

SOUTHWEST WISCONSIN TECHNICAL COLLEGE

• DISTRICT BOARD •

---

# GOVERNANCE

# POLICY

• MANUAL •

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Southwest  Tech  
*Here.* *Now.*

1800 BRONSON BOULEVARD  
FENNIMORE, WISCONSIN 53809

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## 1.1 - GOVERNANCE COMMITMENT

The Board of Trustees will govern Southwest Wisconsin Technical College in accordance with the Constitution and laws of the State of Wisconsin. 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 consistent with the needs of the community. The Board is committed to excellence and to the values which define the College's operational atmosphere by assuring that it

1. Achieves results for its constituencies at an appropriate cost
2. Avoids unacceptable activities, conditions, and decisions
3. Self-monitors its processes and performances

In fulfillment of this charge, the Board is committed to rigorous, continual improvements of its capability to define values and vision.

Adopted: 1/24/02  
Reviewed: 8/22/02, 5/24/07  
Revised:

## 1.2 - GOVERNING PHILOSOPHY

The Board embraces a view toward governance that is democratic, strategic, future-oriented, proactive, positive, and deliberative. The Board takes a long-term view in its decision making. This governing philosophy encourages diversity in viewpoints, reinforces the centrality of Board policy-making, and empowers the President with clear direction.

The Board will:

1. Be accountable for excellence in governing through a sense of group responsibility. The Board will be an initiator of policy. The Board will use the expertise of individual members to enhance the ability of the Board as a body.
2. Lead, direct, control, and inspire the organization through the careful establishment and communication of broad written policies reflecting the Board's values and perspectives. The Board's major policy focus will be on the intended long-term impacts outside the operating organization, not on the administrative or programmatic means of attaining those effects.
3. Enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as participation, preparation for meetings, policymaking principles, respect of roles, and ensuring the continuity of governance capability. Continual Board development will include orientation of new members in the Board's governance process and periodic Board discussion of process improvement. The Board will allow no officer, individual, or committee of the Board to hinder or be an excuse for not fulfilling its commitments.
4. Seek input from various sources including staff, students, alumni, employers, and other community members on Board policies on Ends.
5. Make decisions, to the extent possible, on a consensus basis.
6. Annually review the Board's activities and discipline relative to Governance Process and Board/Staff Relationship policies.
7. At the Board's annual organizational meeting in July, review and authorize a Signatory Authority Policy to define who in the organization has the authority to sign for the College.
8. Act as a Board of the whole refraining from small group or individual discussion of Board business, whether in person or through communication devices.

Adopted: 1/24/02  
Reviewed: 8/22/02, 5/24/07  
Revised: 1/16/03, 6/21/07, 2/28/13

### 1.3 - BOARD RESPONSIBILITY

The Board of Trustees functions as a collective body to promote a positive image for the College while representing the community in determining and assuring appropriate organizational performance. Board responsibilities are distinguished from staff responsibilities by the following:

1. Serving as the official governance link between the College and the community.
2. Employing and supervising the College President.
3. Selecting and retaining the services of District legal counsel and financial auditor.
4. Enacting written governing policies which address:
  - a. ENDS: College services, impacts, benefits, outcomes, recipients, and their relative worth. Ends include College vision, mission, purposes, and strategic directions.
  - b. EXECUTIVE LIMITATIONS: Constraints on executive authority which establish the prudence and ethics boundaries within which all executive activity and decisions must take place.
  - c. GOVERNANCE PROCESS: Specification of how the Board conceives, carries out, and monitors its own tasks.
  - d. BOARD-STAFF RELATIONSHIP: How authority and accountability is delegated to the President and its proper use monitored.
5. Monitoring College performance and effectiveness, and evaluating the President's performance (against Board policies on Ends, Executive Limitations, and Presidential Responsibilities).

