

**AMERICAN SAMOA COMMUNITY
COLLEGE**

BOARD OF HIGHER EDUCATION

POLICY MANUAL

AMERICAN SAMOA COMMUNITY
COLLEGE

BOARD OF HIGHER EDUCATION

POLICY MANUAL

This Policy Manual is patterned after the Board Policy Manual for:
Lakeshore Technical College
1290 North Avenue
Cleveland, Wisconsin 53015

A public hearing was conducted on this Policy Manual on

June 16, 1998

AMERICAN SAMOA COMMUNITY COLLEGE
BOARD OF HIGHER EDUCATION

POLICY MANUAL INDEX

I. GOVERNANCE PROCESS:

- A. Governance Commitment
- B. Governing Style
- C. Board Job Description
- D. Chairperson's Role
- E. Board Committee Principles
- F. Board Planning and Agenda
- G. Board Members' Code of Conduct
- H. Board Purpose Statement

PS.#'s

II. BOARD - STAFF RELATIONSHIP:

- A. Delegation to the President
- B. President's Job Description
- C. Monitoring Presidential Performance

III. EXECUTIVE LIMITATIONS:

- A. General Executive Constraint
- B. People Treatment
- C. Compensation and Benefits
- D. Budget/Forecasting
- E. Financial Condition
- F. Asset Protection
- G. Communication and Counsel to the Board

IV. ENDS:

- A. College Mission
- B. College Vision
- C. College Purposes

I. GOVERNANCE PROCESS

I.A.

Policy Type: Governance Process

Governance Commitment

The Board of Higher Education (hereinafter "Board of Higher Education" or "the Board") will govern American Samoa Community College (hereinafter "American Samoa Community College" or "the College") in accordance with the Constitution and laws of the Territory of American Samoa. The Board will always act in the best interest of the College and the community as a whole. Educational programs and other services of the College shall be of high quality.

(*Critical elements of Total Quality Leadership (TQL)

Community
Customer Focus

Employee Involvement

Continuous Improvement

The Board is committed to excellence and to the following values which define the college's operational atmosphere:

*Teamwork

• Physical + Spiritual Development

*Open communication

*Fun, celebration, recognition

*Recognize past for its influence on the present and the future

*Focus on the future

I.B.

Policy Type: Governance Process Governing Style

The Board will govern with a style that emphasizes:

- * Outward vision rather than an internal preoccupation.
- * Encouragement of diversity in viewpoints
- * Strategic leadership rather than administrative detail.
- * Clear distinction of board and presidential roles.
- * Collective rather than individual decisions.
- * Future rather than past or present.
- * Proactivity rather than reactivity.

More specifically, the Board will:

1. Operate in all ways mindful of its obligation to the American Samoa Community College and will comply with provisions of PL 22-30. It will allow no officer, individual, Board member or committee of the Board to prevent its fulfilling this commitment.
2. Enforce upon itself whatever discipline needed to govern with excellence. Discipline will apply to matters such as attendance, policy making principles, respect of roles, speaking with one voice, and ensuring the continuity of governance capability. Continual development will include orientation of new members in the Board's governance process and periodic Board discussion of process improvement.
3. Direct, control and inspire the organization through the careful establishment of the broadest organizational policies reflecting the Board's values and perspectives while remaining in compliance with provisions of PL 22-30. The Board's major focus will be on the intended long term impact outside the operating organization (Ends), not on the administrative or programmatic means of attaining those effects (Means).

(I.B. con't.)

- 4 Cultivate a sense of group responsibility. The Board, not the staff, will be responsible for excellence in governing. The Board will be an initiator of policy, not merely a reactor to staff initiatives. The Board will use the expertise of individual board members to enhance the work of the Board as a body, rather than to substitute their individual judgments for those of the Board as a whole.
- 5 Monitor and discuss the Board's process and performance regularly. Self-monitoring will include comparison of Board activity and discipline to policies in the Governance Process and Board-Staff Relationship categories.
- 6 Seek input from the community, staff, students, alumni, and employers, on Board policies on Ends.
- 7 Make decisions, to the extent possible, on a consensus basis.

I.C.

