

## COLLEGE TRUSTEES IN THE FLORIDA COLLEGE SYSTEM

The continuing success of the Florida College System depends in large measure on an effective system of local college governance, and it is the trustees who have the greatest responsibility to assure that local governance works as it should. This section contains several statements, mostly adapted from statements of the Association of Community College Trustees, which describe the essential responsibilities of trustees. The **Florida Sunshine Law** is also described in this section as is a brief overview of the Florida College System budget process.

The following sections are from the Association of Community College Trustees – *Basics of Community College Governance* - [Trusteeship 101](#)

<https://www.acct.org/article/basics-community-college-governance>

### GOVERNING BOARD ROLES AND RESPONSIBILITIES

Community college boards of trustees are responsible for ensuring that their colleges are integral parts of their communities and serve their ever-changing needs. Boards are accountable to the community for the performance and welfare of the institutions they govern.

Effective boards consist of people who come together to form a cohesive group to articulate and represent the public interest, establish a climate for learning and monitor the effectiveness of the institution. Boards of trustees do not do the work of their institutions; they establish standards for the work through the policies they set. Their specific responsibilities are to:

#### 1. Act as a Unit

The Board is a corporate body. It governs as a unit, with one voice. This principle means that individual trustees have authority only when they are acting as a board. They have no power to act on their own or to direct college employees or operations.

For boards to be cohesive and well-functioning units, trustees must work together as a team toward common goals. Boards should have structures and rules for operating that ensure they conduct their business effectively and efficiently, board agendas are clear and informative, and board meetings are run in an appropriate manner.

The power of governance is expressed through one voice. As individuals, trustees make no commitments on behalf of the board to constituents, nor do they criticize or work against board decisions. To be effective boards must:

- Integrate multiple perspectives into board decision-making
- Establish and abide by rules for conducting board business
- Speak with one voice, and support the decision of the board once it is made
- Recognize that power rests with the board, not individual trustees

## **2. Represent the Common Good**

Boards of trustees exist to represent the general public. They are responsible for balancing and integrating the wide variety of interests and needs into policies that benefit the common good and the future of their region.

Therefore, board members learn as much as they can about the communities they serve. They gain this knowledge by studying demographic, economic and social trends, by being aware of issues facing the community, and by talking with other community leaders and members of other boards. They use what they learn to make decisions that respond to community interests, needs and values.

Boards discuss multiple viewpoints and issues in public, and have strategies to include the public in the policy-making process. Effective trustees and boards:

- Know community needs and trends
- Link with the community
- Seek out and consider multiple perspectives when making policy decisions
- Debate and discuss issues in public
- Serve the public good

## **3. Set the Policy Direction**

Governing boards establish policies that provide direction and guidance to the president and staff of the College. A major board responsibility is to define and uphold a vision and mission that clearly reflect student and community expectations. This responsibility challenges boards to think strategically, concentrate on the "big picture," and focus on the future learning needs of their communities. It requires that boards consult widely with community groups as well as the administration, faculty, staff, and students of the college. Trustees engage in exciting, creative, thoughtful discussions as they explore the future and envision what they want their communities to be. They:

- Are proactive, visionary and future-oriented
- Learn about and communicate with many different groups
- Focus on community needs and trends
- Establish the vision, mission and broad institutional goals as policy

## **4. Employ, Evaluate and Support the Chief Executive Officer**

Successful governance depends on a good relationship between the board and the chief executive officer (CEO). The chancellor or president is the single most influential person in creating an outstanding institution. Therefore selecting, evaluating and supporting the CEO are among the board's most important responsibilities.

The CEO and board function best as a partnership. The CEO implements board policies, while the board depends on the CEO for guidance and educational leadership. This occasionally paradoxical relationship works best when there are clear, mutually agreed-on expectations and role descriptions. The partnership thrives on open communication, confidence, trust, and support. To be effective, trustees and boards must:

- Select and retain the best CEO possible
- Define clear parameters and expectations for performance
- Conduct periodic evaluations; provide honest and constructive feedback
- Act ethically in the relationship with the CEO
- Support the CEO; create an environment for success

## **5. Define Policy Standards for College Operations**

Successful boards of trustees adopt policies that set standards for quality, ethics and prudence in college operations. Once policy standards are established, boards delegate significant authority to the CEO, allowing the CEO and staff the flexibility they need to exercise professional judgment. The policies:

- Define expectations for high quality educational programs
- Define expectations for student achievement and fair treatment of students
- Require wise and prudent use of funds and management of assets
- Set parameters to attract and retain high quality personnel and ensure fair treatment of employee

## **6. Create a Positive Climate**

Boards set the tone for the entire system or institution. Through their behavior and policies, successful boards establish a climate in which learning is valued, professional growth is enhanced, and the most important goals are student success and adding value to the community. Alternatively, boards fail their institutions when they act in such a way that they create a stifling, negative, or dysfunctional atmosphere.