Adopted: 1/24/02  
Reviewed: 9/26/02, 5/24/07  
Revised: 10/24/02

## 1.4 - BOARD POLICY CREATION AND REVIEW

It is the responsibility of the Board to provide leadership, guidance, and direction to govern the current and future affairs of the College. Toward this end, the Board deliberates and acts on matters of enduring significance to the College. Such actions, when approved by the Board, shall be articulated as statements of Board policy and shall be incorporated into a single, unified, and comprehensive compilation of all Board policy statements. These policy statements will comply with provisions of Wisconsin Statutes.

1. When articulating policy, the Board shall strive for brevity, clarity, and continued expression of a positive and future-oriented tone.
2. The Board may approve new policies or revise existing policies by introduction at one meeting and adoption at a subsequent meeting by action of a majority vote of the entire Board.
3. It is intended that Board policies be living documents. All Ends policies shall be reviewed annually to ensure that they continue to be pertinent.
4. All other policies shall be reviewed whenever their use indicates the need.

Adopted: 1/24/02  
Reviewed: 9/26/02, 5/24/07  
Revised:

## 1.5 - BOARD MEMBER'S ROLE

The Board of Trustees functions as a collective body. The success of the Board depends on each individual Board member exercising responsibility through positive actions in the following areas:

1. Being effective at Board meetings through appropriate preparation, regular attendance, active participation in Board discussions and willingness to volunteer for ad hoc committee or other Board tasks.
2. Understanding and supporting the Board governance concept and Board policies.
3. Being knowledgeable concerning the College Means for accomplishing its Ends such as organization, facilities, instructional programs, budget, and key processes.
4. Being responsible for the balance of appropriate programs, services, facilities, resources, staffing, and financial support necessary to meet the needs of current students in such a manner that assures their success in meeting their educational and occupational goals.
5. Accepting the responsibility of becoming well informed of the major initiatives of the College, the global perspective of the Wisconsin Technical College System, and being well informed of related national activities such that each Board member is better able to make the necessary decisions that maintain or strengthen our commitment to students of the College.
6. Engaging in Board- and self-development activities designed to promote Board effectiveness through attendance at state, regional, and national Board association meetings and by utilizing resources available in the College.
7. Attending College events.
8. Representing the College to the community.
9. Representing the community to the College.
10. Being active in legislative advocacy.

Adopted: 1/24/02  
Reviewed: 9/26/02, 5/24/07  
Revised:

## 1.6 - BOARD OFFICERS

The officers of the Board shall be a Chairperson, a Vice Chairperson, a Secretary, and a Treasurer.

1. The officers shall be elected at the annual organizational meeting of the Board on the second Monday in July. The Chair for the past year shall conduct the entire organizational meeting. Newly elected officers take office “upon adjournment” of the organizational meeting.
2. No person may serve as Chairperson for more than two (2) successive annual terms.
3. If a vacancy occurs in any of the Board officer positions after the annual organizational meeting, the Board shall elect an officer to fill the vacancy at a subsequent Board meeting.
4. In the case of a temporary absence of a Board officer, the ranking officer available may appoint another Board member to fulfill the duties of the absent officer.

Adopted: 1/24/02  
Reviewed: 10/24/02, 8/16/07  
Revised: 9/25/08, 12/18/09

## 1.7 - CHAIRPERSON'S ROLE

The Chairperson is elected by the Board. As the elected leader of the Board, the Chairperson shall maintain the integrity of the Board's process and represent the Board to outside parties. The Chairperson is the only Board member authorized to speak for the Board (beyond simply reporting Board decisions), other than in rare and specifically authorized instances.

1. The Chairperson shall ensure the Board and individual Board members act consistently with the Board's own 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 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.
  - e. The Chairperson will counsel with members who are not attending meetings on a regular basis.
2. The Chairperson is authorized to use any reasonable interpretation of the provisions in Governance Process and Board-Staff Relationship policies in carrying out the role of Chairperson.
3. The Chairperson has no authority to make decisions regarding implementation of the Ends and Executive Limitations policies. Such implementation is reserved for the President.
4. The Chairperson is responsible for the professional relationship between the Board and President and shall communicate and interact with the President. However, since the President is responsible to the entire Board, the Chairperson has no authority to unilaterally supervise or direct the President.
5. The Chairperson shall inform the President of any temporary absence or lack of availability to perform the duties of the Chairperson.

