Preface

Barton Governance Manual

The Board of Trustees of Barton County Community College adopted the Carver Policy Governance® model on November 21, 1996. It serves as the foundation for all Board practices/policies. Barton Governance is based on the following principles:

Basic Principles of Policy Governance®

Adapted from the Carver Guide Series on Effective Board Governance® by John Carver and Miriam Mayhew Carver

Policy governance® provides an empowering and fundamental redesign of the board role. It emphasizes values, vision, empowerment of both board and staff, and the strategic ability to lead leaders. Under this model, a board crafts its values into policies. Except for what belongs in bylaws or enabling statutes, these categories of board policy contain everything a board has to say about values and perspectives that underlie all organizational decisions, activities, practices, budgets and goals. Because values permeate and dominate all organizational life, redesigning policy in this way presents the most powerful lever for expressing board leadership.

The Principles of Policy Governance®

The Trust in Trusteeship

The board represents the ownership of the organization. The primary relationship the board must establish, maintain, clarify and protect is its relationship with its "owners." In most cases, community college boards consider the taxpayers the institution's owners.

The Board Speaks With One Voice or Not at All

The power of boards is not as individual members but as a group. The strength of this single voice arises from the diversity of viewpoints and intentions its members bring to it, as well as the way the board focuses this multiplicity into unity. Differences among trustees must be respected and encouraged, but once a vote is taken those who lose must accept the decision and support its implementation.

Board Decisions Predominately Should Be Policy Decisions

The policy governance® model defines policy as the value or perspective that underlies action. Policies embody the board's beliefs, commitments, values and vision. Therefore, they must be the product of the board and must remain under the control of the board. The model provides strict rules for policy form. Following are the four types of board policies. Examples provided are the broadest statements from the policies approved in concept by the Barton board in 1997.

Executive Limitations: The board establishes the boundaries of acceptability within which methods and activities can be responsibly left up to the president. These limiting policies apply to means rather than ends.

Example: The president shall not cause or allow any practice, activity, decision or organizational circumstance which is illegal, imprudent or in violation of commonly accepted business and professional ethics.

Board Process: The board determines its philosophy, its accountability and specifics of its own job. The effective design of its own board process ensures that the board will fulfill its three primary responsibilities: maintaining links to the ownership, establishing the four categories of written policies and assuring executive performance.

Example: On behalf of the owners of the college, the board will govern the college through the expressions of its policies.

Board-President Relationship: The board clarifies the manner in which it delegates authority to the president as well as how it monitors and evaluates the president's performance according to the ENDS and executive limitations policies.

Example: the college president is accountable to the board, acting as a body. The board will instruct the president through written policies delegating implementation to the president.

ENDS: The board defines which human needs are to be met, for whom and at what cost. Written with a long-term perspective, these mission-related policies embody the board's long-range vision.

Example: The Mission of Barton County Community College is to

provide quality educational opportunities that are accessible, affordable, continuously improving and student focused. Barton is driven to provide an educational system that is learning-centered, innovative, meets workforce needs, and strengthens communities.

Boards Should Formulate Policy by Determining the Broadest Values Before Progressing to More Narrow Ones

Knowing that values come in sizes and that large value determinations contain ranges within which smaller ones occur is a key to the organization of board policies. When writing policies, the board speaks to the broadest values of all four areas before speaking to smaller values they contain. The board can go into as much detail as it chooses as long as it goes in one level at a time. When it reaches a sufficient level of policy detail, it must be ready to delegate all further definition and to accept any reasonable interpretation. Subsequent interpretation of policies in executive limitations and ENDS is delegated to the president. The board chairman is responsible for subsequent interpretation of board process and board-president relationship policy.

ENDS Determination Is the Pivotal Duty of Governance

The ends of an organization are the reasons for its existence. It is obvious that careful, wise selection of ENDS is the highest calling of trustee leadership.

An educational board must become more sophisticated about the skills needed for personal and social success in the world to come. This means turning board attention away from budgets, personnel issues or programs, and focusing on what good is to be done for whom and at what cost. ENDS language is never about what the organization will be doing; it is always about what will be different for others.

The Board's Best Control Over Staff Is to Limit, Not Prescribe

The organization's conduct, activities, methods and practices are its means. To exercise appropriate control without meddling, and to withdraw safely from the details of the means, the board must resist telling the staff how to do its job and must tell the president in writing what is unacceptable. By producing a "don't do it" list, the board builds an enclosure within which freedom, creativity and action are allowed and even encouraged. This method of means constraint makes it possible to govern with fewer board pronouncements, less board member dabbling into details of implementation, and greater accountability from the president.

A Board Must Explicitly Design Its Own Products and Process

In board process policy, the board states what it expects of itself. It commits itself to use committees only when necessary to help the board get its job done and never to help the staff with theirs. It outlines its own code of conduct, the way it will control and plan its own agenda, the duties of the chairman, and the nature of its linkage to its owners.

A Board Must Forge a Linkage with Management That Is Both Empowering and Safe

No single relationship is as important as that between the board and its president. The board must carefully craft a form of delegation that balances the need for executive effectiveness and with board responsibility. The board-president relationship policy commits to delegate to staff only through the president, and outlines the job products and evaluation process of the president. The board has the right to expect performance, honesty and straightforwardness from the president. The president has the right to expect the board to be clear about the rules, to speak with one voice, and to get its own job done.

Performance of the President Must Be Monitored Rigorously, But Only Against Policy Criteria

When the board has told its president to achieve certain ENDS without violating certain limitations, monitoring performance becomes no less and no more than checking actual performance against these two sets of expectations. By setting the criteria and demanding targeted and precise information, the board is able to effectively monitor the president.

-- Adopted on 06-17-08
Revised on 09-15-11

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: GENERAL EXECUTIVE CONSTRAINT

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:

1. Deal with students, staff, or persons from the community in an inhumane, unfair, or undignified manner.

2. Make decisions except by a process where openness is maintained.

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

4. Provide information to the community, Board, or College constituencies which is untimely, inaccurate, or misleading.

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

6. Allow a relative of any member of the board of trustees, the president or a vice president to be employed at the College. Any such employment or recommendation for employment in violation of this policy as stated shall be null and void. For purposes of this policy, "relative" shall be interpreted to mean the spouse, child, father, father-in-law, mother, mother-in-law, grandparent, sister, brother, sister-in-law, brother-in-law, son-in-law, daughter-in-law, or any other person who occupies such position in the family, or a person living in the same household. This policy shall apply equally to all full-time, part-time and/or temporary employees (student employment excluded.)

