



# OKLAHOMA CITY COMMUNITY COLLEGE

## **POLICY GOVERNANCE**

**ADOPTED BY THE BOARD OF REGENTS ON  
SEPTEMBER 17, 2001**

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## **SECTION I: BOARD PROCESS**

### **I-1: Board Mission**

On behalf of the students, faculty, staff, and taxpayers (hereafter “College Stakeholders”) it serves and the people of the State of Oklahoma, the Board of Regents governs Oklahoma City Community College through the Board’s expressed policies, including the development and monitoring of key mission outcomes (“ENDS”) and the definition of Executive Limitations and monitoring compliance by the President of the College.

The Board of Regents will from time to time provide greater insight into their intentions for certain policies by providing a SENSE OF THE BOARD Resolution that shares their thinking at the time of passage. This is intended to be a guide for both the contemporary understanding of a policy and a measuring stick to determine if situations have changed that might lead to a re-writing of that policy. SENSE OF THE BOARD Resolutions are an addendum to these Policy Government documents, have been passed by a majority vote of the Board in Open Meeting, and should be removed if and when a specific policy they are tied to changes.

## **I-2: Governing Style**

The Board process will:

- Emphasize outward vision
- Encourage diverse viewpoints
- Pursue strategic leadership
- Maintain a clear distinction between the Board's and staff's roles
- Strive for collective decisions
- Focus on the future
- Be proactive

The Board will:

1. Execute powers designated by federal and Oklahoma statutes.
2. Operate in all ways mindful of its civic trusteeship obligation to the College Stakeholders it represents.
3. Enforce upon itself discipline to govern with excellence, allowing no officer, committee, or individual to impede fulfillment of this responsibility. Discipline will be applied where appropriate in matters such as attendance, policy-making principles, respect of roles, and speaking officially with one voice.
4. Direct, control and inspire the College through careful establishment and monitoring of the broadest values and perspectives in the form of written policies.
5. Focus on intended long-term impacts on students and community (ENDS), and monitor the administrative or programmatic methods of attaining those effects (MEANS) while steadfastly not overstepping bounds to micromanage the President.
6. Be an initiator of policy, not merely a reactor to staff initiatives.
7. Use the expertise of individual members to enhance the ability of the Board as a whole, rather than to substitute their individual values for the group's values.
8. Monitor and regularly discuss the Board's own process and performance, and ensure the continuity of its governance capability by continual training and development. (See SENSE OF THE BOARD Resolution One (1) for a deeper understanding of Board Intent with this provision)
9. Change from Policy Governance only by a majority vote of the entire Board.

### **I-3: Board Job Description**

The Board represents the College Stakeholders in determining and demanding appropriate organizational performance and concentrates its efforts on the following products:

1. Linkage with the public regarding ENDS. Input may be obtained in the following ways:
  - A. Meeting with individuals and organized or informal community groups (*i.e.*, civic groups, churches, focus groups).
  - B. Observing and meeting with other public boards.
  - C. Hosting opportunities that afford community members the opportunity to learn about the College.
  - D. Conducting open session Board meetings.  
(See SENSE OF THE BOARD Resolution Two (2) for a deeper understanding of Board Intent with this provision)
2. Written governing policies which, at the broadest levels, address the following:
  - A. ENDS: Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good for which people at what cost).
  - B. EXECUTIVE LIMITATIONS: Constraints on executive authority that establish the boundaries for executive activity and decision-making.
  - C. BOARD PROCESS: Specification of how the Board conceives, implements, and monitors its own tasks. (See SENSE OF THE BOARD Resolution One (1) for a deeper understanding of Board Intent with this provision)
  - D. BOARD-PRESIDENT RELATIONSHIP: The manner in which authority is given to the President and assessment of the authority's use.
3. Employment of the President and evaluation of his/her performance.
4. Selection and discipline of Board officers:
  - A. Chairperson, vice chairperson, and secretary shall be selected by majority vote of the entire Board, based on their capabilities to carry out the responsibilities of these positions. (The chairperson, vice chairperson, secretary, and other officers deemed necessary or required by statute, shall be elected on an annual basis.).
  - B. If, for any reason, Board members believe the chairperson fails to fulfill his/her role as stated in these policies, they may, by majority vote of the entire Board, remove the chairperson from office and select a replacement for the remainder of the unexpired term as chairperson.
  - C. The Board may, by election at any time, select an acting officer to fill a prematurely vacated officer position for the remainder of an unexpired term.
5. Input on legislative affairs through advocacy.
6. Recognition of meritorious contributions to the College including naming buildings, rooms, areas of the campus or other College property in honor of such individuals. (See SENSE OF THE BOARD Resolution Three (3) for a deeper

