

**SHORELINE COMMUNITY COLLEGE
DISTRICT NUMBER SEVEN
BOARD OF TRUSTEES
REGULAR MEETING OF JUNE 22, 2016**

TAB 11

ACTION

Subject: President's Certification of Compliance Document

Background

The Board agreed at its May 26, 2010 Study Session, “that commencing with the 2010 – 2011 year, the Board will utilize a certifying document (which the President is to certify by her/his signature) in relation to the ten Executive Limitations” contained in the Board of Trustees Governance Manual (aka Policy Manual).”

Attachment

President's Certification of Compliance document denoting the ten (EL-1 through EL-10) Executive Limitations as contained in the Board's Governance Manual.

Recommendation

That the Board of Trustees take action on the certified 2015 – 2016 President's Certification of Compliance document—which will be furnished to the Board on June 22, 2016.

Prepared by: Lori Yonemitsu
Executive Assistant to the President & Secretary to the Board of Trustees
June 17, 2016



Community College District 7 President's Certification of Compliance

EXECUTIVE LIMITATIONS

EL-1 GLOBAL EXECUTIVE CONSTRAINT

1. Within the college, the College President will allow, practices, activities, decisions, or organizational circumstances that are lawful, prudent, and in compliance with commonly accepted business and professional ethics and practices, and in agreement with the provisions set forth in the State Board for Community and Technical Colleges policy, Office of Financial Management policy, the Shoreline Community College Board of Trustees' Policy and/or take into account any executive order of the Governor of the State of Washington.

EL-2 TREATMENT OF PEOPLE

The President will:

1. Operate with policies or procedures that:
 - a. clarify rules for students, employees, volunteers, community members and visitors,
 - b. provide for effective handling of grievances,
 - c. protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons, and
 - d. ensure due process procedures for students, employees, volunteers and visitors.
2. Permit any member of the community to address the Board about a specific Board policy.
3. Avoid discrimination or retaliation against anyone for expressing a non-disruptive ethical dissent.
4. Comply with all laws, rules, and regulations pertaining to students and employees, including those pertaining to discrimination.
5. Acquaint students and employees, with their rights and responsibilities.
6. Take prompt and appropriate action when the President becomes aware of any violation of federal laws, state laws, rules, regulations, State Board for Community and Technical Colleges' policy, Office of Financial Management policy, any executive order of the Governor of the State of Washington, or Shoreline Community College Board of Trustees' policy.
7. Interact with community members or external stakeholders in a manner that creates good will towards the college.
8. Protect the academic freedom of the institution, its faculty and its students.
9. Promulgate rules and provide for sanctions that provide a civil and non-disruptive learning environment.
10. Ensure that staff is prepared to deal with emergency situations.

EL-3 FINANCIAL PLANNING/BUDGETING

The President will:

1. Uphold those situations or conditions described in the Board Policy, "Financial Condition and Activities" (Policy No. EL-4).
2. Develop a budget with credible projection of revenues and expenses that separates capital and operating items and that discloses planning assumptions.
3. Plan that expenditure of funds in any fiscal year will not be more than the sum of a) what is conservatively projected to be received during that year and, b) what has been approved by the Board to be carried over for expenditure from previous years.
4. Develop budget processes that provide opportunities for information and feedback from a broad base, including administrators, faculty, staff and students.
5. Develop a budget that takes into account the Board priorities.

EL-4 FINANCIAL CONDITION AND ACTIVITIES

The President will:

1. Expend only those funds that have been approved by the Board in the fiscal year, unless the Board's approval to do otherwise has been obtained.
2. Not incur debt in an amount greater than that which can be repaid by certain and otherwise unencumbered revenues within the current year, or can be repaid from accounts specifically established for such purpose.
3. Not make any single purchase or otherwise commit the College to any expenditure greater than one half (1/2) of one percent (1%) of the College's current approved operating budget that deviates from the Board-adopted budget, without notifying the Board within 45 days of such expenditure. Splitting orders or obligations to avoid this limit is not acceptable.
4. Promote fiscal integrity by expending College funds in a manner that results in a zero or positive fund balance at the close of the fiscal year.
5. Promote comprehensive facilities planning and ensures staff execute the resulting plans for the use of the College's physical plant in order to:
 - a. contribute to student learning,
 - b. assist in the attraction of new students and retention of existing students,
 - c. optimize the use of taxpayer-provided capital assets,
 - d. extend the useful life of existing structures to the greatest practical degree, and
 - e. promote a safe and healthy environment for students and staff.
6. Provides to the Board, quarterly and annual reports of the College's current financial condition that continually enhances the Board's ability to meet its fiduciary responsibility.
7. Accepts only gifts or grants that are in the best interest of the College, and does not obligate the College to make future expenditures using funds other than those created by the gift or grant without Board approval.