7. Allow the day-to-day operations to impede the vision or prevent the achievement of the ENDS of the College.

8. Manage the College without adequate administrative policies for matters involving instructional services, administrative and financial services, human resources, marketing and economic development, enrollment management, and student services.

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9. Allow any violation of any laws, rules or regulations, or of any breach of Board policies.

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

11. Inform fewer than two administrators of President and Board issues and processes.

12. Establish vice-president level positions without prior authorization of the Board. The President is constrained from establishing a position at this level through hiring a new staff member or transferring currently employed personnel without prior consent.

13. Implement new programs without Board approval.

-- This policy adopted on 03-27-97
Revised on 04-18-00
Revised on 06-20-00
Reviewed on 02-05-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 09-20-05
Revised on 03-16-07
Revised on 08-12-08

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: HUMAN RELATIONS

The President shall create and sustain an environment for living, working, teaching, and learning that supports the development and realization of human potential and promotes the College's core values. Treatment of and dealing with students, staff, and persons from the community, shall be humane, fair, and dignified.

Accordingly, the President may not:

1. Operate without policies and/or procedures which set forth staff and student rules, provide for effective handling of grievances, ensure due process, and protect against wrongful conditions.

2. Discriminate against anyone for expressing an ethical dissent.

3. Fail to comply with all laws, rules, and regulations pertaining to employees and students including those pertaining to:

   Terminations and Resignations
   Discrimination
   Equal Opportunity
   Sexual Harassment
   Rights of Privacy

4. Prevent students and staff from using established grievance procedures.

5. Fail to acquaint students and staff with their rights and responsibilities.

6. Fail to maintain confidentiality where appropriate.

-- This policy adopted on 03-27-97
Revised on 06-20-00
Reviewed on 02-05-03 (no changes)
Revised on 09-21-04

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMPENSATION AND BENEFITS

The President shall maintain fiscal integrity and a positive public image with respect to employment, compensation, and benefits to employees, consultants, and contract workers.

Accordingly, the President may not:

1. Change his or her own compensation and benefits.

2. Employ persons in positions considered permanent in nature without Board approval.

3. Employ full or part-time faculty whose credentials are not appropriate for the position.

4. Grant tenure without Board approval.

5. Sign a collective bargaining agreement without Board approval.

6. Establish current compensation and benefits which:

    a. Deviate materially from the geographic or professional market for the skills employed, or become noncompetitive.

-- This policy adopted on 03-27-97
Reviewed on 07-05-00 (no changes)
Reviewed on 02-05-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: BUDGETING/FORECASTING

Budgeting for any fiscal year shall follow Board ENDS priorities, control College financial risk, and accurately reflect projections of income and expenses. The President shall propose a budget after first seeking broad input from all College constituencies. Budgets will become effective upon approval by the Board. Any deviation shall require Board approval.

Accordingly, the President shall not:

1. Propose an unbalanced budget. Supporting information shall include: a reasonable projection of revenues and expenses, separation of capital and operational items, and planning assumptions.

2. Propose a budget which does not take into account Board ENDS priorities.

3. Propose a budget which excludes adequate support for Board operations (fiscal audit, legal expenses, Board development and training, and Board membership fees), and non-compensation needs such as plant and facilities maintenance, instructional equipment, new program and course development, staff development, institutional research, etc.

4. Propose an unrestricted operating budget with a cash reserve of less than 10% for cash flow and contingency purposes.

5. Propose a budget which does not include a recommendation for staff and faculty salary increases.

--This policy adopted on 03-27-97
Revised on 10-16-97
Reviewed on 07-05-00 (no changes)
Revised on 08-06-02
Reviewed on 03-06-03 (no changes)
Reviewed on 09-01-04 (no changes
Revised on 02-21-06

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: FINANCIAL CONDITION

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.

It is material deviation to:

1. Indebt the organization in an amount greater than can be repaid by otherwise unencumbered revenues within the current fiscal year or can be repaid from accounts previously established by the Board for that purpose.

2. Expend funds from reserves, restricted, or designated accounts, except for the purposes for which the account was established, without prior Board approval.

3. Make any purchase or expend any funds without prudent protection against conflict of interest for over $50,000. Purchases cannot be made 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. Preference shall be given to local vendors who can provide like quality products and services, and who meet bid specifications within 5%. Any purchase or expenditure of $50,000 or more requires Board approval.

4. Accept gifts or grants which obligate the College to make future expenditures of funds or human resources other than those created by the gift or grant without Board approval.

5. Accept gifts or grants which are not in the best interest of the College.

6. Fail to maintain cash reserves for positive cash flow and contingencies equal to at least 10% of the unrestricted operating budget.

7. Knowingly jeopardize aid from state, federal, or other funding sources before, during, or after the aided activity.

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

9. Allow cash to drop below the amount needed to settle payroll and debts in a timely manner.

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10. Allow tax payments or other government-ordered payments or filings to be overdue or inaccurately filed.

-- This policy adopted on 03-27-97
Revised on 05-14-98
Reviewed on 09-06-00 (no changes)
Reviewed on 03-06-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 09-20-05
Revised on 12-13-05
Revised on 01-17-06
Revised on 08-08-06

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: ASSET PROTECTION

The President shall cause assets to be adequately maintained and protected from unnecessary risk.

Accordingly, the President may not:

1. Allow unbonded personnel access to material amounts of cash.

2. Permit plant and equipment to be subjected to improper wear and tear or inadequate maintenance.

3. Unnecessarily expose the College, the Board, or staff to claims of liability.

4. Receive, process, or disburse funds under controls which are not sufficient to meet the auditor's standards.

5. Invest funds in non-interest bearing accounts or in investments not permitted by Kansas law. Further, no investments shall be made without compliance with, in order of priority, the following principles: (a) security of the investment; (b) receiving favorable consistent interest earned on the investment; (c) local financial institutions receiving favorable consideration where (a) and (b) are relatively equal.

6. Acquire, encumber, or dispose of real property without Board approval.

7. Fail to protect property, information, and files from loss or damage.

8. Fail to protect the College's trademarks, copyrights, and intellectual property interests.

--This policy adopted on 03-27-97
Reviewed on 09-06-00 (no changes)
Reviewed on 03-06-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: COMMUNICATION AND COUNSEL TO THE BOARD

The President shall keep the Board adequately informed.

