



# ***BOARD OF DIRECTORS***

# ***POLICY GOVERNANCE***

# ***MANUAL***

*The Board of Directors for Manhattan Area Technical College acknowledges the use of materials created by John Carver, Garden City Community College, the Kansas Association of Community College Trustees, and the Adams 12 Five Star Schools (Colorado) in formulating its written policies within the model of Policy Governance. In addition, Dynamic Governance Associates assisted the board with its policy development and implementation.*

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***STATEMENT OF OWNERSHIP  
FOR  
MANHATTAN AREA TECHNICAL  
COLLEGE***

The Board of Directors for Manhattan Area Technical College has identified its moral ownership, to which it has a fiduciary or trusteeship responsibility, as the general public of the college's service areas.

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## **DEFINITIONS**

**Staff:** Staff includes administrators, faculty and support personnel.

**Administrators:** Administrators include all of the President's direct reports.

**Owners of the College:** The “owners” of Manhattan Area Technical College are represented through the members of our Board of Directors, the MATC Foundation Trustees, the participants of the General Advisory Council, and the persons who serve on our academic program advisory committees. These individuals monitor the institution’s accountability and performance in meeting our mission, vision, and values for the residents, businesses, and organizations in the College’s service area.

## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: GENERAL EXECUTIVE CONSTRAINT**

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

1. Dealings with students, staff, volunteers, and the community shall not be inhumane, unfair, or undignified.
2. An open climate in the decision-making process shall not be discouraged.
3. Budgeting shall not deviate significantly from Board ENDS priorities or risk fiscal jeopardy.
4. The overall financial condition of the college shall not be maintained in a manner that either incurs fiscal jeopardy or compromises Board ENDS priorities.
5. Information and advice to the Board will have no significant gaps in timeliness, completeness, or accuracy.
6. Assets shall not be unprotected, inadequately maintained, or unnecessarily risked.
7. Compensation and benefits for staff shall not deviate significantly from the market.
8. No fewer than two administrators will be informed of President and Board issues and processes.
9. There will be no conflict of interest when making purchases and/or awarding contracts.
10. Purchases shall not be made and contracts shall not be awarded without first giving consideration to businesses in the college's primary service area.
11. Shall not fail to provide programs and technology which are appropriate for students to achieve the ENDS as prescribed by the Board.

12. Shall not initiate new programs or retain existing programs without consideration of cost-effectiveness and clear evidence of need and value to identified stakeholders within the mission of the institution.
13. Shall not fail to outline a process that transitions leadership of the college in the event of a planned or unplanned departure.
14. Shall not fail to ensure a safe and healthy environment on campus.
15. Shall not fail to maintain current Higher Learning Commission accreditation, or strive to achieve national program accreditations, and industry certifications.

## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: TREATMENT OF PEOPLE**

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With respect to treatment of students, staff, volunteers, and the community, dealings shall not be inhumane, unfair, or undignified.

Accordingly, the President shall not:

1. Operate without written procedures that clarify student and staff rules, provide for effective handling of grievances, protect against wrongful or unsafe conditions, and/or allow preferential treatment for personal reasons;
2. Discriminate against anyone for expressing dissent;
3. Withhold a due process procedure from students and staff;
4. Prevent students and staff from grieving to the Board when internal grievance procedures have been exhausted;
5. Fail to acquaint students and staff with their rights and responsibilities.

## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: BUDGETING/FINANCIAL PLANNING/FORECASTING**

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Budgeting shall not deviate significantly from Board ENDS priorities, or risk fiscal jeopardy.

Accordingly, the President shall not cause or allow budgeting which:

1. Contains insufficient information to enable accurate financial and planning projections.
2. Plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period;
3. Does not provide a prioritized menu of Capital Outlay funds;
4. 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.



## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: FINANCIAL CONDITION**

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With respect to the actual, ongoing condition of the college's financial health, the President shall not cause or allow the development of fiscal jeopardy or a significant deviation of actual expenditures from Board priorities established in the ENDS policies.

Accordingly, the President shall not:

1. Exceed the budget for the fiscal year (July 1 - June 30).
2. Fail to maintain an appropriate cash reserve that does not constrain with the operation of the institution.
3. Fail to develop additional private revenue sources for capital improvement projects.
4. Fail to coordinate with MATC Foundation.

## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: INFORMATION AND ADVICE (COMMUNICATION AND COUNSEL)**

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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 in a timely, accurate, and understandable fashion, directly addressing provisions of the Board policies being monitored;
2. Operate the college without an annually updated strategic plan;
3. Permit the Board to be unaware of relevant trends, anticipated adverse media coverage, actual or anticipated legal actions, significant external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established;
4. Fail to advise the Board if, in the President's opinion, the Board is not in compliance with its own policies on BOARD 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;
5. Present information to the Board in an unnecessarily complex or lengthy form;
6. 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.

## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: ASSET PROTECTION**

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Assets shall not be unprotected, inadequately maintained, or unnecessarily risked.

Accordingly, the President shall not:

1. Fail to insure against property and casualty losses or against liability losses to Board members, staff, or the college itself in an amount prudent and advisable under Kansas law;
2. Allow un-bonded personnel access to significant amounts of funds;
3. Allow improper wear and tear or inadequate maintenance of the plant and equipment;
4. Unnecessarily expose the college, its Board or staff to claims of liability;
5. Make any single asset purchase over \$2,500 without having obtained comparative prices and without due consideration of cost, quality, and service;
6. Make any purchase or initiate construction, remodeling, or alternations of real property over \$25,000 without Board approval. Such purchases shall require a sealed competitive bidding process;
7. Receive, process, or disburse funds under controls that are insufficient to meet the financial auditor's standards;
8. Dispose of real property (exclusive of the Building Trades project house) without Board Approval;
9. Enter into any lease agreement for real property in excess of \$20,000 annually without Board approval;
10. Fail to protect intellectual property, information and files from loss, damage or improper access.
11. Sole source of propriety materials is exempt from sealed competitive bidding requirements provided that documentation is maintained to justify why the technical characteristics inherent in the item make it essential to purchase the good or service.

## **POLICY TYPE: EXECUTIVE LIMITATIONS**

### **POLICY TITLE: COMPENSATION/BENEFITS**

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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 and benefits;
2. Promise or imply permanent or guaranteed employment;
3. Establish compensation and benefits which:
  - A. Deviate significantly from the geographic area or market for the skills employed;
  - B. Create obligations over a longer term than revenues can be safely projected, in no event longer than one year, and in all events subject to losses of revenue.

**POLICY TYPE: BOARD GOVERNANCE PROCESS**

**POLICY TITLE: GOVERNANCE COMMITMENT**

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On behalf of the owners of Manhattan Area Technical College, the Board of Directors will govern the college through the expressions of its written policies.

## **POLICY TYPE: BOARD GOVERNANCE PROCESS**

### **POLICY TITLE: GOVERNING STYLE**

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The Board process will emphasize 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, future rather than past or present, and proactivity rather than reactivity.

Accordingly, the Board will:

1. Execute powers designated by federal law and Kansas statutes.
2. Enforce upon itself whatever discipline is needed to govern with excellence, allowing no officer, committee, or individual to impede fulfillment of this responsibility. Discipline will apply to matters such as attendance, policy-making principles, respect of roles, and speaking officially with **one voice** following majority vote.
3. Direct, control, and inspire the college through careful establishment of the broadest values and perspectives in the form of written policies.
4. Focus chiefly on intended long-term impact on students and community (ENDS), not on the administrative or programmatic means of attaining those results.
5. Be an initiator of policy, not merely a reactor to staff initiatives. The Board, not the staff, will be responsible for Board performance.
6. Use the expertise of individual members to enhance the ability of the Board as a body, rather than substitute their individual values for the group's values.
7. Monitor and regularly discuss the Board's own process and performance. Ensure the continuity of its governance capability by continual training and development, especially as it relates to ongoing training of current Board members and education of prospective Board members with regard to the principles of Policy Governance.
8. A quorum of five members is required to conduct binding business at any meeting of the Board and a majority vote of the entire Board membership is required for official action.

