Board of Trustees

Ends Policies
and
Governance Principles

Reference Document Updated 08-25-2017
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SAN JOSÉ-EVERGREEN COMMUNITY COLLEGE DISTRICT
BOARD OF TRUSTEES

ENDS POLICIES
AND
GOVERNANCE PRINCIPLES

FORWARD

In developing and adopting this document, the members of the Board of Trustees aspire to achieve excellence in fulfilling the Board’s responsibilities for governance of the District. The Board’s Ends Policies and Governance Principles establish: (1) how the Board will govern to achieve its visionary objectives; and (2) management authority that the Board delegates to the Chancellor to run the affairs of the District along with requirements for the Chancellor’s exercise of that authority.

The Board seeks to establish practices for individual Trustees and for the Board as a whole that ensure:

- effective and efficient participation of each Trustee;
- a clear understanding of the roles and responsibilities of individual Trustees;
- a clear understanding of roles and responsibilities of the Board as a whole;
- an understanding of the difference between the Board’s governance role and Chancellor’s responsibility to manage the affairs of the District;
- the Board establishes a clear vision, values, and strategic priorities, for the District;
- the Board adopts Ends policies that clearly establish the Board’s expectations for the results the Board expects the Chancellor to achieve;
- the Board delegates that responsibility to the Chancellor to lead the District towards achievement of the Board’s ends policies;

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• the Board fully empowers the Chancellor to hold and exercise all executive authority necessary to lead the District towards achievement of the Board’s ends policies;

• the Board establishes requirements for the Chancellor’s exercise of the management authority that the Board delegates to the Chancellor,

• individual Trustees and the Board as a whole exercise the self-discipline necessary to avoid any interference with the Chancellor’s exercise of the management authority delegated to him or her by the Board;

• the Board evaluates its own Governance performance on an ongoing basis;

• the Board holds Chancellor responsible for making demonstrable progress towards achievement of the Board’s Ends policies and compliance with the Executive Requirements specified by the Board.

This is an internal Board document designed to improve the effectiveness of the Board and the Chancellor, and to enhance their working relationship. It does not create any rights held by, or obligations to, any other individuals, groups or organizations. All authority to assess fidelity to the vision and values expressed herein, progress towards accomplishment of the specified Ends, and achievement of governance objectives, rests solely with the Board of Trustees of the San Jose/Evergreen Community College District.

The District’s Board Policies (adopted by the Board) and Administrative Procedures (issued by the Chancellor) continue to be the District’s governing documents:

• Chapter 1 - The District
• Chapter 2 - Board of Trustees
• Chapter 3 - General Institution
• Chapter 4 - Academic Affairs
• Chapter 5 - Student Services
• Chapter 6 - Business and Fiscal Affairs
• Chapter 7 - Human Resources

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A. **Mission, Vision, and Values**

**Mission:** As a leading educational institution, the mission of the SJECCD is to meet the diverse educational and workforce needs of our community by empowering our students to become agents of socio-economic change.

**Vision:** SJECCD is the premier post-secondary education institution in our region for advancing opportunity, equity, and social justice through educational excellence.

**Values:** Our District’s core values are opportunity, equity and social justice. Each one of these values is incorporated into our strategic planning and is a part of the foundational commitments we make to our communities.
B. **Strategic Priorities (2017-2025)**

1. **Student Success:** The San José – Evergreen Community College District will improve student success through a culture of evidence by providing structured educational pathways and continuous support services that align with their educational and career goals and promote responsible global citizenship and civic engagement.

2. **Workforce and Economic Development.** The San José – Evergreen Community College District will respond to the workforce needs of the Silicon Valley region, while supporting economic mobility of our diverse community.

3. **Organizational Effectiveness and Sustainability.** The San José – Evergreen Community College District will develop and utilize systems that promote institutional effectiveness, fiscal sustainability, and accountability.

4. **Technology.** The San José – Evergreen Community College District will invest in secure information and instructional technology solutions that enhance learning and working environments and support institutional effectiveness and student success.

5. **Communication.** The San José-Evergreen Community College District will engage in effective communication with internal and external audiences to improve stakeholder satisfaction.