Accordingly, the President shall not:

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.

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.

3. Present information in an inappropriate form that is inaccurate, incomplete, or misleading.

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

5. Fail to deal with the Board as a whole, except when: (a) fulfilling individual requests for information, or (b) responding to officers or committees duly charged by the Board.

6. Neglect to submit monitoring data required by the Board (see Board-President Relationship policy on Monitoring Executive Performance) in a timely, accurate, and understandable fashion, directly addressing provisions of the Board policies being monitored.

7. Fail to provide a mechanism for official Board, officer, or committee communications.

-- This policy adopted on 03-27-97
Revised on 10-16-97
Reviewed on 09-06-00 (no changes)
Reviewed on 03-06-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: EXECUTIVE LIMITATIONS

POLICY TITLE: INSTUTIONAL PLANNING AND REPORTING

The President shall direct appropriate planning strategies and reporting function to address Board ENDS and various governing agency requirements.

Accordingly, the President shall not:

1. Direct the development of a planning document which does not address Board ENDS.

2. Direct institutional planning which is not consistent with the College's mission and vision.

3. Permit the development of planning goals that are not measureable in terms of effectiveness, nor provide accountability to various governing agencies.

4. Expand services into new regions without consultation with the Board.

5. Allow services to be extended into new service areas without adequately addressing impact upon resources and future planning of the institution.

-- This policy adopted on 12-16-10

POLICY TYPE: BOARD PROCESS

POLICY TITLE: GOVERNANCE COMMITMENT

On behalf of the owners of Barton County Community College, the Board of Trustees will govern the College through the expressions of its policies.

-- This policy adopted on 10-16-97
Reviewed on 10-04-00 (no changes)
Reviewed on 04-02-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD PROCESS

POLICY TITLE: GOVERNING STYLE

The Board process will emphasize: (a) outward vision rather than an internal preoccupation; (b) encouragement of diversity in viewpoints; (c) strategic leadership above administrative detail; (d) clear distinction between Board and staff roles; (e) collective rather than individual decisions; (f) the future rather than the past or present; and (g) productivity. Accordingly, the Board will:

1. Exercise its executive powers designated by federal and Kansas statute.

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 impacts (ENDS) on students and owners, not on the administrative or programmatic means of attaining those effects.

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 to 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 through continual training and development.

8. Change from Policy Governance® only by majority vote of the entire Board.

-- This policy adopted on 10-16-97
Reviewed on 10-04-00 (no changes)
Reviewed on 04-02-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD PROCESS

POLICY TITLE: BOARD JOB DESCRIPTION

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

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 owners the opportunity to learn about the College.

   D. 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 which 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 PROCESS: Specification of how the Board conceives, carries out, and monitors its own task.

   D. BOARD-PRESIDENT RELATIONSHIP: The manner in which authority is passed to the President and assessment of the use of that authority.

3. Assure the President's performance by using the monitoring data as measured against Board Policies "ENDS" and on "Executive Limitations."

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4. Select and discipline Board officers

   A. A chairperson shall be selected, by majority vote of the Board members present, based on abilities to carry out the responsibilities of that position. (A chairperson, and other officers deemed necessary or required by statute, shall be elected on an annual basis during the official Board meeting in July).

   B. If, for any reason, Board members believe the chairperson fails to fulfill the 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.

5. Impact legislative affairs through personal advocacy and participation with Kansas Association of Community College Trustees.

6. Monitor activities and performance of the Cougar Booster Club and Barton County Community College Foundation to ensure they are legal and supportive of the College.

--This policy adopted on 10-16-97
Reviewed on 11-01-00 (no changes)
Reviewed on 04-02-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD PROCESS

POLICY TITLE: CHAIRPERSON'S ROLE

The job "product" of the chairperson is, primarily, the integrity of the Board process and, secondarily, occasional representation of 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 consistent with its own rules and those legitimately imposed upon it from outside the organization.

   A. Meeting discussion content will only be those issues which, according to Board policy, clearly 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 that fall within the topics covered by Board policies under 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 of these policies.

   A. The chairperson is empowered to plan and chair Board meetings with all the commonly accepted authority of that position (e.g., ruling, recognizing, 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 supervise, or direct 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. Upon official action, the chairperson is authorized by the Board to act on the Board's behalf.

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POLICY TYPE: BOARD PROCESS

POLICY TITLE: CHAIRPERSON'S ROLE (continued)

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3. The chairperson is to ensure the vice chairperson is informed of current and pending Board issues and processes.

4. In the event of a potential conflict of interest, the Vice Chair will be authorized to sign financial documents, including checks, on the Chairperson's behalf.

-- This policy adopted on 10-16-97
Reviewed on 11-01-00 (no changes)
Revised on 10-23-01
Revised on 04-22-03
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD PROCESS

POLICY TITLE: BOARD COMMITTEE PRINCIPLES

Board committees, when used, will be assigned to minimally interfere with the wholeness of the Board's job and so as never to interfere with delegation from the Board to President. Committees will be used sparingly, 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. Because the President works for the full Board, he or she will not be required to obtain approval of a Board committee before an executive action. 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 which 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.

-- This policy adopted on 10-16-97
Reviewed on 05-07-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD PROCESS
POLICY TITLE: ANNUAL BOARD PLANNING CYCLE

In order to accomplish its job outputs with a governance style consistent with Board policies, the Board will follow an annual agenda which will include:

1. Monitoring reports to evaluate progress toward the achievement of the Board's

   ENDS:

END	Title
1	Essential Skills
2	Work Preparedness
3	Academic Advancement
4	Personal Enrichment
5	"Barton Experience"
6	Regional Workforce Needs
7	Service Regions
8	Strategic Planning

2. Linkage opportunities to compliment ENDS monitoring reports:

Linkage
Public Education Administrators
Military Personnel
Lawmakers
Criminal Justice/Corrections Facilities Administrators
Emergency Services Providers
Allied Health Community Providers
Business/Industry Representatives
Workforce Training Advisory Council Representatives

3. Complete Annual Board Self-Evaluation (which shall include both collective and individual evaluations.) – **March**

4. Complete evaluation of President's performance and salary review – **April**.

5. Redefine and prioritize the ENDS to provide guidance for the development of the next year's budget – **September**.

6. Send annual report to owners – **October**.

7. The Board will share the Report Card with its stakeholders, through a variety of mechanisms, including presentations to civic groups and linkage meetings with various segments of the community.

