

**BREVARD COMMUNITY COLLEGE
BOARD OF TRUSTEES
WORKSHOP**

February 27, 2006
3:20 p.m.

Rooms 163-163A
Library Building (Bldg. #2)

2. 200.1: Mr. Mallowney stated the language is too vague and he suggested injecting more permissive language to allow flexibility as this is not meant to be a zero tolerance policy.
 - a. The statement, “Promise or imply guaranteed employment to anyone..” could be open to interpretation as a Continuing Contract could be considered a guarantee of employment unless terminated for cause.
 - b. Mr. Mallowney asked if the gender equity section applied specifically to Title IX. Mr. Matheny stated that it was included according to state statute. Mr. Mallowney stated the statement may be too narrow and suggested defining as non-discrimination.
3. 200.2: Mr. Mallowney stated 200.2 was good on harassment guidelines but very low-key on the concept of non-discrimination. He recommended that non-discrimination be defined similar to 100.3.A on page seven of the Manual. He also noted that a second statement on an implementation is included, which goes against the Carver model. In this case, Mr. Mallowney agreed it should remain.
4. 200.7: Mr. Mallowney commented 200.7 was a good policy as the Board should define parameters, but recommend revising an earlier statement that “the President is the sole employee of the Board.” Mrs. Martinez suggested leaving the foregoing verbiage with the clarification that 200.7 defines the standards required by the Board of employees. Mr. Mallowney stated that Sections A, B, C and E are all connected with legal requirements. However, Section D is not, so perhaps Section D should be removed and placed into a separate policy promulgated by the President dealing with specific standards of conduct.

Mr. Mallowney stated Section E is subjective and difficult to enforce and suggested it be deleted and included as a Human Resource policy. Mrs. Martinez agreed that this should be deleted as it is covered under Section C.
5. 200.10: Mr. Mallowney recommended leaving the first paragraph; the second paragraph is procedural and could be removed.
6. 300.0: Mr. Mallowney recommended adding “As a matter of principle,” to avoid the legal imperative that the President is the only employee of the Board. This would then allow the Board’s hiring of an internal auditor, etc. He suggested making reference to the Boards’ statutory role with regard to strategic planning. Mr. Mallowney suggested Mr. Matheny could draft these changes appropriately.
6. 300.2 to .4: Mr. Mallowney questioned whether all the Presidential Evaluation forms, etc. should be a part of the Policy Manual. Modifications would be easier if they were maintained in a separate document outside the policy, i.e. Appendix or in the Board Procedure Manual to make changes without going through the whole process. Mrs. Martinez stated having everything in one book helps because if it were maintained outside of the book it might be forgotten. Mr. Mallowney stated it could remain in the book, but not as a “policy.” Policies should be written for issues which are consistent and enduring.

7. 300.6: Mr. Mallowney suggested integrating limitations and powers/duties of the President into one policy (i.e. integrate 300.8). Knowing that the law points out the powers and duties of a President in a detailed way, these items could be covered in the contract to allow for change. He also suggested clarification of the Board of Trustees' statutory duty for establishing the personnel program of the college
8. 300.7: Mr. Mallowney recommended removing the reference to specific holidays to allow flexibility. There could be created a policy that gives the President the authority to create the college schedule, which he has under law, and let the calendar be a matter of procedure. Mrs. Martinez said it was added as advised by Mr. Matheny.
9. 300.8: See comment for 300.6 (above).
10. 400.0 to .2: Mr. Mallowney reported these policies deal with some board processes, but might be folded into a larger policy of by-laws. This is not required, but helps make consistent decisions and avoid legal controversy. Mr. Mallowney provided copy of Valencia by-laws for review and consideration.
11. 400.3: Mr. Mallowney stated policy 400.3 contains very little information on the business administration side of the finances.

Mr. Mallowney reported the Policy Governance Manua

4. **ADJOURNMENT:**

The retreat adjourned at 4:05 p.m.