

3357:15-3-01 General Executive Constraint.

- (A) 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.
- (B) Accordingly, the President may not:
 - (1) Permit conflict of interest in awarding purchases or other contracts or hiring of employees.
 - (2) Allow the day-to-day operations to impede the vision or prevent the achievement of the ends of the institution.
 - (3) Manage the college without adequate administrative policies for matters involving finances, staff, students, facilities and college services.

3357:15-3-02 People Treatment.

- (A) Treatment of and dealing with students, staff and persons from the community shall not be inhumane, unfair or undignified.
- (B) 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) Fail to comply with all state and federal laws, rules and regulations pertaining to employees and students including those pertaining to discrimination, equal opportunity and sexual harassment.
 - (3) Prevent students and staff from using established grievance procedures.
 - (4) Fail to acquaint students and staff with their rights and responsibilities.
 - (5) Fail to take prompt and appropriate action when the President becomes aware of any violation of state or federal laws, rules or regulations or of Board policies.

3357:15-3-03 Compensation and Benefits.

- (A) The President may not jeopardize fiscal integrity or public image with respect to employment compensation and benefits to employees, consultants, and contract workers.
- (B) Accordingly, the President may not:
 - (1) Change his or her own compensation and benefits.
 - (2) Provide for or change the compensation and benefits of other employees except in accordance with salary schedules and plans adopted by the Board.
 - (3) Promise or imply permanent or guaranteed employment.
 - (4) Employ professional employees under a contract for longer than three years' duration.
 - (5) Grant fringe benefits not approved by the Board.

3357:15-3-04 Budgeting/Forecasting.

- (A) Budgeting for any fiscal year or the remaining part of any fiscal year shall not deviate materially from Board Ends priorities, risk fiscal jeopardy or be unrealistic in projections of income and expenses. No budget will become effective until approved by the Board.

- (B) Accordingly, the President may not:
 - (1) Propose a budget without information to enable accurate projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.
 - (2) Plan the expenditure in any fiscal year of more funds than are conservatively projected to be received during that year.
 - (3) Propose a budget which does not provide the annual operating funds for Board prerogatives, such as costs of fiscal audit, Board development and training and Board professional fees.
 - (4) Propose a budget which does not have a broad base of input.
 - (5) Propose a budget which fails to take into account Board Ends priorities.
 - (6) Propose a budget which fails to include adequate amounts for plant and facilities maintenance, instructional equipment, new program and course development, staff development and institutional research.

3357:15-3-05 Financial Condition.

- (A) The President may not cause or allow financial conditions which jeopardize the college's fiscal situation or materially deviate from the Board approved budget.

- (B) Accordingly, the President may not:
 - (1) Expend more funds than have been received in the fiscal year without prior Board approval.
 - (2) 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.
 - (3) Expend funds from restricted or designated accounts except for the purposes for which the account was established.
 - (4) Fail to provide a monthly report of the college's current financial position.
 - (5) Make any purchase or commit the organization to any expenditure that would exceed the total approved budget.
 - (6) Make any purchase that does not comply with applicable laws.

3357:15-3-06 Asset Protection.

- (A) The President may not allow assets to be unprotected, inadequately maintained or unnecessarily risked.
- (B) Accordingly, the President may not:
 - (1) 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.
 - (2) Allow unbonded personnel access to material amounts of funds.
 - (3) Permit plant and equipment to be subjected to improper wear and tear or inadequate maintenance.
 - (4) Unnecessarily expose the college, the Board or staff to claims of liability.
 - (5) Receive, process or disburse funds under controls which are not sufficient to meet the auditing standards.
 - (6) Invest funds in non-interest bearing accounts or in investments not permitted by Ohio 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.
 - (7) Dispose of real and personal property in excess of \$50,000 without Board approval.
 - (8) Fail to protect property, information and files from loss or damage.

3357:15-3-07 Communication and Counsel to the Board.

- (A) The President may not permit the Board to be inadequately informed.
- (B) Accordingly, the President may not:
 - (1) Neglect to submit monitoring data required by the Board (see policy on Monitoring Executive Performance) in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored.
 - (2) 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.
 - (3) 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.
 - (4) Present information in unnecessarily complex or lengthy form or that is knowingly inaccurate, incomplete or untimely.
 - (5) Fail to provide a mechanism for official board, officer or committee communications.
 - (6) Fail to deal with the Board as a whole except when fulfilling individual requests for information, or responding to officers or committees duly charged by the Board.
 - (7) Fail to report in a timely manner an actual or anticipated non-compliance with any policy of the Board.