-- This policy adopted on 10-16-97
Revised on 12-11-01
Revised on 05-20-03
Revised on 09-21-04
Revised on 03-21-06
Revised on 02-20-07
Revised on 09-17-09
Revised on 01-21-10

POLICY TYPE: BOARD PROCESS

POLICY TITLE: BOARD MEMBERS' CODE OF CONDUCT

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

1. Board members must represent unconflicted loyalty to the interests of the ownership. This accountability supersedes any conflicting loyalty such as that to advocacy of 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.

   A. There must be no self-dealing or any conduct of private business or personal services between any Board member and the organization, 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 in the organization for themselves, family members, or close associates.

   C. Should a Board member be considered for employment, he/she must temporarily withdraw from Board deliberation, voting, and access to applicable Board information.

   D. In accordance with Kansas State Statutes, a Board member may not be employed by the College.

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.

4. An individual Board member must recognize that communication with the public, press, or other entities represents personal views and not that of the Board as a whole.

5. Board members will maintain the confidentiality on issues of a sensitive nature, and information discussed in executive session.

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POLICY TYPE: BOARD PROCESS

POLICY TITLE: BOARD MEMBERS' CODE OF CONDUCT (continued)

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6. Board members will make no judgments of the President or staff performance, except as that performance is assessed against explicit Board policies through the official process.

7. 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.

-- This policy adopted on October 16, 1997
Reviewed on 05-07-03 (no changes)
Reviewed on 09-01-04 (no changes)

ACCT Adopts Model Standards of Good Practice for Trustee Boards

In support of effective community college governance, the Board believes:

- That it derives its authority from the community and that it must always act as an advocate on behalf of the entire community;
- That it must clearly define and articulate its role;
- That it is responsible for creating and maintaining a spirit of true cooperation and a mutually supportive relationship with its CEO;
- That it always strives to differentiate between external and internal processes in the exercise of its authority;
- That its trustee members should engage in a regular and ongoing process of in-service training and continuous improvement;
- That its trustee members come to each meeting prepared and ready to debate issues fully and openly;
- That its trustee members vote their conscience and support the decision or policy made;
- That its behavior, and that of its members, exemplify ethical behavior and conduct that is above reproach;
- That it endeavors to remain always accountable to the community;
- That it honestly debates the issues affecting its community and speaks with one voice once a decision or policy is made.

The term "board" refers to a community college board of trustees or appropriate governing authority.

Passed by the ACCT Board of Directors October 2000.

-- This policy adopted on 10-23-01
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD PROCESS
POLICY TITLE: EMERGENCY SUCCESSION PLAN

Emergency Succession Plan Policy

The Barton County Community College Board of Trustees authorizes the establishment of an Emergency Succession Plan for the temporary appointment of an Acting President in the event of an unplanned absence of the President of the College and hereafter to be reviewed annually at the June Board Study Session.

Emergency Succession Plan Procedure

The Board of Trustees of Barton County Community College recognizes that this is a plan for contingencies due to the disability, death or departure of the President. If the organization is faced with the unlikely event of an untimely vacancy, Barton County Community College has in place the following emergency succession plan to facilitate the transition to both interim and longer-term leadership.

The Board of Trustees of Barton County Community College has reviewed the job description of the President as approved in Policy Governance®. The Board has a clear understanding of the President's role in organizational leadership, program development, program administration, operations, Board of Trustee's relationships, financial operations, resource development, and community presence.

1. **Key Person Insurance**

   It is agreed that, inasmuch as the President contributes extensively, both personally and professionally, to the development of Barton County Community College, "key person insurance" shall be obtained for him/her naming the College as the beneficiary.

2. **Plan of Succession—Temporary, Unplanned, Short-Term Absence**

   A temporary absence is one of less than three months in which it is expected that the President will return to his/her position once the events precipitating the absence are resolved. An unplanned absence is one that arises unexpectedly, in contrast to a planned leave, such as a vacation or a sabbatical. The Board of Trustees of Barton County Community College authorizes the Executive Committee (established by the Board Chair) to implement the terms of this emergency plan in the event of the unplanned absence of the President.

   In the event of an unplanned absence of the President, the Vice President of Instruction and Student Services is to immediately inform the Board Chair of

the absence. As soon as it is feasible, the Chair should convene a meeting of the Executive Committee to affirm the procedures prescribed in this plan or to make modifications as the Board deems appropriate.

At the time this procedure was approved, the position of Acting President would be the Vice President for Instruction and Student Services

Should the appointee to the position of Acting President be unable to serve, the first back-up appointee would be the Dean of Administration

The Executive Committee may also consider the option of splitting executive duties among the designated appointees.

Authority and Compensation of the Acting President

The person appointed as Acting President shall have the full authority for decision-making and independent action as the regular President.

The Acting President may be offered compensation to be determined by the Executive Committee.

Board Oversight

The Executive Committee will be responsible for monitoring the work of the Acting President. The committee will be sensitive to the special support needs of the Acting President in this temporary leadership role.

Communications Plan

Immediately upon transferring the responsibilities to the Acting President, the Board Chair will notify staff members, members of the Board of Trustees and key volunteers of the delegation of authority.

As soon as possible after the Acting President has begun covering the unplanned absence, the Executive Committee and the Acting President shall communicate the temporary leadership structure to key external supporters of the College. This may include (but not be limited to) Fort Riley military leaders, Foundation officers, civic leaders, major donors and others.

Business Operations

During the absence, all operational systems shall remain in place and the Executive Committee, Vice President, Deans, faculty and administrative staff will continue to exercise their current general responsibilities until otherwise determined by the Executive Committee.

Financial Analysis

Recognizing that continual financial analysis is the responsibility of the College President, it is proposed that, in the event of death or disability of the College President, a quarterly financial review of the impact of transition be initiated by the (1) Chairman of the Board of Trustees or, if deceased, (2) the senior member of the Board of Trustees.

Completion of Short-term Emergency Succession Plan
The decision about when the absent President returns to lead the College should be determined by the President and the Board Chair and based upon physician recommendation. They will decide upon a mutually agreed upon schedule and start date. A reduced schedule for a set period of time can be allowed, by approval of the Board Chair and based upon physician recommendation, with the intention of working his/her way back to a full-time commitment.

