



**CENTRAL OREGON**  
community college

**Board of Directors'**  
**Governing Policies**

Revised 9/2018

**CENTRAL OREGON COMMUNITY COLLEGE  
BOARD OF DIRECTORS' POLICIES**

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## **GOVERNANCE PROCESS**

### **GP 1: BOARD MISSION AND VISION STATEMENT**

*Approved: November 14, 2012*

Mission - Central Oregon Community College promotes student success and community enrichment by providing quality, accessible, lifelong educational opportunities.

Vision Statement - To achieve student success and community enrichment, COCC fosters student completion of academic goals, prepares students for employment, assists regional employers and promotes equitable achievement for the diverse students and communities we serve.

### **GP 2: GOVERNING STYLE**

*Approved: July 13, 2011*

*Revised: December 9, 2015*

The Board will be actively involved in the governance of the college, being proactive rather than reactive, staying adequately informed on relevant issues and approaching its task with a style which emphasizes outward vision rather than an internal preoccupation, encouragement of diversity in viewpoints, strategic leadership more than administrative detail, clear distinction of Board and staff roles, collective rather than individual decisions and an orientation towards the future while respecting lessons from the past.

More specifically, the Board will:

1. Operate in all ways mindful of its civic trusteeship obligation to the citizens of its district.
2. Enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, policy making principles, respect of roles, speaking with one voice and adherence to ethical practices.
3. The Board will keep adequately informed about relevant global, regional and local educational and other issues, actively gathering information to fulfill this role.
4. Direct, control and inspire the organization through the careful establishment of the broadest organizational values and perspectives through written policies.
5. Focus chiefly on intended long term impacts on the world outside the organization (*ends*), not on the administrative or programmatic means of attaining those effects.
6. Be an initiator of policy, not merely a reactor to staff initiatives. The Board, not the staff, will be responsible for board performance.
7. Use the expertise of individual members to enhance the ability of the Board as a body, rather than to substitute their individual values for the group's values.

8. Monitor and regularly discuss the Board's own process and performance. Ensure the continuity of its governance capability by ongoing training and review:
  - A. Self-monitoring will include at least a biannual comparison of Board activity and discipline to its Governance Process and Board-Staff Relationship policies.
  - B. Ongoing training will include orientation of new members in the Board's adopted governance process and periodic Board discussion of process improvement.
  
9. Be accountable to the general public for competent, conscientious and effective accomplishment of its obligations as a body. It will allow no officer, individual or committee of the board to usurp this role or hinder this commitment.
  
10. Acting as a committee of the whole, the Board shall perform the functions of the Audit Committee including:
  - A. The appointment and establishment of the compensation of any public accounting firm employed by the College in connection with the attest function.
  - B. Establishment of procedures for:
    - i. The receipt, retention and treatment of complaints received by the College regarding accounting, internal controls and auditing matters.
    - ii. The confidential, anonymous submission by employees regarding questionable accounting or auditing matters.
  - C. The appointment, compensation and oversight of independent counsel or other advisor as deemed necessary to carry out its audit duties.
  
11. Unless otherwise specifically delegated by the Board, the Board shall have sole responsibility for appointment of legal counsel or real estate agencies that represent the College in whole, any College department or College unit. No college funds including resources collected through student fees or other program or department fees may be used for legal counsel or real estate representation without prior approval of the Board or designee.

\* Any legal representation available to the College that may be a related benefit from college department, or college unit membership in regional or national organizations shall be coordinated through the college legal counsel approved by the Board.

### **GP 3: BOARD JOB DESCRIPTION**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

The job of the Board is to make certain contributions, which lead the organization toward the desired performance, and to assure that it occurs. The Board's specific contributions are unique to its trusteeship role and *necessary* for proper governance and management.

Consequently, the contributions and responsibilities of the Board shall be:

1. To serve as the link between the organization and its many stakeholders and

constituents (this occurs through board meetings, committee meetings, formal college events and day-to-day communication with the public).

2. To develop and abide by written governing policies.
3. To approve the annual budget.
4. To assure Presidential performance.
5. To be an active and engaged Board member – attend Board meetings and functions, participate on one or more committees, and take the initiative to be informed to make good decisions (i.e. communicate with staff through the President).
6. To participate in legislative and public policy activities (through testifying, lobbying and taking positions as appropriate)
7. To provide oversight of financial resource development.