understanding of Board Intent with this provision)

7. Hold an Annual Board Retreat that covers major, substantive issues related to the Board and College and do so as an Open Meeting. (See SENSE OF THE BOARD Resolution Four (4) for a deeper understanding of Board Intent with this provision)
8. Perform those duties as specifically required by the Oklahoma Statutes and/or the Oklahoma State Regents for Higher Education, including but not limited to:
  - A. Act on financial matters as specified by statute and/or State Regents Policy, including, but not limited to, bond issues, issuance of revenue bonds, and approval of operating and capital budgets.
  - B. Retain the services of an independent accounting firm of Certified Public Accountants to perform a complete financial audit of the College for the preceding fiscal year and accept the auditor's report.
  - C. Provide for internal auditing in compliance with state law, to approve an Internal Auditing Department Charter, and to perform an independent appraisal function. The Internal Auditor reports administratively to the Executive Vice and functionally to the Audit and Finance Committee of the Board of Regents.
  - D. Make a recommendation to the State Regents for Higher Education on tuition and mandatory fees proposed by the President.
  - E. Approve the Campus Master Plan prior to its submission to the State Regents for Higher Education.
  - F. Approve a written investment policy for the investment of appropriate monies, providing for investment of allowable funds in compliance with Oklahoma statute and the policies of the State Regents for Higher Education.
  - G. Adopt benefit plans as desired for retirement and deferred compensation of certain employees of the Board and the College, provide for hospital and medical benefits, health and life insurance, and annuity contracts for such employees and their dependents.
  - H. Adopt policy for the implementation of the vaccination requirements contained in 70 O.S. §3244, including exceptions within the discretion of the Board.
  - I. Purchase, hold title to, and dispose of real property in its name. (See Section IV-1 6(D))
  - J. Approve construction contracts and expenditures for capital outlays relative to additional facilities and/or major repairs.
  - K. Authorize the President to submit for approval to the State Regents for Higher Education the adoption of new certificate and associate degree programs and the discontinuation of existing certificate and associate degree programs.
  - L. Establish an appeals procedure pursuant to 21 O.S. §1376 for individuals directed to leave the campus and grounds of Oklahoma City Community College as follows:
    - Individuals may appeal the Notice to Leave Oklahoma City Community College by submitting a written appeal to the Executive

Vice President no later than ten (10) calendar days from the date of the notice.

- Within fifteen (15) calendar days after receiving the written appeal, the Executive Vice President shall issue a determination of the appeal. Such determination shall be final, without further right to appeal.
- The address for written appeals is:  
Executive Vice President  
Oklahoma City Community College  
7777 South May Avenue  
Oklahoma City, Oklahoma 73159

#### **I-4: Chairperson's Role**

The primary roles of the chairperson are maintaining the integrity of the Board's process and occasionally representing the Board to outside parties. The chairperson is the only Board member authorized to speak for the Board (beyond simply reporting Board decisions), unless the authority is delegated to another member.