3. **Plan of Succession—Temporary, Unplanned, Long-Term Absence**

A long-term absence is one that is expected to last more than three months. The procedures and conditions to be followed should be the same as for the short-term absence with one addition:

The Executive Committee will give immediate consideration, in consultation with the Acting President, to **temporarily** filling the management position left vacant by the Acting President. This is in recognition of the fact that for a term of more than three months, it may not be reasonable to expect the Acting President to carry the duties of both positions. The position description of a temporary manager would focus on covering the priority areas in which the Acting President needs assistance.

Completion of Long-term Emergency Succession Period
The decision about when the absent President returns to lead the College should be determined by the President and the Board Chair and based upon physician recommendation. They will decide upon a mutually agreed upon schedule and start date. A reduced schedule for a set period of time can be allowed, by approval of the Board Chair and based upon physician recommendation, with the intention of working his/her way back to a full-time commitment.

4. **Plan of Succession—Permanent Change in President**

A permanent change is one in which it is firmly determined that the President will not be returning to the position. The procedures and conditions should be the same as for a long-term, temporary absence with one addition:

The Board of Trustees will appoint a Transition and Search Committee in a timely manner to plan and carry out a transition to a new permanent President. The Board will also consider the need for outside consulting assistance depending on the circumstances of the transition and the Board's capacity to plan and manage the transition and search. The Transition and Search Committee will also determine the need for an Interim President and plan for the recruitment and selection of an Interim President and/or permanent President.

Identification of Potential Successors

Before initiating the search for candidates to succeed the College President, the Search Committee should review the mission and purpose of the College to determine the type of individual who would best lead the College toward such accomplishments.

Candidate Qualifications

The Search Committee should objectively assess the merits of potential successors using the following guidelines. The Search Committee should identify the desired qualities and experience of the College President and seek Board approval prior to advertising the position.

Candidate Selection and Compensation

The Board of Trustees should, in a special meeting of the Board, interview the candidates recommended by the Search Committee and determine the final selection for the new College President. Compensation for the new College President shall be negotiated between the new President and the Board of Trustees and detailed in a contract prior to the commencement of employment.

-- This policy adopted on October 16, 2007
Reviewed on 10-10-08 (no changes)
Reviewed on 10-17-09 (no changes)
Reviewed on 06-24-10 (no changes)

POLICY TYPE: BOARD-PRESIDENT RELATIONSHIP

POLICY TITLE: PRESIDENT'S ROLE AND JOB DESCRIPTION

The College 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 organizational performance as a total.

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.

-- This policy adopted on 10-16-97
Reviewed on 12-04-01 (no changes)
Reviewed on 06-04-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD-PRESIDENT RELATIONSHIP

POLICY TITLE: DELEGATION TO THE PRESIDENT

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 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 <u>any reasonable interpretation</u> 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.

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 material amount of staff time or funds, or is disruptive.

This policy adopted on 10-16-97
Reviewed on 02-06-02 (no changes)
Reviewed on 06-04-03 (no changes)
Reviewed on 09-01-04 (no changes)

POLICY TYPE: BOARD-PRESIDENT RELATIONSHIP

POLICY TITLE: MONITORING EXECUTIVE PERFORMANCE

Monitoring executive performance is synonymous with monitoring organizational performance against Board Policies on ENDS and on EXECUTIVE LIMITATIONS.

1. The purpose of monitoring is simply to determine the degree to which Board policies are being fulfilled. Information which does not do this will not be considered to be monitoring. 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 policy may be monitored in one or more of three ways:

   A. **Internal Report** – Disclosure of compliance information to the Board from the President;

   B. **External Report** – Discovery of compliance information by a disinterested third party, external auditory, 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. 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 next page which will be developed and inserted here)

--This policy adopted on 10-16-97
Reviewed on 02-06-02 (no changes)
Reviewed on 06-04-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 03-21-06

POLICY TYPE: ENDS
POLICY TITLE: ESSENTIAL SKILLS

Students will acquire the skills needed to be successful for the program they are in.

- Students will have the essential skills to succeed in the workplace.
- Students will have the essential skills to lead productive lives.
- Students will be provided remediation as needed.

--This policy adopted on 10-16-97
Reviewed on 07-03-02 (no changes)
Reviewed on 09-03-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 03-21-06
Revised on 10-17-06

POLICY TYPE: ENDS
POLICY TITLE: WORK PREPAREDNESS

Students will be prepared for success in the workplace.

- Students will have the skills and knowledge required for successful entry into the workplace.
- Students will have the work ethics, discipline, and collaborative skills necessary to be successful in the workplace.
- Students will have the technical knowledge, skills and abilities necessary to maintain, advance, or change their employment or occupation.

-- This policy adopted on 10-16-97
Reviewed on 07-03-02 (no changes)
Reviewed on 09-03-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 07-15-10

POLICY TYPE: ENDS
POLICY TITLE: ACADEMIC ADVANCEMENT

Students desiring academic advancement will be prepared for successful transfer to other colleges and universities.

- Students will have the academic prerequisites sufficient for successful transfer.
- Students will have appropriate knowledge of transfer requirements.
- Students will have adequate preparation to be successful after transfer to other colleges or universities.
- Students will be able to obtain Bachelor's and advanced degrees through studies sponsored by Barton County Community College.

-- This policy adopted on 10-16-97
Reviewed on 07-03-02 (no changes)
Reviewed on 09-03-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 03-21-06
Revised on 10-17-06

POLICY TYPE: ENDS
POLICY TITLE: PERSONAL ENRICHMENT

Recipients pursuing individual interests will be personally enriched.

- Individuals/students will experience various cultural activities.
- Individuals/students will participate in College activities.
- Intercollegiate athletics and other extra curricular programs and activities will improve the lives of the participant(s).

--This policy adopted on 10-16-97
Reviewed on 09-04-02 (no changes)
Reviewed on 09-03-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 03-21-06
Revised on 10-17-06

POLICY TYPE: ENDS
POLICY TITLE: "BARTON EXPERIENCE"

Students will be positive about their Barton experience.

- In exit surveys and other feedback report mechanisms, students will speak positively of their experiences at Barton.

- Students will cite individual, personal, caring attention from faculty and staff as a significant factor in how they perceive their experience at Barton.