#### **GP 4: CHAIR / VICE CHAIR ROLE**

*Approved: June 9, 1993*

*Revised: March 13, 1996; December 9, 2015*

The role of the Chair is, primarily, to ensure the integrity of the Board's process and, secondarily, occasional representation of the Board to outside parties. The Chair is the only Board Member authorized to officially speak for the Board (beyond simply reporting Board decisions), other than in rare and specifically authorized instances.

1. The outcome of an effective Chair is that the Board behaves consistent with its own policies on governance and Board/staff relationship and those legitimately imposed upon it from outside the organization.
  - A. The Chair is responsible for reviewing the Board meeting agenda and facilitating the Board meeting to ensure the Board remains proactive, forward looking and value-added in its deliberations.
  - B. Meeting discussion content will only be those issues which, according to Board policy, clearly belong to the Board to decide, not the President.
  - C. Deliberation will be timely, fair, orderly and thorough, but also efficient, limited to time allotted and kept to the point.
  - D. The Board's policies concerning individual and group behavior will be enforced appropriately.
2. The authority of the Chair consists of making and/or carrying out decisions on behalf of the Board. This authority extends to all decisions which fall within and are consistent with any reasonable interpretation of Board policies on Governance Process and on the Board-President Relationship, except where the Board specifically delegates portions of this authority to others.
  - A. The Chair is empowered to chair Board meetings with all the commonly accepted

- power of that position (e.g., ruling, recognizing, etc.).
- B. The Chair has no authority to make unilateral decisions about policies and no authority to individually supervise or direct the President.
  - C. The Chair may represent the Board to outside parties in announcing Board-stated positions and in stating Chair decisions and interpretations within the area delegated.
  - D. The Chair may call special meetings as required.
- 3. The Vice Chair will assume responsibilities of the Chair in the event of Chair's absence or inability to serve.
  - 4. The Chair and Vice Chair of the Board will be elected at the Annual Meeting in July.
  - 5. The selection of the Chair will be based on the following factors:  
Desire, leadership ability, availability of time to complete the obligations of the job, experience relative to the goals/opportunities for the college in the ensuing year, and zone representation.

It is generally anticipated that the Vice Chair will succeed the Chair in the following year if the criteria for the Chair can still be met.

#### **GP 5: BOARD COMMITTEE PRINCIPLES**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

The Board may establish committees to help carry out its responsibilities. To preserve the function of the Board acting as a whole, committees will be used sparingly, and only when other methods have been deemed inadequate. Committees will be used so as to minimally interfere with the board's job, and so as never to interfere with delegation from Board to President.

- 1. A committee is a Board committee only if its existence and charge come from the Board, regardless of whether Board Members sit on the committee. The Board, in establishing committees will determine committee product and limits of committee authority.
- 2. Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the President.
- 3. Board committees are to help the Board do its job, not to help the staff do their jobs. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation. Board committees are not to be created by the Board to advise staff.

4. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore, a Board committee which has helped the Board create policy on some topic will not be used to monitor organizational performance on that same subject.
5. Board committees cannot exercise authority over staff. In keeping with the Board's broader focus, Board committees will normally not have direct dealings with current staff operations. Because the President works for the full Board, he or she will not be required to obtain approval of a Board committee before an executive action.
6. This policy applies only to committees which are formed by Board action, whether or not the committees include non-Board members. It does not apply to committees formed under the authority of the President.

## **GP 6: BOARD COMMITTEES**

*Revised: November 10, 2010; December 9, 2015*

The COCC Board will have six standing committees and one ad hoc committee with members appointed at the annual meeting.

