. Phone service via landline or mobile device is also required. The employee is responsible the cost of the internet and phone service. The use of personal office and computer equipment may be required to telework based on College inventory levels. Preventative maintenance, repair, relocation, and replacement of personal equipment are the responsibility of the teleworker. All other costs associated with the

use of an employee's residence or other alternative worksite to telework are also the responsibility of the employee.

All College-owned data, software, equipment, and supplies must be properly protected and secured. A teleworker will promptly notify the College IT Help Desk of any malfunctions of hardware and/or software provided by the College. A teleworker may not modify hardware or software on College provided equipment. The use of equipment, software, data, and supplies, provided by the College for use at the remote worksite, is limited to the teleworker for business purposes. The teleworker is also bound by the same technology use agreement that applies to onsite work on campus. Upon termination of a telework arrangement, the employee will return all College equipment promptly.

A teleworker's alternate workspace must be safe and free from distractions. Teleworkers should notify their supervisor or Human Resources of any work-related injury or illness suffered at their alternative worksite. Telework is not a substitute for dependent care or to allow the employee to perform other non-work activities during work hours. Furthermore, a teleworker's workspace should not interfere with participation in telephonic or video meetings or lead to the inadvertent disclosure of confidential information. When completing a telework application, employees will be required to complete a checklist certifying that their alternative worksite is a safe and suitable environment.

The President is authorized to develop such applications, agreements, and procedures as may be necessary to implement this telework policy.

Policy No.: 5070

Board Approved: September 26, 1995

Revised: February 15, 2022

Award of Emeritus

The title of emeritus is bestowed by the Board of Trustees upon recommendation of the President as a special high honor recognition to retired faculty or administrators who have provided extraordinary service to Hagerstown Community College. In addition, the Board of Trustees may make honorary emeritus trustee or president emeritus designations to those who they feel have provided extraordinary service to the College in these leadership roles. Listed below are the criteria and selection processes for each emeritus designation.

I. Emeritus Faculty

The title of *Emeritus Faculty* is awarded to selected retired full-time faculty in recognition of their meritorious service to Hagerstown Community College. The College bestows this honor in recognition of excellence in teaching and service to the College community.

Eligibility Criteria

A candidate for the faculty emeritus title must meet the following three qualifications:

1. Retirement or has left full-time employment with Hagerstown Community College. Under special circumstances, emeritus status may be established posthumously.
2. Completion of a minimum of 15 years of teaching or administrative service at Hagerstown Community College
3. Minimum of 5 years at the rank of Associate Professor at Hagerstown Community College.

Selection Criteria

In addition to the eligibility requirements listed above, those selected for the faculty emeritus title must have a history of accomplishments in three areas:

1. Outstanding service to the College
2. Evidence of superior teaching including student evaluations and superior performance reviews
3. A record of leadership among peers in areas such as instruction, professional development, college committee participation, and service to students and the broader college community. In short, the candidate is a role model in the profession and epitomizes the characteristics of an outstanding professor

Selection Process

Review and approval of emeritus status for retired faculty should occur annually. Procedural timelines for annual review should be established. Personnel may be nominated only once. Eligible candidates must be formally approved for nomination by a simple majority of the full-time faculty in a teaching division in which the candidate has taught on a full-time basis. The approved nomination must be noted in division meeting minutes. A nomination letter must contain information and data substantiating the candidate's excellent teaching /service to the College, consistent with the criteria stated above. The letter will be forwarded to the Faculty Assembly and approved by a simple majority of the Faculty Assembly for the nomination to go forward. The recommendation(s) of the Faculty Assembly will be forwarded to the Vice President of Academic Affairs and the President. Upon approval by the President, the recommendation(s) will be forwarded to the Board of Trustees. With the approval of the Board of Trustees, the title and related benefits and privileges of Emeritus will be conferred.

Benefits/Privileges

1. Listing in catalog as an Emeritus holder
2. Free admission to selected College events (nominal fees where appropriate)
3. Use of recreational facilities (nominal fees where appropriate)
4. Main campus parking permit
5. Free use of standard library services
6. Waiver of tuition for HCC classes (however, fees apply)
7. Receipt of selected College publications
8. Name entered into Emeritus Employee Wall of Recognition (to be developed)
9. College email address subject to College IT policies and procedures

II. Emeritus Administrators

The title of *Emeritus Administrator* is awarded to selected retired full-time administrators who have held the title of vice president, dean, or director in recognition of their meritorious service to Hagerstown Community College. The College bestows this honor in recognition of excellence in administrative work and service to the College and community.

Eligibility Criteria

A candidate for the administrator emeritus title must meet the following three qualifications:

1. Retirement or has left full-time employment from Hagerstown Community College. Under special circumstances, administrator emeritus status may be established posthumously.
2. Completion of a minimum of 15 years of teaching or administrative service at Hagerstown Community College
3. Minimum of 5 years at the administrative rank of director, dean, or vice president at Hagerstown Community College

Selection Criteria

In addition to the eligibility requirements listed above, those selected for the administrator emeritus title must have a history of accomplishments in three areas:

1. Outstanding and well documented service to the College and community
2. Evidence of superior administrative work, including outstanding supervisor evaluations as well as positive upward evaluations from their direct reports.
3. A record of leadership among peers in areas such as administration, professional development, shared governance and other committee work, and service to faculty and students and the broader community. In short, the candidate has a demonstrated record of professional service that epitomizes the characteristics of an outstanding administrator.

Selection Process

Review and approval of emeritus status for retired administrators should occur annually. Procedural timelines for annual review should be established. Personnel may be nominated only once. Eligible candidates must be formally approved for nomination by a simple majority of the President's Cabinet. The approved nomination must be noted in cabinet minutes. A nomination letter must contain information and data substantiating the candidate's excellent service to the College according to the criteria stated above. With approval by the President and the Board of Trustees, the title and related benefits and privileges of Emeritus will be conferred.

Benefits/Privileges

1. Listing in catalog as an Emeritus holder
2. Free admission to selected College events (nominal fees where appropriate)
3. Use of recreational facilities (nominal fees where appropriate)
4. Main campus parking permit

5. Free use of standard library services
6. Waiver of tuition for HCC classes (however, fees apply)
7. Receipt of selected College publications
8. Name entered into Emeritus Employee Wall of Recognition (to be developed)
9. College email address subject to College IT policies and procedures

III. Emeritus Trustees and President Emeritus

The title of *Emeritus* is awarded to past trustees or presidents who have provided extraordinary service to Hagerstown Community College. The Board of Trustees bestows this honor in recognition of excellence in leadership and service to the selected past presidents and trustees.

Eligibility Criteria

A candidate for the trustee or president emeritus must meet the following three qualifications:

1. Has left employment with the College (presidents) or left active service as a Board member (trustees). Under special circumstances, trustee emeritus status may be established posthumously.
2. Completion of a minimum of 8 years of service at Hagerstown Community College
3. Minimum of 6 years as College President or 3 years' service as Chair or Vice Chair of the Board of Trustees. Past trustees who have not served a term as chair or vice chair, but have served a total of 18 years or more, would also be eligible.

Selection Criteria

In addition to the eligibility requirements listed above, those selected for either president or trustee emeritus status must have a history of accomplishments in the following three areas:

1. Extraordinary service to the College and communities it serves
2. Superior leadership contributions as a president or trustee
3. A record of substantial involvement in major College initiatives that epitomize the characteristics of an outstanding member of the College's governing body.

Selection Process

Review and approval of emeritus status for retired trustees and the president should occur annually. Procedural timelines for annual review should be established. Personnel may be nominated only once. Candidates who meet the above eligibility criteria must be

formally approved for nomination by the Board's chair, vice-chair, and immediate past chair of the Board of Trustees. The approved nomination must be noted in formal executive committee minutes. A nomination letter must contain information and data substantiating the candidate's excellent service to the College according to the criteria stated above. With the approval of four or more current trustees, the title and related benefits and privileges of emeritus will be conferred upon the former president or trustee.

Benefits/Privileges

1. Listing in catalog as an Emeritus holder
2. Free admission to selected College events (nominal fees where appropriate)
3. Use of recreational facilities (nominal fees where appropriate)
4. Main campus parking permit
5. Free use of standard library services
6. Waiver of tuition for HCC classes (however, fees apply)
7. Receipt of selected College publications
8. Name entered into Emeritus Trustee Wall of Recognition (to be developed)
9. College email address subject to College IT policies and procedures (Presidents only)

This policy was also revised on October 17, 2006, November 17, 2006, and June 20, 2017.

Policy No.: 5081

Board Approved: June 20, 2006

Revised:

Alternate Contributory Pension Selection Plan (ACPSP)

The College elects to participate in the Alternate Contributory Pension Selection Plan as an enhancement to the state pension system for eligible employees.

*Policy No.: 5091
Board Approved: July 1993
Revised: March 17, 2020*

Professional Development and Employee Education Assistance

Hagerstown Community College supports employees in their pursuit of academic degrees, professional certifications, and additional course work to benefit their career in higher education.

The College allows professional development program participation directly related to the employee's career. Professional development opportunities are offered to employees through their supervisor, the Vice President of Finance and Administration, and the Executive Director of Human Resources.

Tuition assistance for employees seeking advanced degrees is also offered.

Tuition waivers or discounts are offered to employees and their dependents for HCC's credit and non-credit educational programs.

Terms and conditions for use under this policy are set forth in the Hagerstown Community College Employee Handbook. The President shall have the authority to set procedures for implementation of this policy.

This policy was also revised on September 21, 2004.

Policy No.: 5093

Board Approved: September 21, 2004

Revised: March 19, 2024

Use of Computing, Network and Communications Resources Policy

Hagerstown Community College will provide access to students, faculty, staff, and others by special arrangement and ensure that College computing, network and communication resources are used appropriately in the conduct of College-related business and activities. The College encourages users to utilize available technologies to explore educational topics, conduct research, and contact others in the context of their professional duties.

All users are expected to utilize these resources in a responsible, respectable and ethical manner. Use is governed by all federal, state, and local laws and any related College policies, guidelines and procedures.

Any unauthorized, deliberate action, which damages or disrupts a computing system or network, alters its normal performance, or causes it to malfunction, is not permitted. Maintenance of computer and network systems by anyone other than authorized Information Technology staff is prohibited.

Computer resources are the property of the College. All files and electronic communications created or stored on equipment or media covered under this policy are the property of the College. As a general practice, the administration does not review information stored on College systems and networks for the purpose of inspecting the work of individual employees. However, for appropriate operational, investigative, or legal reasons the administration reserves the authority to access information on its systems with or without an employee's consent or prior knowledge. Except in emergencies, College access to PII, or protected personal information requires the approval of the Executive Director of Human Resources and the employee's area Associate Dean, Dean, Vice President or President. In emergency situations, approval is required by the President or the Vice President of Administration and Finance in the President's absence.

The College reserves the right to monitor, audit, and review files, directories, Internet logs and communications to maintain system integrity and to ensure that employees are using the College systems in accordance with policies and procedures and applicable federal and state laws.

HCC will establish formal policies and procedures to ensure that only authorized users access information systems. The proper management and use of computing, network and communications resources are basic requirements for protecting HCC information assets. These procedures and subsequent procedures/standards/controls will cover the entire "lifecycle" of user access; including, initial account provisioning to revocation.

Hagerstown Community College considers any violation of this policy and related procedures to be a serious offense. Failure to abide by this policy and related procedures and guidelines may result in temporary or permanent denial of access to HCC computing systems. Inappropriate use may warrant disciplinary action up to and including termination

This policy was also revised on April 22, 2014

Intellectual Property

INTRODUCTORY STATEMENT

Hagerstown Community College (hereinafter “the College”) supports and encourages the creation, development, presentation and delivery of new intellectual works and endeavors, including works of art, literature, technology, as well as related technology-based instruction processes and creation of software products by its faculty, staff, and other employees and consultants.

Purpose and Scope

The purpose of the College’s IP Policy is to support the creation and dissemination of intellectual property, while simultaneously defining individual and institutional ownership and use rights in such intellectual property and the distribution of revenues and other benefits that accrue from the creation and commercialization of intellectual property. This policy also confirms the non-competition obligations of faculty and staff in the use, display or sale of intellectual property works that are subject to this IP Policy.

I. Definitions

For purposes of this Policy, the following definitions shall apply:

a. Copyright/Copyrightable Work - The Copyright Law of the United States protects original works of authorship that are fixed in any tangible medium of expression. In the context of copyright law, “original” means that the work has not been copied, i.e., it is an entirely independent creation. A work is “fixed” in a tangible medium of expression when its embodiment in a copy or phonorecord is sufficiently permanent or stable to permit it to be perceived, reproduced, or otherwise communicated for a period of more than transitory duration.

Under U.S. Copyright law, software is generally protected under copyright law, though in some cases software may be the subject of patent protection. For the purposes of this Policy, software used to disseminate knowledge, (e.g., course notes created in and/or distributed through CD-ROM technology) is copyrightable. To the extent that such software is subject to patent protection, this Policy applies to ownership of patentable software as well.

“College Resource” – Any item that is cost-consumable or is a tool or technology only accessible through the College.

“Courseware” - The set of tools and technologies used to present course content, independent of the content itself.

“Course Content” - The intellectual content of the course, as taught at or through the College.

“Exempted” or “Traditional Scholarly Work” - A scholarly work that falls within certain categories of copyrightable works for which academic institutions have historically waived any ownership interest in favor of the author or work. The College will recognize the following as categories of exempted or traditional scholarly works: all forms of tangible art, including but not limited to paintings, sculpture, apparel and jewelry (not including software graphics or design elements), textbooks, class notes, original written handouts created by faculty, written syllabi created by faculty, research proposals, in-person classroom presentation and instruction (separate and apart from software that may be used in such presentation), scholarly articles, scholarly monographs, dramatic works and performances (but not including videotapes, movies and other multimedia presentations not performed in a live setting) poetry, and popular fiction and nonfiction. As new types of works become established as scholarly works, the College may, in its discretion, expand this list beyond these historically recognized and established categories.

“Institutional works” - Institutional works are certain works produced as part of a collaborative effort under the supervision of a department of the College. Institutional works include, for example, works created in a project initiated and directed by a department, or works that are created and then developed and improved over time by a series of individuals, where authorship cannot be attributed to any one individual or group of individuals. Examples of the latter would be certain kinds of software or certain administrative forms that are developed and then improved and updated over time by multiple creators.

Generally, institutional works shall also include works that are created at the direction of the College to support administrative/non-instructional functions, unless there are specific written agreements to the contrary.

“Work for Hire” - “Work for hire” generally refers to a work that is prepared by Faculty, Staff, employees, or consultants to the College Administrative employee within the scope of his or her employment or pursuant to an agreement between the College and that individual.

“Work for hire status” of a Work means that the College shall be considered the author and owner of the Work under the Copyright Act, unless there is a written

agreement to the contrary that is signed by both the creator and the College. Works that are considered “exempted or traditional scholarly works” shall not be treated as Works for Hire under this Policy unless there is a specific written agreement to the contrary between the College and the author.

“**Works**” – Intellectual property as defined or recognized by law and custom created or developed through the application of intellectual efforts by one or more persons.

II. Ownership of Intellectual Property

Title to Works. Subject to specific exceptions as set forth herein, the College shall be the recognized sole owner of, and shall retain title to, all Works by faculty and staff who have created and developed such Works within the scope of their employment, or with substantial use of purpose-specific College resources; all Institutional Works; and any Works that are developed without disclosure to the College as required by this policy. Any attempt to assign, sell, or otherwise transfer title or rights to any Works owned by the College without the Board of Trustee’s prior written consent shall be void and of no effect whatsoever.

Exempted or Traditional Scholarly Work. The College will continue to recognize ownership in the creator of Works that constitute “Exempted or Traditional Scholarly Work” as those terms are defined in this Policy.

Work for Hire. Ownership of Works for Hire not otherwise exempted under this Policy shall vest in the College unless there is a specific written agreement regarding the creation of the work and that agreement specifically vests title or ownership in someone other than the College. In the case of non-employee third parties with which the College is contracting for services related to creation or development of the Work, it is the general policy of the College (subject to exception approved by the President or the designee of the President) to enter into written “work for hire” agreements in which the College will obtain or retain ownership rights in the work as part of the agreement for work or services. Where the College owns the copyright in a Work, it will acknowledge creators (including creators of Works for Hire) who have made a substantial creative contribution to the work, if the creators so request in writing to the Board of Trustees or other designated authority.

Institutional Works. Software and related documentation as well as other works created by employees at the direction of the College for College administrative support purposes, such as documents for administrative use and computer software created by non-faculty staff employee programmers of the College for use by the College are considered works for hire. However, in the sole discretion of the College, the College may execute an agreement with employees to memorialize ownership in the employee creating such works. Staff employees may be directed to develop works, including

software for use by the College, and all such works are considered work for hire that is owned by the College. At the College's request, any employee developing such works shall execute an agreement acknowledging that the work is considered a work for hire agreement recognizing ownership in the College. Any refusal to execute such an agreement following the College's request shall not affect or otherwise change the status of the work as a work-for-hire that is owned by the College.

Pre-Existing Works. Works developed and pre-existing at the time of employment or other relationship with the College shall be exempt from this Policy, provided that written disclosure describing the Work is made to the College within 30 days of employment or the effective date of this Policy, whichever is later, and so long as no further derivative modifications are made by the creator during the term of employment or other relationship with the College.

Special Exemption Works. An employee may apply in writing to the College for a Special Exemption from the Policy for Works created during employment with the College where such Works are clearly distinct from the education mission of the College and are outside of the scope of employment of the employee (e.g., creation of a new cooking tool by a member of the English faculty during employment with the College). The President of the College shall designate a person or committee to review the application for exemption and make recommendation to the President of the College (or designee) who shall have the final authority to grant the special exemption for the described Work.

License for Employee Use Following Termination of Employment. Works created or developed by College faculty, staff, employees, and/or consultants, and which Works are owned by the College shall, upon the termination of such individual's employment (or consultation agreement, as applicable), be subject to a royalty-free, fully paid, nonexclusive license in perpetuity for the former employee/consultant to use or display the Works for non-commercial purposes.

III. License for College Use (Including Display) of Intellectual Property.

License of Intellectual Property. All Works created or developed by College faculty, staff, or consultants that are not owned by the College shall be subject to an irrevocable royalty-free, fully paid, nonexclusive license in perpetuity for the College to use or display the works. This license shall include the right to use all associated materials and documentation (such as syllabus and other material given to students), as well as the right to modify and amend, and to develop derivative uses, including use in contexts other than originally contemplated by the creators of the Work. This license shall include the right to make copies for use in scholarship, teaching, and research. Upon request of the College, the owner of the Work shall execute agreements that memorialize this license and the rights related to it.

IV. Obligations of Faculty and Staff

Disclosure and Coordination. In order to (i) promote advance planning and collaboration for the most effective use of the Work by the College, (ii) avoid legal issues and conflicts that can arise, and (iii) effectively coordinate use of College resources to support the creation and development of any Work, disclosure to the College of the creation of a Work (or the intention to create a Work) must be made as soon as possible, and in any event, within one hundred and twenty (120) days of the effective date of this Policy, or within sixty (60) days of the initiation of the Work, whichever is later. An important obligation of faculty and staff who desire to create a Work is early disclosure of their creative activities to their respective Dean or administrative supervisor. This disclosure must be in writing and identify the goals and proposed applications for the Work and identify all resources of the College that could be used in the creation of the Work, or to facilitate the creation of the Work.