1. The job output of the chairperson is to ensure the Board behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.
  - A. Meeting discussion content will be limited to those issues which, according to Board policy, belong to the Board to decide, not the President.
  - B. Deliberation will be fair, open, and thorough, but also efficient, timely, orderly, and pointed
  
2. The authority of the chairperson consists of making decisions delegated to the chairperson that fall within the topics covered by Board policies on BOARD PROCESS and BOARD-PRESIDENT RELATIONSHIP, except where the Board specifically delegates portions of this authority to others. The chairperson is authorized to use any reasonable interpretation of the provisions in these policies.
  - A. The chairperson is empowered to chair Board meetings with all the commonly accepted power of that position, including, but not limited to, ruling, recognizing, and making committee appointments.
  - B. The chairperson has no authority to make decisions about policies created by the Board within ENDS and EXECUTIVE LIMITATIONS policy areas. Therefore, the chairperson has no authority to individually direct or supervise the President.
  - C. The chairperson 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 chairperson may call special meetings as desired.
  - E. The chairperson has the authority to place or remove any item on the Agenda. Alternatively, any three Board Members may also place or remove any item on the Agenda and such action will override the Chair. (See I-9:4, A and B)
  
3. The chairperson will keep the vice-chair apprised of current and pending Board issues and processes.



## **I-5: Committee Principles**

The Board may establish committees to help accomplish its responsibilities. Board committees, when used, will be assigned so as to minimally interfere with the wholeness of the Board's job and without interfering with the delegation from Board to the President.

1. 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.
2. Board committees are to help the Board perform its duties. 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.
3. Board committees should focus on the institution/organization as a whole.
4. Board committees cannot exercise authority over staff. In keeping with the Board's broader focus, committees will not have direct dealings with current staff operations. Because the President works for the full Board, he/she will not be required to obtain approval of a Board committee before an executive action.
5. 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.

## **I-6: Board Committees**

1. **Audit and Finance Committee:** The Chair of the Board shall appoint a standing Audit and Finance Committee of the Board consisting of at least three (3) Board members. The Audit and Finance Committee shall consider all internal and external auditing and major financial matters such as the issuance or re-financing of bonds. The Audit and Finance Committee shall establish the qualifications of any independent accounting firm of Certified Public Accountants seeking to be hired to perform any external or internal audits for the Board and shall recommend to the Board firms to perform their stated tasks. The Audit and Finance Committee shall not recommend to perform an external audit any firm unwilling to meet, at a minimum, the terms and conditions required by state statute (70 O.S. §3909). The Board shall select the auditor from among the competitive bidders and accept the auditor's report.
2. **Facilities Committee:** The Chair of the Board shall appoint a standing Facilities Committee of the Board consisting of at least three (3) Board members. The Facilities Committee shall consider all matters of new, remodeled, or maintenance of College physical property over the proscribed dollar limit. While staff is authorized to perform any such physical property functions as they deem fit under the proscribed amount, the Board encourages good communication with the Facilities Committee to ensure all activities meet the strategic goals of the College. The Facilities Committee shall establish qualifications for any architectural, design, or contracting or other physical property specialist company working on any aspect of College physical property changes that are at or over the proscribed limit and shall recommend to the Board firms and individuals to perform their stated tasks. The Board shall accept the architect, designer, contractor, or other physical property specialist from the competitive bidders and accept the Facilities Committees reports on the progress of specific projects.
3. **Executive Committee:** The Executive Committee of the Board shall be made up of the Chair, Vice Chair, and Secretary that have been elected to those positions by the Board. The Executive Committee shall be responsible for:
  - Establishing the methods of conducting an effective evaluation of the President.
  - Planning the Annual Board Retreat (See SENSE OF THE BOARD Resolution Four (4) for a deeper understanding of Board Intent with this provision)
  - Accept any complaints filed against the President and proceed to implement the policy governing that situation
4. **Special Committees.** Special committees shall be established as the Board of Regents may from time to time direct. The Board Chairperson shall appoint Board members to serve on special committees. A special committee shall report recommendations to the Board for appropriate action.

### **I-7: Annual Board Planning Cycle**

To accomplish the job outputs with a governance style consistent with Board policies, the Board will follow an annual Board agenda, which will:

1. Evaluate progress toward the achievement of the ENDS while monitoring the administrative programming (MEANS) to attain those ENDS, being careful to not micromanage or impede authority given to the President.
2. Evaluate the BOARD PROCESS related to Policy Governance.
3. Complete evaluation of the President's performance and salary review.
4. Redefine and prioritize the ENDS to provide guidance for the development of the budget.