-- This policy adopted 04-16-98
Reviewed on 09-04-02 (no changes)
Reviewed on 09-03-03 (no changes)
Reviewed on 09-01-04 (no changes)
Revised on 03-21-06

POLICY TYPE: ENDS
POLICY TITLE: REGIONAL WORKFORCE NEEDS

The College will address regional workforce needs.

- The College will develop strategies to identify and address on-going needs.
- The College will organize area resources in addressing needs.
- The College will build effective partnerships in addressing workforce needs.
- The College will be recognized as a leader in economic development.

Approved on 03-21-06
Revised on 10-17-06
Revised on 11-21-06
Revised on 08-12-08

POLICY TYPE: ENDS
POLICY TITLE: SERVICE REGIONS

The College Mission will be supported by the strategic development of service regions.

- Service regions will be compatible to the institutional mission of the College.
- Service regions will be in accordance to available resources.
- Service regions will maximize revenues and minimize expenses.
- Service regions will minimize local tax reliance.
- Service regions will compliment growth of student learning services.

--This policy adopted on 01-20-2011

POLICY TYPE: ENDS

POLICY TITLE: STRATEGIC PLANNING

The College mission will be supported by strategic planning emphasis.

- The institutional mission of the college will be supported by strategic planning goals and objectives.
- Accreditation requirements of the Higher Learning Commission will be satisfied through the development and implementation of strategic planning goals and objectives.
- Kansas Board of Regents policies and mission will be satisfied through the development and implementation of strategic planning goals and objectives.
- Strategic planning goals and objectives shall be measurable in order to demonstrate their effectiveness and to provide accountability to the public

--This policy adopted on 01-20-2011

GLOSSARY

Board President Relationship – The manner in which the Board of Trustees passes authority to the President and assesses the use of that authority.

Board Process – The specifications of how the Board conceives, carries out, and monitors it own tasks.

Community - With broadest interpretation possible, community is inclusive of the citizens, residents, students, and employees of Barton County Community College and its service area.

Organization - With the broadest interpretation possible, the term organization is inclusive of the various elements and structures (formal and informal) that support Barton County Community College.

ENDS – Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good for which people at what cost).

Executive Limitations – The constraints on executive authority that establish the boundaries within which all executive activity and decisions must take place.

Means – A synonym for "process." The method for how an "end" is achieved.

Owners - With the broadest interpretation possible, owners refers to the numerous and varied stakeholders of Barton County Community College (students, taxpayers, employees, residents, etc.).

Policy Governance® – A unique method of organizational governance that focuses the organization's leadership outward toward "ENDS," rather than inward and institutional means.

Quorum – In a six-member Board, four Trustees constitute a quorum. Therefore, in order to conduct business at all regular and special Board meetings, as well as study sessions, there must be no less than four Trustees present.

Majority of a Quorum – The majority of the quorum consists of three of the four Trustees mandated above.

*The **Glossar**y is not an attempt to define all possible words, phrases and definitions within the document. Rather, it provides a flavor of the intent of the Barton County Community College Board as it applies its adopted Governance Model to the College and those served by the institution.*

APPENDIX

BOARD BY-LAWS

The following Kansas Statutes Annotated apply to community college Boards of Trustees:

Article 8. – WARRANTS

10-803. Signatures on warrants and warrant checks. Warrants and warrant checks shall be signed by the chairman, mayor, president, trustee, director or other chief official, or in the absence of such officer, by the officer authorized by law to act in such officer's stead, and by the clerk, secretary or auditor or like officer, and the seal, if any, of the municipality need not be attached or impressed or shown by facsimile: Provided, that in manager cities the manager and director of finance, or similar officer, if there be one, shall sign the warrants or warrant checks: *Provided further*, that a facsimile signature may be used when authorized by the official or officer as provided by article 40 of chapter 75 of the Kansas Statutes Annotated.

Attorney General's Opinions:
County commissioners; eligibility to hold other offices. 81-136.
Cash-basis law; liability; estimate in budget to cover creation of indebtedness; uniform procedure for payment of claims. 82-14.
Township treasurer; duties. 82-104.
Signatures on hospital warrants. 82-250.

10-805. Same; duties of treasurer; signature. Before delivering any warrant or warrant check to the payee the officer drawing the same shall present the same to the treasurer, who shall enter in a book kept for that purpose, the number, date and amount of such warrant, or warrant check, on what fund drawn, and the name of the payee, and thereupon sign the warrant or warrant check on the face thereof.

Attorney General's Opinions:
Public access to records pertaining to salary of county hospital administrator. 82-246.

Article 2. – ORGANIZATION, POWERS AND FINANCES OF BOARDS OF TRUSTEES

71-201. Boards of trustees; meetings; annual reports; expenses; powers and duties; acquisition and ownership of land and improvements, general obligation bonds, limitations. (a) The board of trustees, in accordance with the provisions of law and the rules and regulations of the state board of education, shall have custody of and be responsible for the property of the community college and shall be responsible for the management and control of the college. The board of trustees shall hold at least one regular meeting each month at a time prescribed by the board. The board shall make an annual report in the manner prescribed by the state board of education. Members of the board of trustees shall be paid subsistence allowances, mileage and other actual and necessary expenses incurred in the performance of their official duties.

(b) For effectuation of the purposes of this act, the board of trustees in addition to such other powers expressly granted to it by law and subject to the rules and regulations of the state board of education is hereby granted the following powers:

(1) To select its own chairperson and such other officers as it may deem desirable, from other officers as it may deem desirable, from among its own membership. The secretary may be chief administrative officer of the college.
(2) To sue and be sued.
(3) To determine the educational program of the college subject to prior approval thereof as provided it this act and to grant certificates of completion of courses or curriculum.
(4) To appoint and fix the compensation and term of office of a president or chief administrative officer of the college.

(5) To appoint upon nomination of the president or the chief administrative officer members of the administrative and teaching staffs, to fix and determine within state adopted standards their specifications, define their duties, and to fix their compensations and terms of employment. No community college teacher shall be required to meet certification requirements greater than those required in the state universities under the control and supervision of the state board of regents.

(6) Upon recommendation of the chief administrative officer, to appoint or employ such other officers of the college, agents and employees as may be required to carry out the provisions of law and to fix and determine within state adopted standards their qualifications, duties, compensation, terms of office or employment and all other items and conditions of employment.

(7) To enter into contracts.

