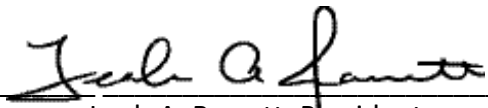


**Monitoring Report**  
**EL-08, Communication and Support to the Board**  
**6 September 2024**

I hereby present my monitoring report on the **Executive Limitations Policy EL-08: Communication and Support to the Board** according to monitoring report schedule (BPD-04). I certify that the information contained in this report is true and represents compliance with a reasonable interpretation of all aspects of the policy unless specifically stated otherwise.

Signed   
Leah A. Barrett, President

Date 6 September 2024

To gather qualitative feedback as evidence of compliance, Dr. Barrett facilitated three focus group sessions of board members. All 11 board members participated in one session and talked about communication and support of the board. The comments were reviewed and themes are provided as a component of compliance along with additional pieces of evidence.

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

INTERPRETATION – Compliance will be demonstrated when the Minutes of each Board of Governors meeting reflect the President provided a report to the Board, which includes timely information regarding progress on strategic priorities, governmental relations – both state and federal – college culture, student engagement, enrollment and external relations. It is reasonable to include a report at each Board meeting with these categories because they support the Ends, and a meeting without a report would not fully support the Board’s work.

EVIDENCE

Review of the Minutes of each Board meeting since the last Monitoring Report confirm that a President’s report was given to the Board which included information regarding the College’s work on the Ends.

**1. Withhold, impede, or confound information relevant to the Board’s informed accomplishment of its job.**

INTERPRETATION – Compliance will be shown when the Board is provided an agenda and supporting materials for review at least five (5) days prior to each meeting. Three (3) days is reasonable because

EVIDENCE

Review of the Board Teams site confirms the initial agenda and all original supporting materials were uploaded for review at least five (5) days prior to each meeting, with supplemental materials added as available.

**1.1 Allow the Board to be without sufficient timely and relevant decision information, including regular updates on the status of the board’s governance expenditures, and a risk assessment.**

INTERPRETATION – I interpret the “status of the board’s governance expenditures” to mean the board budget vs. actual expenditure report. Compliance will be shown when a report of the Board’s budgeted and actual expenditures is made a part of the materials for each Board meeting.

*I interpret a “risk assessment” NOT to mean what is found in EL-06: Asset Protection where we discuss audits; insurance; and emergency preparedness, mitigation and continuity of operations. What do we think risk assessment means? How will I show compliance? And what will the evidence be?*

EVIDENCE

Review of the Minutes of each Board meeting since the last Monitoring Report confirms that a budget vs. actual expenditure report was made a part of the supporting materials for each Board meeting.

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

INTERPRETATION – Compliance will be shown when the Monitoring Report summary document indicates that all Monitoring Reports for the year have been submitted and accepted by the Board. This is reasonable because Monitoring Reports provide a systematic approach to monitoring the President’s performance.

EVIDENCE

Review of the [Monitoring Report summary](#) document confirms that all Monitoring Reports for the year have been submitted and accepted by the Board. Improvements have also been made to the summary document for [monitoring reports](#) to ensure when there are areas for improvement or places where there is noncompliance, the board can track and follow up as necessary.

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

INTERPRETATION – Compliance will be shown when, in a case where there is actual or anticipated non-compliance with Ends or Executive Limitations policy, there is documented communication from the President to the Board of the actual or anticipated non-compliance, whether as part of the monthly meeting, or sooner if necessary, and that such non-compliance appears on the Monitoring Report summary document. This is reasonable because each month the Board receives communication from the President and is able to timely review the Monitoring Report summary document.

EVIDENCE

Since the September 2023 EL-08 Monitoring Report, there has been one case of actual or anticipated non-compliance outside the regular monitoring report schedule related to payroll taxes. The board was not informed until the monitoring report was presented. Although the situation was not financial substantive, the board should have been notified at the time of the situation. There have been no other incidences of actual or anticipated non-compliance.

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

**1.4.1 Significant issues among the student body, employees, or communities.**

**1.4.2 Signals from elected officials of potential changes to legislation, regulations, or funding.**

INTERPRETATION – The president approaches communication with the board with a spirit of “no surprises” and the perspective that too much information is better than too little. There are multiple situations where it is appropriate to inform the board of college activities in between board meetings, whether it be challenges or celebrations.

EVIDENCE

In between meetings the president sends emails to all board members so that they can have the information and offers to answer questions individually as needed for clarification. Examples of this have included results of the college engagement survey, public records requests, impending media stories, and recognitions. Moreover, the public information officer distributes press releases to board members on a weekly basis; and board members receive the weekly college newsletter. The president’s update at the monthly board meetings often includes more detailed information that may provide additional context or be of interest to the media. Additionally, the president often connects with the board chair to provide more details on specific situations and to determine how broadly to share information.

During our focus group discussion, board members articulated appreciation for the “no surprises” approach and the importance of keeping the board chair informed of operational situations that may be of a sensitive nature.