## **I-8: Board Members' Code of Conduct**

The Board expects of itself and its members ethical and professional businesslike conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behavior when acting as Board members.

1. Board members must represent un-conflicted loyalty to the interests of OCCC. This accountability supersedes any conflicting loyalty with 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. Board members must not use their positions to obtain employment in the organization for themselves, family members, or close associates.
3. Board members may not attempt to exercise individual authority over the President or staff of the organization except as explicitly set forth in Board policies. Board members will make no judgments of the President or staff performance except as authorized herein.
4. An individual Board member must recognize that his/her communication with the public, press, or other entities represents his/her personal views and not that of the Board as a whole, and as such are discouraged from doing so.
5. Board members will respect the confidentiality appropriate to issues of a sensitive nature.
6. Board members should bring their individual opinions to the Board for discussion before decisions are made because a majority vote of the Board expresses its collective values.

## **I-9: Operations**

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

1. Legal Authority of the Board: The Board of Regents of Oklahoma City Community College is created by Section 4423 of Title 70 of the Oklahoma Statutes and has the powers and duties described therein. The Board members have authority to act only when acting jointly as a Board.
2. Number and Appointment of Regents: The Board consists of seven (7) members serving seven-year overlapping terms. Members of the Board are appointed by the Governor and with the advice and consent of the Senate.
3. Election of Officers: The Board shall elect annually a chairperson, vice chairperson, and secretary to serve for a term of one year. Nominations may be made by any Board member. Each officer shall be elected by a majority of the Board present and voting. The Board has the power and authority to appoint such other officers as the Board may deem necessary for the transaction of the business of the Board.
4. Meetings:
  - A. Regular Meetings: Regular meetings of the Board shall typically be held monthly, and the chairperson is authorized to set a consistent meeting date. The agenda of the meeting shall be prepared and presented by the President in conjunction with the Board chairperson and shall generally be delivered to the Board members three (3) days prior to the meeting. Chair has the authority to place or remove any item on the Agenda. Alternatively, any three Board Members may also place or remove any item on the Agenda and such action will override the Chair. No item shall be brought before the Board for consideration unless it appears on the agenda. A public announcement setting forth the date, place, time, and agenda of the meeting shall be posted in accordance with the Oklahoma Open Meeting Act.
  - B. Special Meetings: Special meetings of the Board may be called by the chairperson or by any three (3) members by serving on the other members a notice at least three (3) days in advance of the meeting. The agenda of the special meeting shall be prepared and presented by the President in conjunction with the Board chairperson and shall be delivered to the Board members at least three (3) days in advance of the meeting. Chair has the authority to place or remove any item on the Agenda. Alternatively, any three Board Members may also place or remove any item on the Agenda and such action will override the Chair. Public notice and an announcement setting forth the date, place, time, and agenda of the meeting shall be posted in accordance with the Oklahoma Open Meeting Act. No business shall be transacted except that for which the special meeting is called.