Policy Type: Government Process

Board Job Description

The job of the Board is to represent the public in determining and demanding the appropriate organizational performance and, in accordance with PL 22-30, to direct the president. To distinguish the Board's own unique job from the jobs of its staff, the Board will concentrate its efforts on the following responsibilities:

1. Serving as the link between the college and the public.
2. Remaining in compliance with provisions of PL 22-30 and enacting written governing policies which, at the broadest level address:
 - a. **ENDS:** College services, impacts, benefits, outcomes, recipients, and their relative worth (what good, for which needs, at what cost). Ends include college mission, values, vision, goals and priorities.
 - b. **EXECUTIVE LIMITATIONS:** Constraints on executive authority which establish the prudence and ethics boundaries within which all executive activity and decisions must take place while remaining in compliance with provisions of PL 22-30.
 - c. **GOVERNANCE PROCESS:** Specification of how the Board conceives, carries out, and monitors its own tasks.
 - d. **BOARD STAFF RELATIONSHIP:** How power is delegated and its proper use monitored; the President's authority and accountability.
3. Monitoring institutional performance and the president's performance (against Board policies on Ends and Executive Limitations).
4. Promoting a positive image for the college.

I.D.

Policy Type: Governance Process

Chairperson's Role

The Chairperson is responsible for the integrity of the Board's process and occasional representation of the Board to outside parties. The Chairperson is the only authorized spokesperson to speak for the Board (beyond simply reporting Board decisions), other than in rare and specifically authorized instances.

1. The Chairperson shall ensure that the Board and individual Board members act consistently within the Board's rules and policies and those legitimately imposed upon the Board from outside the college.
 - a. The Chairperson shall preside at Board meetings in an efficient and effective manner and shall set the general tone for each meeting through positive leadership.
 - b. Discussion at the Board meetings will be on those issues which, according to board policy, belong to the Board to decide, not to the President.
 - c. Deliberation will be fair, open, and thorough, but also efficient, timely, orderly, and to the point.
 - d. The Chairperson will attempt to arrive at a consensus by the Board members on Board decisions. The Chairperson will stimulate discussion among the Board members.
2. The authority of the Chairperson consists in making decisions that fall within the topics covered by Board policies on Governance, Process and Board-Staff Relationship, except where Board specifically delegates portions of this authority to others.
3. The Chairperson has no authority on his own to make decisions about policies created by the Board within Ends and Executive Limitations policy areas.
4. The Chairperson has no authority on his own to supervise or direct the President.

(I.D. con't.)

- 5 The Chairperson shall ensure the other Board members are informed of current or potential Board issues and processes.
- 6 The Chairperson shall appoint members of committees established by the Board.
- 7 The Chairperson shall be elected during the Board's annual planning session for a term of two years.

I.E.

Policy Type: Governance Process

Board Committee Principles

Board committees, when used, will operate so as to minimally interfere with the wholeness of the Board's job and so as never to interfere with the delegation of authority from the Board to the President.

1. Board committees are to help the Board do its job. Committees ordinarily will assist the Board by preparing policy alternatives and implications for Board deliberation.
2. Board committees may not speak or act for the Board except when formally given such authority for a specific and time-limited purpose. Expectations and authority will be carefully stated in order not to conflict with authority delegated to the President.
3. Because the President works for the full Board, the President is not required to obtain approval of a Board committee before an executive action.
4. Board committees are to avoid over identification with organizational parts rather than with the whole. Therefore, a Board committee which has helped the Board create policy on some subject will not be used to monitor organizational performance on that same subject.
5. This policy applies only to committees which are formed by Board action, whether or not the committees include non-board members. It does not apply to committees formed under the authority of the President.
6. The Board shall not have standing committees.
- ⑦ The Board will act as a committee of the whole and establish ad hoc committees when appropriate.

I.F.