6. **Total Work Environment:** The San José – Evergreen Community College District will promote a total work environment that contributes to the success and development of its students and employees.
C. Global Ends Statement

The San José-Evergreen Community College District exists to ensure all students, especially those with educational and/or socioeconomic challenges, will have the skills and capabilities to be successful in the next stage of their life, sufficient to justify the use of available resources.
The San José-Evergreen Community College District will improve student success through enhanced educational services and programs and strengthened community engagement.

Included in Student Success:

- **Transferability** (All students, especially under-prepared students, will achieve academic success sufficient to transfer to a four-year post-secondary institution.)
- **College Readiness** (Students will develop the language skills to succeed in college, the ability to analyze, synthesize, and evaluate information, and will be able to effectively communicate with others and successfully work collaboratively in culturally diverse settings.)
- **College Experience** (Enrichment opportunities will exist to enhance the learning environment and support student success.)
- **Degree and Certificate Completion** (Students will complete degrees and certificates to enter the workforce.)
ENDS POLICIES

TITLE: COMMUNITY IMPACT

E. Community Impact

As a leader in the Silicon Valley, The San José-Evergreen Community College District will be an active partner with civic and other community leaders to create a strong economy and foster social-economic equity and social justice.

Included in Community Impact:

- **Career Development** (Students will acquire skills sufficient to get, keep and progress in jobs with local employers, particularly in high wage/high growth areas, for all students, especially for: under-prepared students; older displaced students; and young people at the start of their careers.)

- **Community, business, industry and trades partnerships/collaborations** (The District will collaborate with business, industry, and the trades for high employment in quality jobs through job placement, internships, mentorships and philanthropic development.)
PRINCIPLE TYPE: EXECUTIVE REQUIREMENTS

PRINCIPLE TITLE: GLOBAL REQUIREMENTS

The Chancellor will ensure that District practices, activities, and decisions, will comply with applicable legal requirements, Board Policies, District Administrative Procedures, commonly accepted business and professional ethics and practices, and the District’s Mission, Vision, and Values. The Chancellor shall issue District Administrative Procedures, based on the model administrative procedures authored by the Community College League of California, after engaging in the consultative process of participatory governance that ensures faculty, staff, and students the right to participate effectively in District and College governance.
The Chancellor will exercise leadership to build a sense of community amongst District employees and students, with campus climates in which members of the community:

- Embrace and understand diversity and inclusion as a strength in a vibrant educational community;
- Treat each other with civility, respect and demonstrate respect for the dignity of others;
- Communicate honestly and effectively;
- Hold each other and themselves accountable;
- Promote teamwork, collaboration, positive interactions, and concern for others; and
- Cultivate a safe working and learning environment
In accordance with the State Community College Budget and Accounting Manual and Board Policies, the Chancellor shall construct budgets, which he or she recommends to the Board, that prioritize funding that supports the accomplishment of the Board’s Ends Policies and Strategic Priorities. The Chancellor shall manage District affairs such that spending does not deviate materially from the budget approved by the Board. The Chancellor shall keep the Board informed of the District’s financial status and additional funding resources during the course of the year, and report on the relationship between funding priorities and progress on achievement of the Board’s Ends Policies and Strategic Priorities.
The Chancellor shall provide the Board with information relevant to the Board’s governance responsibility. The Chancellor shall:

A. Submit monitoring data required under the Board-Management Delegation principle on “Monitoring Chancellor Performance” in a timely, accurate and understandable fashion.

B. Inform the Board of any actual or anticipated noncompliance with any Ends Policy or Executive Requirements principles, regardless of the Board’s monitoring schedule.

C. Inform the Board of relevant trends, regulatory standards and legislation.

D. Respond in a timely fashion to requests by the Board as a whole for any specified information.

E. Advise the Board if, in the Chancellor’s opinion, the Board is not in compliance with its own Governance Principles, particularly in the case of behavior by Trustee(s) that is detrimental to the work relationship between the Board and the Chancellor.

F. Make available any information or give any report requested by individual trustee. Requests for information shall be met if, in the opinion of the Chancellor, they are not unduly burdensome or disruptive to district operations. Information provided to any trustee shall be provided to all trustees.

G. Provide the Board with necessary items on its required approvals agenda. Necessary items are those decisions delegated to the Chancellor that are required by law, regulation, or contract to be Board-approved, along with applicable monitoring information.