- C. Emergency Meetings: Emergency meeting means any meeting called for the purpose of dealing with an emergency, as defined by the Oklahoma Open Meeting Act. An emergency meeting may be called by the chairperson and may be held without the required advance public notice. Should an emergency meeting of the Board be necessary, the chairperson shall give as much advance public notice as is reasonable and possible under the circumstances, in person, by telephone or electronically. Chair will have complete authority to place or remove items on the Agenda.
  - D. Executive Sessions: An executive session of the Board shall occur only upon a majority vote of those Board members present. Executive sessions will be held only for the purpose of discussing subjects permitted by 25 O.S. §307. Executive sessions are for discussion only. The Board shall not vote and shall take no Board action in executive session.
  - E. Quorum: A majority of the members of the Board of Regents shall constitute a quorum for the transaction of business.
  - F. Board Action: Unless otherwise provided by Board policy or statute, a majority vote of the Board quorum present will be necessary and sufficient to approve any action by the Board.
  - G. Consent Docket: To expedite the conduct of routine business during Board meetings, routine administrative matters requiring Board action may be placed on a consent agenda. Those items which are non-controversial and do not require discussion are appropriate for the consent agenda. The consent agenda is generally voted on in a single majority vote, but may be divided into several separate items. Routine items suitable for the consent agenda include but are not limited to approval of previous Board meeting minutes.
  - H. Minutes: The Board shall cause to be kept written minutes which shall be an official summary of the proceedings showing clearly those members present and absent, all matters considered, and all actions taken by the Board. The minutes of each meeting shall be open to public inspection and shall reflect the manner and time of notice required by Oklahoma law.
  - I. Rules of Order: The most recent edition of *Robert's Rules of Order Revised* shall be used as a guide for conducting all business of the Board.
5. Public Participation in Board Meetings: Any person who desires to come before the Board shall notify the board chair or designee in writing or electronically at least (12) hours before the meetings begins. The notification must advise the chair of the nature and subject matter of their remarks and may be delivered to the president's office. All persons shall be limited to a presentation of not more than two (2) minutes. The College will maintain a mechanism from the BOR website that allows for this request.
6. The Board may, when it is found to be in the best interest of the College, by a majority vote of Board members present, suspend its rules and take statutorily authorized action overriding previously adopted policy.

## **SECTION II: ASPIRATION, MISSION AND VALUES**

### **II-1: College Aspiration Statement**

OCCC aspires, through bold and transformative action, to significantly raise the educational achievement of all our students and to be an indispensable pathway to a more prosperous and fulfilling future.

## **II-2: College Mission Statement**

Student Success. Community Enrichment.



### **II-3: Operating Values**

Oklahoma City Community College (“OCCC”) strives to achieve its mission and ENDS and fulfill its aspiration by operating in a culture that is committed to the following:

1. Safety: Safe and secure environment for everyone
2. Students: Fundamental to all that we do
3. Accountability: Use of evidence to measure performance and to make decisions
4. Stewardship: Wise and efficient use of resources
5. Integrity: Honest, ethical, and respectful to all
6. Innovation: Creative and forward thinking
7. Diversity: Embrace and appreciate the value of differences
8. Transparency: Our work and our motives are open for anyone to see
9. Humility: Value the social good of OCCC more than individual acclaim

## **SECTION III: ENDS**

### **III-1: Access**

Our community has broad and equitable access to both highly valued certificate and degree programs and non-credit educational opportunities and events.

Indicators may include:

1. Number and percentage of students who receive some kind of financial aid
2. Amount of financial scholarship awards
3. Number of OKC-GO! attendees
4. Number of Oklahoma Higher Learning Access Program (“OHLAP”) attendees
5. Number of international students
6. Credit and non-credit enrollment
7. Credit and non-credit enrollment of individuals from traditionally under-represented groups
8. The degree to which the College’s enrollment reflects the demographic composition of the surrounding community

### **III-2: College Readiness**

Our students develop skills and knowledge required to succeed in college.

Indicators may include:

1. Course completion rates in English as a Second Language Bridge Program
2. Percentage of new students who have an individual educational plan by the end of their first semester
3. Number of participants in student orientation programs
4. Success in developmental courses
5. Success in subsequent college-level courses

### **III-3: Student Success**

Our students successfully complete their academic courses, persist in college, and earn certificates or degrees at OCCC or another institution.

Indicators may include:

1. Total persistence and retention rates
2. Full-time persistence and retention rates
3. Course completion rates of students (with “building job skills” and “other” goals)
4. Number of graduates
5. Transfer rates
6. Student performance on standardized general education instrument
7. Student performance on general education outcomes assessment reports

### **III-4: Graduate Success**

Our graduates go on to earn higher-level degrees or are successful in technical or professional careers.

#### Indicators may include:

1. Licensure pass rates
2. Graduate survey results
3. Employer satisfaction reports
4. Grade point averages of transfer students
5. Transfer student survey results
6. Grade point average (“GPA”) of transfer students at the University of Oklahoma, Oklahoma State University, and University of Central Oklahoma

### **III-5: Community Development**

Our community's quality of life is enriched economically and socially by our educational, artistic and recreational programs and events.