Policy Type: Governance Process

Board Planning and Agenda

The Board will carry out its responsibilities using a governance style consistent with Board policies by:

- * Re-exploring Ends policies annually
 - * Holding an annual planning session
 - * Following an agenda at its regular meetings which implements the Board's policy on governing style
 - * Continually improving its performance through Board education and enriched input and deliberation
1. The agenda for all Board meetings will be prepared by the Chair after consultation with the President and based on input from other Board members. The agenda will be delivered to the Board at least three (3) days before the meeting.
 2. Education, input and deliberation will be paramount in structuring meetings and other Board activities.
 3. The annual planning session will be held in June.
 - a. The College mission and strategic plan will be reviewed at the annual planning session.
 - b. Financial planning, including the establishment of budget, parameters and priorities, will be conducted at the annual planning session.
 - c. Subjects for Board discussion and action during the following year will be developed at the annual planning session.
 4. Board policies and policy revisions will not be adopted until they have been considered at a minimum of two meetings, unless Board action waives this requirement and immediate effect is authorized.
 5. The Board shall hold an annual retreat to conduct a self-evaluation and other important Board business.

I.G.

Policy Type: Governance Process

Board Members' Code of Conduct

The Board expects ethical conduct by itself and its members. This includes proper use of authority and appropriate decorum in group and individual behavior when acting as Board members.

1. Board members must maintain unconflicted loyalty to the interests of the ownership. This accountability supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. This accountability supersedes the personal interest of any Board member acting as an individual consumer of college services.
2. Board members must avoid any conflict of interest with respect to their Board responsibility.
 - a. There must be no self-dealing or any conduct of private business or personal services between any Board member and the college except as procedurally controlled to assure openness, competitive opportunity and equal access to "inside information"
 - b. Board members must not use their positions to obtain employment by the college or the furnishing of services or goods to the college for or by themselves, family members, friends or associates.
3. Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.
 - a. Board members' interaction with the President or staff must recognize the lack of authority in any individual Board member or group of Board members except as noted above in Board policies.
 - b. Board members' interaction with the public, press or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak for the Board

(I.G. con't.)

4. Board members will participate in educational activities, including territorial, state, regional and national meetings, to enhance their ability to serve effectively as members of the college's governing Board.
5. Board members will not permit themselves to be used to circumvent established lines of authority or interfere in the normal procedures for the processing of complaints or grievances.
6. Board members will not violate confidentiality including discussions which occur at closed meetings of the Board.
7. Board members will not present an item for action or discussion at a Board meeting which is not on the agenda unless agreed to by a vote of the majority present.
8. The College shall indemnify and protect Board members, against death, bodily injury, property damage, and contractual claims suits including defense thereof, when damages are sought for alleged negligent or wrongful acts while such Board member, is acting under the direction of the Board.

I.H.

Policy Type: Governance Process

Board Purpose Statement

The American Samoa Community College Board of Higher Education establishes a vision, sets goals, defines outcomes, and is a liaison to our customers and the community. The Board ensures that the College is well-managed and supports an environment in which the college will accomplish its mission.

II. BOARD-STAFF RELATIONSHIP

II.A.

Policy Type: Board-Staff Relationship

Delegation to the President

All Board authority delegated to staff is delegated through the President, so that all authority and accountability of staff as far as the Board is concerned - is considered to be the authority and accountability of the President.

1. The Board will direct the President to achieve certain results through the establishment of Ends policies. The Board will limit the latitude the President may exercise in practices, methods, conduct and other "means" through establishment of Executive Limitations policies.
2. As long as the President uses any reasonable interpretation of the Board's Ends and Executive Limitations policies, the President is authorized to establish administrative policies, make decisions, take actions, establish practices and develop activities in consultation with the Board.
3. The Board may change its ends and Executive Limitations policies. However, as long as a policy is in effect, the Board will respect and support the President's decisions that conform to that policy.
4. All decisions of the Board acting as a body are binding upon the President.
 - a. Decisions or instructions of individual Board members, officers, or committees are not binding on the President except in rare instances when the Board has specifically authorized such exercise of authority.
 - b. If Board members or committees request information or assistance without Board authorization, the President can refuse such requests which require, in the President's judgment, a material amount of staff time or funds or is disruptive.
5. The President shall apply to the Board for a waiver of a Board policy if the President deems a waiver is in the best interest of the College.

II.B.

Policy Type: Board-staff Relationship

President's Job Description

The President is the chief executive officer of the College. The President is the Board's single official link with the operating organization. The President is accountable to the Board acting as a body. The Board will instruct the President through written and verbal policies delegating implementation to the President. The President's performance will be considered synonymous with the organizational performance of the College as a whole. The President shall uphold high moral standards befitting a person of his/her position.