EL-5 EMERGENCY EXECUTIVE SUCCESSION

1. To protect the Board from sudden loss of presidential services, the President has at least two executives sufficiently familiar with board and presidential issues and processes to enable either to take over with reasonable proficiency as an interim successor.

EL-6 ASSET PROTECTION

The President will:

1. Insure adequately, to the extent appropriate for a state-owned institution of higher education, against:
 - a. theft and casualty losses in amounts consistent with replacement values, and
 - b. liability losses to the College itself, Board members, and employees.
2. Ensure that un-bonded personnel do not have access to funds in amounts considered material for audit purposes.
3. Promote the proper care and sufficient maintenance of physical plant and equipment.
4. Protect the College, the Board, and employees against claims of liability.
5. Receive, process, and disburse funds under controls that are sufficient to meet standards used by all auditors at various federal, state, and local levels that may be reasonably expected to assess the College's controls.
6. Invest funds in accounts or in investments only as permitted by Washington state law.
7. Acquire, encumber, name, and dispose of real property only with Board approval.
8. Protect information, files, and intellectual property from loss, damage, and misuse.
9. Protect the College's name and maintain its identity in the community.
10. Submit the facilities master plan to the Board for approval.

EL-7 COMPENSATION AND BENEFITS

The President will:

1. Not change his/her own compensation and benefits, except when they are consistent with a package for all other employees.
2. Not establish or change the compensation and benefits of other employees except in accordance with collective bargaining agreements negotiated by the Board or in accordance with salary schedules or plans adopted by the Board, except as allowed in EL7.4
3. Not promise or imply permanent or guaranteed employment beyond that provides in Board adopted contractual agreements or Board approved contractual template.
4. Provide the Board an annual accounting of any employee fringe benefits granted outside of Board adopted collective bargaining agreements or Board approved contractual templates.

EL-8 COMMUNICATION AND SUPPORT TO THE BOARD

The President will:

1. Submit monitoring data required by the Board in a timely, accurate, and understandable manner that directly addresses provisions of the Board policies being monitored.
2. Inform the Board Chair of relevant trends, anticipated adverse media coverage, actual or anticipated legal actions, or material external and internal changes, including changes in the assumptions upon which any Board policy has been established.
3. Tell the Board that, 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 working relationship between the Board and the President.
4. Not present information that is knowingly inaccurate or incomplete.
5. Provide a mechanism for official Board communication.
6. Deal with the Board in a way that indicates no favoritism and privilege towards certain Board members, except when:
 - . Ensures that appropriate staff insure adequately, to the extent appropriate for a state-owned institution of higher education, against:
 - a. fulfilling individual requests for information, or
 - b. responding to officers or committees duly charged by the Board.
7. Submit a consent agenda to the Board containing items that although delegated to the President, are required by law, regulation, or contract to be Board-approved, along with applicable monitoring information.

EL-9 TENURE

The President will:

1. Submit recommendations to the Board to grant, deny or tenure faculty.
2. Submit recommendations to the Board to issue the final order to dismiss tenured faculty.
3. Submit recommendations to the Board for the renewal or non-renewal of contracts for probationary faculty.
5. Submit recommendations to the Board to issue the final order to dismiss probationary faculty.

EL-10 NEGOTIATED AGREEMENTS

1. The President not ratify any such negotiated agreements on behalf of the Board.

I, the President of Shoreline Community College, hereby certify that I have complied with the Executive Limitations as set forth herein.

Signed: _____

Date: _____