Boards of trustees create a positive climate when they look to the future, act with integrity, support risk-taking, and challenge the CEO and college staff to strive for excellence. Effective boards and trustees:

- Model a commitment to learning for students
- Focus on outcomes
- Support professional growth
- Seek consultation in developing policy
- Are ethical and act with integrity

## **7. Monitor Performance**

Boards are responsible for holding colleges accountable for serving current and future community learning needs. The board adopts the college direction and broad goals as policy, and then monitors the progress made toward those goals. For instance, if a board adopts a policy goal that the college programs will result in skilled employees for area business, then the board should ask for periodic reports on how that goal is being met.

Boards also monitor adherence to their policies for programs, personnel, and fiscal and asset management. They receive periodic reports from staff and review reports by and for external agencies, such as accreditation, audit, and state and federal accountability reports. All monitoring processes culminate in the evaluation of the CEO as the institutional leader.

A board's ability to monitor its institution is enhanced when it defines the criteria and standards to be used well in advance of when reports are required, so that the CEO and staff are clear about what is expected. Effective boards and trustees:

- Monitor progress toward goals
- Monitor adherence to operational policies
- Use pre-established criteria for monitoring
- Schedule a timetable for reports

## **8. Support and Be Advocates for the College**

Trustees are essential links with their communities. They govern on behalf of the public and ensure that the College meets the needs of external constituents. They are also advocates and protectors of the College. They promote the College in the community, and seek support for the college from local, state, and national policymakers. They support the college foundation in seeking community contributions.

Competent boards protect the College from undue pressure on the institution from political and special interests. They support the professional freedom of administrators and faculty to create quality learning environments that incorporate many different perspectives. They protect the ability of the College to fulfill its mission and promise to their communities. Effective trustees and boards:

- Promote the College in the community
- Foster partnerships with other entities in the community
- Advocate the needs of the College with government officials
- Support the foundation and fundraising efforts
- Protect the College from inappropriate influence

## **9. Lead as a Thoughtful Educated Team**

Good trusteeship requires the ability to function as part of a team, and a team functions best when all members are encouraged to contribute their unique strengths and are committed to working together.

Effective boards are thoughtful and educated. Trustees on those boards listen well, ask good questions, analyze options, think critically, and clarify their most important values and priorities. They explore issues thoroughly and make policy decisions based on thorough deliberation and comprehensive understanding.

The best boards are future oriented. They recognize that today's world requires flexible institutions and personnel who are willing to adapt and grow in response to the changing needs of society. Trustees who act with vision, with intelligence, with curiosity and with enthusiasm create a board that is an agent for positive change. Effective boards and trustees:

- Engage in ongoing learning about board roles and responsibilities
- Are curious and inclusive
- Are positive and optimistic
- Support and respect each other

## 10. Ethical Governance

Governing boards function better when the [ethical standards](#) for trustee behavior are clear. ACCT recommends that boards explore and adopt a set of standards, often called a "code of ethics" or "[standards for good practice](#)." In fact some regional accrediting commissions for community colleges require that boards have a code of ethics or similar statement.

ACCT has developed the following model code. Boards of trustees are encouraged to use it as a starting point for discussion in developing a code or policy. It is important for trustees to explore together expectations for their own behavior.