The President's responsibilities can be stated as performance in two areas:

1. Organizational accomplishment of the Board's policies on Ends.
2. Organizational operation within the boundaries established in Board policies on Executive Limitations.

II.C.

Policy Type: Board-Staff Relationship

Monitoring Presidential Performance

Monitoring executive performance is synonymous with monitoring organizational performance against Board policies on Ends and on Executive Limitations. The Board will monitor performance in a manner as to have systematic assurance of policy compliance, including the accomplishment of Ends. The Board shall conduct an evaluation of the President each academic year or at any time the Board deems appropriate.

1. The purpose of monitoring is simply to determine the degree to which Board policies are being fulfilled. Information which does not do this will not be considered to be monitoring. Monitoring will be done in a way to permit the Board to use most of its time to create the future rather than review the past.
2. A given policy may be monitored in one or more of three ways:
 - a. INTERNAL REPORTS - Disclosure of compliance information to the Board from the President. Internal reports include:
 - Institutional data collection
 - Community surveys
 - Placement data
 - Assessment of student learning
 - Financial reports
 - b. EXTERNAL REPORTS - Disclosure of compliance information by an external auditor or other persons or entities external to the institution. External reports include:
 - Audit reports
 - Licensing examination results
 - Accreditation reports
 - Accountability data

(II.C. con't.)

- c. DIRECT BOARD INSPECTION - Discovery of compliance information by a Board member, a committee or the Board as a whole. This is an inspection of documents, activities or circumstances directed by the Board which allows a test of policy compliance.
3. Policies may be monitored by any method at any time, except each Ends and Executive Limitations policy will be monitored by the Board at regularly scheduled times pursuant to an agreed method.

III. EXECUTIVE LIMITATIONS

III.A.

Policy Type: Executive Limitations

General Executive Constraint

The President shall not cause or allow any practice, activity, decision or organizational circumstance which is illegal, imprudent, in violation of the American Samoa and applicable Federal laws, or in violation of commonly accepted business and professional ethics.

Accordingly, the President shall not:

1. Deal with students, staff, or persons from the community in an inhumane, unfair or undignified manner.
2. Make decisions except by a process where openness is maintained.
3. Permit financial conditions which risk fiscal jeopardy or compromise Board Ends priorities.
4. Provide information and advice to the Board which is untimely, incomplete or inaccurate.
5. Permit conflict of interest in awarding purchases or other contracts or hiring of employees.
6. Allow the day-to-day operations to impede the vision or prevent the achievement of the Ends of the institution.
7. Manage the college without adequate administrative policies for matters involving finances, staff, students, facilities and college services.
8. Engage in conduct that may embarrass the college and/or adversely affect his/her job performance.

III.B.

Policy Type: Executive Limitations

People Treatment

Treatment of and interaction with students, staff and persons from the community shall not be inhumane, unfair or undignified.

Accordingly, the President shall not:

1. Operate without policies and/or procedures which set forth staff and student rules, provide for effective handling of grievances, insure due process, and protect against wrongful actions against or by staff or students.
2. Fail to comply with all American Samoa and applicable Federal laws pertaining to employees and students including those pertaining to discrimination and equal opportunity.
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 American Samoa laws or applicable Federal laws, or of Board policies.

III.C.

Policy Type: Executive Limitations

Compensation and Benefits

The President must comply with American Samoa laws and rules governing employee ethics and conduct adopted by the American Samoa Community College. The President may not jeopardize fiscal integrity or public image with respect to employment, compensation and benefits to employees, consultants, and contract workers.

Accordingly, the President shall not:

1. Change his or her own compensation or 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. Grant fringe benefits not approved by the Board.

III.E.

Policy Type: Executive Limitation

Financial Condition

The President may not cause or allow the development of fiscal jeopardy or a material deviation from the Board approved budget.

Accordingly, the President shall not:

1. Expend more funds than have been appropriated by the legislature.
2. Indebt the organization in an amount greater than can be repaid by otherwise unencumbered revenues within the current fiscal year.
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 condition.
5. Make any purchase or commit the organization to any expenditures greater than the approved budget.
6. Make any purchase (a) without prudent protection against conflict of interest; (b) not in accordance with American Samoa Community College Procurement rules. Furthermore, no purchase shall be made except on the basis of cost and quality.
7. Accept gifts or grants without Board approval which obligate the college to make future expenditures with funds other than those created by the gift or grant or which are not in the best interest of the college to accept.

