

**Yavapai College District Governing Board
Draft Executive Limitations
January 2018**

2. Executive Limitations

The President shall not cause or allow any practice, activity, decision or organizational circumstance that is unlawful, unethical, or imprudent.

2.1 Treatment of Employees

The President shall not cause or allow a workplace environment that is unfair, disrespectful, or unsafe.

Further, without limiting the scope of the above statements by the following list, the President shall not:

2.1.1 Allow staff to be without current, enforced, written human resource policies that clarify expectations and working conditions, provide for effective handling of grievance and emergency situations, and protect against wrongful conditions.

2.1.1.1 Permit staff to be without adequate protection from harassment.

2.2 Treatment of Students

The President shall not cause or allow conditions, procedures or decisions related to the treatment of students and others who use College programs and facilities that are unsafe, unfair, disrespectful, unnecessarily intrusive, or inconsistent with a culture of student success.

Further, without limiting the scope of the above statements by the following list, the President shall not:

2.2.1 Permit students and others who use College programs and facilities to be without reasonable protections against hazards or conditions, including harassment that might threaten their health, safety or well-being.

2.3 Compensation and Benefits

With respect to employment, compensation and benefits to employees, consultants, contract workers and volunteers, the President shall not cause or allow jeopardy to the College's fiscal integrity or public image.

Further, without limiting the scope of the above statements by the following list, the President shall not:

2.3.1 Promise or imply guaranteed employment.

2.3.2 Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.

2.4 Planning

The President shall not permit planning that allocates resources in a way that deviates materially from Board-stated Ends priorities, risks fiscal jeopardy, or does not enable the long-term ability of the College to achieve Ends.

Further, without limiting the scope of the above statement by the following list, the President shall not:

2.4.1 Operate without a documented, multi-year strategy that can be expected to achieve a reasonable interpretation of the Ends.

2.4.2 Permit planning that risks any situation or donation described as unacceptable in the “Financial Condition and Activities” policy.

2.4.3 Permit planning that endangers the fiscal soundness of future years or ignores the building of organizational capability sufficient to achieve Ends in future years.

2.4.3.1 Operate without succession plans to facilitate smooth operations during key personnel transitions and ensure competent operations of the College over the long term.

2.5 Financial Condition and Activities

With respect to the actual, ongoing financial conditions and activities, the President shall not cause or allow the development of fiscal jeopardy or a material deviation of actual expenditures from Board-stated Ends priorities.

Further, without limiting the scope of the above statement by the following list, the President shall not:

2.5.1 Expend more funds than have been received or are available in reserves in the fiscal year.

2.5.2 Enter into any lease agreement for more than one year in duration or that exceeds \$200,000 per year.

2.5.2.1 Make any lease improvements over \$10,000.

2.5.3 Allow reserves to be at an inadequate level for future needs.

2.5.3.1 Allow Current Fund Reserves to drop below seventeen percent (17%) of the operating budgets or Plant Fund Reserves to drop below \$1 million.

2.5.3.2 Allow reserve funds to replenish at an inappropriate rate after, in accordance with specified Board approval, funds have dropped below the President’s authorized limits.

2.6 Asset Protection

The President shall not allow assets to be unprotected, inadequately maintained or unnecessarily risked.

Further, without limiting the scope of the above statement by the following list, the President shall not:

2.6.1 Permit the College to be without adequate insurance against theft, fire and casualty losses, including liability insurance that covers Board members, staff, and individuals engaged in activities on behalf of the College, or the College itself.

2.6.2 Receive, process or disburse funds under internal controls that are insufficient to meet the applicable auditing standards.

2.6.3 Fail to assure the accuracy of financial records and require certification by the Chief Financial Officer as part of the audit process.

2.6.4 Allow intellectual property, information and files to be exposed to loss or significant damage.

2.7 Legislative Delegation Restrictions

The President may neither make nor delegate financial decisions for which legislation specifically requires delegation of authority from the Board, except for the following, which the Board authorizes without the need for further Board approval provided the decisions are compliant with the Board's policies:

- Pursuant to A.R.S. Section 15-1444(B)(2), the authority to enter into leases for real property either as lessor or lessee on behalf of the College;
- Pursuant to A.R.S. Section 15-1444 (A)(6) & (B) (4), the authority to employ, including to enter into, amend, or terminate all employment contracts on behalf of the College, except for any actions taken with regard to a contract of employment for the position of College President.

2.8 Communication and Support to the Board

The President shall not permit the Board to be uninformed or unsupported in its work.

Further, without limiting the scope of the above statement by the following list, the President shall not:

2.8.1 Withhold, impede, or confound information relevant to the Board's informed accomplishment of its job.

2.8.1.1 Allow the Board to be without timely decision information to support informed Board choices, including relevant environmental scanning data, a representative range of staff and external points of view, a risk assessment including probability and impact of risks, and alternative choices with their respective implications.

2.8.1.2 Neglect to submit timely monitoring data including interpretations of Board policies that provide the observable metrics or conditions that would demonstrate compliance, rationale for why the interpretations are reasonable and evidence of compliance.

2.8.1.3 Let the Board be unaware of any actual or anticipated non-compliance with any Ends or Executive Limitations policy, regardless of the Board's monitoring schedule.

2.8.1.4 Let the Board be unaware of any incidental information it requires, including anticipated media coverage, actual or anticipated legal actions, and material or publicly visible internal changes or events, including changes in executive personnel.

2.8.1.4.1 Allow the Board to be without monthly reports of budget deviations and reserves.

2.8.1.4.2 Allow the Board to be uninformed regarding when the President is absent or unavailable and who the President has designated to act in the President's place.

2.8.1.5 Allow the Board Chair to be unaware that, in the President's opinion, the Board is not in compliance with its own policies on Governances Process and Board-President Delegation, particularly in the case of board behavior which is detrimental to the work relationship between the Board and the President.

2.8.2 Allow the Board to be without reasonable administrative support for Board activities.