- **President Evaluation Committee** - consisting of three members of the Board who will gather any necessary information, review the process of evaluation, and facilitate the evaluation discussion.
- **Board Self-Evaluation Committee** - consisting of three members of the Board who will review the process of evaluation, gather any necessary information, and facilitate the evaluation discussion.
- **Keyes Trust Committee** - consisting of one Board member and the President who will comply with the instructions of the Keyes Trust.
- **Audit and Finance Committee** - consisting of three members of the Board and two members of the budget committee. The term of membership will be three years.
- **Real Estate Committee** – consisting of three members of the Board. The President (or designee) and other staff may serve as ex-officio members.
- **Student Success Committee** – consisting of three members of the Board who help to monitor all elements of Student Success initiatives at the college.
- **Naming Committee** – is an advisory committee consisting of a faculty member, classified staff, administrator and the Executive Director of the COCC Foundation. This Committee can be authorized by the Board of Directors to recommend the naming of rooms, landscape areas and features of the college. As clarified in GP9, the Board of Directors reserves unto itself the ultimate responsibility for the naming of buildings.

All other Board committees will be established on a designated or ad hoc basis, with a specific charge, and timeline for completion.

#### **GP 7: BOARD PLANNING CYCLE**

*Approved: June 9, 1993; June 13, 2001; December 9, 2015*

To accomplish its goals with a governance style consistent with Board policies, the Board will utilize a planning cycle which typically starts with a Board retreat in the summer and/or fall and continues through the year, taking into special consideration if there is an upcoming legislative session.

Topics to be covered include, but are not limited to: long-term financial health of the institution, strategic planning, master plan update, facility maintenance review, student success measures, new programs, and review of Board policies.

Board members will also be encouraged to identify those areas of education and training needed to increase their knowledge and effectiveness in future deliberations.

#### **GP 8: BOARD MEMBERS' CODE OF CONDUCT**

*Approved: June 9, 1993; February 8, 1995; December 9, 2015*

Given the role that a Board member plays, and the fact that they are often seen as a “face” of the institution, the Board expects at all times that its members will exhibit ethical and professional conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behavior at all times.

1. Board members must represent unconflicted loyalty to the interests of the stakeholders and constituents. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. This accountability supersedes the personal interest of any Board member acting as an individual consumer of the organization's services.
2. Board members must avoid any conflict of interest with respect to their fiduciary responsibility.
  - A. There must be no self-dealing or any conduct of private business or personal services between any Board member and the organization except as procedurally controlled to assure openness, competitive opportunity and equal access to information.
  - B. Board members must not use their positions to obtain employment in the organization for themselves, family members or close associates.
  - C. Should a Board member be considered for employment, s/he must temporarily withdraw from Board deliberation, voting and access to applicable Board information.
3. Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.



- A. Board members' interaction with the President or with staff must recognize the lack of authority of any individual Board member or group of Board members except as noted above.
  - B. Board members' interaction with the public, press or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak for the Board.
  - C. Board members will refrain from making any public remarks or disparaging comments about the President or staff that could damage the college's reputation.
4. Board members will be reimbursed for all Board/college-related travel; however, the college does not pay meals, lodging, or other costs for family member(s) who may accompany the Board member unless circumstances are preapproved by the Board Chair.

**GP 9: BOARD OPERATIONS**

*Approved: June 9, 1993*

*Revised: March 13, 1996; November 14, 2001; December 9, 2015*

The Board will operate in a consistent manner, following the policies detailed herein, and, unless otherwise noted, adhere to these operational proceedings:

- 1. The Board will meet at 6:00 p.m. on the second Wednesday of each month, normally in the Christiansen Board Room of the Boyle Education Center on the Bend campus, but occasionally at sites throughout the district.
- 2. At the annual organization meeting, to be held as part of the July Board meeting, the Board shall elect a Chair and a Vice Chair who will serve as Chair-elect, in anticipation of becoming Chair the following year unless unusual circumstances prevail. The Vice Chair shall fulfill the duties of the Chair in the absence of the Chair. The Board shall then appoint a clerk, and confirm the contract with legal counsel.
- 3. When a vacancy occurs on the Board, the remaining members shall meet in regular session and select a person to fill the vacancy from any of the qualified residents of the zone from which the vacancy occurs. Prior to that, the Board shall request nominations from the public at large and shall prescribe the format in which the nominations are to be presented. The member(s) so selected shall serve until the next Board election at which time the current Board member (or a successor) shall be formally elected to fill the remainder of the unexpired term, if applicable.
- 4. During the budget review process, the Board will convene the District Budget Board, in accordance with ORS Chapter 294.