III.D.

Policy Type: Executive Limitations

Budgeting/Forecasting

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.

Accordingly, the President shall 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 plants and facilities maintenance, instructional equipment, new program and course development, staff development and institutional research.

III.F.

Policy Type: Executive Limitations

Asset Protection

The President shall assure that assets are protected, adequately maintained and not unnecessarily risked.

Accordingly, the President shall:

1. 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. Not allow uninsured personnel access to more than \$1,000 in funds.
3. Not permit plant and equipment to be subjected to improper wear and tear or inadequate maintenance.
4. Not expose the College, the Board or staff to claims or liability.
5. Receive, process or disburse funds under controls which are sufficient to meet the auditor's standards.
6. Invest funds in interest bearing accounts or in investment as permitted by American Samoa law. Furthermore, no investments shall be made without compliance with, in order of priority, the following objectives: (a) safety of the principal; (b) maintenance of sufficient liquidity to meet immediate payment requirements; (c) obtain the highest possible rate of return consistent with safety of principal and liquidity. Local financial institutions should receive favorable consideration where (a) and (c) are equal.
7. Acquire, encumber or dispose of real property only with prior Board approval.
8. Protect property, information and files from improper use, loss or damage.

III.G.

Policy Type: Executive Limitations

Communication and Counsel to the Board

The President shall assure that the Board is adequately informed.

Accordingly, the President shall:

1. 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. 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. 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 a simple, concise, accurate and complete form.
5. Provide a mechanism for official board, officer or committee communications.
6. Interact with the Board as a whole on matters within the area of Board responsibility except when fulfilling or making individual requests for information or responding to officers or committees duly charged by the Board.
7. Report in a timely manner an actual or anticipated non-compliance with any policy of the Board.

IV. ENDS

IV.A.

Policy Type: Ends

College Mission

The American Samoa Community College is an accredited, open admissions, co-educational post-secondary Land Grant institution that provides two-year transfer programs in general education, vocational training as well as programs in Samoan and Pacific studies and Adult Education and Literacy.

The College's primary mission is to offer, within the limits of its resources, the highest quality in its programs and services that meet the educational needs of its students and American Samoa. The College is committed to maintaining a workplace that promotes quality-of-life values.

The College further recognizes its uniqueness as an institution representing one of the few Polynesian cultures which has retained its traditional linguistic and cultural integrity while adapting to the changes necessary for cooperative existence in a modern world. Because it subscribes to the democratic ideal that a free society functions best with an informed participating citizenry, the College is committed to the preservation and sustenance of Samoan Values, arts and institutions which will further that ideal and contribute to the personal growth of each student.

IV.B.

Policy Type: Ends

College Vision

The Board of Higher Education envisions the American Samoa Community College as the leading U.S. accredited education institution of higher learning in American Samoa and the South Pacific Region providing quality courses, programs and services for its students to enable them to meet the challenges of the 21st Century. The College will adequately prepare its students who wish to matriculate to college and universities off-island or join the labor market by being proactive in identifying and meeting community values and needs.

The College will welcome appropriate changes in technology and methods of teaching and learning in its pursuit of continuous improvements in its courses, programs and services.

The Samoan culture and language are important and unique characteristics of the students, and people of the community. As the primary institution of higher learning in American Samoa, it is appropriate for the College to take a leading role in researching and teaching the traditions of the Samoan culture and language.

The College must realize its potential by acquiring adequate resources to become an accredited four year institution of higher education. With visionary and committed leadership, the College must develop ways to forge ahead in harmony with society and the world.

IV.C.

Policy Type: Ends

College Purposes

The American Samoa Community College holds to the following institutional purposes:

- Occupational competency programming
- Apprentice training
- Economic development activities
- Basic skills training
- Education and services -- minorities, women, handicapped, and disadvantaged
- Career planning opportunities
- Articulation and cooperative relationships
- Personal development skills training
- Self-enrichment opportunities