Required Permissions. It is the responsibility of the faculty, staff, or consultants who are creating a Work, or intending to create a Work, to ensure that the Work does not use or infringe upon intellectual property that is owned by others. If the Work does include such any such third-party intellectual property, the faculty member, staff member, or consultant, as the case may be, shall be responsible for obtaining all necessary licenses, releases, and permissions for use of the intellectual property in the Work. The College may require assurance that the Work does not infringe upon the intellectual property rights of others, which shall be promptly provided. All faculty, staff, and consultants shall indemnify the College and hold it harmless against all costs, including court fees and attorneys' fees, that the College incurs as a result of any claim that the Work infringes on the intellectual property belonging to a third party, and shall take all such remedial steps in connection therewith as requested by the College.

Conflicts of Commitment; Conflicts of interest. Independent of ownership, and subject to any policies of the College regarding conflict of interest or conflict of commitment, a member of the faculty or staff may create Works at or for other academic institutions only with permission of the President or the President's designee, and generally then only as part of ordinary scholarly exchanges, including visiting Instructorships and guest lectures, as long as these activities do not include or allow the commercialization of any course content, courseware or other teaching or research-related activities created or conducted at another institution, unless the Works are also licensed to the College for use in the same manner as provided herein for Works that are created at the College. The requirement for permission and prohibition on conflict of commitment and conflict of interest activities as they may apply to such Works shall extend for the term of employment, and in the case of software, for a period of three (3) years after the date of termination of the faculty or staff member's employment by the College. The requirement for permission shall not apply to sales of developed Works to third parties so long as the member of the faculty or staff does not participate in

rendering services in connection with the Work (e.g., in the sale of software consisting of courseware and course content, a faculty member may not physically present the course at another institution or through another entity other than the College, except with permission).

V. Royalty and Revenue Sharing

Net Revenue Sharing. The College shall be entitled to share in revenue generated by sales of any Work outside of the College in the amount of five percent (5%) of the Net Revenues generated by such sales. “Net Revenues” shall be determined by subtracting from gross sales the costs of development, including attorney fees and accounting costs, together with costs of goods and marketing. The College shall be offered access to the books and records relating to the sales of the Works outside of the College at least once per year, together with such documentation of costs and expenses as the creator may wish to present or that the College requests. There is no requirement that the College exercise the right to access and review, and any to do so shall not constitute a waiver of any rights. Royalty payments shall be calculated on a quarterly basis and paid to the College within thirty (30) days following the quarterly report of sales and royalties due

Title and Ownership. Title and ownership to the Works is unaffected by the revenue sharing provided in this Policy. Any transfer of ownership in any Works, direct or indirect (through stock transfers, etc.), shall not affect the right of the College to receive royalties, and notice of such transfers shall be given to the College (including name and address of all transferees).

VI. Miscellaneous Provisions

Use of College Name or College Marks. Use of the College’s name or the College's Marks in connection with a Work, other than by way of identification of the creator as a member of the faculty, staff, or student at the College, constitutes use of a valuable College asset, requiring separate prior specific written permission from the College. Use of the College’s name or the College's Marks can affect the reputation and academic standing of the institution and the value of the College’s Marks, and can constitute a misuse of a public resource in certain situations. Faculty, staff, and students may not participate in the creation or use of works that might give the impression of College sponsorship unless there is specific written permission from the College. Any uses of the College name or the College's Marks (other than to identify the creator by his or her title at the College) in connection with a Work created by a member of the faculty, staff, or consultant, or by a student, must be approved in writing in advance by the College.

Documentation regarding Rights of Use; Ownership. The College and creators of works will cooperate in the execution of documentation that will establish and confirm

rights of use, title, and ownership consistent with this policy. Each will execute such documentation as may be necessary to establish such respective interests in the works.

Attribution for Original Created Work. All faculty, staff, consultants, and employees who use works created by other employees under this policy and procedure shall include a "created by" citation that gives credit to the original creator(s) of the work.

Application of Policy to Students. This Policy shall apply to IP and Works created by students enrolled at the College using College resources, and the College shall be the exclusive owner of all such Works. The College shall use best efforts to make students aware of the applicability of this policy to students and their rights under it. Notwithstanding the foregoing, the College may, in its sole and absolute discretion, enter into a written contract with a student that establishes rights to the Work.

VI. Administration and Dispute Resolution.

This Intellectual Property Policy and any disputes regarding the application of this Policy shall be administered by the Vice President of Academic Affairs and Student Services. Disputes that are unable to be resolved by the Vice President of Academic Affairs and Student Services shall be referred to the President of the College for final resolution. Within thirty (30) days of receiving notice of a dispute requiring the President's resolution, the President shall advise the Board of Trustees in writing of the existence and nature of the dispute. Questions regarding forms of agreements and contracts shall be referred to the general counsel of the College.

VII. Sales of Works Owned by the College.

Right to Sell. The College may sell intellectual property and Works owned by the College upon such terms and conditions as the Board of Trustees may deem appropriate. Such intellectual property may be sold on or off-campus.

Opportunity Fund Policy

A college-sponsored Opportunity Fund, not to exceed 1% of the projected credit tuition revenue, shall be allocated for scholarships each fiscal year. Funding for these scholarships will be allocated from the general operating funds at the discretion of the Dean of Students. The amount of Opportunity Fund awarded will vary per student; in no cases will the scholarship cover full tuition, fee, and course materials cost.

PURPOSE / OVERVIEW:

The purpose of the Opportunity Fund is to provide financial assistance to students who normally would not qualify for funding to match their financial needs, as determined by governmental bodies and private foundations. Institutional “opportunity scholarships” would provide HCC the flexibility to offer assistance to motivated degree, certificate, and letter seeking credit students and to non-credit students in workforce licensure programs who demonstrate a need for financial assistance to attend and complete college. The fund would help more students enroll and complete at HCC by providing timely and adequate financial assistance for tuition, fees, and course materials available for purchase in the Campus Store. Recipients will receive guidance from college staff on how to maximize eligibility for future financial aid and how to strategically plan for college expenses, with the intent of limiting repeat Opportunity Fund recipients and funding more individual students.

Private and public four-year liberal arts institutions, as well as many community colleges, have a long history of awarding institutional scholarships on an individual basis, spanning both need and merit. HCC recruitment staff could be even more successful if they had available this kind of recruitment tool to address individual financial challenges, especially among a large group of “middle class” students who have fewer options in securing college financial assistance.

Here are some examples of students who would be targeted to receive an Opportunity Fund Scholarship:

- Degree-seeking students who would like to attend on a full-time basis but can only afford part-time enrollment.
- Out-of-state low-income students who cannot afford to attend even though they qualify for a Pell grant.
- Middle income students living paycheck to paycheck, who do not qualify for financial assistance.
- Students with interest and academic competence in program majors identified by the College for promotion.
- Low and middle-income students seeking to complete non-credit workforce licensure programs who are not eligible for non-credit financial assistance and who do not have disposable income.

Purchasing Policies

Responsibility

The Procurement Services Office is responsible for procuring all moveable furniture, equipment, supplies, and certain services used by Hagerstown Community College, except items associated with construction as noted below. All purchases for goods and services are made to further the mission, vision, and values of the college and fill a genuine need. It is the intent of the college to eliminate redundant purchases, achieve cost efficiencies, and incorporate adequate verification. All purchases shall be made in accordance with the college's purchasing procedures per the HCC Purchasing Manual, as well as §§16-311 of the Education Article of the Annotated Code of Maryland and any other applicable local, state, and federal laws or regulations. Purchasing Thresholds are reviewed on a regular basis and adapted to conform to federal and state requirements and as amended.

Fixed equipment required for capital improvement projects are identified by the Director of Facilities Management and Planning (examples: built-in cabinets, counters, sinks, cafeteria ranges, walk-in refrigerators) and are included in base construction bids. These items are procured through the final construction contract and not through the issuance of an HCC purchase order. The Director of Facilities will use an HCC purchase order and follow all state procurement laws and HCC guidelines for any non-capital improvement good or service.

Competitive Bidding

Open competitive bidding is maintained at the College through the use of oral, written, faxed, and/or advertised quotes and competitive sealed bids. Bids are solicited from sources able to offer the best value consistent with quality, delivery, price, and service. The use of unreasonable requirements as a means to limit competition is prohibited. Hagerstown Community College is an Equal Opportunity/Affirmative Action/Title IX/ADA/Title 504 Compliant Institution. As such, we encourage proposals from all sources, including minority business, women's business enterprises, and small businesses. The Procurement Services Office will maintain records that document the rationale for each procurement. The records shall reflect the justification for the purchase, the procurement method, selection of contract type, contractor selection or rejection, and the basis for the contract price if not lowest denominator.

In accordance with §16-314 of Education Article of the Maryland Annotated Code, the Board of Trustees will review and approve the designation of a vendor as sole source for purchases that are not small procurements as defined by law. Additionally, approval of the Board of Trustees is required for any change orders to contracts awarded as a result of a formal solicitation that are \$100,000 or more. Lastly, all emergency procurements that are made that cost \$100,000 or more will be ratified by the Board.

Surplus Property Other Than Real Estate

It is the policy of the Board of Trustees to obtain maximum utilization from all of its property. The Procurement Services Office maintains an active inventory of all assets on campus. If a product is

determined to be a surplus, the Procurement Services Office will investigate the best course of action. Disposition for grant funded items are handled based on the respective grant. Otherwise, priority is given to utilizing the item elsewhere on campus. The decision may be rendered to store the item for future use, or if determined to be obsolete sold at auction. Any funds received from a sale are returned to the grant (if applicable) or to the general operating fund for the College. The Facilities office also handles the disposal of all surplus, obsolete, or scrap material.

Gifts

Gifts are voluntary conveyances of money and property, or the furnishing of services, made gratuitously and not upon any consideration.

Gifts may be accepted by the College for programs or activities approved either generally or specifically by the Board of Trustees. Gifts to the College shall be considered as property of the Board of Trustees of Hagerstown Community College when the Board has authorized the receipt and disposition under the authority of the College, of such gifts through the President, except gifts of land and buildings, which should be received by formal action of the Board and should be properly deeded to the Board of Trustees of Hagerstown Community College.

This policy was also revised on June 18, 2019.

Food Service and Campus Store Pricing Policy

Purpose

The purpose of this policy is to ensure that product and service pricing for the campus store and food services adheres to and promotes the basic College mission, vision, and values. While these units are profit driven, they must stay student-centered by offering low prices on student essentials. Convenience or discretionary items will have higher mark-ups and profit margins.

Food Services Pricing

The Food Service Unit is expected to monitor local pricing at competing local businesses, and annually perform price adjustments as necessary. Price adjustments generally should be on a per item basis, versus a flat rate increase/decrease. In order to help keep customer prices low, buying should be done on competitive bids, and unusual products should be sourced based on best value. Prices are to be kept intentionally low to assist the HCC student population.

Catering and vending prices are required to undergo similar market analysis, and prices are to be adjusted accordingly. Due to the convenience or non-essential nature, vending machine prices are generally expected to be slightly higher than the same items in the dedicated campus student food services areas, but are expected to remain reasonable compared to other off-site competition. Exceptions to the annual price adjustment should occur on an emergency basis when product costs are significantly impacted by changes in the industry, or by environmental factors that affect crops and livestock. Clearance pricing may be utilized to try to quickly move large quantities of perishable items that are close to their expiration date.

Campus Store Pricing

In order to be student centered, prices on student essential items such as textbooks, course packs, digital textbook access, and other course required materials are to be kept low with only small or minimal markups. The Campus store is also expected to sell other non-essential items such as snacks, apparel, school spirit/logo items, technology gadgets, and other discretionary type items to meet the changing wants and needs of students, parents, and visitors to the College. These items are generally expected to have a higher mark-up and profit, but established prices need to be competitive in order sell appropriately. This policy also endorses the use of established successful retail practices such as bi-annual sales, advertising, promotions, and the use of clearance sales to move items that are not selling in order to ensure proper turnover of merchandise.

Policy No. 6022

Board Approved: September 20, 2016

Revised: April 16, 2024

Veterans and Campus Store Purchases Policy

Veteran students waiting for VA book stipend money are permitted to charge required classroom books purchased from HCC's Campus Store to their individual student accounts. The related administrative procedures must minimally include the following:

- Verification that VA benefits are in process and the student is registered for credit classes
- The student is in good financial standing with the College
- Student completion and signature of a campus store credit form attesting to their commitment to repay HCC by the end of the semester payment deadline

Appointment of External Auditors

The following policy is adopted to guide the selection and requirements of external auditors:

1. The College will solicit requests for proposals for auditing services following established purchasing policies and procedures. The solicitation will specify that the audit be performed in accordance with the generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants (AICPA), the Standards for Financial and Compliance Audits contained in Government Auditing Standards, and auditing specifications contained in the Maryland Higher Education Commission document entitled Audit Guidelines for the Conduct of Audits of Public Community Colleges in Maryland, and the requirements stated in OMB Circular A-133 Audits of Institutions of Higher Education and Other Non-Profit Institutions, as well as any other federal, state, or local law or regulations that may apply. The audit shall include tests of the accounting records and such other auditing procedures, as the auditor considers necessary under the circumstances in order to allow for an expression of an opinion. The Audit Committee may reject any and all bids.
2. The Audit Committee of the Board of Trustees (Board) will recommend selection of the auditors to the Board based on, but not limited to, the following criteria:
 - Firm's experience providing audit services for other colleges, educational institution, or local government agencies of similar size and complexity as found at HCC.
 - Firm's recent and current experience in performing federal single audits and producing reports that were accepted in the first submittal.
 - Firm's experience in working with integrated accounting data systems.
 - Firm's and individual staff member qualifications and experience.
 - Responsiveness to the Request For Proposal and understanding of the scope of work as evidenced by the proposals, estimate of staff hours required, references, and interviews (if deemed appropriate).
 - References
 - Costs
3. Contract performance will be for three years with the option to renew the agreement for three one-year extensions upon mutual agreement by both parties. In the subsequent three fiscal years, the College, with support from the Audit Committee, reserves the option to reappoint the auditor or request new proposals from auditing firms.
4. The College's recommendation for the Audit Committee to act on an initial contract award will be submitted by February; the recommendation for an extension to a previously awarded contract will be submitted by December.
5. The contract for the audit may be declared null and void at the option of the Audit Committee in the event the Legislative Auditor submits notification of an intent to conduct the required annual audit of the College.
6. The auditing contract will make allowance for the completion of field work and the preparation of required reports in sufficient time for the College to meet dates specified in the request for proposal.

7. Pre-audit and post-audit conferences with the auditors will be arranged to discuss areas of mutual concern.
8. The lead audit partner and reviewing audit partner must be rotated off the audit at least every six (6) years with a two (2) year 'time-out' period.
9. The audit firm must not have a relationship with the College that may adversely affect the independence of the audit firm in performing work for the College.
10. The following employment restrictions apply:
 - A. The audit firm must not have employed the College's President, Vice President of Finance and Administration and/or the Director of Finance since the beginning of the fiscal year prior to the audit year.
 - B. The audit team members must not have been employed by the College since the beginning of the fiscal year prior to the audit year.
 - C. The College may not hire audit team members for a period of twelve (12) months beyond their work on the College audit.
11. Unless approved in advance by the Audit Committee, the independent public accountants are prohibited from engaging in non-audit services extending beyond what is specifically outlined within the contract. This does not include providing basic advice on accounting matters.

This policy was also revised on June 20, 2006.

*Policy No.: 6035
Board Approved: March 21, 2006
Reviewed: September 15, 2020*

Cash Receipts Policy

The purpose of this policy is to standardize and control the receipt, deposit, and recording of cash receipts. All cash received by employees of Hagerstown Community College or affiliated groups shall be deposited in an appropriate account administered by the College's Finance Office. Deposits should not be sent through the mail, but should be personally delivered to the Finance Office. Cash is to be deposited intact in a timely manner. "Intact" means that all cash collected must be deposited and that no disbursement can be made from these undeposited receipts. All cash kept overnight in the department are to be safeguarded from fire and theft.

College personnel are not permitted to draw from cash receipts to pay for expenses. All expense reimbursements must be by requisition or petty cash requests with appropriate receipts provided.

Checks are to be made payable to "Hagerstown Community College" or "HCC". Checks may not be made payable to a department or special program. Checks are to be restrictively endorsed for deposit only to the credit of the College immediately upon receipt.

Cash will be reconciled with cash register tapes, pre-numbered receipts, ticket sales, goods sold, etc. and a reconciliation will be included with the deposit. The supporting records in a given area are to be appropriate for the type of activities in which the area is engaged.

To minimize the potential for mistakes or misappropriation, duties are to be separated to the extent possible in any area handling cash. In addition, each college area that handles cash must have a secure location and appropriate written procedures. Each college division or department that handles cash must have an approved system of checks and balances in which tasks are performed by different individuals for adequate control. All department cash handling systems must be reduced in writing and sent to the Vice President of Administration and Finance or his/her designee for approval. For all areas that handle cash an approved system must be on file in the Office of the Vice President of Administration and Finance.

Note: For the purpose of this policy, the term "cash" is deemed to include currency, coins, personal checks, bank drafts, money order, traveler's checks, cashier's checks and credit card transactions.

*Policy No.: 6037
Board Approved: December 15, 2009
Revised: February 20, 2024*

Debt Policy

The College will avoid the use of debt except when necessitated by cash flow or other emergency situations or for capital leasing or financing of personal property including equipment, machinery, and fixtures for the operation of the College on terms and conditions that the Board of Trustees considers proper. Capital leasing or financing will not be for a term more than the useful life of the items leased or financed. In the event Hagerstown Community College does issue debt, it will not use variable rate debt instruments, interest rate exchange agreements or swaps, and other derivatives including futures and options.

The College President will make a recommendation to the Board of Trustees for approval by a majority of its members.

The College will continue to maintain regular communications with the Washington County Commissioners about its financial condition and will follow its historical practice of full and open disclosure on financial reports.

Background

The Board of Trustees of Hagerstown Community College is required, pursuant to Article 95, Section 22F(d) of the Annotated Code of Maryland to adopt a debt policy that is consistent with the Maryland Constitution, Articles 23A, 24 and 31 of the Annotated Code of Maryland and all other applicable statutes, charters and local laws. Borrowing authority is limited by the applicable provisions of Title 16 of the Education Article of the Annotated Code of Maryland. The debt policy is intended to promote continued sound financial management and meet the needs of Hagerstown Community College.

Note: This Background Statement was presented to the Board of Trustees along with the policy recommended for approval.

Policy No.: 6039

Board Approved: June 20, 2006

Revised: June 18, 2024

Asset Capitalization and Inventory Control

To ensure compliance with generally accepted accounting principles and fiscal accountability, Hagerstown Community College has established policies and procedures pertaining to asset capitalization and inventory control. The policy outlines capital thresholds, valuation and depreciation methods.

Investment in land, building, equipment and vehicles comprises a substantial portion of the College's total assets. For the purpose of capitalization and inventory control, capital assets will be valued at cost including ancillary charges necessary to place the asset in its intended location and condition for use.

Trade-in allowances will be included as part of the assets cost. Assets with a cost of \$10,000 or more will be tagged, capitalized, and depreciated over its useful life using the straight-line method of depreciation.

Assets with values less than \$10,000 will not be capitalized, tagged or inventoried, with the exception of technology such as computers, tablets and printers or other items with high theft risk with values over \$1,000. Items valued at less than the capitalization threshold will not be depreciated and will instead be expensed at the time of acquisition.

Grant funded non-consumable physical items will receive an inventory tag and be maintained in the inventory system for grant related tracking purposes. Specific grant documents will determine the ownership and treatment of the asset, as some assets pass immediately to the College, some revert at the end of the grant period, and others must be returned to the granting agency. Grant assets will be capitalized and depreciated only if and when ownership actually transfers to the College.

A physical inventory of capitalized and non-capitalized tagged assets will be conducted at least once every three years and accounting records will be adjusted based on inventory results.

Minimally, individual asset records will include the following:

- Fixed Asset Identification
- Complete item description (Manufacturer, Model and Serial Number)
- Asset Type and Category
- Location (Building and Room)
- Acquisition Method
- Acquisition Date
- Acquisition Cost
- Useful Life
- Depreciation Method
- Purchasing Information such as voucher or purchase order number

Effective July 1, 2024.