## **POLICY TYPE: BOARD GOVERNANCE PROCESS**

### **POLICY TITLE: BOARD JOB DESCRIPTION**

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The job of the Board is to represent the college's owners in determining and demanding appropriate organizational performance. To distinguish the Board's own unique job from the jobs of its staff, the Board will concentrate its efforts on the following job "products" or outputs.

1. Linkage with the college's owners regarding ENDS. Linkage activities may include:
  - A. Meeting with individuals and organized or informal community groups.
  - B. Observing and meeting with other public boards.
  - C. Hosting opportunities which afford owners the opportunity to learn about the college.
  - D. Accepting public comments during open session of board meetings.
2. Written governing policies which, at the broadest levels, address:
  - A. ENDS: Organizational products, impacts, benefits, outcomes, recipients and their relative worth (what good for what people at what cost).
  - B. EXECUTIVE LIMITATIONS: Constraints on executive authority that establish the boundaries within which all executive activity and decisions must take place.
  - C. BOARD GOVERNANCE PROCESS: Specification of how the Board conceives, carries out, and monitors its own task.
  - D. BOARD-PRESIDENT RELATIONSHIP: The manner in which authority is delegated from the Board to the President and assessment of the use of that authority.
3. Assure the President's performance.
4. Impact on legislative affairs through advocacy.
5. Monitor activities and performance of the College Foundation to ensure it is legal and supportive of the college.
6. Select and discipline Board officers

## **POLICY TYPE: BOARD GOVERNANCE PROCESS (continued)**

### **POLICY TITLE: BOARD JOB DESCRIPTION**

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The job of the Board is to represent the college's owners in determining and demanding appropriate organizational performance. To distinguish the Board's own unique job from the jobs of its staff, the Board will concentrate its efforts on the following job "products" or outputs.

- Seated Board Members are eligible to run for Chair and Vice-Chair positions every two years.
- Nomination ballots will be distributed to Board members by the Board Clerk during the April meeting of the election year. All Board members will be eligible for nomination and therefore listed on the nomination ballot.
- Once the Board members have completed filling out their ballots, they will be tallied by the Board Clerk, the nominees will be contacted via telephone and/or e-mail to determine their desire to be considered for the elected position(s).
- Upon confirmation, election ballots will be created indicating nominees for both the Chair and the Vice-Chair positions and distributed prior to the May meeting via e-mail.
- Election ballots will be distributed, filled in, and returned to the Clerk during the May Board meeting.
- The Clerk will announce the name of the person obtaining the most votes for each position.
- In the event of a tie, a run-off vote will be held during the May meeting following the same procedures listed in item 5.
- New Officers are seated effective July 1st.



## **POLICY TYPE: BOARD GOVERNANCE PROCESS**

### **POLICY TITLE: ROLE OF THE BOARD CHAIR**

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The job "product" of the chair (the board's Chief Governance Officer or CGO) is, primarily, 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 speak for the Board (beyond simply reporting Board decisions), unless the authority is delegated to another member.

1. The job output of the chair is to ensure that the Board's behavior is consistent with its own rules and those legitimately imposed upon it from outside the organization.
  - A. Meeting discussion content will be only those issues that, according to Board policy, clearly belong to the Board, not the President, to decide.
  - B. Deliberation will be fair, open, and thorough, but also efficient, timely, orderly, and pointed.
2. The authority of the chair consists of making decisions that fall within the topics covered by Board policies on BOARD GOVERNANCE PROCESS and BOARD-PRESIDENT RELATIONSHIP, except where the Board specifically delegates portions of this authority to others. The chair is authorized to use any reasonable interpretation of the provisions in these policies.
  - A. The chair is empowered to plan and preside over Board meetings with all the commonly accepted authority of that position (e.g., ruling, recognizing, and committee appointments).
  - B. The chair has no authority to make decisions about policies created by the Board within ENDS and EXECUTIVE LIMITATIONS policy areas. Therefore, the chair has no authority to 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 to him or her.
3. The Board chair is to ensure the vice chair is informed of current and pending Board issues and processes.

## **POLICY TYPE: BOARD GOVERNANCE PROCESS**

### **POLICY TITLE: BOARD COMMITTEE PRINCIPLES**

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Board committees, when used, will be assigned so as to minimally interfere with the wholeness of the Board's job and so as never to interfere with delegation from the Board to the President. Committees will be used sparingly, and only when other methods have been deemed inadequate.