H. Facilitate access to the Board by any person who alleges unethical or unlawful action or circumstance in the District or by its representatives.
The purpose of the Board, on behalf of the residents of the District, is to ensure that the San José- Evergreen Community College District: (1) achieves appropriate results for appropriate persons at an appropriate cost (as specified in board Ends policies), and (2) complies with all applicable laws and regulations as set forth in the District’s Board Policies and implemented by the Chancellor through the District’s Administrative Procedures. In addition, individual Trustees, the Board as a whole, and the Chancellor, shall comply with all District Board Policies.
The board will govern lawfully and in a manner that does not threaten its accreditation with an emphasis on: (1) outward vision rather than an internal preoccupation; (2) encouragement of diversity in viewpoints; (3) strategic leadership more than administrative detail; (4) clear distinction of Board and Chancellor roles, (5) collective rather than individual decisions; (6) future rather and lessons learned, and (7) proactivity rather than reactivity.

Accordingly:

1. The Board will cultivate a sense of group responsibility. The Board, not the Chancellor, will be responsible for excellence in governing.

2. The Board will initiate policy, not merely react to staff initiatives. Notwithstanding, the Board appreciates the work of the Community College League of California in maintaining and updating its model board policies to conform to applicable changes in the law. Unless and until deciding otherwise, the Board will work with the Chancellor to utilize this valuable resource to ensure that the District’s Board Policies are kept current.

3. The Board will not use the expertise of individual members to substitute for the judgment of the Board, although the expertise of individual members may be used to enhance the understanding of the Board as a body.

4. The Board will direct, control and inspire the organization through the careful establishment of broad written Ends policies reflecting the board’s values and perspectives. The Board’s major focus will be on serving the needs of students and the community, not on the administrative or programmatic means of attaining those effects.

5. The Board will enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as attendance, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuance of governance capability. Although the Board can change its governance process principles at any time, it will observe those currently in force scrupulously.

6. Continual Board development will include orientation of new Board members, including Student Trustees, in the Board’s governance process and periodic Board discussion of process improvement.

7. The Board will allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling the Board’s obligations.

8. The Board will monitor and discuss the Board's process and performance on a regular basis. Self-monitoring will include comparison of Board process and performance to the principles established in the Governance Process and Board-Management Delegation categories of the Board’s Governance Principles.
9. Trustees will enhance their potential as Board members through participation in educational conferences, workshops and training sessions offered by local, state and national organizations. They will participate in state and national community college trustee associations.

10. The Board will, on a regular basis, monitor its performance against Accreditation Standards IV.C.10. The Board will seek the Chancellor’s input as part of this self-monitoring process.
PRINCIPLE TYPE: GOVERNANCE PROCESS

PRINCIPLE TITLE: BOARD JOB DESCRIPTION

Specific job outputs of the Board, as an informed agent of the residents of the District, are those that ensure appropriate organizational performance.

Accordingly, the Board has direct responsibility to:

1. Create linkage between the residents of the District and the Board.

2. Develop written ends policies and governance principles that address the broadest levels of all organizational decisions and situations.
   
   A. Ends: Organizational products, impacts, benefits, outcomes, recipients, and their relative worth (what good for which recipients at what cost/priority).
   
   B. Executive Requirements: Requirements for the Chancellor in the exercise of his or her management authority.
   
   C. Governance Process: Specification of how the Board conceives, carries out, and monitors its own responsibilities.
   
   D. Board-Management Delegation: Management authority the Board delegates to the Chancellor, monitoring the Chancellor’s performance in the exercise of that authority, and the Board’s role in holding the Chancellor accountable for progress towards the achievement of the Ends Policies and compliance with Executive Requirements.

3. Select the Chancellor to manage District operations, administer policies adopted by the Board, and execute all decisions of the Board requiring administrative action.
PRINCIPLE TYPE: GOVERNANCE PROCESS

PRINCIPLE TITLE: AGENDA PLANNING

To accomplish its job products with a governance style consistent with Board Governance Principles, the Board will follow an annual agenda which: (1) completes a re-exploration of Ends policies annually; and (2) continually improves Board performance through board education and enriched input and deliberation.