Hagerstown Community College Investment Policy

1.0 Policy Statement

The purpose of the investment policy is to establish guidelines that will govern Hagerstown Community College when investing public funds. All funds will be invested in a manner which will yield the greatest return with maximum security while meeting the daily cash flow needs of the College. This policy will conform to all State and local statutes governing the investment of public funds. In accordance with Senate Bill 86, Hagerstown Community College will not borrow funds for the express purpose of investing those funds.

2.0 Scope and Strategy

This investment policy applies to all financial assets of Hagerstown Community College. These funds are accounted for in the College's Comprehensive Annual Financial Statements and include:

- Current Unrestricted Funds
- Current Restricted Funds
- Agency Funds
- Plant Funds
- Auxiliary Services Funds
- Independent Operations Funds

3.0 Prudence

Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the probable income to be derived.

The standard of prudence to be used by the investment officials shall be the "Prudent Person Rule" and shall be applied in the context of managing the overall portfolio.

Investment officials acting in accordance with written procedures and the investment policy shall be relieved of personal liability for an individual security's credit risk or market price changes, provided deviations from expectations are reported in a timely manner and action is taken to control possible adverse developments.

4.0 Objectives

The primary objective of Hagerstown Community College's investment policy, in order of priority, are safety, liquidity, and return on investments.

4.1 Safety

Safety of principal is the foremost objective of this investment program. Investments of the College shall be undertaken in a manner that seeks to preserve the capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not jeopardize the remainder of the portfolio.

4.2 Liquidity

The College's investment portfolio will remain sufficiently liquid in order to meet all operating requirements which might be reasonably expected.

4.3 Return on Investments

The College's investment portfolio shall be designed with the objective of attaining a rate of return throughout budgetary and economic cycles, commensurate with the College's investment risk constraints and the cash flow characteristics of the portfolio. Whenever practical, the College will obtain competitive quotes for investments, given the resources available.

5.0 Delegation of Authority

Authority to manage the College's investment program is derived from the Board of Trustees and is in accordance with Article 95, Title 6 of the State Finance and Procurement Article of the Annotated Code of Maryland. Management responsibility for the investment program is delegated to the Vice President of Administration and Finance and the Director of Finance, who shall establish written procedures for the operation of the investment program consistent with this investment policy.

Procedures should include a reference to safekeeping, repurchase agreements, wire transfer agreements, banking services contracts and collateral/depository arrangements. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. The Vice President of Administration and Finance and the Director of Finance shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials.

6.0 Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program or which could impair their ability to make impartial investment decisions. Employees and investment officials shall disclose to the President of the College any material financial interests in financial institutions that conduct business with the College, and they shall further disclose any large personal financial/investment positions that could be related to the performance of the College, particularly with regard to the time of purchase and sales.

7.0 Authorized Financial Dealers and Institutions

The Finance office will maintain a list of financial institutions authorized to provide investment services to the College. No public deposit shall be made except in a qualified public depository as established by State law. All financial institutions who desire to become qualified bidders for investment transactions must provide the Finance office with an audited financial statement or annual report, a completed broker/dealer questionnaire, and a certification of having read the College's investment policy.

8.0 Authorized and Suitable Investments

The College is authorized to invest in instruments as outlined in the Maryland annotated code article 95 and Maryland state finance and procurement article 6-222.

9.0 Collateralization

Collateralization will be required on certificate of deposits, repurchase agreements and the Investment Pool unless the financial instrument invests 100% in obligations of the United States Government. In order to anticipate market changes and provide a level of security for all funds, the collateralization level will be 102% of market value of principal and accrued interest.

Collateral will always be held by an independent third party. A clearly marked evidence of ownership must be supplied to the College.

All investments must be fully insured by the FDIC or collateralized by United States government securities unless the financial instrument invests 100% in obligations of the United States Government.

10.0 Safekeeping and Custody

All security transactions entered into by the College shall be conducted on a delivery-versus-payment (DVP) basis. Securities will be held by a third-party custodian designated by the Director of Finance and evidenced by safekeeping receipts.

11.0 Diversification

The purpose of diversification is to reduce the overall portfolio risks while attaining market average rates of return. The College will diversify its investments by security type and institution.

<u>Limitations by Type of Security</u>	<u>Maximum % of Portfolio</u>
US Government Securities	100%
Certificates of Deposit	40%
Repurchase Agreement/Investment Sweep	100%
Local Government Investment Pool	100%

12.0 Maximum Maturities

To the extent possible, the College will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the College will not directly invest in securities maturing more than one (1) year from the date of purchase.

13.0 Internal Control

The Director of Finance will establish an annual process of independent review by an external auditor. This review will provide internal control by assuring compliance with policies and procedures.

14.0 Performance Standards

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles commensurate with the investment risk constraints and the cash flow requirements. The College's investment strategy is passive. Given this strategy, the basis used to determine whether market yields are being achieved shall be the three-month US Treasury Bill rate.

15.0 Reporting

The Vice President of Administration and Finance and Director of Finance are charged with the responsibility of including a report on investment activity and returns in the College's Annual Financial Report. The College will comply with reporting requirements of the State of Maryland. Such reports will be reviewed by the President of the College and forwarded to the Maryland State Office of the Treasurer if required.

16.0 Investment Policy Adoption

This policy shall be reviewed annually by the Administration and any modifications made thereto must be approved by the Board of Trustees.

This policy was also revised on January 23, 1996 and September 26, 2006.

*Policy No.: 6045
Board Approved: April 18, 2017
Revised:*

GASB 75 – Accounting and Financial Reporting for Postemployment Benefits Other than Pensions

The Board of Trustees approved fully funding the OPEB liability in FY17, and hereafter will review every two years following the most recent actuarial study.

The following background information was submitted to the Board of Trustees along with the proposed policy.

GASB 75, which replaces Statement 45, no longer allows for amortization of the Other Post-Employment Benefits (OPEB) liability over 20 years. (For HCC, Other Post-Employment Benefits (OPEB) includes health care benefits including the retiree portion of plans that cover both active employees and retirees.) The College is required to recognize the full expense and corresponding liability according to the most recent actuarial study, and can choose to keep the additional liability as unfunded on the balance sheet, or fully fund the trust.

Policy No.: 6060
Board Approved: June 23, 2009
Revised:

Identity Theft Prevention Program

The Federal Trade Commission and the federal financial institution regulatory agencies published the final rules on identity theft “red flags” and address discrepancies, implementing sections 114 and 315 of the Fair and Accurate Credit Transactions Act of 2003. These final “red flag” rules require each financial institution and creditor that holds any consumer account, or other account for which there is a reasonably foreseeable risk of identity theft, to develop and implement an Identity Theft Prevention Program for combating identity theft in connection with new and existing accounts.

In response to this requirement, the HCC Identity Theft Prevention Program was drafted in accordance with the size and complexity of the College’s operations and the nature and scope of the College’s activities.

Policy No.: 6070
Board Approved: June 20, 2017
Revised:

Personal Loans and Payroll Advancements

It is the policy of Hagerstown Community College to avoid any form of conflict of interest or the appearance of a conflict of interest by prohibiting any personal loan or pay advancement to any employee, campus volunteer, or anyone else associated with HCC. This policy does not apply to student loans.

College Leasing of Real Property and Chattel

Purpose

The purpose of this policy is to set forth the persons with the legal authority to enter into lease agreements that bind the College.

Real Property

The President shall have the sole authority to enter into any lease agreement involving real estate, as lessee or lessor, for the benefit of the College.

Chattel and Other Property

The act of leasing chattel, movable equipment, software, or cloud based leasing agreements is also the authority of the President but may be delegated to the Vice President of Administration and Finance and further down to the Department Director level. However, such lease agreements must comply with the HCC Purchasing Manual, as well as Sec. 16-311 of the Education Article of the Annotated Code of Maryland, and any other applicable local, state, and federal laws or regulations with regards to fiscal thresholds on lease amount and duration. Employees will use an HCC purchase order and follow all HCC guidelines for any lease involving chattel, software, or cloud-based information technology systems.

Policy No.: 7010
Board Approved: April 20, 2004
Revised: Annually

Continuing Education Tuition & Fees

In order to provide cost effective courses insuring the financial success of Continuing Education programs, HCC desires to maintain a systematic approach to the calculation of Continuing Education tuition and fees. Affordability to the College's Continuing Education students is also considered in the development of the tuition and fee structure.

*Policy No.: 7050
Board Approved: June 20, 2006
Revised:*

Library Use by Non-HCC Users

1. HCC students, faculty, and staff members are the primary audience for services from the Brish Library. This group is to receive priority over all other users of the library.
2. Maryland residents are to receive off-campus borrower status upon request. Off-campus borrower status may be granted to members of the public who are not Maryland residents. Members of the public who are teaching at other colleges in the region are requested to rely on those institutions for library and instructional support.
3. A non-refundable annual fee will be charged to out-of-state residents to obtain borrowing privileges. This fee will be approved annually by the Board of Trustees as part of the Student and Community Fee Schedule.*
4. HCC alumni living outside Maryland will receive a library card good for one year following their graduation. Thereafter, a reduced fee will be applied upon renewal. This fee will be approved annually by the Board of Trustees as part of the Student and Community Fee Schedule.** Alumni enrolled in other educational institutions are encouraged to rely primarily upon those institutions' libraries to meet their educational needs.

* For FY07, a fee of \$10 is recommended. In subsequent years, the fee would be included in the Student and Community Fee Schedule.

** For FY07, a fee of \$5 is recommended. In subsequent years, the fee would be included in the Student and Community Fee Schedule.

Policy No.: 7060

Board Approved: May 24, 2005

Revised: October 16, 2018

Facilities Rental and Usage by Outside Organizations

Hagerstown Community College (“The College”) is committed to serving the needs of its local community through educational courses and programing, as well as through other services. The first priority for use of campus facilities is programs and activities intended for students, faculty, and other members of the campus community. Use of College facilities by outside organizations will only be considered after it has been determined that the requested space is not needed for instructional purposes, required for any organized campus event or student organization, needed for general student and staff use, needed for the college development office fund raisers, or has not already been reserved. College facilities that are available for rental include, but are not limited to, the Athletic Recreation and Community Center (ARCC), Kepler Performing & Visual Arts Education Center Theater and Theater Lobby, Alumni Amphitheater, Merle S. Elliott Continuing Education & Conference Center, and the Behavioral Sciences & Humanities (BSH) Building Auditorium, athletic fields, as well as some selected labs and classrooms.

The following provisions and restrictions apply to outside organizations who wish to rent College facilities:

1. College facilities may not be rented or used for formal religious services or proselytization. Community memorials or tributes are excluded from the prohibition.
2. College facilities may not be rented for partisan political activities including campaigning or fundraising for a political candidate. Current elected government officials may however be allowed to use College facilities to address constituents related to current legislation or other issues of general public interest, as long as the event is not part of a campaign or fundraising effort. Refer to Policy # 8067 for further details on the College’s policy related to political activity on campus. College or Student Organization sponsored events are not considered rentals under this policy, and thus are not prohibited.
3. Outside organizations may not use College facilities for fund-raising activities, unless approved by the Office of College Advancement to ensure that goals of the event are not in conflict with goals and efforts of the College.
4. College facilities will generally be made available to outside organizations if the goal of the event is promoting learning and personal development, and the event does not provide competition to College credit or non-credit programing.
5. Groups using College facilities may not limit, restrict, disrupt, or in any way inhibit the normal instructional programs of the College or other College activities. Groups must also comply with other existing College policies such as the Tobacco-free campus policy (#8030), Alcohol at Special Campus Events policy (#8020), Student Drug and Alcohol Abuse Policy (#4041), Expressive Activity Policy (#8068), and Commercial Solicitation Policy (#8069).

6. For-profit groups using the College facilities will be reviewed on a case-by-case basis and must meet and agree to the following provisions:
 - a. Sign a formal rental agreement no more than one year in length.
 - b. Produce financial statements and/or relevant financial information directly pertaining to the event as requested by the College.
 - c. Agree to a set amount of the proceeds raised by the event going directly to the College or the HCC Foundation.
 - d. Provide documentation of the required level and amount(s) of insurance as specified in the formal rental agreement.

7. Requests for facility rentals to new organizations or non-standard events will be handled on a case-by-case basis at the discretion of the President or designee.

Board approved facility rental and other applicable fees per the annual Student and Community Fee Schedule (Board Policy #3020) will be charged to cover costs, unless waived by the President of the College. These fees include, but are not limited to, rent, equipment use, food service, security, technical support, utilities, and custodial service. HCC campus units who provide these services have the first right of refusal to provide services for rental events. All invoicing for facilities usage will be processed through the Finance Office in coordination with the responsible office for the given facility.

The physical facilities of Hagerstown Community College may be used by outside agencies if proper approval is obtained and safeguards are provided to assure the safe and orderly use of facilities. This includes presenting the College with an appropriate certificate of insurance naming the College as an additional insured entity for the event. Persons and/or outside agencies who want to use a facility must apply for rental approval through the HCC rental process. Facility rental application forms and applicable administrative rental procedures for each facility including insurance requirements can be found on the Hagerstown Community College website under the Business & Community section. A contract signed by both parties along with the appropriate rental deposit constitutes a formal confirmation of the rental reservation.

Requests for use of campus facilities may be denied if, in the judgment of the College, the use fails to meet the criteria listed above. The right is reserved to revoke or annul any approved application for noncompliance with procedures. The College also reserves the right to waive any or all conditions of the policy and to stipulate additional conditions if, in its judgment, such action is in the best interest of the College.

Permission to use the facility does not imply endorsement by Hagerstown Community College of the views, opinions, or programs of the user.

This policy was also revised on October 18, 2016.

*Policy No.: 7080
Board Approved: December 16, 2014
Revised: December 15, 2020*

Dental Education Clinic Patient Bill of Rights and Care Policy

The Hagerstown Community College Dental Education Clinic Patient Bill of Rights and Care Policy is comprised of four parts relevant to treating patients in the dental clinic. The parts are: Patient Bill of Rights; Universal Precautions (including infection control); Termination of Care; and Information Release (HIPPA). The specific language for each part follows.

HCC Patient's Bill of Rights

As a patient in the Dental Education Clinic at Hagerstown Community College you have a right to:

1. Receive considerate, respectful, and confidential treatment.
2. Expect treatment that meets a high standard of professional care.
3. Expect complete confidentiality of all records and information regarding your case.
4. Receive treatment without discrimination to race, color, religion, gender, national origin, disability, or source of payment.
5. Participate in all decisions about treatment in our Dental Clinic.
6. Provide informed consent before dental hygiene procedures and/or treatment.
7. Expect reasonable continuity and completion of care, providing you attend all appointments without unnecessary or unreasonable cancellations and failures.
8. Receive an explanation of the cost of dental hygiene procedures provided at the HCC Dental Clinic.
9. Receive complete information about any referral made for further dental evaluation or treatment.
10. Receive complete explanations of any recommended treatment, possible treatment alternatives, the risks associated with no treatment, and the expected benefits and results of recommended treatment.
11. Refuse treatment and be informed of any effect this may have on your health. However, refusal of dental radiographs and recommended treatment does not meet the standard of care in the dental profession. Therefore, refusal of radiographs prescribed by the clinic dentist for your individual treatment will be cause for dismissal from the HCC Dental Education Clinic. It is important for you to understand an evaluation by the clinic dentist, including a thorough evaluation of your health and dental histories, is only one part of your dental evaluation. Radiographs are necessary to show areas in your mouth where the dentist cannot see clinically. According to the American Dental Association, dental treatment without radiographs may result in the failure to diagnose a potential dental problem, including oral diseases and conditions.

If you have any questions about your rights as a dental hygiene patient in our facilities or if you do not understand the rights listed above, the clinical faculty or the dental clinic manager will be glad to explain

these rights and responsibilities in greater detail.

Universal Precautions and HCC Patients' Rights

Health care facilities providing services in which there is a risk of skin, eye, mucous membrane, or parenteral contact to human blood or other potentially infectious materials must practice universal precautions.

Universal Precautions means the prevention of disease transmission through the use of infection control practices with all patients.

The HCC Dental Education Clinic complies with infection control practices required by the Maryland State Department of Health, which were adopted by Maryland law, Maryland Occupational Safety and Health Administration (MOSH), and the Centers for Disease Control and Prevention (CDC) recommendations. The following infection control practices include, but are not limited to, those required by the Universal Precautions rule and are used to prevent transmission of bloodborne pathogens to patients and treating staff:

- Appropriate use of protective barriers, including gloves for hand contact, masks, gowns, laboratory coats, and protective eyewear or face shields are used for procedures having the potential of creating a spray or splatter of blood or other potentially infectious materials.
- Gloves, when required, are changed and hands are washed after each patient.
- Heat stable, non-disposable instruments requiring sterilization that are contaminated with blood or other potentially infectious materials are heat sterilized after treatment of each patient.
- Precautions are taken to prevent injuries caused by needles, syringes, and other contaminated sharp objects are discarded in puncture-resistant containers.
- Surfaces and equipment contaminated with blood or other potentially infectious materials that need not be sterilized are cleaned and disinfected after treatment of each patient. Disposable coverings may be used on some surfaces to prevent contamination.
- Infectious waste is placed in containers labeled with the biohazard symbol, impervious to moisture, and of sufficient strength to prevent expulsion.
- Containers of infectious waste are stored in a secure area prior to treatment and final disposal.
- Patient care staff receives training on infection control.

The infection control procedures listed, and other that are not readily observable, protect you from disease transmission. Maryland law requires that health care facilities be committed to appropriate use of Universal Precautions. Any deviation from this commitment should be brought to the attention of the **Dental Hygiene Program Coordinator** at this facility. If you are not satisfied with the explanation of universal precautions provided by this facility, you may file an official complaint with the Maryland State Department of Health by writing to the following address:

Maryland Dept. of Health and Mental Hygiene
201 W. Preston St.
Baltimore, MD 21201
410-767-6500/toll free 1-877-463-3464
Email dhmh.healthmd@maryland.gov.

Procedures for Individuals with Communicable/Infectious Diseases

The HCC Dental Hygiene Program is obligated to provide care with compassion and dignity as well as respect the rights of privacy and confidentiality to all patients. Faculty, students, and staff will maintain standards of healthcare and professionalism expected of all health professionals. The following guidelines will be practiced by all faculty, staff and students in the HCC Dental Hygiene Program.

1. The program accepts ALL patients without discrimination of race, color, religion, gender, national origin or disability.
2. Patients who have an infectious disease will not be discriminated against or refused treatment; however, they may be required to postpone treatment until the HCC Dental Education Clinic has received a medial consult from their physician of record. This includes those with human immunodeficiency virus (HIV), acquired immunodeficiency syndrome (AIDS), or hepatitis infections. An exception to this policy is active tuberculosis. These individuals will not be treated in the dental clinic until a clearance is given by the treating physician. The rights of faculty, staff, and students who have tested positive for an infectious disease will be protected. A physician's consult is necessary for patients and personnel posing any risk of infectious disease transmission.
3. A student or employee who contracts an infectious disease has the right to retain his/her educational or employment status.
4. Students must demonstrate proof of immunity which includes HBV, MMR (measles, mumps, and rubella), tetanus, and TB skin test. All dental faculty and staff must demonstrate proof of immunity to hepatitis B, be immunized, or formally decline the immunization in writing.
5. All faculty, staff, and students will adhere to the established protocol for infection control and bloodborne pathogen training provided at initial employment or admission and through yearly updates. These protocols are in compliance with current OSHA and CDC guidelines as well as current federal, state, and local guidelines.
6. If a patient presents with a cold sore, the dentist will determine if treatment can be continued or deferred to a later time.

