

Resolution No.: 17-316
Introduced: December 6, 2011
Adopted: December 6, 2011

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: County Council

SUBJECT: Approval of Executive Regulation No. 11-10AM, Amendments to Montgomery County Personnel Regulations, Employee Training and Tuition Assistance

Background

1. On September 30, 2010, the County Council received Executive Regulation 11-10 to amend Section 14 of the 2001 Personnel Regulations related to the administration of the employee development and tuition assistance program for non-union employees by providing increased accountability and better safeguards.
2. Executive Regulation 11-10 was considered by the Government Operations and Fiscal Policy Committee on January 24, 2011, and the Committee recommended amendments to the proposed regulation.
3. The Regulation was resubmitted by the County Executive as Executive Regulation 11-10AM on November 1, 2011.
4. Executive Regulation 11-10AM is processed under Method 1 and takes effect upon adoption of the Council resolution approving it or on a later date specified in the regulation.
5. The Government Operations and Fiscal Policy Committee unanimously recommended approval of the amended regulation.

Action

The County Council for Montgomery County, Maryland approves the following resolution:

Executive Regulation No. 11-10AM, Amendments to Montgomery County Personnel Regulations, related to the administration of the employee development and tuition assistance program for non-union employees is approved.

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

COPY

| | | | |
|-------------------------------|--|-----------------------|------------------|
| Subject | Employee Training and Tuition Assistance | Number | 11-10AM |
| Originating Department | Office of Human Resources | Effective Date | December 6, 2011 |

Employee Training and Tuition Assistance

Executive Regulation No. 11-10AM

Issued by: County Executive

Supersedes: Executive Regulations No. 12-00AM II, in part,
and No. 26-07AM, in part

Authority: Montgomery County Code, 2004, §33-7(b)
Council review: Method 1

Montgomery County Register Volume 27, Issue 8
Comment deadline: August 31, 2010

Effective date: December 6, 2011

Summary: This regulation amends Section 14 of the 2001 Montgomery County Personnel Regulations to improve the administration of the employee development and tuition assistance program by providing increased accountability and better safeguards.

Address for comments Office of Human Resources, Executive Office Building, 7th Floor
101 Monroe Street, Rockville, Maryland 20850

Staff contact: Stuart Weisberg, 240-777-5154, or stuart.weisberg@montgomerycountymd.gov

Please use the key below when reading this regulation:

Boldface
* * *

Heading or defined term.

Existing language unchanged by executive regulation.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

COPY

| | |
|--|--------------------------|
| Subject Employee Training and Tuition Assistance | Number 11-10AM |
| Originating Department Office of Human Resources | Effective Date |

SECTION 14. EMPLOYEE DEVELOPMENT

14-1. **OHR-administered training.** The OHR Director administers a centralized employee development and tuition assistance program for County employees to facilitate their professional and personal development.

* * *

(c) *Employee tuition assistance.*

* * *

(6) The OHR Director may approve the use of OHR-administered tuition assistance for an employee currently enrolled in a degree program at an accredited (as determined by an accrediting agency recognized by the U.S. Secretary of Education) college or university, or vocational or business school to pay for a course for which the employee receives credit toward a degree in a field of study:

(A) related to the employee's current County job functions or career ladder in the same job series or profession; or

(B) that will prepare the employee to make a career change to another position within the Montgomery County Government.

(7) The OHR Director may approve the use of OHR-administered tuition assistance funds for employees who are not enrolled in degree programs only when the training or education directly relates to the employee's current job functions or career ladder in the same job series or profession.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

COPY

| | |
|--|--------------------------|
| Subject Employee Training and Tuition Assistance | Number 11-10AM |
| Originating Department Office of Human Resources | Effective Date |

Such training or education must be provided by an accredited (as determined by an accrediting agency recognized by the U.S. Secretary of Education):

- (A) college or university;
- (B) vocational or business school;
- (C) professional, scientific, or technical institute; or
- (D) organization or component of an organization, including a government agency or business, that offers courses or training.

* * *

- (9) Only the cost of tuition is covered by tuition assistance.
- (10) The following do not qualify for tuition assistance:
 - (A) credit courses taken on an audit (i.e., no grade) basis;
 - (B) books, supplies, and application fees, or extra fees such as late registration or library book returns, parking, travel, food, lodging, and other costs incidental to the credit courses;
 - (C) if the tuition assistance benefit would duplicate benefits received for the same educational activity under other programs such as scholarships, veterans benefits, and the Maryland State Fire Association;
 - (D) credit by examination courses (courses in which credit is obtained solely by taking an examination);
 - (E) examination fees;
 - (F) courses taken outside the United States; and



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

COPY

| | |
|--|--------------------------|
| Subject Employee Training and Tuition Assistance | Number 11-10AM |
| Originating Department Office of Human Resources | Effective Date |

(G) courses which are primarily recreational, or utilize a specific faith-based method as a primary approach to problem solving or treatment.

(11) An employee receiving tuition assistance must participate in the educational activity:

(A) during the employee's off-duty hours; or

(B) on approved leave, other than administrative leave or Professional Improvement Leave (PIL).

(12) An employee receiving tuition assistance must complete the course(s) with a passing grade. Otherwise, the employee must reimburse the County for the amount of the County's tuition assistance. Final grades must be provided to OHR upon completion of the course.

* * *

(14) The OHR Director may approve tuition assistance for a probationary employee. The OHR Director must not give tuition assistance to the employee until the employee:

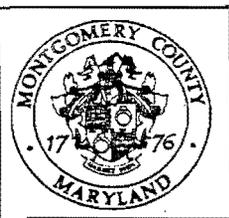
(A) pays the tuition;

(B) attains merit system status; and

(C) provides evidence of successful course completion.

(15) An employee must receive written approval from a department director prior to submitting a tuition assistance request to OHR for review.

(16) Subject to (17) below, an employee whose request for tuition assistance is not approved may file a grievance under Section 34. The employee must show that the action was arbitrary and capricious.



MONTGOMERY COUNTY EXECUTIVE REGULATION

Offices of the County Executive • 101 Monroe Street • Rockville, Maryland 20850

COPY

| | |
|--|--------------------------|
| Subject Employee Training and Tuition Assistance | Number 11-10AM |
| Originating Department Office of Human Resources | Effective Date |

(17) The denial by OHR of an employee request for tuition assistance on the basis that all tuition assistance funds for the year have been allocated is not grievable.

* * *

Approved: Isiah Leggett
Isiah Leggett, County Executive

11/1/11
Date

Approved as to form and legality:

David Stevenson 10/27/11
Office of the County Attorney Date