1. The cycle will conclude each year in June so that administrative planning and budgeting can be based on accomplishing a one-year segment of the board’s most recent statement of long-term Ends.

2. The cycle will start with the board’s development of its agenda for the next year.
   
   A. Consultations with selected groups in the ownership, or other methods of gaining ownership input will be determined and arranged in the first quarter, to be held during the balance of the year.

   B. Governance education, and education related to Ends determination, (e.g. presentations by futurists, demographers, advocacy groups, staff, etc.) will be arranged in the first quarter, to be held during the balance of the year.

3. Throughout the year, the Board will attend to consent agenda items as expeditiously as possible.

4. The Board will review on a regular basis whether monitoring reports have provided sufficient information for the Board to monitor progress towards achievement of the ends policies.
The Chief Governance Officer (CGO) (hereafter known as Board President) assures the integrity of the board's process.

Accordingly:

1. The Board President is responsible to ensure that the Board behaves consistently with its own Governance Principles and in accordance with applicable laws and Board Policies.

   A. Meeting discussion content will be on those issues which, according to the Board’s Governance Principles, clearly belong to the Board to decide or to monitor.

   B. Information that is for neither monitoring performance nor Board decisions will be avoided or minimized and always noted as such.

   C. The Board President will facilitate meetings that are fair, open, and thorough, but also timely, orderly, and kept to the point.

2. The authority of the Board President consists in making decisions that fall within topics covered by the Board’s Governance Principles, with the exception of: (1) employment or termination of a Chancellor; and (2) where the board specifically delegates portions of this authority to others. The Board President is authorized to use any reasonable interpretation of the provisions in these Principles.

   A. The Board President is empowered to chair Board meetings with all the commonly accepted power of that position, such as ruling and recognizing.

   B. The Board President has no authority to make decisions about Policies and Principles created by the Board within the Ends and Executive Requirements areas. The Board as a whole, and not the Board President, holds the authority to supervise and direct the Chancellor.

   C. The Board President may represent the Board to outside parties in announcing Board-adopted positions and in stating chair decisions and interpretations within the area delegated to her or him.

   D. The Board President may delegate this authority, but remains accountable for its use.
PRINCIPLE TYPE: GOVERNANCE PROCESS

PRINCIPLE TITLE: TRUSTEES' CODE OF CONDUCT

The Board commits itself and its members to ethical, businesslike, and lawful conduct, including proper use of authority and appropriate decorum when acting as board members.

1. Trustees owe a primary duty of loyalty to the residents of the District, which shall not be compromised by conflicting loyalties to staff, other organizations, and/or any personal interest of any Trustee.

2. Trustees must avoid all conflicts of interest and the appearance of conflicts of interest.

3. Trustees may not attempt to exercise individual authority over the District.
   
   A. Trustees' interaction with the Chancellor or with staff must recognize the lack of authority vested in individuals except when explicitly Board authorized.
   
   B. Trustees assure the orderly operation of the District by encouraging employees to use established channels of communication before bringing their concerns to the Board.
   
   C. A Trustee’s interaction with public, press or other entities must recognize the same limitation and the inability of any individual Trustee to speak for the Board, except to repeat explicitly stated Board decisions.
   
   D. Except for participation in Board deliberations about whether the Chancellor has achieved any reasonable interpretation of Ends Policies or Governance Procedures, Trustees will not express individual opinions or judgments on the performance of employees under the management of the Chancellor.

4. Trustees will respect the confidentiality of all privileged information.

5. Trustees will be properly prepared for Board deliberations.

6. Trustees will support the legitimacy and authority of Board decisions, irrespective of an individual Trustee’s personal position on the issue. The Board is made up of individuals with differing values and beliefs; debate is expected and natural. Although there are individual expressions, there are no individual decisions. Trustees work with fellow members in a spirit of harmony and cooperation in spite of differences.

7. Trustees will conduct business with civility, caring, and honesty to build trust, positive relationships, and shared solutions.


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PRINCIPLE TYPE: GOVERNANCE PROCESS

PRINCIPLE TITLE: BOARD COMMITTEE PRINCIPLES

Board committees, when used, will be assigned so as to reinforce the wholeness of the Board’s job and so as never to interfere with delegation of management authority from the Board to the Chancellor.