HAGERSTOWN COMMUNITY COLLEGE

Dental Education Clinic Termination of Care Policy

The mission of the HCC Dental Education Clinic is to provide thorough preventive oral health services in an educational setting. Providing optimal dental care means using all resources available to accurately assess the condition of your mouth. Because of our commitment to providing only the best dental care possible, the HCC Dental Education Clinic has adopted the *Termination of Care Policies* listed below.

1) Review of Findings Policy

- a) Clinic patients who receive referral forms from the HCC Dental Hygiene Clinic must have recommended treatment evaluated by their family dentist within one (1) year to remain a patient at the HCC Dental Clinic.
- b) The preventive procedures and oral screenings completed at our dental clinic cannot replace regular examinations by your dentist. Patients are encouraged to participate in their oral healthcare by contacting their dentist to schedule a thorough examination and diagnosis at least yearly.

2) Radiographic (x-ray) Policy

- a) HCC Dental Clinic patients ages 5 years and older must have bite-wing x-rays available and/or taken at least once every two years, or treatment cannot be provided. Additional radiographs may be recommended based on decay history.
- b) Patients 21 years and older must have full-mouth x-rays or panoramic x-rays taken at least once every three to five years.
- c) Periodontal patients and high caries risk patients may require bite-wing x-rays taken at least once every year.
- d) Please allow at least two weeks for x-rays taken at HCC to be mailed to the dentist of choice for evaluation and diagnosis. The patient also has the option of taking a copy of the x-rays personally to the doctor of choice.

3) Recurrent Failure Policy

- a) A failed appointment is considered as follows:
 - i) Appears at the clinic more than 25 minutes after the scheduled appointment.
 - ii) Does not call within 24 hours before the appointment time to cancel.
 - iii) Patient fails to show up for the appointment
- b) If a patient has two (2) or more failed appointments, that patient will no longer be considered for treatment at the HCC Dental Hygiene Clinic.

4) Patient Code of Conduct Policy

- a) A patient may be dismissed from the clinic due to unacceptable behavior. Unacceptable behavior includes, but is not limited to: unruly, disruptive, threatening or verbally/physically abusive behavior deemed to jeopardize the well-being of staff, students, faculty, or other patients.

By signing below I certify that I have: received a copy of the *HCC Patient's Bill of Rights, Procedures for Communicable/Infectious Diseases, Universal Precautions and Patients' Rights* and the *Termination of Care Policy* and was given an opportunity to have my questions answered.

Patient Name (Printed) _____

Patient Signature _____

Date _____

White- HCC File Copy Yellow- Patient Copy

Hagerstown Community College Dental Education Clinic

Designation of Individuals Who are Involved in my Payment or Treatment Decisions

I hereby authorize employees of the HCC Dental Education Clinic to disclose my protected health information and related treatment and/or payment information for health services received to the individual(s) (i.e. family members, doctors' offices, etc.) who I have indicated below.

***Please enter the designated individual(s) information and check the appropriate box to indicate whether the individual is involved in your payment and/or treatment decisions.**

Individual's Full Name (Please print)	Relationship to	Involved in Payment (Check if yes)	Involved in Treatment (Check if yes)
	Patient	<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>

This information will be presumed valid and the **HCC Dental Hygiene Clinic** may rely on it until you have submitted written notification stating changes in individual designation. Notification of a change should be sent to: The HCC Dental Hygiene Clinic, ATTN: Clinic Manager, 11400 Robinwood Drive Hagerstown, MD 21742-6514.

Patient or Legal Representative

Signature Date

Policy No.: 8005

Board Approved: September 22, 2009

Revised: January 19, 2021

Campus Police Department Policy

The Board of Trustees for Hagerstown Community College authorizes the HCC Campus Police Department to create policies and procedures that adhere to the Maryland Police & Corrections Training Commission (MPCTC) standards and best practices in law enforcement.

Background:

On May 7th, 2009 Chapter 0389, House Bill 361, was signed into law, which recognized the establishment of the Hagerstown Community College Police Force. The Board of Trustees supports the police department and recognizes the need for established policies and procedures to ensure safe policing. Hagerstown Community College Campus Police provide a valuable service to the campus community. The Board further recognizes the need for law enforcement to constantly assess and improve their practices and policies to ensure transparency and to maintain the trust of the people they serve.

Purpose of the HCC Police Department

The Hagerstown Community College Campus Police Department was created to serve the College community; safeguard life and property, enforce state and local laws and to preserve the peace and protect the rights of all citizens, on the campus. Members of the Campus Police are committed to the sanctity of life and respect the value of every human life. The Police Department will also support departments within the College to ensure a safe and secure campus community.

Policies and Procedures:

All policies and guidelines pertaining to the HCC Police Department will align with existing College policies, the standards set forth by MPCTC, all Federal Executive Orders pertaining to law enforcement and the Law Enforcement Officer's Bill of Rights. The Hagerstown Community College Campus Police are authorized to create internal policies and procedures that meet and/or exceed the standards set for by MPCTC and the Federal government. In addition to sound policies and procedures, the exercise of good judgment, and the application of common sense, together with the highest degree of cooperation by those entrusted with law enforcement, is essential to effective and successful operation of this department.

Chain of Command

Members of the HCC Campus Police/ Security and members of the Student Patrol are under the direct supervision of the Chief of Police, who reports to the Executive Director of Human Resources.

Training

All members of the Hagerstown Community College's Police Department will be competently trained in the required knowledge, skills and abilities associated with the daily circumstances of police work before they are actively used in enforcement activities or are able to make arrests. Generally, initial training will take place in an academy or classroom setting and will meet the

standards of the Maryland Police & Corrections Training Commission. The College will provide training opportunities for its Police Officers to meet or exceed the standards set for by MPCTC. Proficiency in the use of firearms for all members of the Police Department will be determined by periodic qualification. At a minimum, the requirements for qualification will meet the standards established by the Maryland Police Training Commission. The Chief of Campus Police will ensure all training requirements are met and documented within the department.

Ethics in Law Enforcement

Officers of the Hagerstown Community College Campus Police Department will perform their professional duties competently and conscientiously in full accordance with the law as well as College rules and regulations. While on-duty, officers will uniformly treat private citizens in a civil and equitable manner, regardless of the circumstances. Members of the Department will conduct their off-duty personal lives in a mature, law-abiding and exemplary manner. All members will be guided by the provisions of the International Association of Chiefs of Police law enforcement ethics statements.

Criminal Background Check Policy

Purpose:

The College conducts Criminal Background Checks to promote a safe environment for employees and students, make prudent employment decisions based on comprehensive information, reduce liability, provide a service for students in identified programs and comply with Maryland Law.

Process for Employees/Volunteers/Contractors:

Criminal Background Checks must be completed prior to the first day of work. Offers of employment, continued employment and volunteer assignments are contingent upon successful completion of required Criminal Background Checks.

Candidates, employees and designated contractors⁴/volunteers are required to complete a criminal background check authorization form and return it to Human Resources. Human Resources will schedule the background check upon receipt of the signed release form. The Criminal Background Check process will be administered through the Department of Public Safety.

Results are reviewed by the Executive Director of Human Resources.

Rights Afforded to the Individual if Information is Received of Criminal History:

In instances where information is received of a criminal history, the Executive Director of Human Resources will provide due process to the individual to allow the opportunity to explain the circumstances of the charges, or clarify if misinformation was received. Subsequently, the Executive Director of Human Resources will assess potential risks and liabilities related to the job requirements, seek review by General Counsel, and determine if the individual is eligible for employment.

The following factors will be considered for individuals with a criminal history:

- The nature/seriousness of the crime and its relationship to the position
- The time since the conviction
- The number of convictions
- Evidence of rehabilitation
- Bearing of the crime on the individual's ability to perform the duties of the assignment
- Whether hiring/retaining the individual would pose an unreasonable risk to the College
- Other factors as determined by the Executive Director of Human Resources

Applicants or employees who have misrepresented criminal behavior on the employment application may be subject to immediate termination.

Students/Program Requirement:

Students in designated health related programs are required to complete a criminal background check as a condition of review for the program as there are restrictions and prohibitions that may render a student ineligible to participate in clinicals imposed by the outside agency/employer.

⁴ If an independent contractor conducts its own criminal background check, they are required to provide confirmation of a clean criminal background history check upon signing the Professional Services contract.

Appointments for students are scheduled through the Director of the program with the Department of Public Safety. Results will be reviewed by Director to determine if the student is eligible to participate in clinicals, or in the alternative allow the opportunity to discuss with the student other program and/or career options.

Rights Afforded to the Individual if Information is Received of Criminal History:

If information is received of a criminal history, the Director will provide the student due process to allow the opportunity to explain the circumstances of the charges, or clarify misinformation if applicable. The Director of the program will consult with the Vice President of Academic Affairs and will then make a determination regarding the student's eligibility for the program and advise the student accordingly.

Confidentiality of Records:

All criminal background records will be treated as confidential employment/educational records and will be securely filed. Only those individuals who have a legitimate business or educationally related reason will be provided access.

Privacy Act Provisions:

Individuals who are subject to criminal history background screenings are afforded protection under the Privacy Act of 1974 as set forth at 28 CFR 16.34. State laws pertaining to privacy rights are set forth accordingly in the Criminal Procedure Article.

*Policy No.: 8010
Board Approved: December 16, 2003
Revised: September 17, 2019*

Shared Governance Model

The Board of Trustees receives and endorses the shared governance model. This structure will be implemented during the Fall 2019 semester.

Note: The Shared Governance Model in its entirety is available on the HCC Web site, Office of Planning and Institutional Effectiveness.

*Policy No.: 8030
Board Approved: June 18, 1987
Revised: June 18, 2024*

Alcohol, Tobacco, Opioids, and other Drug Awareness Policy

Purpose:

The College is committed to an alcohol, tobacco, and drug-free learning and working environment. The College adheres to the responsibilities set forth in applicable local, state, and federal laws.

All members of the College community, visitors, guests, and volunteers are required to comply with the Alcohol, Tobacco, Opioid, and Other Drug Free Use Policies established by the Board and in compliance with state and federal law.

The manufacture, sale, distribution, dispensation, possession, or use of illegal drugs or controlled substances, and the abuse or unauthorized use of alcohol by anyone on College premises, at any College-sponsored activities, or in College vehicles is prohibited.

Vaping and the use of all tobacco products is prohibited on College premises by any member of the College community, visitor, or guest.

Compliance with the standards set forth in this policy is mandatory.

Definitions:

Controlled Substance is defined to include legal, decriminalized drugs and illegal drugs. The use and possession of legal drugs (i.e. those drugs for which a valid prescription is required before the drug is to be used or possessed) is not prohibited by this policy unless that use or possession is inconsistent with the prescription or where no such prescription has been provided, or when such use impairs performance.

Illegal Drugs is defined as controlled substances not taken under the supervision of a licensed health care professional or otherwise in accordance with federal law. This includes all such drugs of which the use, sale, possession, distribution, manufacture, or transfer is prohibited by law and includes, but not limited to, narcotics, hallucinogens, stimulants, depressants, and so-called designer drugs.

Workplace is defined as any College premises or work site, including the College's vehicles and public and private means of transportation while engaged in College work and/or business.

Employee Requirements:

It shall be unlawful and prohibited for an employee to manufacture, distribute, dispense, possess or use a controlled substance or illegal drugs on College property, in a College vehicle, or while engaged in the discharge of College duties on College premises.

This prohibition also applies to other locations during work hours or on nonworking time, and on or off College property to the extent it impairs or compromises an employee's ability to perform job duties, or when such activities negatively affect the reputation of the College to the general public or threaten the integrity of the College.

Consequences:

The College will refer violations to law enforcement officials for prosecution where appropriate and take necessary disciplinary action against the offender up to and including dismissal.

Required Rehabilitation:

The College may require the employee to satisfactorily participate in a drug or alcohol abuse assistance or rehabilitation program. An employee's willingness to participate in a rehabilitation program and the employee's ability to perform their assigned job responsibilities may be contributing factors in determining whether the employee's employment will continue.

Voluntary Seeking Assistance:

An employee who voluntarily seeks assistance for a substance abuse problem before the problem affects job performance and before a positive test is confirmed will not be subject to disciplinary procedures for reporting such a problem. In such a case, the employee will confidentially be referred to the College's Employee Assistance Program and reasonable accommodations will be evaluated to treat the problem, to the extent required by law.

Under the Influence – Drugs:

Employees may not report to work or work while under the influence of illegal drugs, nor may any employee report to work under the influence of legal drugs for which no prescription has been issued or where the use of the legal drugs is inconsistent with a prescription, or any drug when it is impacting performance on the job.

Under the Influence – Cannabis:

Employees may not possess or be under the influence of cannabis while they are acting in the scope of their employment with the College. Although Maryland law decriminalized non-medical marijuana allowing individuals 21 and older to possess 1.5 ounces of marijuana, cannabis is controlled under federal law and is not permitted on the College campus per the Federal Drug Free Schools and Communities Act. This Act applies to Hagerstown Community College as a recipient of federal funding.

The Maryland Cannabis Administration outlines the provisions of the law in a helpful document, Frequently Asked Questions/Adult-Use Cannabis document linked here:

<https://mmcc.maryland.gov/Pages/cannabisfaq.aspx>

Under the Influence – Alcohol:

Employees may not report to work or work while under the influence of alcohol. When a test for alcohol is performed, employees who fail a test, refuse to take a test, or violate this policy may be subject to disciplinary action up to and including dismissal from the College.

Alcohol Testing:

Employees may be subject to unannounced alcohol testing if:

1. Their job is a safety critical position, or
2. There is reasonable suspicion or belief they are in violation of the policy.

Exceptions: Alcohol Possession and Use on Campus Property:

With the written approval of the President, alcohol may be served on college property for functions such as banquets, dinners, receptions, and fundraisers. When alcohol is permitted, all laws and regulations governing the use and possession of alcohol must be observed. No other use or possession of alcohol on College property is permitted.

Drug Testing

Pre-Employment

The College may conduct pre-employment drug testing as a condition of employment. In this case, a job offer is contingent on a prospective employee signing a consent and release form (as part of the application process) and testing negative for the presence of illegal drugs. Any individual who refuses to submit to a drug test will not be considered for employment.

Employees

Employees may be subject to unannounced drug testing if:

1. The job is a safety critical position, or
2. There is reason to suspect or believe there is a violation of the policy.

Employees who fail a test, refuse to take a test, or violate this policy may be subject to disciplinary action up to and including dismissal from the College.

Contractors

Contractors or individuals working at the College through a temporary agency who are on site or expected to be on site for thirty (30) days or more may be subject to a mandatory drug screening through their temporary/contracting agency at the College's request.

Duty to Report Convictions:

Employees are required to report any crimes for which they have been convicted under a criminal drug statute for violations occurring on College property, in a College vehicle, or off College property.

Reports of convictions must be made within five (5) days after the conviction to the area Dean or President and to the Executive Director of Human Resources.

Use of Tobacco and Smoking:

The College is committed to providing a safe and healthy working and learning environment for students, faculty, staff, and visitors on its campus, and is therefore a Tobacco Free Campus.

Definitions:

“E-cigarette” is defined as any electronic oral device, such as one composed of a heating element, battery, and/or electronic circuit, which provides a vapor of nicotine or any other substances, and the use or inhalation of which simulates smoking. The term shall include any such device, whether manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, or under any other product name or descriptor.

Smoking is defined as inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe, including a hookah pipe, or any other lighted or heated tobacco or plant product, including marijuana, intended for inhalation, in any manner or any form. “Smoking” also includes the use of an e-cigarette which creates a vapor, in any manner or in any form, or the use of any oral smoking device for the purpose of circumventing the prohibition of smoking in outlined in these procedures.

Tobacco is defined as any substance containing tobacco leaf, including but not limited to cigarettes, cigars, pipe tobacco, hookah tobacco, snuff, chewing tobacco, dipping tobacco, bidis, blunts, clove cigarettes, or any other preparation of tobacco; and any product or formulation of matter containing biologically active amount of nicotine that is manufactured,

offered for sale, sold, or otherwise distributed with the expectation that the product or matter will be introduced into the human body by inhalation; but does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence

Employee Requirements

Smoking and the use of tobacco and e-cigarette products shall not be permitted on any College property, including all buildings and facilities and vehicles, owned or leased and regardless of location, walkways, recreational and athletic areas, building entrances, and parking lots.

This prohibition applies to all students, faculty, staff, and other persons on campus, regardless of the purpose of their visit.

Consequences

Consequences for violations may include fines and/or disciplinary action.

Smoking Cessation

Employees are offered ongoing tobacco cessation programs to assist and encourage individuals who wish to quit. The Tobacco-Free Policy applies to all College facilities and vehicles, owned or leased, regardless of location.

Heroin and Opioid Addiction and Prevention

The College is committed to promoting personal wellness and responsibility and recognizes that drug addiction is an illness of increasing concern throughout the state of Maryland and our country.

The Heroin and Opioid Education and Community Action Act requires all incoming full-time students to participate in an in-person or electronic heroin and opioid addiction and awareness training.

The law requires the College to obtain and store a supply of overdose reversing medication to be used in an emergency situation.

College police and security personnel, as well as designated administrators, are trained to recognize the symptoms of an opioid overdose, in procedures for administration of overdose reversing medications, and in the proper follow-up emergency procedures related to an opioid overdose. Further, the College makes available instruction in substance use disorders, effective treatment for substance use disorders, and pain management.

The College also follows all reporting requirements related to this Maryland law.

Per state law, except for any willful or grossly negligent act, campus police, or other designated personnel who have been trained in use of overdose medications and who respond in good faith to the overdose emergency of a student, may not be personally liable for any act or omission in the course of responding to the emergency.

Legal References:

Drug Free Workplace Act, 1998, 41 USC §8102; Heroin and Opioid Education and Community Action Act 2017 (Start Talking Act of MD); Annotated Code of Maryland, Education Article

Cross Reference Policy 4041 Student Drug and Alcohol Policy

This policy was also revised on March 18, 2014

Bloodborne Pathogens Exposure Control Plan

POLICY

The Board of Trustees of Hagerstown Community College is committed to providing a safe and healthy working environment for all College employees. To this end and in accordance with OSHA 29 CFR Part 1910.1030 “Occupational Exposure to Bloodborne Pathogens” these guidelines are being issued to serve as reference to all College employees in the unlikely event that they are exposed to bloodborne pathogens in the work place.

These guidelines shall outline the steps that the College is taking to provide exposure controls, protective equipment and training for employees that will enable them to isolate and/or remove bloodborne pathogens and/or potentially infectious materials from the work place.

PURPOSE

The purpose of these guidelines is to minimize employee exposure to health risks associated with bloodborne pathogens and other infectious materials. All College employees will receive:

1. A copy of this Exposure Plan
2. Annual training in controlling and/or minimizing exposure to bloodborne pathogens

In addition, employees in classifications in which it is determined have a high risk of exposure to bloodborne pathogens will be provided with:

1. Access to protective equipment
2. Elective vaccinations

These safeguards will be provided by the College at no cost to the employees.

Policy No.: 8041
Board Approved: April 14, 2009
Revised: June 18, 2024

Communicable Disease Policy for HCC Students and Employees

Purpose:

Communicable diseases are diseases which are capable of being transmitted to other individuals in various ways. It is the policy of the College not to discriminate against any student or employee who has or is suspected of having a communicable disease. As long as the student's or employee's condition is not a threat to the health or safety of the individual, other students or employees or the campus community as a whole, he or she may continue employment or attend classes and use college services and facilities.

Agency Reporting:

Health care providers are required to report specific diseases to the Health Department, but colleges are not. If a student or employee is diagnosed by a physician in Washington County to have a reportable communicable disease, the Health Department will alert the College administration about the student or employee and the diagnosis and offer recommendations for actions to be taken on campus, if any. There is no requirement that would mandate county health departments in Pennsylvania or West Virginia Counties to contact the College. However, it shall be HCC policy to notify in writing the county health departments in West Virginia and Pennsylvania, which are physically adjacent to Washington County, asking that they notify HCC if they learn of an HCC student or employee that has a communicable disease and offer appropriate recommendations.

