

## **General Executive Constraint**

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

Accordingly, the President may not:

- Deal with students, staff or persons from the community in an inhumane, unfair or undignified manner.
- Make decisions except in an atmosphere where openness is maintained and encouraged.
- Permit financial conditions which risk fiscal jeopardy or compromise Board priorities.
- Provide information to the community, Board, or College constituencies which is knowingly untimely, inaccurate, or misleading.
- Permit conflict of interest in awarding purchases or other contracts or hiring of employees.
- Allow the day-to-day operations to impede the vision or prevent the achievement of the mission of the College.
- Manage the College without adequate administrative regulations for matters involving finances, staff, students, facilities, and College services.
- Fail to take prompt and appropriate action when the President becomes aware of any violations of any laws, rules, or regulations, or of any breach of Board policies.
- Enter into any lease or purchasing agreement for any land or facilities nor name facilities or parts of facilities without prior Board knowledge and authorization.
- Engage in or permit actions which would damage the good name or reputation of the College.

## **Human Relationships**

The President shall create and sustain an environment for living, working, and teaching 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:

- Operate without policies and/or procedures which set forth staff and student rules, provide for effective handling of complaint resolutions, and protect against wrongful actions against or by staff or students.
- Fail to comply with all laws, rules, and regulations pertaining to employees and students including those pertaining to:

- Discrimination
- Equal Opportunity
- Sexual Harassment
- Rights of Privacy

- Prevent students and staff from using established grievance procedures.
- Fail to acquaint students and staff with their rights and responsibilities.
- Fail to maintain confidentiality where appropriate.

**Compensation and Benefits**

The President shall maintain fiscal integrity and provide reasonable compensation, and benefits to employees, consultants, and contract workers.

Accordingly, the President may not:

- Change his or her own compensation and benefits.
- Provide for or change the compensation and benefits of other employees except in accordance with collective bargaining agreements entered into by the Board or in accordance with salary schedules and plans adopted by the Board.
- Promise or imply permanent or guaranteed employment.
- Employ persons not covered by a collective bargaining agreement for more than one year's duration without Board approval.
- Employ faculty, administration, and staff not properly certified/certifiable for the position.
- Propose new salary structures for Board consideration without conducting an appropriate market analysis of related positions.
- Fail to comply with or subject the College to fines or taxes associated with State and Federal laws regulating employee compensation and benefits.

**Budgeting/Forecasting**

Budgeting for any fiscal year or the remaining part of any fiscal year shall follow Board priorities, control College financial risk, and accurately reflect projections of income and expenses. Budgets will become effective upon approval by the Board.

Accordingly, the President shall:

- Propose a balanced budget with supporting information to enable a reasonable projection of revenues and expenses, separation of capital and operational items, and disclosure of planning assumptions.
- Propose a budget, within fiscal limitations, which provides the annual funds for Board operations, such as cost of fiscal audit, Board development and training, and Board professional fees.
- Propose a budget, within fiscal limitations, which includes adequate amounts for plant and facilities maintenance, instructional equipment, new program and course development, staff development, and institutional advancement.
- Propose an operating budget which meets guidelines established by the Board and does not exceed any statutory limitations, including the revenue limit imposed under Section 38.16(3), Wis. Stats.
- Propose a capital budget which meets guidelines established by the Board, is consistent with the requirements of State Statutes and the Wisconsin Technical College System administrative rules and includes an analysis of the impact of such capital plan on the debt service mill rate.
- Submit any budget changes resulting in increases, decreases, or transfers by fund and/or function to the Board for a roll call vote per Section 65.90(5), Wis. Stats. (A two-thirds affirmative vote of the entire membership is required.) and cause notice of any such change to be published as required by Section 65.90(5), Wis. Stats.

**Financial Condition**

The President shall administer the Board approved budget without material deviation and shall protect the College from financial risk.

It is a material deviation to:

- Expend more funds than have been received in the fiscal year without prior Board approval.

- Indebt the organization in an amount greater than (a) an amount that can be repaid by otherwise unencumbered revenues within the current fiscal year or from accounts previously established by the Board for that purpose and (b) amounts borrowed through the issuance of general obligation bonds or promissory notes authorized by the Board in accordance with State Statutes.
- Expend funds from restricted or designated accounts except for the purposes for which the account was established without prior Board approval.
- Make any purchase or commit the organization to any expenditure that deviates from the approved budget without Board approval.

Furthermore, the President may not:

- Make any purchase: (a) without prudent protection against conflict of interest; and (b) not in accordance with State Statutes or Wisconsin Technical College Code.
- 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 or which are not in the best interest of the College to accept.
- Fail to maintain a reserve fund balance in the College operational funds, defined as the general revenue fund and the special revenue fund, of not less than 16.7 percent nor more than 25.0 percent of budgeted operational fund appropriations.

### **Asset Protection**

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

Accordingly, the President may not:

- Fail to insure against theft and casualty losses in amounts consistent with replacement values or against liability losses to Board members, staff, or the College itself in amounts consistent with limits of coverage obtained by comparable organizations.
- Fail to ensure that sound internal controls are in place to protect against misappropriation of funds.
- Permit plant and equipment to be subjected to improper wear and tear or inadequate maintenance.
- Unnecessarily expose the College, the Board, or staff to claims of liability.

- Receive, process, or disburse funds under controls which are not sufficient to meet the auditor’s standards.
- Invest funds in non-interest bearing accounts or in investments not permitted by Wisconsin law. Further, no investments shall be made without consideration of the following principles: (a) safety (b) liquidity and (c) yield.
- Acquire, encumber, or dispose of real property (land, buildings, fixed equipment) without Board approval.
- Fail to protect property, information, and files from improper use, loss or damage.
- Dispose of surplus property, with a value exceeding \$25,000 per item, without public notice and at less than reasonable value, nor without the approval of the WTCS President per s.38.14(2)(bm) Wis. Stats.
- Fail to protect the College’s trademarks, copyrights, and intellectual property interests.

**Communication and Counsel to the Board**

The President shall keep the Board adequately informed.

Accordingly, the President shall:

- Submit data required by the Board in a timely, accurate, and understandable fashion.
- 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.
- 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.
- Present information in an appropriate form that is accurate, complete, concise, and is not misleading.
- Provide a mechanism for official Board, officer, or ad hoc committee communications.
- Address the Board on matters within the area of Board responsibility.
- Report in a timely manner an actual or anticipated non-compliance with any Board policy.

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