5. The Board will consider proposed new or revised policy twice, first as an informational item; second as a recommendation for approval. Upon majority vote of the Board, the policy will be incorporated into the Board's policies.
6. The Board, when it is found to be in the best interest of the college district, may, by a majority vote, suspend its rules and take statutorily authorized action overriding previously adopted policy.
7. An agenda topics list will be prepared by the Chair in conjunction with the President, typically with input from the full Board at a retreat. This list will be linked to Board policy issues and the Strategic Plan. The Board Chair, with input from Board members and the President, will set the monthly business agenda.
8. The Board will give high priority to the College community and citizen participation, but reserves the right to take partial testimony, to limit debate, or to take whatever actions are necessary to offer a fair hearing to an individual within the time necessary to complete the published agenda.
9. The naming of any campus, building, room, space, or area of Central Oregon Community College shall be at the discretion of the Board of Directors.
  - A. The Board may choose to name a building after a major geographical feature, facility function or after persons involved with the College or the state of Oregon. The Board also has the option of renaming a building if it is deemed appropriate.
  - B. The Board may choose to name smaller areas of the College, such as rooms or spaces, after persons living or deceased, or organizations which have given a major service or made major contributions to the College or College district.

## **GP 10: POLICY REQUIREMENTS**

*Revised: July 13, 1994*

Board policy will include appropriate and/or required policies to meet federal and state laws and regulations, and program requirements, i.e., equal opportunity, affirmative action, sexual harassment, handicap accessibility.

## **GP 11: BOARD MONITORING/EVALUATION**

*Revised: November 10, 2010; December 9, 2015*

The Board will complete a self-evaluation annually, normally at the fall retreat.

The Board of Directors will formally review the Board Governing Policies every other year (although changes may be made sooner than that if necessary)

The Board will review and evaluate the President's performance annually. Prior to the June Board meeting, the Board Chair and Board Vice Chair will confer with the College legal counsel over the review of the President's contract. The College legal counsel will confer

with the President to develop a mutually agreeable contract. A contractual revision may not always result from the annual review. Board approval of contract revisions will occur at the June Board meeting.

### **GP 12 BUDGET COMMITTEE**

*Approved: November 12, 1998*

*Revised: October 9, 2013; December 9, 2015*

The COCC Budget Committee will follow the provisions of ORS 294.414. The Board will attempt to appoint one Budget Committee member from each Board zone. However, at the discretion of the Board, under special circumstances (such as boundary changes impacting incumbent Budget Committee members or no candidates from a particular zone), the Board can choose to make exceptions and appoint Budget Committee members who reside in the District but in a neighboring zone to represent that area.

### **GP 13: BOARD PROFESSIONAL IMPROVEMENT**

*Approved: November 10, 2010*

*Revised: December 9, 2015*

The Board will strive to maintain an awareness of local, regional and national trends in community college education. As such, there is an expectation that at least once in their 4-year term, a Board member will attend a convention of American Association of Community College Trustees (ACCT), American Association of Community College (AACC), or Oregon Community College Association (OCCA).

Given their role on the Board, the Chair will be especially encouraged to attend the ACCT Annual Convention each year.

### **GP 14: NEW BOARD MEMBER ORIENTATION**

*Approved: March 13, 1996*

*Revised: December 9, 2015*

All new Board Members will receive an orientation to COCC and the role and responsibilities of the COCC Board of Directors within the first three months of election and/or appointment.

The orientation will be conducted by Board Members in collaboration with the President and include topics in: Board policies, statutory responsibilities, institutional financial status and other topics as determined by the Chair.

### **GP 15: MEDIA ATTENDANCE AT EXECUTIVE SESSIONS**

*Approved: January 11, 2012 Revised: December 9, 2015*

Under the Oregon Public Meetings Law and ORS 192.660, recognized representatives of the news media are allowed to attend executive sessions. However, the proceedings of this executive session are for background information only and not for publication or broadcast.