The College reserves the right to impose a stricter standard than that recommended by the reporting health department by prohibiting attendance if, in its determination, such a step is necessary for the safety of its employees and students.

Notification by Employees/Students:

To limit additional exposure on campus, employees/students are asked to notify Human Resources if a communicable disease risk may exist. All information will be treated confidentially in accordance with state and federal laws governing personal health information.

Students or employees who know or believe that they are infected are expected to seek medical advice and treatment and are obligated to conduct themselves responsibly for the protection of others. Since HIPAA (Health Insurance Portability and Accountability Act of 1996) protects the privacy of students' or employees' physical or mental health information, faculty and staff of the College should not require students or employees to disclose information about their health conditions, but should be referred to the appropriate person as identified above.

Action and Appeal:

The President or his designee will review the status of students or employees with communicable diseases or suspected communicable diseases on an individual basis taking into consideration all

available information on the specific case at hand. Strict confidentiality will be maintained regarding the identity of infected students or employees, and information will be disclosed to involved College staff on a limited, need-to-know basis. It may be determined that the student or employee should not be allowed to attend class or continue employment or to be on campus on a temporary basis until the contagious stage of the disease has passed.

The student or employee may appeal the decision following established due process procedures.

This Policy will be referenced in the Student and Employee Handbooks.

Policy No.: 8042
Board Approved: May 16, 2023
Revised:

Hazard Communication Plan

The Board of Trustees of Hagerstown Community College is committed to providing a safe and healthy working environment for all College employees. To this end and in accordance with OSHA 29 CFR 1910.1200 "Hazard Communication Standard" these guidelines are being issued to serve as a reference to all College employees.

PURPOSE

The purpose of these guidelines is to protect employees from the adverse effects of hazardous chemicals and to reduce the occurrence of chemical related incidents on campus. The Hazard Communication Plan includes a three-part approach to communicating information to employees.

1. Labeling containers of hazardous chemicals, which serves as an immediate warning of hazards
2. Safety Data Sheets (SDS), which are sources of detailed information on the hazardous chemical.
3. Training on the Hazards.

The College will implement a plan that will indicate how hazard communication will be addressed on campus. In addition to the plan, the College will train employee on the hazardous chemicals in their work and ways to protect themselves. The College will maintain Safety Data Sheets (SDS) for each hazardous chemical in the workplace. These SDS sheets will be made readily accessible to all College employees.

*Policy No.: 8050
Board Approved: June 25, 1991
Revised: May 26, 2020*

Parking & Traffic Policy – HCC Main Campus and Extension Sites

All campus buildings, roadways, walkways and parking areas are the property of Hagerstown Community College. All persons and motor vehicles entering the Hagerstown Community College Campus are bound by Maryland state traffic laws and College parking and traffic policy and procedures.

Students, faculty, staff and authorized visitors are permitted the privilege of operating a motor vehicle on the Hagerstown Community College campus as long as campus parking and traffic procedures and applicable city and state traffic laws are adhered to. The intent of this policy and other related regulations and procedures is to establish traffic, parking and pedestrian rules for the protection of students, faculty, staff and visitors.

It shall be the policy of Hagerstown Community College to issue parking permits, a fee may apply, as well as to provide for provisions for conditional overnight parking. Appropriate fines and penalties will be implemented by the administration for violation of parking and traffic laws and regulations set by the State of Maryland and Hagerstown Community College.

To the extent possible and where appropriate, these provisions will also apply to HCC provided parking at extension sites.

This policy was also revised on April 27, 2010

Policy No.: 8055

Board Approved: November 16, 2007

Revised:

Use of College Vehicles Policy

Hagerstown Community College (HCC) maintains a limited number of vehicles for use by employees and/or students for College related activities only. Use of College vehicles for personal use is prohibited. In addition, some College employees may choose to use their personal vehicles for College business which also requires them to adhere to the guidelines set forth for the use of college vehicles.

*Policy No.: 8060
Board Approved: May 23, 2000
Reviewed: January 18, 2022*

Naming College Facilities Policy

The following policy provisions are established to assure an appropriate reflection of the history of Hagerstown Community College as well as consistency, fairness, fitting recognition and good value in exchange for the honor or privilege of name association with a physical aspect of the College.

The naming for a specific individual, family or organization of College buildings, rooms, labs, offices and other major building areas as well as campus areas, such as athletic fields or tribute areas within the Waltersdorf Quad, shall be subject to the approval of the Board of Trustees at one of its regular meetings based upon a recommendation from the College President that specifically applies 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 commensurate with the gift; or
3. is part of an HCC facility fund raising campaign conducted by the HCC Foundation, Alumni Association or other recognized campus group that had previously shared and received endorsement from the President and Board of Trustees to include naming rights provisions in the campaign plan where contribution levels were determined and specified based on the size, location, and function of the structure. Specific contribution levels may be established as either fixed or minimum dollar amounts for each campaign.

Because naming forges a permanent link in the public mind between the College and the individual so honored, the Board shall determine in each case whether naming is appropriate and desirable, and this determination is a matter of discretion, based upon all of the facts and circumstances.

In the event the use of a room, facility, or building is temporarily changed, notification and explanation of the change will be communicated to the donor.

In the event the use of a room, facility, or building is changed, such that it must be demolished, substantially renovated, or rebuilt, the College may, but is not required to, retain the use of the name or name another comparable room, facility, or building.

The Board of Trustees reserves the right to withdraw the privilege of name association with Hagerstown Community College, if, in its opinion, particular acts and circumstances warrant. Any legal impropriety or other act which brings dishonor to the College on the part of the donor or a corporate donor, who is no longer in existence, shall make the gift and naming subject to reconsideration by Hagerstown Community College.

The College President is given authority by the Board of Trustees to make final naming decisions for other College assets of lesser value than buildings, rooms, labs, offices, and athletic fields as mentioned above, such as instructional equipment, programs of study, special HCC

funded scholarships and funds, endowed positions, gardens, parking areas and roadways or other such spaces or items. In such instances, the President is required to inform the Trustees of these decisions.

All decisions regarding public announcements, physical markers, and care and maintenance provision for named College spaces or other assets rests with the College President or his/her designees(s).

The College President and/or the board of Trustees reserve the right to withdraw the privilege of name association with HCC should future particular acts and circumstances warrant.

The guidelines set forth in this policy statement are not to be deemed all-inclusive. The Board of Trustees reserves the right to consider any and all factors regarding the privilege of name association with the physical aspect of Hagerstown Community College as particular acts and circumstances warrant. The College will issue a memorandum of understanding for all major naming right designations.

Revised Policy approved by Board of Trustees October 19, 2010 and the Foundation Executive Committee on August 24, 2011

*Policy No.: 8064
Board Approved: March 18, 2014
Reviewed: February 15, 2022*

Campus Sponsorship Opportunities Policy

It shall be the policy of Hagerstown Community College to sell sponsorship and advertising opportunities for select areas of the college that may include rooms, interior wall spaces, athletic fields, select printed and electronic publications to include the student newspaper, master class schedule, and brochures and handouts at events sponsored by HCC. These actions must also honor the provisions of the College's Solicitation Policy (No. 8069) and the Naming College Facilities Policy (No. 8060).

Decisions shall be made at the discretion of the college administration as to what sponsors, organizations, and activities are appropriate to be affiliated with the college, as well as to which select areas are to be considered for sponsorship opportunities. The college president is to establish and maintain guidelines and procedures for making sponsorship decisions, which would include final approvals at the executive officer levels (dean, vice president, president).

In making these sponsorship decisions, the following criteria are to be applied:

1. The sponsor and/or message must align with the mission, vision, and values of HCC.
2. The sponsor and/or message shall be deemed to be appropriate to the interests of HCC and the public it serves.
3. The sponsor and/or message shall not be deemed to present any conflicts with college policies or any conflicts of interest for employees (defined in policy no. 5035) or trustees (defined in policy no. 2025) or the student behavioral code (policy no. 4040).
4. The placement of the sponsor name/message as relates to matters of location, size, content, and representation shall follow guidelines that are established by the public relations office and by the college president.

*Policy No.: 8065
Board Approved: September 18, 2007
Reviewed: February 15, 2022*

Arboretum and Garden Policy

The purpose of the Arboretum and Gardens Policy is to guide the development and management of the gardens and grounds at Hagerstown Community College. Plantings are used for beautification of the campus, as well as educational objectives.

As the campus evolves, the nature of garden requirements will evolve as well. Gardens and plantings will be placed as appropriate, understanding that as growth occurs, gardens may need to be moved or possibly eliminated. The College reserves the right to relocate a garden as campus requirements dictate.

Hagerstown Community College's gardens will reflect the diversity of plant material which can thrive in western Maryland, including both native and adapted plant material. Native plants are those considered to be native to the surrounding region. Adapted plants are defined as those able to grow under the natural conditions encountered in this part of Maryland (soils, precipitation, temperatures, wind, etc.) or requiring only minimum maintenance to do so. Preference will be given to plants which are relatively pest and disease-free and thus require little to no pesticides. The best and easiest to maintain plants will continue to be emphasized by repetitive use in the landscape. Care will be taken to avoid plants that can be considered invasive in the local environment.

Policy No.: 8067

Board Approved: October 16, 2012

Revised: September 15, 2020

Political Activity on Campus

As a public, tax-exempt organization, Hagerstown Community College is subject to certain restrictions concerning political activities. The College may not “participate” or “intervene” in any political campaign in support of, or in opposition to, any candidate for public office or political party.

HCC values the importance of open discussion on important issues and supports the free exchange of varying political viewpoints. As such, the College will provide opportunities to educate its students, faculty, staff, and community through candidate lectures, debates, and other activities, as long as all legally qualified candidates for public office have been given equal access and opportunity to speak and participate.

Currently elected officials are welcomed and encouraged to visit campus, as it relates to official (non-campaign) business of the offices they hold. These officials are asked to secure permission from college administrators before coming to campus.

It is important for the College to disassociate itself from showing support or opposition to any particular candidate or party. As such, the following disclaimer should be used for campus events involving political candidates:

This event is sponsored by_____. The use of HCC’s facilities for this event does not constitute an endorsement by the College. Hagerstown Community College does not endorse these candidates or organizations or any other candidates or organizations in connection with this or any other political campaign or election.

College employees are permitted and encouraged to participate freely, during non-work hours, in the political process. They are prohibited from using College resources, including email, computers, phones, photocopiers, etc., to endorse or oppose any candidate or political party. When working or speaking in support of, or in opposition to, a candidate or political party, employees must do so as private citizens and not, at any time or place, in their individual capacities as College employees. Employees are prohibited from wearing articles of clothing, hats, or masks supporting any individual associated with a committee, party, or association recognized under Internal Revenue Code Sec. 527(e)(1) while on campus.

Student clubs and organizations are encouraged to participate in the political process. Activities, including voter registration, compilation of voter records, circulation of questionnaires, hosted lectures and debates, and public opinion polls may be conducted. However, in order to maintain its tax status, the College may not participate or intervene in any political campaign and must prevent its resources from being used in any way that could appear to support a political candidate. If any student club or organization activity may be perceived as partisan, the student club and organization must have its promotional materials for such activity first approved by the Dean of Students to ensure that any necessary disclaimers are included.

Additional resources can be found at:

<http://www.irs.gov/pub/irs-drop/rr-07-41.pdf>

Freedom of Expression on Campus (Revised title from “Expressive Activity Policy”)

I. Philosophy:

Hagerstown Community College believes in the free exchange of differing viewpoints, deliberation and debate and recognizes a college is an academic community where individuals are to have the freedom to discover, research, and grow in knowledge by exposure to contrasting ideas and beliefs. Cultivating the ability of members of the college community to engage with one another in an effective, robust, safe and responsible manner is essential to the College’s mission and core values.⁵

II. Policy Statement:

Hagerstown Community College, in recognition of the rights to freedom of speech and peaceable assembly as guaranteed by the First Amendment of the Constitution⁶, supports the rights of individuals and groups to assemble, demonstrate and express their views for or against actions and opinions.

The College also recognizes a concurrent obligation to maintain and provide a safe and secure campus environment conducive to ensuring the core mission of educating students is not disrupted, individuals are not threatened or harmed, and legal rights are not violated. As a limited public forum, content neutral time, place and manner guidelines are established to preserve free speech and assembly to the greatest extent possible while meeting the goals and philosophy established in this Policy.

III. Definitions:

Disruption - conduct by any person that advocates violence, intentionally obstructs, impairs or interferes with teaching, studying, or an individual’s access to their educational pursuits, administration of the College’s permissible use of its facilities, or creates matters of public safety. Other factors which may be used to evaluate disruption may be vehicular/pedestrian traffic is impeded; entrances/exits are obstructed; harassment of individuals is occurring; interference with the speaker from being heard; damage to property.

Expressive Activity -verbal or non-verbal expression and assembly protected by the First Amendment, including but not limited to public speaking, leafletting, demonstrations, rallies, picketing, vigils, parades, and marches.

⁵The mission, vision and values of the College are as follows: HCC ensures equitable access to affordable, high-quality educational programs, while fostering workforce development and cultural vitality in the region. **Values:** Excellence, Integrity, Diversity and Inclusion, Stewardship, Civic Engagement, Student Centered.

⁶ U.S. Constitution, Amendment I.

External User - a group or individual that is not associated with a college academic or administrative department, a Student Organization, a college employee or employees acting within the scope of their employment, or a registered college student.

Internal User - a college academic or administrative department, a Student Organization, a college employee or employees acting within the scope of their employment, or an individual or group of registered college students.

Leafletting -the distribution of non-commercial, non-college sponsored announcements, statements, handbills, leaflets, pamphlets, magazines, books or other materials to individuals, who may accept or decline to accept the materials.

Student Organization - a student group that is registered and recognized by the Dean of Students.

Time, Place and Manner -refers to content neutral restrictions legally allowable regarding protected activity to ensure safety and avoid disruption of the College's operations.

IV. Spontaneous Expressive Activity- Internal Users

- a. For outdoor campus facilities and areas, internal users may freely engage in spontaneous expressive activities as long as the activities do not: block access to campus buildings, obstruct vehicular or pedestrian traffic, cause disruption, constitute unlawful activity; or create a clear and present threat to public safety, according to the Campus Police and Security department.
- b. No college personnel may impose restrictions on internal users who are engaging in spontaneous expressive activities because of the content or viewpoint of their expression or the possible reaction to that expression. In the event that other persons react negatively to these activities, College officials (including Campus police or security) shall use their best efforts to ensure public safety while allowing the expressive activity to continue to the extent possible.
- c. If outdoor areas and facilities are available and not previously reserved, internal users may use such areas on a first-come, first-served basis, for rallies, assemblies, demonstrations, vigils and other outdoor expressive activities without prior approval or scheduling.
- d. Internal users shall not be permitted to engage in spontaneous speeches, performances, demonstrations, rallies, vigils, literature distribution, meetings or events in the indoor campus facilities and areas.

V. Spontaneous Expressive Activity- External Users

If an external user is on campus engaging in spontaneous expressive activities, such activity may be allowed in outdoor areas of campus provided a disruption or safety concern is not occurring. Campus security shall respond if a concern is reported and will evaluate matters of public safety.

In accordance with Maryland Code Ann., Educ. §26-102, individuals on college property may be required to provide identification and evidence of qualification for being on premises and access may be denied to an individual who is not a currently registered student, or employee of the college and who does not have lawful business to pursue at the College or acts in a manner that disrupts or disturbs the normal educational functions of the College.

VI. Reserving Campus Facilities for Expressive Activity: Internal Users

- a. If internal users desire to reserve campus facilities, they shall submit their requests to the Office of the Dean of Students at least five days prior to the event. Any requests not received at least five days prior to the event, may be denied for that reason.
- b. External Users may be permitted to use or reserve campus facilities if: they are invited and sponsored by a Student Organization or the College to conduct expressive activities and/or events on campus, or the College agrees to rent the facility (see Policy 7060 Facilities Rental and Usage by Outside Organizations and VII below)

Denial may include, but not limited to the following reasons:

- The venue is already reserved for another event;
- The activity will attract a crowd larger than the venue can safely contain;
- The activity will substantially disrupt another event being held at a neighboring venue;
- The activity will substantially disrupt college operations (including classes);
- The activity is a clear and present threat to public safety, according to the College Police and Security department;
- The activity will occur during College examination periods; or
- The activity is unlawful.

Multiple Requests for Reserving the Facility

In the event that multiple internal users submit conflicting reservation requests, the following order of precedence shall govern:

- (1) official College sponsored activities and events;
- (2) student organization activities and events;
- (3) currently enrolled student activities and events; and
- (4) all other activities and events.

For each event or activity, College officials will consider the anticipated size, required accommodations, traffic, noise, time, relationship to nearby areas and activities, security needs, and other relevant facts and circumstances to determine (a) whether a suitable location exists and (b) whether health and safety concerns require special precautions or arrangements.

During an event, the internal user requesting the reservation is responsible for preserving and maintaining the

facility it reserved. If any damage is caused to those facilities, the person(s) or organization (and its officers, if applicable) shall assume responsibility.

VII. Reserving Campus Facilities: External Users

- a. The College reserves the right to deny the use of its facilities to External Users seeking to rent or use College space. Any such denial shall be based on objective criteria set forth below and not the viewpoint of the External User.
- b. Rental fees will be charged, and additional contractual obligations will apply. Only designated facilities are available for such use and rental. A list of the designated facilities available for rental is available from The Office of the President.
- c. In addition to use permitted under VI b, External Users are permitted to engage in expressive activity on campus subject to the requirements in paragraph V. A list of the designated areas is available from the Office of the Dean of Students. External Users are required to make a reservation no more than fifteen (15) and no less than seven (7) days in advance with the Office of the Dean of Student Affairs using the Reservation Form provided. Denial may include, but not limited to the following reasons:
 - i. The requested designated area has already been reserved for the date and time requested.
 - ii. The proposed expressive activity would violate one or more of the requirements listed in paragraph (d) below.
 - iii. The Reservation Form contains material misrepresentations.
 - iv. The request was not submitted within the required timeframe set forth above.
 - v. The requesting external user has previously engaged in violent, destructive or unlawful activity on campus.
- d. Any expressive activity by the external user on campus within the designated areas shall be subject to the following reasonable requirements:
 - i. The activity must not substantially disrupt previously scheduled campus events.⁷
 - ii. The activity must not block access to campus buildings.
 - iii. The activity must not obstruct vehicular or pedestrian traffic.
 - iv. The activity must not substantially disrupt College operations.
 - v. The activity must not constitute unlawful activity.

⁷ The expression of competing viewpoints or multiple speakers in proximity to each other does not alone constitute a substantial disruption.

- vi. The activity must not create a clear and present threat to public safety, according to Campus Police and Security department.
 - vii. The activity must not involve violence against persons, threats of violence against persons, or damage to property.
 - viii. The activity must not involve the sale or promotion of commercial goods and services.
 - ix. The Outside Individuals or Group must not continue to engage in conversation with individuals after being informed that such individuals do not want to participate in conversation.
 - x. The activity must not involve conduct that would constitute sexual harassment as defined in the College's Sexual Harassment Policy.
 - xi. Use of sound amplification devices must not be disruptive to classroom instruction.
 - xii. The activity must not use signage or posters larger than 11 inches by 17 inches.
 - xiii. The activity must occur during the normal hours of operation for the campus, which are available from the Office of the Dean of Students.
 - xiv. The activity must not attract a crowd larger than the venue can safely contain.
 - xv. The activity must not occur during College examination periods.
- e. This policy does not prohibit individuals from engaging in one-on-one conversations in the outdoor areas of campus, with the expectation individuals comply with the requirements listed in paragraphs d.i. through d.xv.
 - f. Nothing in this policy is intended to circumvent rights afforded to employee organizations or employees under the Maryland Public Employee Relations Act.