*As a governing board member, I am responsible to:*

- Devote time, thought and study to the duties and responsibilities of a college board member, so that I may render effective and creditable service;
- Work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debates of points of issue;
- Base my personal decision upon all available facts in each situation; vote my honest conviction in every case, un-swayed by partisan bias of any kind; and abide by and uphold the final majority decision to the board;
- Remember at all times that as an individual I have no legal authority outside the meetings of the board, and to conduct my relationships with the college staff, the local citizenry, and all media of the community on the basis of this fact;
- Resist every temptation and outside pressure to use my position as a college board member to benefit myself or any other individual or agency apart from the total interest of the community college district;
- Recognize that it is as important for the board to understand and evaluate the educational program of the community college as it is to plan for the business of college operation;
- Bear in mind under all circumstances that the primary function of the board is to establish the policies by which the community college is to be administered;
- Welcome and encourage active cooperation by citizens, organizations, and the media of communication in the district with respect to establishing policy on current college operations and proposed future developments;
- Support the state and national [community] college trustees associations;
- Finally, strive step by step toward ideal conditions for the most effective college board service to my community, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and the perpetuation of our representative democracy.

## **11. Self-Assessment**

### **Why Should Boards Engage In Self-Assessment?**

- a) In order to identify where they are performing well as a board, and where they might improve.
- b) Discussion about board roles and responsibilities can strengthen communication and understanding among board members. The discussions can lead to stronger, more cohesive working groups.
- c) A board's willingness to engage in self-assessment is a model for the rest of the institution. It indicates that board members take their responsibilities very seriously.
- d) Their interest in self-improvement sets a tone for others in the college to engage in an ongoing review of how education is delivered.

### **What Should We Expect From a Self-Assessment?**

Well-conducted board self-assessments lead to better boards. The results include:

- a summary of board accomplishments
- a better understanding of what it means to be an effective board
- clarification of what trustees expect from each other and themselves
- improved communications among trustees and between the board and CEO
- identification of problems, potential issues, and areas to improve
- an opportunity to discuss and solve problems that may hurt board performance
- identification of strategies to enhance board performance
- renewed dedication to the board
- agreement on board roles and trustee responsibilities
- board goals and objectives for the coming year

Evaluating the performance of the board is not the same as evaluating individual trustee performance. The purpose of the evaluation is to look at the board as a whole, although a side benefit may be that individual board members gain appreciation for the roles and responsibilities of trusteeship.

### **How Should Boards Evaluate Themselves?**

The process generally involves the use of self-assessment instruments. The results of the survey instruments then become the basis for discussion. Third-party interviews of each board member, the CEO and others named by the board can provide the basis for discussion and improvement.

### **Who Should Be Involved In The Evaluation?**

Each and every board member should participate in the self-evaluation by completing a board self-assessment instrument (if used), and be involved in the discussion. The CEO is also an important resource. Varying levels of involvement by the CEO are appropriate, from being a full participant in the process, to contributing advice and support for the process, to providing comments on the board/CEO relationship. Most boards conduct the board and CEO evaluations in tandem, since the success of one entity depends on the effectiveness of the other.

In addition, boards may consider inviting comments from those who are part of the management team. Their perspectives can add valuable insight to the board process. However, evaluations that involve

others need to be carefully designed so that the information is based on a board established criteria of effectiveness.

### **Should the Board and CEO Evaluations be Linked?**

The board and CEO work together in leading the institution - the board governs, and the CEO leads and administers on a day-to-day basis. It is difficult to evaluate the board without reference to the CEO's contributions, and vice versa. No matter the process, boards should recognize that when evaluating the CEO, their support of the CEO is an important contribution to the success of the CEO. Conversely, when conducting self-assessments, the CEO's support and advice contributes to board success.

### **How Often Should Boards Evaluate Themselves?**

Formal self-assessments should occur annually. Getting into the habit of regular evaluations makes the process part of the board and college culture, and lessens resistance to self-assessment.

New boards, or boards with a significant number of new members, may wish to hold sessions more often as the members are learning to work together as a team.

### **What Criteria Should We Use?**

A basic self-assessment question is: "Are we doing what we said we will do?" If the purpose of the evaluation is to answer that question the criteria used in the self-assessment process includes what the board has defined as its roles and the policies the board has for its own operations and behavior. Another question is: "How does the board rank itself against commonly accepted standards of boardsmanship?" In this case, the criteria used may be those established by national and state associations. In either case, some possible categories and sample questions are listed below.