The following entities are recognized as news media organizations eligible to attend executive sessions at COCC because they have an established history:

- The Bulletin
- The Broadside
- The Source
- Cascade Business Journal
- The Redmond Spokesman
- The Central Oregonian
- The Madras Pioneer
- The Sisters Nugget
- The Newberry Eagle
- The Spilyay Tymoo
- KTVZ
- KOHD
- KBNZ
- Bend Radio Group
- Combined Communications
- Horizon Broadcasting Group
- Oregon Public Broadcasting

No other entity shall be permitted to attend an executive session unless it is recognized through the process described below.

The following organizations' members are eligible to seek application to attend executive sessions:

- A general or associate member newspaper of the Oregon Newspaper Publishers Association, a broadcast member of the Oregon Association of Broadcasters or a member of the Associated Press; or
- A newspaper that the College uses for publication of public notices and that meets the requirements of ORS 193.020; or
- An entity recognized by the College as being a news source that:
  - Is organized and operated to regularly and continuously publish, broadcast, transmit via the Internet or otherwise disseminate news to the public; and
  - Regularly reports on activities of the College or matters of the nature under consideration by the College; and
  - Is a well-established entity committed to complying with the requirement that confidential executive session information not be disclosed.

In making this determination, the College may consider any factors it deems to be relevant, including whether the entity has an available process for correcting errors, including violations of executive session statutes, by a person with authority to take corrective measures. Any entity seeking recognition as a news media organization has the burden of proof to establish that it meets the standards of this policy. A determination that the entity is not recognized shall be based upon written findings addressing the criteria in this policy.

The College may require that a request to attend an executive session be made in writing, in advance of the meeting. The request shall disclose the person's name and the entity for which he or she is a news reporter. The request shall also include a certification that the person is gathering news for a recognized news media organization, that the information given is true and that the person agrees to comply with ORS 192.660.

The College may consider any relevant evidence provided or gathered in making its decision as to whether a person shall be recognized as a representative of a recognized news media organization. In making its determination whether to recognize a specific person as a representative of the news media organization, the College may also require:

- A press badge or identification issued by the recognized news media organization, plus proof of identity (such as a driver's license); or
- A recently published news article in the recognized news media organization publication or broadcast, with the person's byline, or a masthead showing the person's name as a member of the news gathering staff of the news media organization, plus proof of identity; or
- A letter on letterhead from an editor of the recognized news media organization in which the editor states that the reporter is covering the meeting for the news media

organization, plus proof of identity.

Representatives of the news media are not permitted to attend executive sessions involving deliberations with persons designated to carry on labor negotiations (ORS 192.660(4)). Additionally, if the executive session is being held for the purpose of conferring with counsel about current litigation or litigation likely to be filed, the College shall exclude any member of the news media from attending if the member is a party to the litigation to be discussed or is an employee, agent or contractor of a news media organization that is a party to the litigation (ORS 192.660(5)).

Cameras, tape recorders and other recording devices shall not be used in executive sessions, except for the official executive session tapes made by College staff.

Any person or entity which has a direct personal interest in the subject of the executive session may be barred from attending.

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## **BOARD-PRESIDENT RELATIONSHIP**

### **BPR 1: DELEGATION TO THE PRESIDENT**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

The President is accountable to the full Board. As such, the Board will establish the governing policies, delegating implementation of the policies and the development and implementation of the procedures to the President.

1. All Board authority delegated to staff is delegated through the President, so that all authority and accountability of staff is considered to be the authority and accountability of the President.
2. The President is authorized to establish all procedures, make all decisions, take all actions and develop and implement all activities as long as they are consistent with the Board's direction and policies. This includes specific goals set by the Board on an annual basis.
3. No individual Board member, officer or committee has authority over the President. Information or assistance may be requested by individuals or groups, but if such a request — in the President's judgment — requires a material amount of staff time or funds or is disruptive, it may be refused, unless authorized by the Board.

