

**Monitoring Reports
April 2005**

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: GENERAL EXECUTIVE CONSTRAINTS

The President shall act at all times in an exemplary manner consistent with the responsibilities and expectations vested in that office. The President shall act in a manner consistent with Board policies and consistent with those practices, activities, decisions, and organizational circumstances, which are legal, prudent, and ethical.

Accordingly, the President may not:

General Executive Constraint #3

Permit financial conditions which risk fiscal jeopardy, compromise Board ENDS priorities, or fail to show a generally acceptable level of foresight.

Response: In addressing the fiscal difficulties of the recent past, we have taken measures to place the College in as positive a position as possible in order to weather fiscal difficulties and continue to meet the Board's ENDS. As the Board is aware, our funding mechanisms are volatile. The budget presented for the current year will be tight, but will address our immediate needs. The state has provided a small increase for SB 345 funding as well as \$6 per credit for out of district tuition buy-down. I remain concerned that the future will remain challenging for us and as the Board has been apprised, we will have to constantly review and be prepared to make program/service, or go to the public and our students for increases to compensate for what I believe will be flat state funding for the foreseeable future.

To help us face the future our Planning Implementation Council has identified priorities for on campus growth and other initiatives that have potential to increase funds.

General Executive Constraint #5

Permit conflict of interest in awarding purchases or other contracts or hiring of employees.

Response: To my knowledge, no conflict of interest regarding purchases, contracts or hiring has occurred. I believe institutionally, we continue to demonstrate that our purchasing processes provide fairness, preference to local business whenever possible and encourage competition so the taxpayers receive the most for their money. Additionally, we continue to use personnel screening and selection processes that encourage qualified and quality applicants and fairness in appointments. As it relates to this last item, we maintain processes

that allow us to expeditiously make appointments when it is thought to be in the best interest of the College.

General Executive Constraint #9

Allow assets to be unprotected, inadequately maintained, or unnecessarily risked.

Response: To my knowledge, all assets are protected with no or minimal risk. The only possible exception, of which the Board is already aware, is the institution's fiscal position. In meeting our projected budget's expenditure plan, you can continue to expect difficult and frugal decisions. We are at a point that in order to maintain our comprehensive nature and services, we will have to regularly seek local and consistent tax support or eliminate services and programs. This has the potential to risk assets, human resources, etc.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL CONDITIONS

The President shall administer the Board approved budget without material deviation from Board priorities in ENDS policies, and shall protect the College from financial risk.

Accordingly, the President may not:

Financial Condition #3

Make any purchase: (a) without prudent protection against conflict of interest; (b) over \$10,000 without Board approval; (c) over \$10,000 without seeking at least three competitive quotes or sealed bids, submitted on prepared specifications. No purchase shall be made except on the basis of quality, cost, and service. Consideration shall be given to local vendors who can provide like quality products and services and who meet bid specifications..

Response: Following review of this constraint with the Dean of Business Services, I feel confident that the College is in compliance with the policy. We remain sensitive and judicious in balancing the need to support the local economy with making wise purchases in stretching limited tax dollars. We are discussing with the Board how it would like to handle routine expenditures that, when totaled at the end of the year, exceed \$10,000.

Financial Condition #6

Fail to maintain adequate reserves which allow the College cash reserve to drop below 8% of its annual budget, working toward a goal of 16%.

Response: The Board has been apprised that additional progress toward this goal was made over the course of the past year. The cash reserve is much

nearer its goal than it was in the mid to late 1990's. As you are aware, the reserve – though we had projected the need to use some of it this past year – has actually grown due to delayed spending and altered priorities. This is the fifth or sixth year in a row we have seen growth in the reserves, in spite of some extreme fiscal difficulties.

Financial Condition #8

Fail to provide a monthly report of the College's current financial condition.

Response: Each month, as part of the Board's agenda, "Claims" and "Financial Reports" are presented for the Board's review and action. The reports accurately reflect the fiscal condition of the institution. Further, information regarding the Foundation's fiscal condition is provided to the Trustees from the Foundation Office each month. The clarifying questions asked by the Board are appreciated, as they help us to more fully discharge our accountability to the public.

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMMUNICATION & COUNSEL TO THE BOARD

The President shall keep the Board adequately informed.

Accordingly, the President shall not:

Communication & Counsel Constraint #1

Fail to make the Board aware of relevant trends, anticipated adverse media coverage, actual or anticipated legal actions, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established.

Response: All potential legal actions, material changes, and relevant trends have been shared with the Board. The Board has also been apprised of media coverage of those issues that may elicit calls from constituents. Personnel matters have been discussed through appropriate executive sessions. I continue to appreciate the Board's support of the strategic objectives that are being pursued, which I believe has placed the College in a much stronger position, both fiscally and organizationally. I am personally pleased with the growth we have seen in enrollments and the positive contributions that our efforts on the web have made to our bottom-line. We have tried to anticipate and share the challenges that may need to be overcome in order to achieve the changes planned. The Board's understanding, support, and direction to move forward, regardless of the hurdles, are sincerely appreciated.

Communication & Counsel Constraint #2

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-Staff

Relationship, particularly in the case of Board behavior, which is detrimental to the working relationship between the Board and the President.

Response: The Board's individual and collective desires to see the College improve and succeed remain most encouraging. There have been no situations where, in the President's opinion, the Board has not been in compliance with its policies. I appreciate the Board's efforts to clarify its desires and provide limitations, as those have been deemed necessary.

Communication & Counsel Constraint #4

Fail to report in a timely manner an actual or anticipated non-compliance with any Board policy.

Response: To my knowledge, there have been no non-compliance issues that need to be reported.