Accordingly:

1. Board committees are to help the Board do its job, not to help or advise the staff. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation. In keeping with the Board’s broader focus, Board committees will normally not have direct dealings with current staff operations.

2. Board committees may not speak or act for the Board except when formally given such authority for specific and time-limited purposes. Findings or recommendations shall be reported to the Board for consideration.

3. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the Chancellor.

4. Board committees may not exercise authority over staff. Because the Chancellor works for the full board, he or she will not be required to obtain approval of a Board committee before taking any executive action.

5. Board committees are to avoid over-identification with any particular portion of Ends Policies or Governance Procedures rather than the whole. Therefore, a Board committee that has helped the Board create an Ends Policy or Governance Procedure on some topic will not be used to monitor organizational performance on that same subject.

6. Committees will be used sparingly and ordinarily in an ad hoc capacity.

7. This policy applies to any group which is formed by Board action, whether or not it is called a committee and regardless whether the group includes Board members. It does not apply to committees formed under the authority of the Chancellor.

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Revised by the Board 4-14-15, 4-25-17
PRINCIPLE TYPE: GOVERNANCE PROCESS

PRINCIPLE TITLE: BOARD COMMITTEE STRUCTURE

A committee is a Board committee only if its existence and charge come from the Board, regardless whether Board members sit on the committee. Unless otherwise stated, a committee ceases to exist as soon as its task is complete. Board committees have no authority or power to act on behalf of the Board. Findings or recommendations shall be reported to the Board for consideration.

Standing committees of the Board include the following:

Audit Committee

Committee Charge: The Committee is to meet with the district’s external auditors and management staff to discuss upcoming audit engagement and to provide an opportunity for the Board to provide direction to the auditors with regards to any areas of emphasis. They will also review the preliminary audit results and financial statements prior to the finalization of the reports and presentation to the full Board.

Legislative Committee

Committee Charge: To recommend principles to guide the development of the Board’s Strategic Legislative Agenda and Priorities for the Year, including the establishment of a process to:

- Identify and monitor legislative issues that impact the district’s strategic goals and secure Board approval of these specific legislative issues as the Committee's strategic focus for the year
- Meet periodically with federal and state elected officials to advocate for Board-approved legislative issues
- Make recommendations to the Board, as needed, regarding a potential Board position/action on Board-approved legislative issues.
- Collaborates with state and local organizations, both professional/educational and community-based, to advocate for Board-approved legislative issues, according to all federal, state and local laws as well as Board policy.
- Consults attorneys as needed.

Self-Evaluation Committee

Committee Charge: To work with the Chancellor and the executive team to develop and recommend a process and criterion for evaluation of the Board. Responsibilities of this committee include the following: Develop and recommend a process of self-evaluation, analysis, reporting and presentations. This includes the design and administration of a survey to three targeted audiences: the SJECCD seven-member Board of Trustees, internal constituents and external constituents, as well as the analysis of survey findings and presentation of a written report to the Board during public session; regular review and response to the resulting online Workplan Dashboard to ensure that all goals are met; and presentations at professional conferences and other venues to share this best practice.

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Because poor governance costs more than learning to govern well, the Board will invest in its governance capacity and devote the time to activities which will enhance Trustee’s ability to function effectively as a Governing Board member.

Accordingly:

1. Board skills, methods, and supports will be sufficient to assure governing with excellence.
   
   A. The Board will liberally utilize training and retraining through participation in educational conferences, workshops and training sessions offered onsite and by local, state and national organizations in order to orient new members, as well as to maintain and increase existing member skills and understandings.
   
   B. The Board will utilize outside assistance so that the Board can exercise confident control over organizational performance. This includes, but is not limited to, fiscal audit and legal advice.
   
   C. The Board will employ outreach mechanisms as needed to ensure the Board’s ability to listen to owner viewpoints and values.
   
   D. Trustees will participate in local, state and national community college trustee associations.

2. The Board will ensure that any costs for training will be prudently incurred, though not at the expense of endangering the development and maintenance of superior governance skills and capabilities.
The Board delegates management of the District and its employees to the Chancellor.
The Board will instruct the Chancellor through written Ends Policies and Governance Procedures that prescribe the organizational Ends to be achieved and Executive Requirements for the Chancellor’s exercise of his or her authority to manage the District’s affairs, allowing the Chancellor to use any reasonable interpretation of these Policies and Principles.