VIII. Protests

Where an invited speaker is the object of protest, individuals may engage in expressive activity outside the building where the speech is scheduled to take place. Individuals who wish to enter the building must do so as members of the audience and must give the speaker a respectful hearing.

Failure to grant the speaker a respectful hearing may result in the offending individual(s) being asked to leave. Any signs, banners, or similar items carried into the building must be constructed of materials that do not present a safety hazard. The College reserves the right to prohibit or restrict the carrying of such items into a building when there is a reasonable expectation that it will compromise safety, interfere with ingress or egress, or deprive others of their rights such as by interfering with others' ability to see, hear, or participate in the event.

Campus Police and Security will consider necessary and available measures to protect both sides of expressive speech such as offering available security presence and erecting space and proximity barriers if possible.

IX. Leafletting

Individuals may engage in Leafletting in accordance with provisions of this Policy and subject to the following:

1. With approval from Office of Dean of Students, individuals may set up their own tables for Leafletting and are responsible for disassembly of the tables and general clean-up.
2. Leafletting does not include littering. All individuals are expected to refrain from littering and may be held responsible for costs incurred as a result of littering. Leaving materials unattended on a surface to be picked up is considered littering.
3. Individuals providing materials are to indicate on the materials or on the display area that such materials are not sponsored or endorsed by the College.

X. Viewpoint Neutral

The College will not render a decision to allow speech or rent its facilities based on the content or viewpoint of the expression or the possible reaction to that expression. In the event that other persons react negatively to the protected expressive speech, Campus Police and Security shall use their best efforts to ensure public safety while allowing the expressive activity to continue.

XI. Questions:

- a. Any questions concerning this Policy on Expressive Activity should be directed to the Office of the Dean of Students.

This policy was also revised on September 12, 2023.

Commercial Solicitation Policy

Purpose and Scope

Hagerstown Community College, hereafter “the College” as noted in its official vision statement, “is a learner-centered, accessible, life-long learning institution dedicated to student and community success.” The College has the responsibility to provide and maintain a safe and healthy work and learning environment conducive to its mission-based programs and services. Accordingly, the College has developed a commercial solicitation policy for the purposes of:

- 1) preserving the College’s right to permit or prohibit sales and commercial solicitation activities on College property, and
- 2) to protect the campus community from sales and commercial solicitation activities that are intrusive, unrelated to the educational purpose, or incompatible with normal operations.

This policy applies to commercial solicitation activities conducted on the grounds or within buildings under the control of the College, including commercial solicitation using the electronic mail network (e-mail). Approved commercial solicitation activities must be substantially and directly related to the College's mission and vision.

Commercial solicitation is prohibited on campus unless it meets the general requirements as defined by the College. The general requirements, the sales and commercial solicitation by college and non-college organizations, as well as the responsibilities of the sponsoring units and the vendors are detailed below.

Definition

Commercial Solicitation, for purposes of this policy, means:

- (a) the sale, lease, rental or offer for sale, of any property, product, merchandise, publication, or service, whether for immediate or future delivery;
- (b) the distribution or display of printed material, merchandise, or products that are designed to encourage the purchase, use, or rental of any property, product, merchandise, publication, or service;
- (c) the oral or written appeal or request to support or join an organization other than a registered student, faculty, or staff organization or organizations approved by law
- (d) activity or process of seeking to obtain the support of an individual for a commercial product through persuasion or formal application.

1. General Requirements

Approval for commercial solicitation and sales activity may be considered for those vendors whose products or services meet the following applicable criteria:

- a) Does not violate federal, state or local law.
- b) Are not in competition with vendors holding current College-wide contracts unless approved

- by the College
- c) Are not duplicative of goods and/or services currently available through established on-campus sources unless approved by the College
 - d) Do not contradict the College's Expressive Activity Policy.
 - e) Do not undermine the academic integrity of the College.
 - f) Are not counterfeits of brand name goods.
 - g) Are not in violation of the College / State procurement policies.
 - h) Do not pose a threat to the individual making the purchase or to their surrounding environment.

2. Sales and Commercial Solicitation by Non-College Organizations

Except by vendors with whom the College has contracted for the sale, lease, rental, or offer of said goods and service, there shall be no commercial solicitation conducted on College property. Vendors must coordinate commercial solicitation with the individual or unit responsible for such activity.

3. Sales and Commercial Solicitation by Official College Organizations (including Student Organizations), Employees and Students

Commercial solicitation for the sale, lease, rental, or offer of goods, services, and/or products on College property shall only be conducted by student organizations, faculty, or staff officially recognized and authorized by the College or by legally authorized representatives of companies with whom the College conducts business.

a) Commercial Solicitation by employees

Commercial solicitation by employees for purposes other than direct college related business during regularly scheduled work hours is prohibited. Commercial solicitation during non-work hours (lunch or other break times) by employees is subject to other applicable sections of this policy. Use of the college resources for commercial solicitation or sales is limited to those activities meeting the general requirements outlined above.

b) Commercial Solicitation by students

Commercial solicitation and/or sales by students on College property are prohibited without the express written consent of the Dean of Student Affairs or designee. This provision does not prevent fundraising by Student Organizations in accordance with the Student Organization Policy and Procedures.

4. Responsibilities of Sponsoring Units or Recognized Student Organizations

- a) Ensure the presence of responsible member(s) of the sponsoring unit throughout the duration of the activity to include set-up and take-down.
- b) Ensure that College policies, procedures, guidelines, and regulations are adhered to at all times.

5. Responsibilities of Vendors

- a) The vendor must be in possession of all permits and licenses required by federal, state, and local law or ordinance, and in compliance with any applicable federal, state, and local laws or ordinances. Obtaining required permits and licenses and knowledge of the applicable laws are the responsibility of the vendors. Failure to be in possession of any required permit or license

- or to comply with any applicable law or ordinance shall be grounds for denial.
- b) All off-campus vendors and commercial entities must have departmental/student organization sponsorship.
 - c) Merchandise of all off-campus vendors and commercial entities shall be confined within the vendor's designated space, and the appearance of the booth shall be in a manner in keeping with the campus environment.
 - d) All off-campus vendors and commercial entities that request use of space on the College campus need to be aware that depending upon the type of event and the size of the event, fees may apply.
 - e) Vendor must leave its area in the condition in which it was found. Vendor is responsible for all clean-up and for any repair costs.

6. Insurance

The College requires proof of insurance for certain activities by vendors or organizations soliciting on campus which must be reviewed and approved prior to the event by contacting the Office of the Vice President for Administration and Finance.

7. Fund Raising on HCC Property by Outside Groups

Any outside group which has rented space from the College or has been granted a rental space waiver by the Office of the President is not permitted to fund raise or solicit outside of the specific College space they have been approved to use. Such groups must also follow all applicable provisions as stated in this policy.

8. Exceptions

The College acknowledges that a policy of this nature may not anticipate every possible issue that may arise with solicitation on College premises. As a result, the College reserves the right to impose reasonable restrictions and/or requirements with respect to the time, place, and manner of solicitation activities. Additionally, nothing in this Policy prohibits the College from soliciting goods or services deemed necessary by the College.

Cross reference Policy 7060 Facilities Rental and Usage by Outside Organizations.

Policy No.: 8070
Board Approved: September 21, 2004
Revised: June 18, 2024

Campus and Workplace Violence

Purpose:

It is the policy of the College that employees, students and visitors have a safe work and academic environment. The College prohibits any form of violence, threats of violence, intimidation of others, attempts to instill fear in co-workers, possession of weapons of any kind on campus or in the workplace, menacing behavior, and stalking and supports the Campus Policy and Security mission as identified on its webpage.

Consequences:

Violations of this policy may lead to disciplinary actions up to and including immediate dismissal of college employees or expulsion of students, and involvement of the appropriate law enforcement authorities as needed regarding visitors.

Cross Reference Policy 8005 Campus Police Department Policy

*Policy No.: 8071
Board Approved: July 1993
Revised: September 15, 2020*

Sexual Misconduct

Hagerstown Community College complies with current Title IX sexual harassment and discrimination regulations, as is mandated by Federal and state regulations, including published regulations from the United States Department of Education Title IX of the Education Amendments Act of 1972. In addition, some forms of sexual misconduct violate the criminal laws of the State of Maryland. The College is committed to taking necessary measures in an effort to prevent incidents of sexual misconduct and to taking action to support all parties involved, ensure a fair review process for all parties involved, and take appropriate action should an incident be reported

Sexual misconduct is an umbrella term that encompasses various types of prohibited conduct, including sexual harassment, sexual assault, domestic violence, dating violence and stalking.

Hagerstown Community College will not tolerate acts of sexual misconduct in any form and will maintain procedures compliant with Federal and state regulations; procedures can be found in detail on the College web page.

This policy was also revised on September 21, 2004; October 21, 2014; October 20, 2015, and June 20, 2017.

Policy No.: 8073

Board Approved: December 16, 2014

Revised: February 20, 2024

Information Technology Security Policy

Where applicable, this policy applies to any device or software that access or stores HCC data, regardless of the ownership. This policy applies to all HCC employees.

Physical Security

All users are expected to lock their office area when unoccupied and to lock offices when away for an extended period of time (*such as leaving for lunch or a class session*). Mobile and portable devices are to be behind a lock, and if reasonable, kept out of sight when not in use. Users must lock their screen when leaving direct line of sight of their device.

Remote Access

Additional security precautions will be enforced if users are connecting remotely. This applies to devices owned by HCC and personally owned devices. Any device used to access or store HCC data must be password protected and have remote-wipe enabled in the device settings, if applicable. Users must follow HCC Telework Policy (*Policy No.: 5056*) regarding VPN access.

Cybersecurity

All users are expected to take reasonable precautions to keep devices secure. Reasonable security precautions include keeping devices updated and having security software enabled. This includes personal devices used to access HCC data or networks.

Software

All software used on HCC networks, or that represents HCC, must be vetted and approved by the IT department. This includes but is not limited to downloaded software, cloud-based software, web-based products, and products that Email on behalf of HCC. This applies to all software (including free, paid, trial, demo, subscription, etc.).

Software requests must include justification and approval from the director, dean or equivalent position of the requesting department. Requests should include multiple vendors. The IT department is not responsible for procurement of a product after approval.

Hardware

Hardware added to HCC networks is to be vetted and approved by the IT department. No device is to be added to the network without prior authorization of the IT department. The IT department may remove network access of any device on HCC networks without prior notice to the user.

HCC Email

Users are expected to protect their Email accounts and the content of Email messages. Devices used to access HCC Email must be password protected; mobile devices must have a secured lock screen enabled. Shared mobile devices may not be used for HCC Email. Personal devices used to access HCC Email may be wiped remotely.

Lost or Stolen Devices

Stolen devices must be reported immediately to the IT Help Desk (Email: HCCIT@hagerstowncc.edu | Call/Text: 240-329-4489). Lost and missing devices should be reported no later than 24 hours after the last known position of the device. After the initial report of a missing device, a detailed report should be given to the IT department explaining what the device was used for, and what data was stored on the device. This applies to both HCC devices and

personally owned devices that are used to access HCC data or HCC Email.

Policy No.: 8074

Board Approved: October 21, 2014

Revised:

Copyright Infringement Policy

Hagerstown Community College supports the responsible use of copyrighted materials by HCC faculty, staff, and students as specified by law. This policy includes but is not limited to articles, books, music, photos, videos, and any copyrighted materials published in print or online, or recorded in an audio, video, or digital format.

HCC will inform members of the college community on compliance practices by publishing copyright information in faculty and student guidebooks, and posting information on the College website. The Brish Library and Fletcher Faculty Development Center will maintain for reference and will also periodically provide information sessions on copyright updates. Copyright information will also be made available to students in the Learning Support Center.

Information Technology Hardware and Software Standards

Hagerstown Community College will establish and update as needed campus-wide hardware standards for desktop computers, laptops and printers. Other peripherals will be assessed on a case-by-case basis. When determining hardware standards, the College will consider product availability, estimated lifecycle, configuration and components stability and service agreements/warranties. All IT hardware procurement will adhere to the established standards unless discipline/function-specific requirements demand deviation. In such cases, approval will be obtained from appropriate college administrator.

Additionally, the College will establish software standards for faculty and staff use. Software Standards will include the following:

- Operating Systems
- Office Suite
- Web browser
- Virus Protection
- Administrative Software
- Network Client
- Anti-Spyware
- E-mail
- Time Management

This policy does not cover instructional discipline-specific software applications, which will be determined by faculty and/or academic officers.

User support of hardware and software that deviates from the standards will be the primary responsibility of the specific unit.

IT standards will be set on an annual basis by the Information Technology Department in collaboration with College executive staff, the Administrative and IT Services Committee, the Teaching and Learning Committee and the Technology Planning Council. Input will be sought from other campus groups/departments as appropriate.

Policy No.: 8076

Board Approved: April 14, 2009

Revised:

Hagerstown Community College Library Development Policy

To support Hagerstown Community College's academic programs and curricula and to promote students' opportunities for academic success, it is the policy of Hagerstown Community College to provide, through the HCC Library, access within budgetary limitations to information in a wide variety of subject areas. This policy requires that information in print, non-print, and electronic formats be made available to students, faculty, and staff; be appropriate in terms of coverage and depth; be timely, factual and relevant; and when applicable, offer clear and contrasting viewpoints on controversial issues.

Maintaining access to current information requires the selection and acquisition of new and current information sources and materials, as well as the identification and discarding of out-dated and inappropriate materials and information sources; therefore, the William M. Brish Library is required by this policy to conduct an annual culling process. Faculty participation in the development processes is expected. Annually the Library is required to prepare a summary report for the college community on its collection development activities.

Policy No.: 8080

Board Approved: September 20, 2005

Reviewed: February 15, 2022

Volunteer Corps

The College shall recruit, maintain, develop, and recognize / reward a diverse corps of volunteers whose purpose would be to promote and serve the College and its students. The program is not to supplant, but rather supplement, the College's work force in a variety of capacities, such as helping faculty and staff provide student assistance in a variety of areas, working to maintain campus facilities, grounds, and gardens, assisting the HCC Foundation to raise funds, as well as working in special service centers on campus such as the library, and the ARCC (Athletic and Recreation Community Center).

Volunteers must be at least 18 years of age and willing to serve the College without financial compensation. Persons less than 18 years of age may be approved as a "junior volunteer" with specific written authorization by the President and/or his/her designee; or through the approval of the College for Kids Coordinator in a limited capacity and restricted to volunteer support for the College for Kids program. In such cases, the junior volunteer must have parental permission and participate under the guidance of a senior volunteer. A member of the volunteer corps may work on a regular weekly or monthly basis or may choose to provide assistance for specific projects or events.

At the recommendation of the President, volunteers are officially appointed by the Board of Trustees, annually, either as a new volunteer or continuing in an established capacity.

Policy was also revised on October 18, 2005.

*Policy No.: 8090
Board Approved: April 14, 2009
Revised: Annually*

Cultural Diversity Plan

The Cultural Diversity Plan (CDP) defines diversity as the recognition, appreciation and understanding of individual, group, and cultural similarities and differences that include, but are not limited to age, abilities and disabilities, ethnicity, language, gender, race, nationality, religion, socio-economic status, veteran status, and sexual orientation.

The Cultural Diversity Plan represents the good faith efforts and commitment of the President, the Board of Trustees, staff and faculty to provide an atmosphere of acceptance and respect for cultural diversity and equal opportunities for education, training and employment.

The full Cultural Diversity Plan may be viewed on the HCC Web site.

Social Media Use & Personal Electronic Account Privacy Protection Policy

I. Policy Statement:

Social media is a powerful communication and marketing tool to engage with others on behalf of the College. Social media provides college staff and faculty with the ability to reach students outside the classroom and offers a way to better inform the public about college news and events.

This policy applies to social media accounts or groups created, administered, or monitored by HCC employees and students for the express purpose of officially representing HCC groups, departments, or organizations.

The purpose of this policy is to encourage social media use to educate, inform, and collaborate with HCC students, staff, faculty, alumni and the community and provide expectations for employees. The policy also serves to outline student privacy protections in their use of their personal electronic accounts in accordance with Maryland law. (Annotated Code of Md, Edu Article 26-401)

Although this policy governs the organizational social media platform only, employees acting in an individual capacity on personal social media accounts are cautioned to adhere to all laws as it relates to interacting with minors, as some HCC students are under the age of 18, and to adhere to legal requirements of confidentiality and privacy as it relates to student information. Employees are not to identify themselves as acting as a representative of HCC on personal social media sites.

II. Definitions: (for purposes of Section III)

“Personal electronic account” refers to any account created outside a student’s engagement with the College through an online medium or service that allows users to create, share, or view user-generated content. This does not include an electronic account that is opened on behalf of, owned, or provided by the College in support of instruction or co-curricular activities.

“Grant access” refers to providing log-in information needed to gain access to a personal electronic account.

“Access information” refers to a username, a password, log-in information, an account name, or any other security information that protects access to a personal electronic account.

The term “student” refers to an individual who is registered at the College, either full or part-time, in a credit or continuing education class or classes who has either paid or made arrangement for payment of tuition and/or fees.

An “applicant” refers to an individual who has an assigned HCC student identification number and who has submitted a college application for credit enrollment.

A “prospective student” refers to an individual who has become a part of the College recruitment database who has been assigned an HCC student identification number

III. Student Social Media Privacy

Under this Policy, the College may not:

- A. Require or request a student, applicant, or prospective student to grant access to or allow observation of the individual’s personal electronic account(s).
- B. Compel a student, applicant, or prospective student, as condition of acceptance or participation in curricular or extracurricular activities, to:
 - Add any individual (including a coach, teacher, administrator, or any other College employee or volunteer) to the list of contacts associated with a personal electronic account
 - Change the privacy settings associated with a personal electronic account
 - Take any action or threaten to take any action to discharge, discipline, prohibit from participating in curricular or extracurricular activities, fail or refuse to admit an applicant,
 - Penalize a student, applicant, or prospective student as a result of their refusal to grant access to or allow observation of the individual’s personal electronic account; add any individual to the list of contacts associated with a personal electronic account; change the privacy settings associated with a personal electronic account
- C. Nothing in this Policy shall be construed to:
 - Prohibit the College from requesting or requiring a student to disclose access information to allow the College to gain access to an electronic account opened at the request of the College or owned or provided by the College;
 - Prohibit or restrict the College from viewing, accessing, or utilizing information about a student, applicant, or prospective student that can be obtained without access information or is available as the result of actions undertaken independently by the student
 - Create a duty requiring the College to search or monitor the activity of a personal electronic account;
 - Make the College liable for failing to request or require a student, applicant, or prospective student to grant access to or allow observation of the individual’s personal electronic account; or
 - Prohibit a student, applicant, or prospective student from allowing a college employee or volunteer to view the individual’s publicly accessible communications.
- D. Applicability: This Policy does not apply to suspected criminal activity investigation into the publicly accessible communications of a student, applicant, or prospective student that is performed by law enforcement or the College

Security team; or an investigation, inquiry, or determination relating to the publicly accessible communications of a student, applicant, or prospective student that is conducted in accordance with other applicable College policies and procedures.

IV. Social Media Expectations

When it comes to social media usage on behalf of the institution, HCC expects its employees to be honest and transparent in their electronic communications as they would be in person and to respect privacy, confidentiality, and copyright laws.

Posted content on college social media sites should always be accurate, concise, student-oriented, sensitive to diverse audiences, and respectful to the mission of the College, its employees, students, and the community.

Employees and students are subject to the same laws, professional expectations, and guidelines when interacting online with students, parents, alumni, donors, and the media as they are in person. Confidential and proprietary information about the college, its students, faculty, staff, alumni, and donors may not be posted on social media sites. Other information that may not be posted includes information that violates federal or state laws and student information that is protected by FERPA.