### **BPR 2: PRESIDENT'S JOB DESCRIPTION**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

The President's job duties and responsibilities can be stated as performance in the following major areas:

1. Performance of Board Goals and Objectives
2. Relationship with the Board of Directors
3. Operational Skills and Services
4. Professional and Leadership Activities
5. Knowledge, Skills and Abilities

### **BPR 3: EVALUATING PRESIDENTIAL PERFORMANCE**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

The President Evaluation Committee, comprised of three members, including the chair of the Board, shall annually prepare a draft Presidential evaluation for consideration by the full Board. In preparing its draft, the Committee shall consult with all Board members, the President and such other individuals as the Committee deems relevant. The form used to prepare the evaluation shall seek details and conclusions on the following criteria: (a) to compare the President's performance with the requirements stated in the Presidential job

description adopted by the Board; (b) to evaluate the success of the College in meeting its strategic objectives as set forth in the adopted Strategic Plan, and the President's role in such success or lack of success; (c) to evaluate the President's performance in carrying out specific goals and tasks assigned by the Board; and (d) to evaluate such other aspects of the President's performance as the Committee deems relevant.

At an executive session of the Board, the Committee shall present the Board with the draft performance evaluation for consideration as soon as reasonably possible before May of each year. Such draft performance evaluation shall include a proposed salary and benefits adjustment, if any, recommended by the Committee. The Board may take any of the following actions with respect to the draft performance evaluation: (a) approve it; (b) modify and approve it; or (c) instruct the Committee to consider additional matters and propose a revised draft performance evaluation in the future. When the Board adopts the performance evaluation, the Chair shall provide a copy to the President and meet with the President to discuss it.

#### **BPR 4: EMERGENCY EXECUTIVE SUCCESSION**

*Approved: June 9, 1993*

*(Formerly EL 5) Revised: February 8, 1995; December 9, 2015*

In order to protect the Board from sudden loss of Presidential services, the President may not have fewer than two other executives familiar with Board and Presidential issues and processes. The President will designate to the Board each year, at the organizational meeting, his or her recommended line of succession.

#### **BPR 5: APPOINTMENT OF ACTING PRESIDENT**

*Approved: March 13, 1991*

*(Formerly EL 5) Revised February 8, 1995; October 14, 1998; March 10, 2010; December 9, 2015*

In the absence of the College President, an individual holding either of the following positions: Vice President for Administration or Vice President for Instruction, may be designated by the College President to serve as Acting President of Central Oregon Community College for short periods of time, not to exceed 30 consecutive working days at a time. For periods in excess of 30 working days, the Acting President of Central Oregon Community College shall be selected by the Board of Directors.

#### **BPR 6: ORDER OF ADMINISTRATIVE RESPONSIBILITY**

*Approved: March 13, 1991*

*Revised: February 8, 1995; October 14, 1998; March 10, 2010; December 9, 2015*

In the absence of the College President and when an Acting President has not been named, administrative responsibility shall reside with:

1. Vice President for Instruction
2. Vice President for Administration



## **BPR 7: EMERITUS STATUS FOR COLLEGE PRESIDENT**

*Approved: March 15, 2018*

The Board of Directors of Central Oregon Community College may, at its sole discretion, grant President Emeritus status to a retiring or retired college president. President Emeritus status shall be reserved to honor, in retirement, a college president who has provided outstanding and distinguished service to the College. The designation identifies the college president as a continuing member of the college community.

1. A member of the College Board of Directors may nominate a retiring or retired college president to become President Emeritus. The title must be approved by a majority vote of the College Board of Directors.
2. In addition to the benefits and privileges received by all emeritus faculty and staff, a college president granted emeritus status will also receive a resolution naming and honoring the college president as President Emeritus and use of the title "President Emeritus" in community and professional activities.
3. The current College President may call upon the President Emeritus to provide counsel or to serve in various volunteer roles and/or capacities in support of the college; provided however, Presidents Emeriti are not required to continue to serve the college community.
4. The title of President Emeritus confers no remuneration, rights to employment, or benefit in addition to those provided above. Presidents Emeriti do not exercise any of the authority or administrative functions associated with holding a staff position at the college.
5. The Board of Directors retains the authority to withdraw a President Emeritus title at its discretion, as it deems necessary and appropriate. Such action would require a majority vote of the Board of Directors.