1. Board committees are to help the Board do its job; not to help the staff do its 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.
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 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.
4. Board committees are to avoid over-identification with organizational parts rather than the whole. Therefore, a Board committee that has helped the Board create policy on some topic will not be used to monitor organizational performance on that same subject.
5. This policy applies only to committees that 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.

## **POLICY TYPE: BOARD GOVERNANCE PROCESS**

### **POLICY TITLE: ANNUAL BOARD PLANNING CYCLE**

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

1. Evaluate progress toward the achievement of the ENDS - **according to Monitoring Schedule.**
2. Evaluate the BOARD PROCESS related to Policy Governance - **monthly.**
3. Complete evaluation of President's performance and salary review - **May.**
4. Redefine and prioritize the ENDS to provide guidance for the development of the budget at semi-annual board planning retreats (or when instructed).
5. Report on an annual basis to the college's owners. This will include a review of the institutional effectiveness and guidance as the next year's budget is planned. – **November.**

## **POLICY TYPE: BOARD GOVERNANCE PROCESS**

### **POLICY TITLE: BOARD MEMBERS' CODE OF CONDUCT**

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

1. Board members must represent un-conflicted loyalty to the interests of the college's ownership. 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 college'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 college, except as procedurally controlled, to assure openness, competitive opportunity and equal access to "inside" information.
  - B. Board members must not use their positions to obtain employment at the college for themselves, family members, or close associates.
  - C. Should a Board member be considered for employment at the college, he/she must temporarily withdraw from board deliberation, voting, and access to applicable Board information.
  - D. Should a member gain employment at the college, he/she must resign from the Board.
3. Board members may not attempt to exercise individual authority over the President or staff of the college.
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.
5. Board members will respect the confidentiality appropriate to issues of a sensitive nature.
6. Board members will make no judgments of the President or staff performance except as that performance is assessed against explicit Board policies by the official process.
7. Board members must express their individual opinions to the Board for discussion before decisions are made because a majority vote of the Board expresses its collective values as **one voice**.

## **POLICY TYPE: BOARD-PRESIDENT RELATIONSHIP**

### **POLICY TITLE: PRESIDENT'S ROLE & JOB DESCRIPTION**

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The college's President is accountable to the board, acting as a body. The Board will instruct the President through written policies delegating implementation to the President.

As the board's single official link to the operating organization, the President's performance will be considered to be synonymous with performance of the college, as a whole.

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

1. Organizational accomplishment of the provisions of Board policies on **ENDS**.
2. Organizational operation within the boundaries of prudence and ethics established in Board policies on **EXECUTIVE LIMITATIONS**.

## POLICY TYPE: BOARD-PRESIDENT RELATIONSHIP

### POLICY TITLE: DELEGATION TO THE PRESIDENT

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

1. 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.
2. As long as the President uses **any reasonable interpretation** of the Board's ENDS and EXECUTIVE LIMITATIONS policies, the President is authorized to establish administrative policies, make all decisions, take all actions, establish all practices, and develop all activities *with the Board being responsible for final approval of financial and employment matters.*
3. 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.
4. Only decisions of the Board, acting as a body, are binding upon 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 such exercise of authority.
  - B. In the case of Board members or committees requesting information or assistance without Board authorization, the President can refuse such requests that require—in the President's judgment—a significant amount of staff time or funds, or are disruptive.

## **POLICY TYPE: BOARD-PRESIDENT RELATIONSHIP**

### **POLICY TITLE: MONITORING EXECUTIVE PERFORMANCE**

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Monitoring performance of the President is synonymous with monitoring organizational performance of the college against Board policies on ENDS and on EXECUTIVE LIMITATIONS. Any evaluation of Presidential performance, formal or informal, may be derived only from these monitoring data.