#### **Indicators may include:**

1. Non-credit enrollment
2. Continuing education enrollment
3. Corporate learning enrollment
4. Co-curricular activities
5. Participant satisfaction with College-sponsored activities
6. Total number of partnerships
7. Number and quality of programs and services
8. Results of business satisfaction survey

## **SECTION IV: BOARD-PRESIDENT RELATIONSHIP**

### **IV-1: Delegation to the President**

All Board authority delegated to the staff is delegated through the President, so that all authority and accountability of staff, so far as the Board is concerned, is considered to be the authority and accountability of the President.

1. The Board defines the roles of the President as follows:
  - A. The President is the Chief Executive Officer of OCCC and he/she reports directly to the Board.
  - B. This position demonstrates the Operating Values of OCCC at all times (Policy II-3).
  - C. The President is to be the leader of OCCC and is not to be bogged down with day-to-day management of the College, building instead a trusting and dynamic relationship with the EVP and Provost who will carry out those duties.
    - Provost. This is the Chief Academic Officer of OCCC.
    - Executive Vice President (EVP). This is the Chief Operating Officer of OCCC.
  - D. The President will make a report at every Board Meeting on areas within his/her specific responsibilities as well as the College overall.
  - E. This management structure of Executive Leadership (President with direct reports Provost and EVP) can only be changed by a majority vote of the entire Board. All management structures reporting to Executive Leadership are specifically the responsibility of the President working in conjunction with the Provost and EVP and not subject to Board approval.
  - F. Hiring, evaluation, discipline, or dismissal of the President is the sole responsibility of the Board of Regents.
  - G. Hiring, evaluation, discipline, or dismissal of the Provost and EVP is the responsibility of the President, with advice and consent by the Board of Regents, who must affirm by majority vote of the entire Board any decisions made that impacts the employment of the Provost or EVP.
2. The Board will direct the President to achieve certain results, for certain recipients, at a certain cost through the establishment of ENDS policies. The Board will limit the latitude the President may exercise in practices, methods, conduct, and other “means” to the ENDS through establishment of EXECUTIVE LIMITATIONS policies.
3. As long as the President uses reasonable interpretation of the Board’s ENDS and EXECUTIVE LIMITATIONS policies, the President is authorized to establish administrative policies and make decisions necessary to fulfill those ENDS.

4. The Board may change its ENDS and EXECUTIVE LIMITATIONS policies, thereby shifting the boundary between Board and President domains. By doing so, the Board changes the latitude given to the President. So long as any particular delegation is in place, the Board members will respect and support the President's choices.
5. Only decisions of the Board acting as a body are binding on the President.
  - A. Decisions or instructions of individual Board members, officers, or committees are not binding on the President except in rare instances when the Board has specifically authorized the exercise of such authority.
  - B. In the case of Board members or committees requesting information or assistance, and if, in the President's judgment, such requests require a significant amount of staff time and/or funds, this request must be authorized by the Board.
6. The Board expressly delegates to the President the authority to:
  - A. Employ personnel, reduce the workforce, set compensation, establish leave, educational and professional development and other fringe benefits for employees, and educational benefits for their families;
  - B. Enter into contracts, purchase supplies, materials, and equipment, and incur such other expenses as may be necessary to achieve the ENDS established by the Board;
  - C. Expend funds within the total dollar limits of the budgets approved by the Board and to make budget adjustments within the total dollar limits of the budget approved by the Board as needed to meet the ENDS established by the Board;
  - D. Expend capital funds up to \$100,000 without board or committee input or approval;
  - E. Determine what constitutes a public purpose for which funds may be expended and establish procedures to regulate the appropriate expenditure of funds;
  - F. Certify the appropriate signatures to be authorized to sign financial transactions on behalf of the College;
  - G. Sign contracts, grant applications and awards and similar instruments for the College, and to delegate such signature authority to other administrators as deemed appropriate;
  - H. Establish the College calendar and holidays in accordance with the academic calendar established by the State Regents for Higher Education;
  - I. Make available, as desired, College facilities to civic or other organizations on a fee or free basis, except that facilities may be provided for partisan political meetings only on a rental fee basis.