## **BOARD EXPECTATIONS OF THE PRESIDENT**

### **BEP 1: STAFF TREATMENT**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

With respect to treatment of paid and volunteer staff, the President must ensure that working conditions are fair and dignified at all times. Accordingly, the President must:

1. Operate with personnel procedures which clarify personnel rules for staff, provide for effective handling of grievances, and protect against wrongful conditions.
2. Ensure there will be no discrimination or harassment on the basis of age, disability, sex, marital status, national origin, ethnicity, color, race, religion, veteran status,

sexual orientation, genetic information, gender identity, citizenship status, or any other classes protected under Federal and State statutes in any educational programs, activities or employment.

3. Allow staff to file a grievance with the Board when (A) internal grievance procedures have been exhausted and (B) the employee alleges either (i) that Board policy has been violated to his or her detriment or (ii) that Board policy does not adequately protect his or her human rights.
4. Ensure that staff are acquainted with and fully understand their rights under this policy.

## **BEP 2: BUDGETING**

*Revised: November 9, 1994; January 12, 2011; December 9, 2015*

Budgeting for any fiscal year or the remaining part of any fiscal year shall be consistent with Board priorities and guidance, avoiding unnecessary fiscal risk, and generally showing acceptable levels of foresight. Accordingly, the President must produce (or cause to be produced) budgeting which:

1. Contains sufficient information to enable accurate projections;  
Contains sufficient information to separate capital and operational items;  
Contains sufficient information to do cash flow projections; and  
Contains sufficient information to clarify planning assumptions.
2. Plans the expenditure in any fiscal year of fewer funds than are conservatively projected to be available in that period.
3. Ensure cash accounts do not drop below a safety reserve of at least \$500,000 at any time.
4. Provides at least \$30,000 per annum for Board prerogatives during the year.
5. Is derived from long term planning, to include but not limited to a 5-year forecast and reserves based on projected issues.
6. Ensures working capital at the end of any fiscal year does not drop below 10 percent of the year's operating expenditures.

## **BEP 3: FINANCIAL CONDITION**

*Revised: March 9, 2011; December 9, 2015*

The President must ensure that the organization is in strong or at the very least stable financial health. Accordingly, the President must:

1. Expend fewer funds than have been budgeted and appropriated for in the fiscal year to date.

2. Not indebt the organization of an amount greater than can be repaid by certain, otherwise unencumbered revenues within 60 days, except for Board-approved debt service and/or certificates of participation.
3. Not use any Reserves that are not budgeted and appropriated for expenditure.
4. Not allow deficit fund balances at the end of any fiscal year without a plan to eliminate those deficit balances.
5. Not allow cash to drop below the amount needed to settle payroll and debts in a timely manner.
6. Ensure tax payments or other government-ordered payments or filings are accurate and submitted in a timely manner.
7. Ensure actual allocations do not deviate materially from Board priorities and guidance.
8. Contract with the College's independent auditors for nonaudit services only after prior approval of the Board.
9. Ensure the following certifications to the Board upon the completion of an audit:
  - A. He/she has reviewed the annual audit report;
  - B. Based on his/her knowledge, the annual audit report does not contain any untrue statement of a material fact or omission of a material fact necessary in order to make the statements misleading;
  - C. Based on his/her knowledge, the financial statements present in all material respects, the financial condition and results of operations.

In addition, the President must operate with the following certifications from the CFO, Director of Fiscal Services and Accounting Manager:

- D. He/she has reviewed the annual audit report;
  - E. Based on his/her knowledge, the annual audit report does not contain any untrue statement of a material fact or omission of a material fact necessary in order to make the statement misleading;
  - F. Based on his/her knowledge, the financial statements present in all material respects, the financial condition and results of operations.
10. Ensure that the organization has established and maintains an adequate internal control structure and procedures for financial reporting.