(8) To accept from any government, or governmental agency, or from any other public or private body, or from any other source, grants or contributions of money or property which the board may use for or in aid of any of its purposes.

(9) To acquire by gift, purchase, condemnation or otherwise, and to own, lease, use and operate property, whether real, personal, or mixed, or any interest therein, which is necessary or desirable for community college purposes. The term of any lease entered into under authority of this subsection may be for not to exceed 10 years. Such lease may provide for annual or other payment of rent or rental fees and may obligate the community college to payment of maintenance or other expenses. Any lease agreement entered into under authority of this subsection shall contain a citation of this section and a recitation that the lease agreement and assignment thereof are subject to change or termination by the legislature. The provisions of the cash basis and budget laws shall not apply to any lease made under authority of this subsection in such a manner as to prevent the intention of this act from being made effective. This provision is subject to the provisions of subsection (d).

(10) To enter into lease agreements as lessor of any property, whether real, personal, or mixed, which is owned or controlled by the community college. Any such agreement may specify the purposes for which the property may be used, require that the property be maintained and operated by the lessee, and may contain such restrictions or limitations on the use of the property, be entered into for such period of time, and include such other terms and conditions as the board of trustees determines to be necessary and proper. Every such agreement shall be subject to change or termination at any time by the legislature. Any assignment of rights under any such agreement shall be subject to approval by the board of trustees and shall contain a citation of this section and a recitation that the lease agreement and assignment of rights thereunder are subject to change or termination by the legislature.

(11) To determine that nay property owned by the college is longer necessary for college purposes and to dispose of the same in such manner and upon such terms and conditions as provided by law.

(12) To exercise the right of eminent domain, pursuant to chapter 26 of Kansas Statutes Annotated.

(13) To make and promulgate such rules and regulations, not inconsistent with the provisions of law or with rules and regulations of the state board of education, that are necessary and proper for the administration and operation of the community college, and for the conduct of the business of the board of trustees.

(14) To exercise all other powers not inconsistent with the provisions of law or with the rules and regulations of the state board of education which may be reasonably necessary or incidental to the establishment, maintenance and operation of a community college.

(15) To appoint a member to fill any vacancy on the board of trustees for the balance of the unexpired term. When a vacancy occurs, the board shall publish a notice one time in a newspaper having general circulation in the community college district stating that the vacancy has occurred and that it will be filled by appointment by the board not sooner than 15 days after such publication.

(16) To contract with one or more agencies, either public or private, whether located within or outside the community college district or whether located within or outside the state of Kansas for the conduct by any such agencies of academic or vocational education for students of the community college, and to provide for the payment to any such agencies

for their contracted educational services from any funds or moneys of the community college, including funds or moneys received from student tuition, out-district tuition, fees, funds received from the state of Kansas or the United States for academic or vocational education or taxes collected under K.S.A. 71-204 and 72-4424, and amendments thereto. Any contract made under this subsection with an institution of another state shall be subject to the provisions of K.S.A. 71-202, and amendments thereto.

(17) To authorize by resolution the establishment of a petty cash fund in an amount not to exceed $1,000, and to designate in such resolution an employee to maintain such petty cash fund. The employee designated in any resolution provided for in this subsection receiving such funds shall keep a record of all receipts and expenditures from the fund, and shall from time to time, and at the end o the fiscal year, prepare a statement for the board showing all receipts, expenditures, and the balance in the petty cash fund. The board of trustees may authorize the employee designated to maintain any petty cash fund to make a claim for replenishment of the fund to its original amount in advance of approval by the board of trustees if, at any time during the period between regular monthly meetings of the board of trustees, the balance remaining in the fund is insufficient to make needed expenditures for any purpose for which the petty cash fund is maintained. No petty cash fund may be replenished more than one time during each period between regular monthly meetings of the board of trustees. If a petty cash fund is replenished prior to the end of the fiscal year in accordance with the foregoing authorization, the employee authorized to maintain the petty cash fund shall keep an accurate record of all expenditures made therefrom, and the purpose therefor, and shall submit the record to the board of trustees at the next regular monthly meeting thereof. The petty cash fund shall be replenished by payment from the appropriate funds of the community college to the petty cash fund upon proper claim. The fund shall be kept separate from all other funds and shall be used only for authorized expenditures and itemized receipts shall be taken for each expenditure. No part of such fund may be loaned or advanced against the salary of an employee. All employees entrusted with such funds under this subsection shall be bonded by the community college district.

(c) Subject to the provisions of subsection (d), the board of trustees may purchase or otherwise acquire land or land and improvements and may acquire, construct, reconstruct, repair or remodel improvements thereon or additions thereto, including furnishings, equipment, and architectural and incidental expense related thereto, and for such purposes the board of trustees is authorized to issue and sell general obligation bonds, the cumulative total not to exceed the following amounts: Where the community college district has a taxable tangible valuation of less than $90,000,000 or is located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, not to exceed 5% of the taxable tangible property of the community college district, and where the community college district has a taxable tangible valuation of more than $90,000,000 not to exceed 3% except as provided above for any community college district located in a county designated as urban under the provisions of K.S.A. 19-3524, and amendments thereto, of the taxable tangible property of the community college district. If nay increase in the valuation of a community college district results in an outstanding bonded indebtedness in excess of that provided in this subsection, such increase shall not constitute a violation of this subsection. No such bonds shall be issued until the question of their issuance shall have been submitted to a vote of the electors of the community college district at a regular election or at a special election called for that purpose and the majority of the electors voting on the proposition in such community college district shall have voted in favor of the issuance of the bonds. Such election shall be called, noticed and held and the bonds issued, sold, delivered and retired in accordance with the provisions of the general bond law except as herein otherwise expressly provided.

(d) The board of trustees of a community college may not purchase or otherwise acquire land or land and improvements outside the community college district. Nothing in this subsection shall be construed or operate in any manner to require a board of trustees to sell, convey or otherwise dispose of land or land and improvements located outside the community college district and owned or being acquired by the community college on the effective date of this act, but no board of trustees may enter into a contract for the construction of improvements on any such land after the effective date of this act.

Attorney General's Opinions:
Powers of community college boards to contract state agencies; law enforcement training school certification. 84-79.
Organization; powers and finances of boards of trustees; authority of boards of trustees. 85-38.
Boards of trustees powers and duties; acceptance of complimentary tickets. 90-9.
Community college board of trustees; powers and duties; disposition of property; lease. 91-33.
Boards of trustees of community colleges; powers and duties; contracts; delegation of ministerial functions. 91-109.
Community colleges; boards of trustees; powers and duties; political campaign posters and signs on campus. 91-112.