Accordingly:

1. The Board will develop and adopt Ends Policies instructing the Chancellor to achieve specified results, for specified recipients at a specified relationship between cost and results.

2. The Board will develop and adopt Governance Principles that state requirements for the Chancellor’s performance of his or her duties. The Board will not prescribe organizational means that the Chancellor is to use to accomplish the Ends Policies beyond those stated in the Executive Requirements.

3. As long as the Chancellor uses any reasonable interpretation of the board’s Ends Policies and Executive Requirements, the Chancellor is authorized to establish Administrative Procedures and other rules and regulations, make all decisions, take all actions, establish all practices and develop all activities. Such decisions of the Chancellor shall have full force and authority as if decided by the Board.

4. The Board may change its Ends Policies and Executive Requirements, thereby shifting the boundary between Board and Chancellor domains. By doing so, the Board may change the latitude of choice given to the Chancellor. But as long as any particular delegation is in place, the Board will respect and support the Chancellor’s choices.
PRINCIPLE TYPE: BOARD-MANAGEMENT DELEGATION

PRINCIPLE TITLE: UNITY OF CONTROL

Only officially passed motions of the Board that make or amend Executive Requirements or Ends Policies are binding on the Chancellor.

Accordingly:

1. Decisions or instructions of individual Trustees, officers, or committees are not binding on the Chancellor except in rare instances when the Board has specifically authorized such exercise of authority. Trustees recognize that authority rests with the Board majority in legal sessions and not with individual Trustees.

2. In the case of individual Trustees or committees requesting information or assistance without Board authorization, the Chancellor may refuse such requests that require, in the Chancellor’s opinion, a material amount of staff time or funds that would be unduly burdensome or disruptive to District operations.
The Board will systematically and rigorously monitor Chancellor performance solely against the Board’s required Chancellor outputs: managing the District’s affairs in conformance with any reasonable interpretation of the Executive Requirements and organizational accomplishment of any reasonable interpretation of Board Ends Policies.

Accordingly:

1. Monitoring is simply to determine whether or not the Chancellor has met the expectations expressed in the Board’s Ends Policies and Governance Principles. Information that does not disclose this will not be considered to be monitoring information.

2. The board will obtain information about the Chancellor’s interpretations of the Board Ends Policies and Governance Principles from the Chancellor himself or herself.

3. The Board will obtain data disclosing whether or not the Chancellor’s interpretations have been accomplished using one or more of three methods: (1) by internal report, in which the Chancellor communicates the data to the board; (b) by external report, in which an external, disinterested third party selected by the Board collects the data; and/or (3) by direct inspection, in which data are collected by the Board, a designated Trustee or by Designated Trustees.

4. In every case, the Board as a whole will determine the reasonableness of the Chancellor’s interpretations, using a “reasonable person test” rather than with interpretations favored by Board members or the Board as a whole. The Board is the final arbiter of reasonableness. The Board will also assess whether data demonstrate the accomplishment of the interpretation.

5. The Board will monitor all policies and principles that instruct the Chancellor at a frequency and by a method chosen by the Board. The Board can monitor any policy or principle at any time by any method, but will normally use a routine schedule.

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<tr>
<th>Policy</th>
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<tr>
<td>Actual Financial Condition</td>
<td>Internal</td>
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<td>Financial Planning</td>
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<td>Executive Requirements</td>
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<tr>
<td>Ends 1</td>
<td>Internal</td>
<td>Quarterly</td>
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The Chancellor is the board’s only link to operational achievement and conduct, so that all authority and accountability of staff, as far as the board is concerned, is considered the authority and accountability of the Chancellor.

Accordingly:

1. The Board will never give instructions to persons who report directly or indirectly to the Chancellor.

2. The Board will not evaluate, either formally or informally, any staff other than the Chancellor.

3. The Board will view Chancellor performance as identical to organizational performance, so that organizational accomplishment of Board adopted Ends Policies and compliance with Executive Requirements will be viewed as Chancellor performance.