#### **BEP 4: ASSET PROTECTION**

*Revised: March 9, 2011; December 9, 2015*

The President must ensure that material, fiscal and human resource assets are protected, adequately maintained, and not put at unnecessary risk. Accordingly, the President must:

1. Inform the Board of misalignment among fiscal resources, staffing, and programmatic commitments for implementing the college vision and mission.
2. Insure responsibly against theft and casualty and against liability losses to Board members, staff or the organization itself.
3. Not allow personnel access to material amounts of funds without purchasing a fidelity bond or providing equivalent coverage.
4. Ensure maintenance schedules are reviewed at least annually.
5. Not allow unnecessary exposure to the organization, its Board or staff to claims of liability.
6. Not make any purchase or commit the organization to any expenditure of greater than \$100,000 without full knowledge and approval of the Board.
7. Not make any material purchase without complying with the Central Oregon Community College Rules of Procurement (CCRP) or the Oregon Revised Statutes (ORS) and Oregon Administrative Rules (OAR). (The purchasing guidelines will automatically change with changes in CCRP, ORS and OAR purchasing statutes.)
8. Receive, process or disburse only those funds under controls which are sufficient to meet the Board-appointed auditor's standards.
9. Not invest or hold operating capital in investments in violations of state or federal law.
10. Not acquire, encumber or dispose of real property.

#### **BEP 5: COMPENSATION AND BENEFITS**

*Revised: May 10, 2017*

With respect to employment, compensation and benefits to employees, consultant, contract workers and volunteers, the President must ensure the organization's fiscal integrity, public image and program quality. Accordingly, the President must:

1. Not change unilaterally his or her own compensation and benefits.
2. Not promise or imply permanent or guaranteed employment.
3. Establish compensation and benefit offerings, which are competitive at the local or

regional level. He/she shall not create obligations over a term longer than can be covered conservatively by projected revenue, in no event longer than one year or the terms of Board- approved collective bargaining contract, and in all events subject to potential losses of revenue.

4. Establish deferred or long term compensation and benefits, within the following constraints:
  - A. Must not cause unfunded liabilities that commit the organization to benefits, which incur unpredictable future costs.
  - B. Must not provide less than some basic level of benefits to all eligible full time employees, though differential benefits to encourage retention of key employees are permitted.
5. Ensure timely negotiations with employee groups in accordance with state labor laws.
6. Inform the Board prior to the establishment of negotiating teams, allowing the Board to consider the option of including a Board member on a team.

#### **BEP 6: COMMUNICATION AND COUNSEL TO THE BOARD**

*Approved: June 9, 1993*

*Revised: December 9, 2015*

With respect to providing information and counsel to the Board, it is critical that the President keep the Board fully informed. Accordingly, the President must:

1. Make the Board aware of all relevant trends, anticipated adverse media coverage, information which might have political consequences, material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established.
2. Submit the required monitoring data (see policy on Monitoring Executive Performance) in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored.
3. Gather for the Board as many staff and external points of view, issues and options as needed for fully informed Board choices, particularly with respect to faculty opinion on instructional matters.
4. Present information clearly and in a concise format with minimal jargon.
5. Provide a mechanism for official Board, officer or committee communications.
6. Communicate with the Board as a whole except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the board.

7. Report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

## **BEP 7: DEBT LEVEL AND MANAGEMENT**

*Approved: January 9, 2002 Revised: December 9, 2015*

With respect to the incurrence and management of institutional debt, the President shall insure that sufficient funds are available to meet current and future debt requirements on all indebtedness within prudent fiscal parameters. Accordingly, the President must:

1. Issue bonds and other obligations that are in full accordance with the guidelines and limitations set forth in the Oregon Revised Statutes.
2. Ensure that future budgets adequately plan to pay for maturing principal and interest of its general obligation indebtedness.
3. Issue certificates of participation (e.g., full faith and credit obligations) only when sufficient revenues are available and identified to pay the obligation in the future.
4. Ensure adequate accounting to occur for the property taxes that have been levied to pay for the maturing principal and interest of general obligation bonds.
5. Not allow general obligation debt to exceed fifty percent of the district's general obligation debt capacity.
6. Ensure that a periodic review of interest rates is conducted at least once every 3 years to determine whether potential savings from refinancing meet and exceed 3% aggregate interest costs savings required by the State Treasurer's guidelines.
7. Not allow debt to be incurred without the use of legal services, financial services and a paying agent.

## **STATUTORY**

### **S 1: STATUTORY REQUIREMENTS**

*Revised: July 13, 1994; Revised: December 9, 2015*

The Board of Directors will comply with Chapter 341 of the Oregon Revised Statutes (O.R.S.) and all other appropriate federal and state statutory regulations.