## **IV-2: President's Role and Job Description**

The President is accountable to the Board, acting as a body. The Board will instruct the President through written policies delegating administration of the college.

As the Board's official link to the operating organization, the President's performance will be considered to be synonymous with organizational performance as a total.

Consequently, the President's job description can be stated as performance in four areas:

1. Organizational accomplishment of the provisions of Board policies on ENDS.
2. Organization operation within the boundaries of prudence and ethics established in Board policies on EXECUTIVE LIMITATIONS.
3. Compliance with the articles of the President's approved job descriptions.
4. Compliance to the highest standard of conduct regarding all ethical behavior and complete fulfillment and modeling of OCCC's Operational Values (II-3 SECTION: ASPIRATION, MISSION AND VALUES, Policy Title: Operating Values)

### **IV-3: Monitoring the President's Performance**

Monitoring executive performance is synonymous with monitoring organizational performance against Board policies on ENDS, EXECUTIVE LIMITATIONS, and compliance with the articles of the job description. Any evaluation of the President's performance, formal or informal, is derived from the following points:

1. The purpose of monitoring is to determine the degree to which Board policies on ENDS and EXECUTIVE LIMITATIONS are being fulfilled.
2. A given policy on ENDS or EXECUTIVE LIMITATIONS may be monitored through:
  - A. Internal Report: Disclosure of compliance information to the Board from the President.
  - B. External Report: Discovery of compliance information by a disinterested, external auditor, inspector, or judge who is selected by and reports directly to the Board. Such reports must assess executive performance only against policies of the Board, not those of the external party unless the Board has previously indicated that party's opinion to be the standard.
  - C. Direct Board Inspection: Discovery of compliance information by a Board member, a committee, or the Board as a whole. This is a Board inspection of documents, activities, or circumstances directed by the Board, which allows a "prudent person" test of policy compliance.
3. At the Board's discretion, any policy on ENDS and EXECUTIVE LIMITATIONS may be monitored by any method at any time. Monitoring reports on ENDS and EXECUTIVE LIMITATIONS shall be provided to the Board regularly and in a timely manner.

#### **IV-4: Grievances and Complaints against the President**

Introduction to Policy: The Board of Regents supervises the President and accordingly, has exclusive authority to consider a grievance or complaint filed against the President. The Board delegates such authority only to the extent set forth in this policy. This policy should be applied in a manner consistent with the following objectives: (i) compliance with applicable laws, regulations and policies; (ii) swift resolution; (iii) fairness to the parties; (iv) prevention of retaliation; and (v) confidentiality to the extent practicable and permitted by law. This policy shall control over other policies to the extent of any conflict, except as otherwise required by law.

##### Process for a Grievance or Complaint Filed Against the President:

1. Any grievance or complaint filed against the President shall be submitted in writing to the Executive Committee of the Board. Such submission shall be made within the time periods prescribed under the relevant College policies for allegations of the nature set forth in the grievance or complaint filed against the President. Within ten (10) business days of submission to the Executive Committee of the Board- shall ensure that each member of the Board of Regents receives a copy of the grievance or complaint filed against the President. The College will maintain a mechanism from the BOR website that allows a complaint to be filed.
2. Within 21 business days of submission to the Executive Committee of the Board, they shall determine whether the factual contentions, if true, would constitute a violation of institutional policies. In making this determination and in carrying out other responsibilities delegated to the Executive Committee under this policy, the Executive Committee may consult with such persons as they deem necessary or appropriate to gather details and establish a way forward to evaluate and resolve such grievance.
  - A. If the Board determines that the factual contentions, even if true, would not constitute a policy violation, the Chair shall cause written notice of the determination to be sent to the parties, which shall further state that the matter is concluded without a formal investigation.
  - B. If the Board determines that the factual contentions, if true, could constitute a violation of policy, the Chair shall cause a written notice to be sent to the parties stating that the grievance or complaint filed against the President will be investigated.
    - i. The Executive Committee shall appoint one or more investigators and provide such instructions regarding the method and process of investigation as the Executive Committee deems necessary or appropriate given the nature of the factual allegations.
    - ii. Upon conclusion of the investigation, the investigator(s) shall prepare a written report addressed to the members of the Board of Regents summarizing the sources of information utilized in the investigation, the method of investigation and relevant information assembled in the course of the investigation. If directed by the Executive Committee, the