- Community Representation
- Policy Direction
- Board-CEO Relations
- College Operations
- Monitor Institutional Performance
- Board Behavior
- Advocacy
- Board Education
- Board Organization

### **How Do We Design an Instrument?**

The first step in designing an instrument is to identify what the board wants to get from the evaluation. If the major question is "Are we doing what we said we will do?" then whoever is designing the instrument needs to review board policies, practices and other statements that set out the board's expectations for itself. For instance, if the board has a policy or practice that the board represents the community in its policy discussions, the evaluation instrument or checklist may include items that read:

- a) The board has a comprehensive understanding of community educational needs.
- b) The board considers the interests and needs of the community in its policy discussions.

On the other hand, if the major question is "How do we compare with state or national standards for governing boards?" then the instrument will be based on other standards, including the ACCT code of ethics and Standards for Effective Governance.

### **Sample Structures**

#### *Rating Scales*

Trustees and others doing the evaluation will rate statements on an instrument according to how well they perceive the board performing. Every college has staff members who can assist with setting up rating scales. Following are a few examples of rating a statement on the effectiveness of the board self-assessment process. Respondents would be asked to circle or write the letter of the response.

*Agreement* - Respondents rate how strongly they agree or disagree with a statement

*Performance* - Respondents rate the quality of a particular item (i.e. excellent, fair, poor, etc.)

*Meets Standards* - Respondents asked to simply state "yes" or "no" in response to a standard

### **Board Self-Assessment Instrument Item Bank**

The Board Self-Assessment Instrument Item Bank is a composite of sample items that may be used in board self-assessment forms. Self-assessment instruments generally have 30-40 items. Boards should select statements from the item bank that are most useful to them. Possible question topics include:

- Board Organization
- Policy Role
- Community Relations
- Policy Direction
- Board-CEO Relations
- College Operations
- Institutional Performance
- Board Leadership
- Advocating the College
- Board Education
- Open-ended Questions

To see a complete list of sample questions click [here](#).

### **How Should We Use The Results of a Board Self-Assessment?**

The average ratings on a board self-assessment instrument, a summary of interviews, or key points in a group discussion identify the strengths of the board and areas for improvement. The strengths should be celebrated and boards should congratulate themselves on their good work. The strengths are used to help the board improve.

Areas of improvement should be explored to identify the dynamics that contribute to any problems or weaknesses. Strategies to address the issues may include board retreats or workshops on a specific topic, study sessions or reading in an area where knowledge or clarification is needed. Three to six board goals or activities for the coming year may be established, based on the evaluation and performance on prior year goals. These goals become the basis for the board's long-range or annual agenda.

## **12. Selecting a New President**

Selecting a new college president is one of the most important tasks of a District Board of Trustees and there are numerous resources as well as consultants who specialize in guiding this endeavor. Due to the many variations in institutional mission, size, geographic location, state laws, budget, institutional culture and institutional health among other factors, “one size does not fit all searches.” Nonetheless, the following suggestions may be helpful in guiding the search for a college presidency in the state of Florida.

A well-organized and orderly search process can serve as a vehicle of reassurance and revitalization for a college’s internal and external constituents, particularly regarding the circumstances of the transition, i.e., amicable retirement or more fractious separation. Planning is a key element for a Board that involves more than selecting a search firm and screening candidates.

- **“Government in the Sunshine”:** When launching a presidential search in Florida, adherence to “sunshine law” requirements is essential to avoiding any appearance of secrecy, favoritism, or lack of collaboration/consideration of stakeholder feedback in the selection process. The success of a new president can be predetermined by the *perception* that a search was not fair and open, ---irrespective of the fact that the candidate ultimately selected is at the sole discretion of the Board. Executive sessions may be “closed,” open sessions must be publicly noticed in advance, and ad hoc conversations between BOT members are a violation of “sunshine” restrictions.
- **Identifying Needs:** At the beginning of the search process, Board discussions should include a brief review (not a rewrite!) of the institutional mission and goals, including *strengths and weaknesses* that need, in the BOT’s opinion, to be addressed. This clarification will help initiate and refine a sense of the type of qualifications, experience and attributes being sought in candidates, and can actually help in crafting a position description that is less “canned” and more customized to the needs of the institution. It is recommended that the Board next initiate a series of “town hall meetings” prior to beginning the search process, in order to receive and process input from employees and community members regarding what attributes are perceived as of highest importance to the college community. The profile or prospectus should not be written/developed/posted until this information has been collected and taken into consideration.
- **Selecting a Search Firm:** From the onset of search process discussions, the Board should determine the important qualifications and cost factors of search firms to be considered. Most, but not all colleges engage search firms to recruit and screen candidates. Board members should be very clear when working with a search consultant regarding the qualifications and characteristics they are seeking, since many search firms actually have a cadre of applicants that they are trying to place irrespective of specific needs of an institution. Costs for services may also vary widely and colleges typically issue RFP’s before selecting a search firm. Be advised that many “out-of-staters” view Florida colleges as an appealing retirement location for the culmination of their careers.
- **Timeline:** An important task for the Board is setting a realistic timeline for the presidential search, screening, interview, selection and start date process. When a sitting president announces his/her intention to leave, the inclination is to move rapidly to fill any potential void. The danger here is trading speed for quality in selection of the best candidate. Ideally, a Board