71-202. Contracts for education; intergovernmental and institutional; limitations. Whenever a contract is made by a community college with one or more public or private institutions or agencies located without the state of Kansas for academic or vocational education, the provisions of this section shall apply thereto.

(a) Such contracts shall be made only with respect to places of instruction located in one or more states adjoining the state of Kansas.
(b) Whenever such a contract is made with a private agency or institution, the same shall be limited to courses or programs related to the healing arts or medical skills or techniques and medical science. Every such contract shall contain a provision that the same may be nullified by a written notice at any time prior to May 1 of any year, with the nullification taking effect on June 1 of such year.
(c) Such contracts shall be subject to limitation, change, or termination by the legislature, and shall contain a provision to such effect.
(d) No such agreement shall take effect until approved by the state board of education. Every board of trustees which makes a contract to which this section applies shall make periodic and special reports of statistical and financial information to the state board of education as it may request. The state board of education and its officers and agents may inspect and audit any of the financial records of any such board and may enter and inspect any physical facility related to any such contract whether in this state or in another state.

71-204. Tax levy authorization; determination of amount; budget. For all community college maintenance and operation purposes, the board of trustees is authorized to levy a tax on the taxable tangible property of the community college district.

Such tax levy shall be the amount determined by the board of trustees to be sufficient to finance that part of the budget of the community college which is not financed by either (a) anticipated state aid of any type, (b) anticipated student tuition, or (c) anticipated out-district tuition, or (d) anticipated federal aid of any type. The budget of the community college shall be prepared and adopted as provided by law, and the tax levy therefor shall be certified to the county clerk of every county a part of the territory of which is in the community college district.

71-1414. Candidacy for election to board of trustees; petition or declaration of intent; filing fee; deadline. (a) (1) In college districts where a district method of election is in effect, a person may become a candidate for election to trustee of a community college by any one of the following methods:

(A) Any person who is an elector of any member district may petition to be a candidate for member from the member district in which such person resides. Any such person shall file with the election officer a petition for such person's candidacy signed by not less than 50 electors residing in such person's member district.

(B) Any person who is an elector of any member district may become a candidate for member from the member district in which such person resides by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of $5.

(C) If a community college adopts and implements a seven member board of trustees plan, any person who is an elector of the college district may petition to be a candidate for the

at-large member position. Any such person shall file with the county election officer a petition for such candidacy signed by not less than 50 electors residing in such college district.

(D) If a community college adopts and implements a seven member board of trustees plan, any person who is an elector of the college district may become a candidate for the at-large member position by filing with the county election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of $5.

(2) Every petition or declaration of intent filed under this subsection must specify the member position for which the person is a candidate.

(b) In college districts where the election-at-large method of election is in effect, a person may become a candidate for election to trustee of a community college by either one of the following methods:

(1) Any person who is an elector of the college district may petition to be a candidate for trustee. Any such person shall file with the election officer a petition for such person's candidacy signed by not less than 50 electors residing in the college district.

(2) Any person who is an elector of the college district may become a candidate for trustee by filing with the election officer a declaration of intent to be such a candidate, and payment therewith of a filing fee in the amount of $5.

(3) Every petition or declaration of intent filed under this section must be filed on or before 12 o' clock noon on the Tuesday which precedes by 10 weeks the first Tuesday in April of any odd-numbered year. No such petition or declaration shall be filed sooner than the second Tuesday of the December which next precedes the community college election.

72-4424. Tax levy authorization for community colleges; fund accounting required. (a) The board of trustees of any community college may levy a tax of not to exceed two mills for the purpose of providing revenue for establishing, conducting, maintaining and administering any vocational education courses or programs approved by the state board. Such tax levy shall be budgeted and maintained as a separate fund to be known as the vocational education fund, and no money in such fund shall be transferred to any other fund of the community college, except as provided in K.S.A. 79-2958, and amendments thereto.

(b) Community colleges shall maintain fund accounting procedures as may be necessary to assure proper accounting for federal funds for vocational education special projects, whether received directly from the federal government or any of its agencies, or received through the state or any of its agencies:

Attorney General's Opinions:

Board of trustees of community colleges; powers and duties; contracts; delegation of ministerial function. 91-109.

75-4317. Open meetings declared policy of state. (a) In recognition of the fact that a representative government is dependent upon an informed electorate, it is declared to be the policy of this state that meetings for the conduct of governmental affairs and the transaction of governmental business be open to the public.

(b) It is declared hereby to be against the public policy of this state for any such meeting to be adjourned to another time or place in order to subvert the policy of open public meetings as pronounced in subsection (a).

75-4319. Closed or executive meetings; conditions; authorized subjects for discussion; binding action prohibited. (a) Upon formal motion made, seconded and carried, all bodies and agencies subject to this act may recess, but not adjourn, open meetings for closed or executive meetings. Any motion to recess for a closed or executive meeting shall include a statement of (1) the justification for closing the meeting, (2) the subjects to be discussed during the closed or executive meeting and (3) the time and place at which the open meeting shall resume. Such motion, including the required statement, shall be recorded in the minutes of the meeting and shall be maintained as a part of the permanent records of the body or agency. Discussion during the closed or executive meeting shall be limited to those subjects stated in the motion.

(b) No subjects shall be discussed at any closed or executive meeting, except the following:

(1) Personnel matters of non-elected personnel;

(2) Consultation with an attorney for the body or agency which would be deemed privileged in the attorney-client relationship;
(3) Matters relating to employer-employee negotiations whether or not in consultation with the representative or representatives of the body or agency;
(4) Confidential data relating to financial affairs or trade secrets of corporations, partnerships, trusts, and individual proprietorships;
(5) Matters relating to actions adversely or favorably affecting a person as a student, patient or resident of a public institution, except that any such person shall have the right to a public hearing if requested by the person;
(6) Preliminary discussions relating to the acquisition of real property; and
(7) Matters permitted to be discussed in a closed or executive meeting pursuant to K.S.A. 1987 Supp. 74-8804 and amendments thereto.

(c) No binding action shall be taken during closed or executive recesses, and such recesses shall not be used as a subterfuge to defeat the purposes of this act.

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