Students and employees will be issued access to college-related electronic accounts (i.e., current Learning Management System(LMS), HCC email accounts, Self - service), and they are expected to use them for college-related business. (More information on these accounts and the appropriate use of them can be found in HCC Policy #5093, Use of Computing, Network and Communications Resources Policy.)

Electronic communication on HCC owned sites are the property of HCC and therefore employees should not assume electronic communications under this policy are private. The College may monitor, audit, and review communications to ensure employees are using technology in accordance with law and provisions of this Policy.

This policy requires that the administration create and maintain guidelines and employ best practices as applies to employees and students posting online material on behalf of HCC.

The policy does not apply to suspected criminal activity investigations or other investigations related to health and public safety, and information on publicly accessible accounts.

Fans and followers of official college social media accounts are expected to respect the terms of individual social networking sites and understand that HCC officials have the right to remove any content that is deemed disruptive to the educational program of the College, offensive, illegal, profane, of a harassing or threatening nature, a violation of intellectual property rights or privacy laws, defamatory or contrary to the mission of the College. HCC reserves the right to block posts from fans or followers who violate these provisions.

HCC is not responsible for nor endorses posts or comments made by fans, followers, or visitors to HCC's social media accounts.

Related College Policies

- I. Use of Computing, Network and Communications Resources Policy (Policy No. 5093)
- II. Code of Trust (Policy No. 2030)
- III. Code of Student Conduct (Policy No. 4040)
- IV. Expressive Activity Policy (Policy No. 8068)
- V. Commercial Solicitation Policy (Policy No. 8069)

This policy was also revised on October 18, 2016.

Firearms Policy

Hagerstown Community College (HCC) prohibits the possession of weapons at the main campus, off-campus location and other locations owned, leased, occupied or used by and under the control of the College. Weapons include guns, firearms, ammunition, explosives, dangerous chemicals, metal knuckles, knives with blades more than 3 inches long, electronic devices/Taser, other weapons and any object or instrument which has been designed or altered to appear to be a weapon, or which can reasonably be construed or used as a weapon (dependent on the circumstances of its use, possession or display).

This prohibition applies to employees, students, guests, tenants, visitors and other persons on Hagerstown Community College properties.

- A. Employees in violation of this policy are subject to discipline up to and including termination of employment in accordance with the Hagerstown Community College Employee Handbook.
- B. Students in violation of this policy are subject to disciplinary action up to and including expulsion in accordance with HCC's student Code of Conduct.
- C. Other persons in violation of this policy will be barred from Hagerstown Community College locations.
- D. Where applicable, criminal sanctions for violation of state, federal or local law relating to the illegal or unauthorized possession of weapons will be sought.

This prohibition (of handguns) does **NOT** apply to:

- A. A law enforcement officer in the regular course of the officer's duty;
- B. A law enforcement officer-recruit in the regular course of the recruit's training;
- C. An off-duty law enforcement officer or
- D. A retired or past law enforcement officer in good standing from a law enforcement agency of the United States, the State, or a local unit in the State who has met the standards of LEOSA (the Law Enforcement Officer's Safety Act) provided that:
 - I. The officer or retired officer is in possession of the officer's or retired officer's badge or credential (and a current LEOSA card for retired or past officers);
 - II. The weapon carried or possessed by the officer or retired officer is concealed, or worn openly as part of the officer's uniform or official dress; and
 - III. The officer or retired officer is authorized to carry a concealed handgun in Maryland.
- E. A uniformed employee of an armored car company who is authorized to carry a firearm in Maryland in the regular course of employment.

- F. A Maryland Correctional Officer, certified/authorized by the Division of Corrections to carry a firearm, in the regular course of the officer's duty.
- G. Persons who are granted permission to possess a weapon or replica weapon by the Campus Chief of Police for historical or educational purposes, or for other good reasons.

Religious Accommodation Policy

Objective:

Hagerstown Community College respects the sincerely held faith-based or religious beliefs and practices of all employees and students and will offer, on request, an accommodation for such observances when a reasonable accommodation is available that does not create an undue hardship or create a fundamental alteration to the educational program or activity.

Requesting a Religious Accommodation

Employees may submit a request for a religious accommodation by completing a request form found on the [Human Resources webpage](#). The Executive Director of Human Resources receives the form once it is submitted and then contacts the employee to begin the interactive process to discuss the request.

Reasonable workplace accommodations for an employee are evaluated on a case-by-case basis based on the unique work schedule and duties of the employee and the nature of the request.

Students may submit a request for a religious academic accommodation by completing a request form found on the Student Services [Website](#). The Dean of Students receives the form once it is submitted and will reach out to the student, and faculty, if applicable, to begin the interactive process to discuss the request.

Reasonable academic accommodations for students may include excused absences and/or alternatives for missing an examination or other academic requirement if the student's sincerely held faith-based or religious belief or practice affects the student's ability to meet the requirement as scheduled. Other reasonable academic accommodations may include modifications to dress/uniform standards or providing alternative assignments provided it does not create an undue hardship or fundamental alteration to the educational program or activity.

All information will be treated confidentially and carefully considered. If the preferred accommodation cannot be provided, alternative accommodations may also be considered.

Timeline

In order to have time to evaluate the request, an employee or student is required to submit the request at least 10 work/school days prior to the event /activity requiring the accommodation.

Required Space to Accommodate Faith-Based or Religious Practices

A designated space will be provided on campus to accommodate faith-based or religious practices for students and employees.

Reporting Violations

In addition to rights afforded under state and federal law, students may report violations through the Dean of Students Office (per the General Grievance Policy for Students) and employees may report violations through Human Resources.

Legal References

Maryland Annotated Code, Education Article, §15-137

Title VII of the Civil Rights Act of 1964, 1991

29 CFR §1605 et seq.

Maryland Annotated Code, State Gov't Article, §20-606

Information Security Program Policy

Hagerstown Community College (hereafter “the College”) is committed to ensuring that the operation of its information technology systems meet the necessary security controls and standards that provides reasonable protection for the confidentiality, integrity, and availability of data for which the College is responsible. The College will maintain and update the Information Security Program (hereafter “ISP”), as outlined below, to address the most current standards and to reasonably mitigate foreseeable risk. The ISP will be updated to comply with laws and regulations, to include, but not limited to, FERPA*, HIPAA*, PCI*, and GLBA*.

- A. The College’s ISP outlines the overall security posture and access control of College data. The ISP will also indicate who is responsible for data; all HCC employees with access to data are responsible for maintaining the integrity of that data by taking reasonable precautions to mitigate outside access. HCC data security and access is primarily the responsibility of that data’s respective department leaders. The IT Senior Director is responsible for the overall security of College data, systems, and networks.
- B. The College’s ISP shall maintain a record of administrative, technical, and physical controls used to safeguard data information technology networks. The ISP will include, but is not limited to:
 - An outline of methods used to provide security, confidentiality, integrity and accessibility of systems and data
 - Categorization of data
 - List of personnel/organizations responsible for data
 - Steps taken to reasonably mitigate risk
 - Required legal and regulatory controls
 - Incident response procedure
 - Cybersecurity awareness training
- C. In the event there is a valid justification to deviate from established controls, the Senior Director of Information Technology will review, document and provide final approval for waiving the requirement based on the requirements established within the ISP.
- D. *Data Breach Notification* and *Data Breach Response Process* are provided in the guidelines developed by and housed within the IT Department which prescribe the required actions the College must take in addressing the unauthorized acquisition of computerized data.
- E. The College will require Information Technology Security Awareness Training to be completed by all faculty and staff annually which will provide a common understanding of data privacy expectations, raise awareness of legal and regulatory responsibilities, and provide best practices to curtail inadvertent violations of sensitive information. Circumstantial security training, retraining, and other security training may be required in addition to the annual training.
- F. The Senior Director of Technology will ensure the ISP is updated regularly, as well as coordinate and facilitate the IT functions required to meet all county, state and federal technology audit responsibilities.
- G. The IT Senior Director will provide the College’s Board of Trustees an annual update with an overview of the ISP.

H. Excepting legal necessity, the ISP will not override any established Policies of the College. Other data and computer policies include, but may not be limited to Policies: 5056 - Telework Policy; 5093 - Use of Computing, Network and Communications Resources; 8073 - Information Technology Security; 8075 - Information Technology Hardware and Software.

* Acronyms

FERPA – Family Educational Rights and Privacy Act of 1974

HIPAA – Health Insurance Portability and Accountability Act of 1996

PCI – Payment Card Industry (Data Security Standard)

GLBA – Gramm–Leach–Bliley Act, (AKA: Financial Services Modernization Act of 1999)

Protection of Personally Identifiable Information (PII)

Hagerstown Community College (hereafter “the College”) is committed to protecting the personally identifiable information (PII) of all students, employees, and any other individual whose PII is collected by the College in carrying out its mission.

This Protection of PII Policy is comprehensive in that it establishes overarching standards that affect a wide range of student and personnel records, information technology, and financial processes.

The purpose of this Policy is to provide a structure for and guidance about the protection of and access to sensitive data, information, and records in the possession of the College. The Director of Information Technology (DIT) and the Vice President for Finance are charged with overall PII management and enforcement.

I. Definitions for the Purpose of this Policy and Procedures

- a. **“College Community”** refers to trustees, students, and all employees of the College as well as any independent contractors or other third parties to the extent articulated under contractual agreements.
- b. **“Family Educational Rights and Privacy Act (FERPA)”** refers to a federal law protecting the privacy of student education records. The law applies to all schools receiving funds under any applicable program of the U.S. Department of Education.
- c. **“Gramm Leach Bliley Act (GLBA)”** refers to a Federal law (primarily the Privacy Rule [16 CFR 313] and the Safeguards Rule [16 CFR 314]) requiring all financial institutions to develop, implement, and maintain safeguards to protect customer information. Because the College is in compliance with FERPA to protect the privacy of student records, the College is deemed to be in compliance with GLBA.
- d. **“Individual”** refers to a person for whom the College collects PII.
- e. **“Need to Know”** refers to the need for information in a record for the purpose of performing the required task(s) and responsibilities during the course of an employee’s job.
- f. **“Periodic compliance checks”** refers to unscheduled inspections conducted by the DIT /DIT staff to examine whether safeguards are adequately protecting PII.

- g. **“Personally Identifiable Information”** is a category of information linked to a specific individual that would allow a person, who does not have personal knowledge or the relevant circumstance, to identify the individual with reasonable certainty. Data elements that are considered PII include: an individual’s name; the name of the individual’s other family members; the address of the individual or individual’s family; a personal identifier, such as the individual’s social security number, identification number, or biometric record; financial data including student loans, banking information, credit card or credit information; other indirect identifiers, such as the individual’s date of birth, place of birth, and mother’s maiden name.

Some information that is considered PII is available in public sources such as telephone books, public web sites, and College directories. Examples are: first and last name; address; work telephone number; email address; home telephone number; and general educational credentials.

In contrast, other information like social security number, biometric data, financial data, date of birth are considered sensitive PII and have more stringent protection requirements.

- h. **“Record”** refers to any educational information or data recorded in any medium.
- i. **“Red Flags Rule”** refers to a federal regulation issued by the Federal Trade Commission (FTC) as part of the implementation of the Fair and Accurate Credit Transaction (FACT) Act of 2003. The Red Flags Rule requires financial institutions and creditors to implement a written Identity Theft Prevention Program and to provide for the continued administration of this Identity Theft Prevention Program. The College is subject to this rule because it holds student accounts that do not require full payment at the time of enrollment, and because it administers student loans.
- j. **“President’s Executive Leadership Team (PELT)”** refers to the President’s Senior Leadership Team

II. Required Strategies for the Protection of Personally Identifiable Information

a. **Minimizing PII Use**

PII has the potential to subject individuals and/or the College to risk if inappropriately accessed, used, or disclosed. When use of PII is requested, the DIT will evaluate the context of use and determine if the purpose for which the PII is collected, stored, used, processed, disclosed, or disseminated is appropriate and aligns with this policy.

b. **Categorizing PII**

PII has the potential to subject individuals and/or the College to risk if inappropriately accessed, used, or disclosed. When use of PII is requested, the DIT will evaluate the context of use and determine if the purpose for which the PII is collected, stored, used, processed, disclosed, or disseminated is appropriate and aligns with this policy.

c. **Collection and Storage of PII**

Prior approval is required from the DIT to collect and/or store PII data on any device or system.

d. Evaluation of PII Use

When evaluating a request to use PII, the following factors must be considered:

1. The purpose of the data collection and how it is categorized
2. Whether there is another source of pre-existing data (reduction of duplicative information);
3. Whether all information requested is required (minimizing collection to only what is required);
4. How the data are being stored, for how long, and in what state (physical location, type of device, encryption, and retention);
5. How the data are being transmitted (if applicable) and in what state (encryption);
6. Whether agreements bind the College with third parties (software, services, web applications or forms); and
7. Whether the use of the PII has been vetted and approved by DIT or DIT staff.

e. Administrative Safeguards

Administrative safeguards include pertinent policies/guidelines developed to safeguard PII and training to increase awareness of and compliance with policies and guidelines related to safeguarding PII.

Administrative safeguards are created to ensure the College complies with the protection of PII in general, FERPA, and by extension the GLBA, and the FTC Red Flags Rule.

f. Technical Safeguards

Technical safeguards include the development of information technology policies and guidelines, and implementation of tools to monitor and control access to PII, and strategies to retain and back up critical PII.

Technical safeguards, wherever possible, are treated as confidential to limit exploits that might lead to unintended or malicious exposure of PII.

g. Physical Safeguards

Physical safeguards include the development of standard operating procedures to provide physical control and destruction of PII, including but not limited to access control, secure storage facilities, shred bins, and surveillance in support of physical security for PII.

Physical safeguards, wherever possible, are treated as confidential to limit exploits that might lead to unintended or malicious exposure of PII.

h. Employee Training

Annual Cybersecurity training (which includes PII training) is required of all employees.

APPENDIX

Maryland State Regulatory Agencies

State Board for Community Colleges

The State Board for Community Colleges was created in 1968 to coordinate the community colleges in the state (Chapter 454, Acts of 1968). The board consisted of eight members, seven appointed by the governor with the advice and consent of the senate to six-year terms, and one student recommended by the community college presidents to serve a one-year term. The state board initially served as an advisory board to the state Board of Education before assuming its statutory duties in July 1969. Responsibility for community colleges was transferred from local boards of education to local boards of community college trustees, established by the 1968 state law. In 1976, the governor established local boards of trustees for future community colleges (Chapter 538, Acts of 1976), with members appointed by the governor. The state board established general policies for community colleges; gave professional advice; reviewed and advised on curriculum; and coordinated relationships among community colleges, state and local public school systems, and private high schools promoting cooperation in guidance and admission of students to community colleges. It also provided grants-in-aid to plan for new colleges and for new programs in existing colleges, aided colleges in securing and administering federal funds, and established guidelines used by colleges in financial record-keeping and preparation of annual audit reports. The State Board for Community Colleges was abolished in 1991 and its duties were transferred to the Maryland Higher Education Commission (Senate Bill 211, Acts of 1991).

Maryland Higher Education Commission (MHEC)

The Maryland Higher Education Commission was created by the Maryland General Assembly in 1988 and given responsibility for planning and coordination of higher education in Maryland. The Commission has a number of important responsibilities:

Approving campus mission statements -- every college and university has a mission statement. It describes who the institution teaches, what area it serves, its admission standards, and the academic areas where the campus specializes. Mission statements are an important consideration in approving budgets.

Approving the operation of new colleges and universities -- there are strict academic and financial standards for anyone who wants to start a new college or university in Maryland. These are on-going standards, which means that existing campuses must continue to comply.

Approving new academic programs -- institutions must demonstrate that there is a need for a new program. When the Commission considers the application, it looks closely at whether the program is in keeping with the institution's educational mission and whether other colleges or universities already offer the program.

Accreditation through Middle States Commission on Higher Education

The Middle States Association is an independent membership organization. It admits institutions of higher education to membership through a process of evaluation and accreditation which has a double purpose. One is to serve the educational world and the public by establishing standards of quality and identifying institutions which achieve them. The other, equally important, is to stimulate and help institutions reach their maximum effectiveness. Member institutions are evaluated periodically for reaffirmation of their accreditation, normally every ten years.

Non-profit institutions of higher education are eligible to apply for evaluation and accreditation if they offer two or more years of undergraduate or one year of graduate work leading to degrees or certificates issued under appropriate legal authority, and their principal programs rest upon a base of liberal studies required of all or most students.

Accreditation is an expression of confidence in an institution's actual present performance and in its long range ability to maintain and improve that performance. The Commission on Institutions of Higher Education, through which the Association conducts all its work with institutions above the secondary level, publishes descriptions of good practice from time to time but prescribes no quantitative standards. It does not classify its members into categories. It evaluates each applicant for membership in qualitative terms in light of that institution's own reasons for existence. Accreditation indicates that in the Commission's judgment an institution has clearly defined appropriate objectives, has established conditions under which it can reasonably be expected to attain them, appears in fact to be attaining them in substantial measure, and should be able to continue to do so.

Appendix C

Maryland Association of Community Colleges (MACC)

The Maryland Association of Community Colleges (MACC) was established in 1992 as an advocacy organization for Maryland's public community colleges. All 16 of Maryland's public community colleges are members of MACC and support the Association through an annual institutional dues assessment.

The mission of the Association is to develop and to execute a strategic direction for Maryland's community colleges. MACC is a service-oriented organization providing leadership on behalf of the community college segment. Advocacy extends to several areas, including:

- **Liaison** with the Maryland Higher Education Commission (MHEC) and other State and Federal organizations which relate either directly or indirectly to the activities of the community colleges.
- **Governmental Relations:** Maintaining relationships with legislators, legislative groups, the Office of the Governor, and other State departments and groups involved in the legislative process; initiating and monitoring legislation which benefits community colleges and the citizens served by community colleges, and when appropriate testifying and providing information on such legislation.
- **Community College Financing:** Working with the General Assembly, Office of the Governor, the Maryland Higher Education Commission, and other state groups to obtain adequate appropriations for community college operations and capital projects.
- **Public relations:** Projecting a positive image of community colleges through publications, press releases, media relations and other information services.
- **Economic Development and Job Training:** Facilitating and promoting the role of community colleges as a primary delivery system for job training in support of economic development in Maryland.
- **Membership Services:** Providing services which assist member colleges in achieving their objectives.
- **Research:** Conduct research and data gathering projects, producing reports and statistical summaries as needed.
- **Education:** Conduct in-service programs which enhance the professional skills of trustees and administrators.

Appendix D

Association of Community College Trustees (ACCT)

Mission:

Promoting effective board governance through advocacy and education.

Board Ends Policies:

- Enhance knowledge and skills to master role as board members.
- Develop and affect public policy for the achievement of the mission and goals of our institutions.
- Exemplify a standard of leadership behavior that is ethical and embraces diversity.
- Ensure that all persons have the opportunity to succeed through access to quality education and services.
- Provide policy leadership in support of community economic development.

Appendix E

Hagerstown Community College History

From the founding date of the College in 1946 to July 1, 1971, authority for governing the College was vested in the Board of Education of Washington County, who also served as the Board of Trustees. In March, 1971, the Board of Education passed a resolution requesting the appointment of a separate local board of community college trustees. The Governor, with the advice and consent of the Senate, appointed this new, separate seven-member Board of Trustees, effective July 1, 1971.