investigation report shall also include findings of fact of the investigator(s) as to whether the alleged policy violations occurred, which findings of fact shall not bind the Executive Committee or the Board of Regents. Copies of the investigation report shall be provided to each of the members of the Board of Regents and to the parties.

iii. The Executive Committee may direct the investigator(s) to provide such additional information or recommendations to the Board of Regents as the Executive Committee deems necessary or desirable.

C. Within 10 business days of receipt of an investigation report or notice that a matter has been concluded without a formal investigation, any member of the Board of Regents may request discussion of the matter, which discussion shall occur in executive session. Actions may be taken as desired by the Board in open session, but no Board action is required.

## **SECTION V: EXECUTIVE LIMITATIONS**

### **V-1: General Executive Constraints**

The President shall not cause or allow any practice, activity, decision, or organizational circumstance which is illegal, imprudent, or in violation of the Operating Values of OCCC.

## **V-2: Treatment of People**

With respect to the treatment of students, staff, volunteers, and the community, dealings shall not be inhumane, unfair or undignified. Accordingly, the President shall not operate without procedures that clarify student and staff rules, provide for effective handling of grievances, and protect against wrongful conditions. These procedures shall comply with all laws pertaining to students, employees and guests.

### **V-3: Budgeting/Financial Planning/Forecasting**

Budgeting any fiscal year or the remaining part of any fiscal year shall not deviate significantly from the Board's ENDS priorities, shall not risk fiscal jeopardy, nor fail to show a generally acceptable level of foresight. Accordingly, the President shall not cause or allow budgeting which:

1. Contains too little information to enable accurate projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.
2. Plans the expenditure in any fiscal year of more funds than are conservatively projected to be available in that period.
3. Does not provide the annual operating funds for Board prerogatives, such as costs of fiscal audit, Board development, Board and committee meetings, and Board professional fees.

#### **V-4: Compensation/Benefits**

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the President shall not cause or allow fiscal integrity or public image to be jeopardized. Accordingly, the President shall not:

1. Change his/her own compensation or benefits.
2. Promise or imply permanent or guaranteed employment.



## **V-5: Information and Advice**

With respect to providing information and counsel to the Board, the President shall not permit the Board to be uninformed. Accordingly, the President shall not:

1. Neglect to submit monitoring data required by the Board (see policy on Monitoring Executive Performance) in a timely, accurate, and understandable fashion, directly addressing provisions of the Board policies being monitored.
2. Permit the Board to be unaware of matters which might have an impact on the stability or public perception of the institution.
3. Fail to advise the Board, if, in the President's opinion, the Board is not in compliance with its own policies on GOVERNANCE PROCESS AND BOARD-PRESIDENT RELATIONSHIP, particularly in the case of Board behavior that is detrimental to the work relationship between the Board and the President.
4. Present information in unnecessarily complex or lengthy form.
5. Fail to deal with the Board as a whole except when fulfilling requests for information or responding to individuals or committees duly charged by the Board.
6. Fail to report in a timely manner an actual or anticipated noncompliance with any policy of the Board.

## **V-6: Executive Management Structure**

The Board has structured Executive Leadership to encourage the President (Chief Executive Officer) to be the outward facing leader of the College while day-to-day management is largely left to his/her direct reports, the Provost (Chief Academic Officer) and Executive Vice President (EVP) (Chief Operations Officer). Accordingly, the President shall not:

1. Change the organizational structure of Executive Leadership without a majority vote of the entire Board of Regents.
2. Prohibit the Provost or EVP from speaking directly to the Board individually or in session nor threatening or delivering punishment if they do.