1. The purpose of monitoring is to determine the degree to which the Board's written policies are being fulfilled. Information that does not do this will not be considered monitoring for monitoring purposes. Monitoring will be as automatic as possible, using a minimum of Board time so that meetings can be used to create the future, rather than to review the past.
2. A given Board policy may be monitored in one or more of three ways:
  - A. **Internal report** – Written disclosure of compliance information to the Board from the President;
  - B. **External report** - Discovery of compliance information by a disinterested third party, external auditor, inspector, or judge who is selected by, and reports directly to, the Board. Such reports must assess performance of the President only against policies of the Board, not those of the external party, unless the Board has previously stipulated that party's opinion to be the standard;
  - C. **Direct board inspection** - Discovery of compliance information by a Board member, a Board committee, or the Board as a whole. This is a Board inspection of documents, activities, or circumstances directed by the Board that allows a "prudent person" test of policy compliance.
3. Any policy can be monitored by any method at any time, as the Board chooses. For regular monitoring, however, data on each ENDS and EXECUTIVE LIMITATIONS policy will be gathered as follows:(**see the following page**)

	<b>Schedule of President’s Monitoring Reports</b>
Monthly through BOD Meetings  Written Report in December	1. <b>GENERAL EXECUTIVE CONSTRAINT</b> a. The president shall not cause or allow any practice, activity, decision or organizational circumstance which is illegal, imprudent, or unethical.
June	2. <b>TREATMENT OF PEOPLE</b> a. With respect to treatment of students, staff, volunteers and the community, dealings shall not be inhumane, unfair, or undignified.
October	3. <b>BUDGETING/FINANCIAL PLANNING/FORECASTING</b> a. Budgeting shall not deviate significantly from board priorities, or risk fiscal jeopardy.
Quarterly (Reports to include both MATC operating financials as well as MATC Foundation impact.)	4. <b>FINANCIAL CONDITION</b> a. With respect to the actual, ongoing condition of the organization's financial health, the president shall not cause or allow the development of fiscal jeopardy or a significant deviation of actual expenditures from board priorities established in the policies. b. July 1 – September 30      November Meeting October 1 – December 31    February Meeting January 1 – March 31        May Meeting April 1 – June 30             September Meeting
Ongoing	5. <b>INFORMATION AND ADVICE</b> a. With respect to providing information and counsel to the board, the president shall not permit the board to be uninformed.
April	6. <b>ASSET PROTECTION</b> a. Assets shall not be unprotected, inadequately maintained, or unnecessarily risked.
August	7. <b>COMPENSATION/BENEFITS</b> a. 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. Annual Budget presented for approval
July & January	8. <b>STRATEGIC PLAN (General Executive Constraint &amp; Board Governance Process)</b> a. Annual presentation of Strategic Plan...the president shall not operate the college without a strategic plan. b. Monitoring progress of Strategic Plan



	<b>Schedule of President's Monitoring Reports (continued)</b>
July & February	<b>9. ACHIEVEMENT OF ENDS</b>  a) Vision & Mission b) Essential Skills c) Work Preparedness d) Workforce Development e) Leadership

**POLICY TYPE: ENDS**

**POLICY TITLE: VISION AND MISSION**

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The Vision and Mission of the Manhattan Area Technical College Board of Directors is to ensure that MATC strives to be a leader in postsecondary technical education in Kansas to prepare people for productive and enriched lives.

**POLICY TYPE: ENDS**

**POLICY TITLE: ESSENTIAL SKILLS**

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1. Students will possess essential technical skills.
2. Students will demonstrate reading, math, and interpersonal skills, including speaking, listening, and writing, appropriate for their chosen fields of endeavor.

**POLICY TYPE: ENDS**

**POLICY TITLE: WORK PREPAREDNESS**

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Students will be prepared for success in the workplace, with coordination and collaboration with the Kansas Board of Regents and its Technical Education Authority, MATC engages with K-12 education to guide students to appropriate career pathway options.

1. Students will demonstrate the skills and knowledge required for successful entry into the workplace.
2. Students will demonstrate the work ethics, discipline, and collaborative skills necessary to be successful in the workplace.
3. Students will demonstrate the skills and knowledge necessary to maintain, advance, or change their employment or occupation.

**POLICY TYPE: ENDS**

**POLICY TITLE: WORKFORCE DEVELOPMENT**

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Workforce development will be responsive to community economic development and local employer needs (customized skills training).

**POLICY TYPE: ENDS**

**POLICY TITLE: LEADERSHIP**

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Provide opportunities for the development of leadership skills.