should have one year's notice of the impending departure of their president, but various factors may mitigate/impact that timeframe.

Following the selection of a **search firm**, and the posting of the CEO vacancy, the typical search for a college president takes an average of an additional **six (6) months**. Because of this timeframe, Boards frequently use "interim" or acting presidents to serve as temporary CEO during the search process. In fairness to all internal and external candidates, most Boards specify that the interim or acting president **NOT** be eligible/be prohibited from applying for the permanent new president position, however, this varies widely. Specific guidelines for contact with Board members and "lobbying" the community or current employees **by internal candidates for the CEO position** are typically adopted by the Board in order to prevent charges of favoritism, "heir apparent" status, or undue pressure prior to screening and interviewing candidates. The Board should be aware that internal and/or local candidates often have subtle and not so subtle cheerleaders to support their candidacy, much akin to politicians!

- **Selection of Search Committee:** The Board, early on, needs to determine the size and composition of its presidential search committee and how members will be selected. Typically, faculty, staff and community members are included on the committee as well as at least one Trustee and often a student representative. When the institution has an active faculty union, inclusion of a union member on the committee is a must.
- **Ground Rules:** It will be up to the Board with input/assistance from the search consultant, institutional Director of Human Resources, and General Counsel to determine how, when and where the search committee will meet and how records and confidentiality will be maintained. Who will chair the committee and how often will they report to the Chair and/or other Board members regarding progress must be addressed?
- **Transition Plan:** Following the CEO's departure announcement, the Board should develop and communicate a Transition Plan that details in writing the steps and timeline to be followed.

The Transition Plan should also include the Board's expectations for and **"charge" to the outgoing president** regarding expectations for remaining time in office. This step can avoid both a "lame duck" status as well as late attempts by a president to push last minute "legacy" events that could unknowingly be detrimental to the smooth transition for the new leader.

Frequently outgoing presidents "leave" active leadership in advance of their termination date in order to use up accumulations of vacation and/or sick days. The Board should have a clear understanding of this possibility and adjust the start date of an Acting/Interim President accordingly.

The Transition Plan should also **specify the appointment of an interim** and/or acting president to bridge the gap between the exit of the current CEO and the actual start date of a new leader if necessary. Interim/Acting Presidents typically have administrative leadership experience that matches the needs of the institution, but are not current employees in order to avoid internal conflict of interest, however, it is not unusual for a current employee to be tapped to fill an Interim position. The Transition Plan should specify the Board's expectations of the duties and salary of the Interim/acting president, as well as the anticipated length of appointment. The full

Board can delegate the appointment of the interim to the Board Chair, with remote approval by the full Board in order to save face-to-face meeting time.

- **Semi-Finalists/Finalists...**

Working with their Search Firm and/or Search Committee, Boards will typically specify an expected number of semi-finalists and finalists to be selected from qualified candidates. Semi-Finalists are often asked to submit video interviews to the Search Committee to help narrow the field. Videos are typically posted on the College's website for college/community access. The Board may request the Search Committee to provide either ranked or unranked "top candidates," for the Board's consideration. Finalists are typically invited to the College for open forums with faculty, staff and community members prior to being interviewed by the full Board of Trustees. Interviews are frequently broadcast "live" and also made available to the public via the College's website.

Following the Board's selection of their preferred candidate for the President's role, the Board Chair typically makes contact with the selected candidate. The Search Firm and the College's HR Director and General Counsel typically handle contract negotiations with guidance and approval from the Board.