Appendix F

HAGERSTOWN COMMUNITY COLLEGE
Hagerstown, Maryland

BOARD OF TRUSTEES MEMBERSHIP
Since 1946

1946-47

Philip A. Rauth, President
Jack H. Beachley, M.D.
Mary R. Garrott
Alfred C. Huffer
Walter H. Shealy, M.D.
Charles I. Wolfinger
Benjamin C. Willis, Secretary-Treasurer
Superintendent

1950-51

Philip A. Rauth, President
Mary R. Garrott, Vice President
Jack H. Beachley, M.D.
Harry H. Shank
Elmer A Stone
John D. Zentmyer
William M. Brish, Secretary-Treasurer
Superintendent

1947-48

Philip A. Rauth, President
Jack H. Beachley, M.D.
Mary R. Garrott
Alfred C. Huffer
Walter H. Shealy, M.D.
Charles I. Wolfinger
William M. Brish, Secretary-Treasurer
Superintendent

1951-52

John D. Zentmyer, President
Mary R. Garrott, Vice President
Jack H. Beachley, M.D.
David R. Brewer, M.D.
Harry H. Shank
Elmer A Stone
William M. Brish, Secretary-Treasurer
Superintendent

1948-1949

Philip A. Rauth, President
Jack H. Beachley, M.D.
Mary R. Garrott
Alfred C. Huffer
Walter H. Shealy, M.D.
Charles I. Wolfinger
William M. Brish, Secretary-Treasurer
Superintendent

1952-53

John D. Zentmyer, President
Harry H. Shank, Vice President
John M. Baer
David R. Brewer, M.D.
Mary R. Poser
Elmer A Stone
William M. Brish, Secretary-Treasurer
Superintendent

1949-50

Philip A. Rauth, President
Mary R. Garrott – Vice President
Jack H. Beachley, M.D.
Alfred C. Huffer
Harry H. Shank
John D. Zentmyer
William M. Brish, Secretary-Treasurer
Superintendent

1953-54

John D. Zentmyer, President
John M. Baer, Vice-President
David R. Brewer, M.D.
Harriette B. Lindsey
Harry H. Shank
Elmer A Stone
William M. Brish, Secretary-Treasurer
Superintendent

1954-55

John M. Baer, President
David R. Brewer, M.D., Vice President
Phil I. Harr
Harriette B. Lindsey
Harry H. Shank
Elmer A Stone
William M. Brish, Secretary-Treasurer
Superintendent

1955-56

John M. Baer, President
David R. Brewer, M.D., Vice President
Phil I. Harr
Harriette B. Lindsey
Herman Stockslager
Elmer A Stone
William M. Brish, Secretary-Treasurer
Superintendent

1956-57

John M. Baer, President
David R. Brewer, M.D., Vice President
Phil I. Harr
Harriette B. Lindsey
Herman Stockslager
Clyde B. Thomas
William M. Brish, Secretary-Treasurer
Superintendent

1957-58

John M. Baer, President
David R. Brewer, M.D., Vice President
Phil I. Harr
Harriette B. Lindsey
Herman Stockslager
Clyde B. Thomas
William M. Brish, Secretary-Treasurer
Superintendent

1958-59

David R. Brewer, M.D., President
Phil I. Harr, Vice-President
Harriette B. Lindsey
Franklin R. Miller
Herman Stockslager
Clyde B. Thomas
William M. Brish, Secretary-Treasurer
Superintendent

1959-60

David R. Brewer, M.D., President
Phil I. Harr, Vice-President
Franklin R. Miller
Margaret M. Rohrer
Herman Stockslager
Clyde B. Thomas
William M. Brish, Secretary-Treasurer
Superintendent

1960-61

David R. Brewer, M.D., President
Franklin R. Miller, Vice-President
Louise F. Beachley
Margaret M. Rohrer
Herman Stockslager
Clyde B. Thomas
William M. Brish, Secretary-Treasurer
Superintendent

1961-62

David R. Brewer, M.D., President
Franklin R. Miller, Vice-President
Louise F. Beachley
Claude O. Merkle
Margaret M. Rohrer
Clyde B. Thomas
William M. Brish, Secretary-Treasurer
Superintendent

1962-63

Franklin R. Miller, President
Claude O. Merckle, Vice-President
Louise F. Beachley
David R. Brewer, M.D.
Margaret M. Rohrer
Joseph L. Ross
William M. Brish, Secretary-Treasurer
Superintendent

1963-64

Franklin R. Miller, President
Claude O. Merckle, Vice-President
Louise F. Beachley
Jack M. Ebersole
Margaret M. Rohrer
Joseph L. Ross
William M. Brish, Secretary-Treasurer
Superintendent

1964-65

Franklin R. Miller, President
Claude O. Merckle, Vice-President
Louise F. Beachley
Jack M. Ebersole
Margaret M. Rohrer
Joseph L. Ross
William M. Brish, Secretary-Treasurer
Superintendent

1965-66

Claude O. Merckle, President
Joseph L. Ross, Vice-President
Louise F. Beachley
Jack M. Ebersole
Joseph P. Fiery, Jr.
Franklin R. Miller
William M. Brish, Secretary-Treasurer
Superintendent

1966-67

Claude O. Merckle, President
Joseph L. Ross, Vice-President
Jack M. Ebersole
Joseph P. Fiery, Jr.
Franklin R. Miller
Odell H. Rosen
William M. Brish, Secretary-Treasurer
Superintendent

1967-68

Odell H. Rosen, President
Joseph L. Ross, Vice-President
Jack M. Ebersole
Joseph P. Fiery, Jr.
Claude O. Merckle
Franklin R. Miller
William M. Brish, Secretary-Treasurer
Superintendent

1968-69

Odell H. Rosen, President
Joseph P. Fiery, Jr., Vice-President
Warren H. Bitner
Jack M. Ebersole
Claude O. Merckle
Franklin R. Miller
William M. Brish, Secretary-Treasurer
Superintendent

1969-70

Odell H. Rosen, President
Joseph P. Fiery, Jr., Vice-President
Warren H. Bitner
Claude O. Merckle
Franklin R. Miller
Joseph L. Ross
William M. Brish, Secretary-Treasurer
Superintendent

1970-71

Joseph P. Fiery, Jr., President
Joseph L. Ross, Vice President
Warren H. Bitner
B. Marie Byers
Milton P. McKann
Odell H. Rosen
William M. Brish, Secretary-Treasurer
Superintendent

1971-72

Odell H. Rosen, Chair
William E. King, Jr., Vice-Chair
Evan M. Crossley
Helen R. Fisher
Joseph P. Fiery, Jr.
Ronald L. Miller
E. Leister Mobley, Jr.
David K. Poole, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1972-73

Evan M. Crossley, Chair
Helen R. Fisher, Vice-Chair
William E. King, Jr.
Ronald L. Miller
E. Leister Mobley, Jr.
David K. Poole, Jr.
Howard N. Weeks, M.D.
Dr. Atlee C. Kepler, Secretary-Treasurer

1973-74

Evan M. Crossley, Chair
Ronald L. Miller, Vice-Chair
Helen R. Fisher,
William E. King, Jr.
E. Leister Mobley, Jr.
David K. Poole, Jr.
Howard N. Weeks, M.D.
Dr. Atlee C. Kepler, Secretary-Treasurer

1974-75

Evan M. Crossley, Chair
Ronald L. Miller, Vice-Chair
Helen R. Fisher
William E. King, Jr.
E. Leister Mobley, Jr.
David K. Poole, Jr.
Howard N. Weeks, M.D.
Dr. Atlee C. Kepler, Secretary-Treasurer

1975-76

Evan M. Crossley, Chair
Helen R. Fisher, Vice-Chair
William E. King, Jr.
E. Leister Mobley, Jr.
Constantine P. Nakopoulos
David K. Poole, Jr.
Howard N. Weeks, M.D.
Dr. Atlee C. Kepler, Secretary-Treasurer

1976-77

David K. Poole, Jr., Chair
Helen R. Fisher, Vice-Chair
Evan M. Crossley
William E. King, Jr.
E. Leister Mobley, Jr.
Constantine P. Nakopoulos
Howard N. Weeks, M.D.
Dr. Atlee C. Kepler, Secretary-Treasurer

1977-78

Helen R. Fisher, Chair
E. Leister Mobley, Jr., Vice-Chair
William L. Clowser
Gary V. Fearnow
William E. King, Jr.
Constantine P. Nakopoulos
Howard N. Weeks, M.D.
Dr. Atlee C. Kepler, Secretary-Treasurer

1978-79

E. Leister Mobley, Jr., Chair
William E. King, Jr., Vice-Chair
William L. Clowser
Gary V. Fearnow
Helen R. Fisher
Constantine P. Nakopoulos
David K. Poole, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1979-80

E. Leister Mobley, Jr., Chair
Gary V. Fearnow., Vice-Chair
William L. Clowser
Helen R. Fisher
William E. King, Jr.
Constantine P. Nakopoulos
David K. Poole, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1980-81

E. Leister Mobley, Jr., Chair
Gary V. Fearnow., Vice-Chair
William L. Clowser
Helen R. Fisher
William E. King, Jr.
Constantine P. Nakopoulos
David K. Poole, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1981-82

E. Leister Mobley, Jr., Chair
Gary V. Fearnow., Vice-Chair
William L. Clowser
Helen R. Fisher
Mary Ann Jenneke
William E. King, Jr.
David K. Poole, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1982-83

E. Leister Mobley, Jr., Chair
Gary V. Fearnow., Vice-Chair
John M. Baer (Serving remainder of David K. Poole term)
William L. Clowser
Helen R. Fisher
Mary Ann Jenneke
William E. King, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1983-84

E. Leister Mobley, Jr., Chair
Gary V. Fearnow., Vice-Chair
John M. Baer
William L. Clowser
Helen R. Fisher
Mary Ann Jenneke
William E. King, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1984-85

E. Leister Mobley, Jr., Chair
Gary V. Fearnow., Vice-Chair
John M. Baer
William L. Clowser
Helen R. Fisher
Mary Ann Jenneke
William E. King, Jr.
Dr. Atlee C. Kepler, Secretary-Treasurer

1985-86

William L. Clowser, Chair
Mary Ann Jenneke, Vice-Chair
John M. Baer
Roger L. Fiery, Jr.
William E. King, Jr.
E. Leister Mobley, Jr.
Florence M. Murdock
Dr. Atlee C. Kepler, Secretary-Treasurer

1986-87

William L. Clowser, Chair
Roger L. Fiery, Jr., Vice-Chair
John M. Baer
Merle S. Elliott
Mary Ann Jenneke,
William E. King, Jr.
Florence M. Murdock
Dr. Norman P. Shea, Secretary-Treasurer

1987-88

William L. Clowser, Chair
Roger L. Fiery, Jr., Vice-Chair
John M. Baer
Merle S. Elliott
William E. King, Jr.
Charlotte B. Lubbert
Florence M. Murdock
Dr. Norman P. Shea, Secretary-Treasurer

1988-89

Roger L. Fiery, Jr., Chair
Florence M. Murdock, Vice-Chair
John M. Baer
William L. Clowser
Merle S. Elliott
Edward N. Henson, Jr.
Charlotte C. Lubbert
Dr. Norman P. Shea, Secretary-Treasurer

1989-90

Roger L. Fiery, Jr., Chair
Florence M. Murdock, Vice-Chair
John M. Baer
William L. Clowser
Merle S. Elliott
Edward N. Henson, Jr.
Charlotte C. Lubbert
Dr. Norman P. Shea, Secretary-Treasurer

1990-91

Roger L. Fiery, Jr., Chair
Florence M. Murdock, Vice-Chair
William L. Clowser
Merle S. Elliott
Donald R. Harsh, Jr.
Edward N. Henson, Jr.
Charlotte C. Lubbert
Dr. Norman P. Shea, Secretary-Treasurer

1991-92

Roger L. Fiery, Jr., Chair
Florence M. Murdock, Vice-Chair
William L. Clowser
Merle S. Elliott
Donald R. Harsh, Jr.
Edward N. Henson, Jr.
Charlotte C. Lubbert
Dr. Norman P. Shea, Secretary-Treasurer

1992-93

Florence M. Murdock, Chair
Merle S. Elliott, Vice-Chair
William L. Clowser (*Resigned 9/23/92*)
Roger L. Fiery, Jr.
Donald R. Harsh, Jr.
Edward N. Henson, Jr.
Charlotte C. Lubbert
Dr. Norman P. Shea, Secretary-Treasurer

1993-94

Florence M. Murdock, Chair
Merle S. Elliott, Vice-Chair
Wayne E. Alter
Carolyn W. Brooks
Roger L. Fiery, Jr.
Donald R. Harsh, Jr.
Edward N. Henson, Jr.
Dr. Norman P. Shea, Secretary-Treasurer

1994-1995

Merle S. Elliott, Chair
Edward N. Henson, Vice-Chair
Wayne E. Alter
Carolyn W. Brooks
Roger L. Fiery, Jr.
Donald R. Harsh, Jr.
Florence M. Murdock
Norman P. Shea, Secretary-Treasurer

1995-1996

Merle S. Elliott, Chair
Wayne E. Alter
Carolyn W. Brooks
Roger L. Fiery, Jr.
Donald R. Harsh, Jr. (*Resigned 9/96*)
Florence M. Murdock
William J. Reuter
Norman P. Shea, Secretary-Treasurer

1996-1997

Merle S. Elliott, Chair
Wayne E. Alter, Jr., Vice-Chair
Carolyn W. Brooks
Roger L. Fiery, Jr.
James D. Latimer
Florence M. Murdock
William J. Reuter
Norman P. Shea, Secretary-Treasurer

1997-1998

Wayne E. Alter, Chair
Carolyn W. Brooks, Vice-Chair
Merle S. Elliott
Roger L. Fiery, Jr.
James D. Latimer
Florence M. Murdock
William J. Reuter
Normal P. Shea, Secretary-Treasurer

1998-1999

Wayne E. Alter, Chair
Carolyn W. Brooks, Vice-Chair
Merle S. Elliott
Roger L. Fiery, Jr.
James D. Latimer
Florence M. Murdock
William J. Reuter
Norman P. Shea, Secretary-Treasurer

1999-2000

William J. Reuter, Chair
Carolyn W. Brooks, Vice-Chair
Wayne E. Alter, Jr.
Merle S. Elliott
Roger L. Fiery, Jr.
James D. Latimer
Florence M. Murdock
Norman P. Shea, Secretary-Treasurer

2000-2001

William J. Reuter, Chair
Carolyn W. Brooks, Vice-Chair
Wayne E. Alter, Jr.
Merle S. Elliott
Roger L. Fiery, Jr.
James D. Latimer
Florence M. Murdock
Norman P. Shea, Secretary-Treasurer

2001-2002

William J. Reuter, Chair
Carolyn W. Brooks, Vice-Chair
Wayne E. Alter, Jr.
Merle S. Elliott
Margaret E. Hetzer
James D. Latimer
Florence M. Murdock
Norman P. Shea, Secretary-Treasurer

2002-2003

Merle S. Elliott, Chair
Carolyn W. Brooks, Vice-Chair
Wayne E. Alter, Jr.
Anton T. Dahbura
Margaret E. Hetzer
Florence M. Murdock
William J. Reuter
Guy Altieri, Secretary-Treasurer

2003-2004

Merle S. Elliott, Chair
Carolyn W. Brooks, Vice-Chair
Wayne E. Alter, Jr.
Patricia K. Cushwa
Anton T. Dahbura
Margaret E. Hetzer
William J. Reuter
Guy Altieri, Secretary-Treasurer

2004-2005

Merle S. Elliott, Chair
Anton T. Dahbura, Vice-Chair
Carolyn W. Brooks
Wayne E. Alter, Jr.
Patricia K. Cushwa (*Resigned 1/05*)
Margaret E. Hetzer
William J. Reuter
Guy Altieri, Secretary-Treasurer

2005-2006

Merle S. Elliott, Chair
Anton T. Dahbura, Vice-Chair
Wayne E. Alter, Jr.
Carolyn W. Brooks
Pamela Christoffel
Margaret E. Hetzer
William J. Reuter
Guy Altieri, Secretary-Treasurer

2006-2007

Anton T. Dahbura, Chair
Carolyn W. Brooks, Vice-Chair
Wayne E. Alter, Jr.
Pamela Christoffel
Merle S. Elliott

Margaret E. Hetzer
Richard W. Phoebus, Sr.
Guy Altieri, Secretary-Treasurer

2007-2008

Anton T. Dahbura, Chair
Carolyn W. Brooks, Vice-Chair
Pamela Christoffel
Merle S. Elliott
Margaret E. Hetzer
Richard W. Phoebus, Sr.
Gregory I. Snook
Guy Altieri, Secretary-Treasurer

2008-2009

Austin S. Abraham
Carolyn W. Brooks, Chair
Patricia K. Cushwa
Merle S. Elliott
Margaret E. Hetzer
Richard W. Phoebus, Sr., Vice-chair
Gregory I. Snook
Guy Altieri, Secretary-Treasurer

2009-2010

Austin S. Abraham
Carolyn W. Brooks, Chair
Patricia K. Cushwa
Merle S. Elliott
Margaret E. Hetzer
Richard W. Phoebus, Sr., Vice-chair
Gregory I. Snook
Guy Altieri, Secretary-Treasurer

2010-2011

Austin S. Abraham
Carolyn W. Brooks
Patricia K. Cushwa
Merle S. Elliott
Margaret E. Hetzer
Richard W. Phoebus, Sr. Chair
Gregory I. Snook, Vice-chair
Guy Altieri, Secretary-Treasurer

2011-2012

Austin S. Abraham
Carolyn W. Brooks, Chair
Patricia K. Cushwa
Merle S. Elliott
Margaret E. Hetzer (*Resigned 2/12*)
Richard W. Phoebus, Sr. (*Resigned 11/11*)
L. William Proctor, Jr.
Gregory I. Snook, Vice-chair
John D. Williamson
Guy Altieri, Secretary-Treasurer

2012-2013

Austin S. Abraham
Carolyn W. Brooks
Patricia K. Cushwa, Vice-chair
Merle S. Elliott
L. William Proctor, Jr.
Gregory I. Snook, Chair
John D. Williamson
Guy Altieri, Secretary-Treasurer

2013-2014

Austin S. Abraham
Carolyn W. Brooks
Patricia K. Cushwa, Vice-chair
Merle S. Elliott
L. William Proctor, Jr.
Gregory I. Snook, Chair
John D. Williamson
Guy Altieri, Secretary-Treasurer

2014-2015

Austin S. Abraham
Carolyn W. Brooks
Patricia K. Cushwa, Vice-chair
Merle S. Elliott
L. William Proctor, Jr.
Gregory I. Snook, Chair
John D. Williamson
Guy Altieri, Secretary-Treasurer

2015-2016

Austin S. Abraham, Vice-chair
Carolyn W. Brooks
Patricia K. Cushwa, Chair
Merle S. Elliott

L. William Proctor, Jr.
Gregory I. Snook
John D. Williamson
Guy Altieri, Secretary-Treasurer

2016-2017

Austin S. Abraham, Vice-chair
Carolyn W. Brooks
Patricia K. Cushwa, Chair
Paula Lampton
L. William Proctor, Jr.
Gregory I. Snook
John D. Williamson
Guy Altieri, Secretary-Treasurer

2017-2018

Austin S. Abraham, Chair
Carolyn W. Brooks
Patricia K. Cushwa
Paula Lampton
L. William Proctor, Jr.
Gregory I. Snook
John D. Williamson, Vice Chair
Guy Altieri, Secretary-Treasurer

2018-2019

Austin S. Abraham, Chair
Carolyn W. Brooks
Patricia K. Cushwa
Paula Lampton
L. William Proctor, Jr.
Gregory I. Snook
John D. Williamson, Vice Chair
James Klauber, Secretary-Treasurer

2019-2020

Austin S. Abraham
Carolyn W. Brooks
Patricia K. Cushwa
Paula Lampton
L. William Proctor, Jr., Vice Chair
Gregory I. Snook
John D. Williamson, Chair
James Klauber, Secretary-Treasurer

2020-2021

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John D. Williamson, Chair
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2024-2025

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