**1.5 Allow the Board to be unaware that, in the President’s opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior which is detrimental to the work relationship between the Board and the President.**

INTERPRETATION – The president and VPAS/General Counsel are committed to open communication and trust building so that any situations of non-compliance can be discussed openly and in a timely manner. Compliance will be demonstrated when the Board is notified verbally during a meeting they are out of compliance with any policy which is then recorded in the minutes. This is reasonable because it provides immediate notice of non-compliance.

EVIDENCE

Since the September, 2023 EL-08 Monitoring Report, review of meeting minutes confirms no instances were recorded in the meeting minutes notifying the Board of a lack of compliance with any Governance Process or Board-President Delegation policy.

**1.6 Present information in unnecessarily complex or lengthy form, or in a form that does not clearly differentiate among monitoring, decision preparation, and general incidental or other information.**

INTERPRETATION – Compliance will be demonstrated when Board focus group feedback is unanimous that the President & Cabinet members present information for each agenda item that is clear and concise and the agenda is labeled appropriately in sections so the Board can differentiate between monitoring, decision making, and general information. This is reasonable because focus groups gather informal feedback from the Board members which suggestions can be easily implemented.

EVIDENCE

The feedback from the focus group dialogue suggested that the information provided to the board is not unnecessarily complex or lengthy. Some did comment that our dialogue sometimes becomes too lengthy and the board needs to self-monitor so that we are spending appropriate time on the content that supports monitoring and decision making. Some specific suggestions related to order of the agenda.

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

INTERPRETATION – I interpret that compliance with this policy will be demonstrated when, in addition to the evidence to show compliance with sections 2.1 and 2.2, the Board focus group feedback is unanimous that the Board Recording Secretary provides appropriate administrative support for all Board meetings. This is reasonable because the Board Recording Secretary is the person primarily responsible for Board administrative support and focus groups provide an informal feedback method to communicate to the President the appropriateness of the level of administrative support provided.

EVIDENCE

Based on the Board focus group feedback, all Board members feel they receive exceptional administrative support from the Board Recording Secretary.

**2.1 Allow the Board to be without a workable, user-friendly mechanism for official Board, officer or Board committee communications.**

INTERPRETATION – Compliance will be demonstrated when Board members have access to a dedicated system to access their board meeting materials.

EVIDENCE

The College provides access to Microsoft Teams for collection and archiving of all Board materials. Based on focus group feedback, there is significant need for improvement in this area. Board members report challenges accessing information prior to and during the meeting. The Board Recording Secretary and college staff have been exploring new options and hope to provide an update at the October 2024 meeting.

Archival information is included in the Teams site and on the college website – the latter being the most accessible.

**2.2 Allow the Board to be without Board Secretary services that meet all legal requirements and ensure the integrity of the Board's documents.**

INTERPRETATION – Compliance will be shown when minutes of all board meetings are properly recorded, published and archived by the Board Recording Secretary. This is reasonable because the Board is legally required by statute to record and publish minutes of its meetings

EVIDENCE

Review of the College website confirms that minutes of all Board meetings have been properly recorded and published pursuant to state statute.

**3. Impede the Board's holism, misrepresent its processes and role, impede its lawful obligations, or assume prerogatives of the Board.**

**3.1 Deal with the Board in a way that favors or privileges certain Board members over others, except with (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.**

INTERPRETATION – Compliance will be demonstrated when the President treats the Board as a unit and supports its work to operate in a lawful and ethical manner. This interpretation is reasonable because it prohibits the President from purposely creating division.

### EVIDENCE

The President recognizes that the Board works as a whole and has not had conversations with board members nor taken any action that would create divisions that would negatively impact the Board's ability to fulfill its role, meet its lawful obligations nor allow for special treatment of the board members as individuals. Annually, the Board is asked to review and complete a conflict of interest statement to validate that no preferential treatment is given to board members or their business interests.

The President and the Cabinet members regularly respond to individual members requests for information without impeding the Board's holism. Often the requests for information are shared with the entire board with an email forward or an item added to Teams. The President and the Chair have regular meetings to prepare and review the meeting agenda and at times, consult about sensitive matters prior to sharing with the board.

The President, Cabinet members and the board recording secretary also understand and respect the holism of the Board and have not taken actions to impede their ability to fulfill their obligations, nor provide preferential treatment. This was confirmed in the focus group discussions held in August.

### **3.2 Neglect to supply for the Required Approvals agenda all items delegated to the President, yet required by law, regulation or contract to be Board-approved, along with the applicable monitoring information.**

INTERPRETATION – Compliance will be shown when the monthly agenda includes required approvals/items for decision that are outlined in state statute and board policy and set forth on the Board Planning Cycle. This is reasonable because the Board Planning Cycle is regularly reviewed by the Board Recording Secretary and the college General Counsel to ensure decisions required by statute are included and the Board is able to review the Planning Cycle document on a monthly basis.

### EVIDENCE

Review of meeting minutes confirms that on a monthly basis, the President, Board Secretary, and VPAS/Legal Counsel review the legal/statutory obligations of the board and those requirements outlined in Board Policies to ensure they are included in the *Items for Decision* (ie, Required Approvals) section of the agenda. The draft agenda is also reviewed and approved by the Board Chair before it is finalized. In the past year there has not been an incident where a required approval was missed.