6. The Chairperson shall ensure that Board members are informed of current and pending Board issues and processes.
7. The Chairperson shall appoint members to all other internal and external committees as needed and will distribute Board assignments among all members.
8. The Chairperson shall ensure compliance with all required duties imposed by law including but not limited to:
  - a. The Chairperson, or the Chairperson’s designee, shall communicate with the public as required by law with respect to providing public notice of all meetings of the College District Board. The Chairperson may delegate the function of providing notice, but may not delegate the responsibility.
  - b. The Chairperson shall sign all official documents and contracts on behalf of the District as required by statute, WTCS policy, and the Board.

Adopted: 1/24/02  
Reviewed: 10/24/02, 8/16/07  
Revised: 2/28/13

## **1.8 - VICE CHAIRPERSON'S ROLE**

The Vice Chairperson is elected by the Board.

1. The Vice Chairperson shall have all of the authority and duties of the Chairperson in the absence of the Chairperson.
2. The Vice Chairperson shall have such other authority and duties as the Board may from time to time determine and direct.

Adopted: 1/24/02  
Reviewed: 10/24/02, 8/16/07  
Revised:

## 1.9 - SECRETARY'S ROLE

The Secretary is elected by the Board.

1. The Secretary is designated as the official custodian of all official records of the District. The Secretary may delegate the day-to-day maintenance of the custody of the records to the President of the College, but may not delegate the responsibility.
2. The Secretary shall sign all official documents and contracts on behalf of the District as required by statute, WTCS policy, and the Board.
3. The Secretary shall make a record of and ensure that minutes are taken of all meetings of the Board.
4. Where a function is assigned to the clerk of a governmental unit, and the District is designated as one of such governmental units, such function shall be performed by the Secretary.
5. On or before the first Monday in March, or within thirty (30) days of the date on which a vacancy on the Board occurs, the Secretary shall notify each member of the Appointment Committee, each governing body having a member on the Appointment Committee and the Board of the vacancy or of terms of office which will expire during the year.
6. Annually by October 31 of each year, or within ten (10) days after receipt of the equalized valuations from the Department of Revenue, whichever is later, the Secretary shall file with the clerk of each city, village, and town, any part of which is located in the District, a certified statement showing the amount of the levy and the proportionate amount of the tax to be spread upon the tax rolls for collection in each city, village, and town.
7. In the absence of both the Chairperson and the Vice Chairperson, the Secretary shall call the Board meeting to order and shall serve as Chairperson.

Adopted: 1/24/02  
Reviewed: 10/24/02, 8/16/07  
Revised: 2/28/13

## 1.10 - TREASURER'S ROLE

The Treasurer is elected by the Board.

1. The Treasurer shall be the official custodian of all monies received by the District and shall be accountable for such funds. The Treasurer may delegate the day-to-day maintenance of the custody of the funds to the President of the College, but may not delegate the responsibility. All expenditures exceeding \$2,500 shall be approved by the Board.
2. By resolution the Board may authorize other persons' signatures in addition to the Treasurer or the use of a facsimile signature.
3. The Board shall authorize the signature of payroll, accounts payable, grants, refunds, and other accounts at its annual organizational meeting in July. The use of a facsimile signature does not relieve the Board or the Treasurer from any liability to which the Board or the Treasurer is otherwise subject, including the unauthorized use of the facsimile signature of the Treasurer.
4. In the absence of the Chairperson, the Vice Chairperson and the Secretary, the Treasurer shall call the Board meeting to order and shall serve as Chairperson.

Adopted: 1/24/02  
Reviewed: 10/24/02, 8/16/07  
Revised:

## 1.11 - BOARD COMMITTEES

The Board shall act as a committee of the whole and shall not create, use, or rely on standing committees for any purpose. Accordingly:

1. The Board may establish ad hoc committees when, in the judgment of the Board, such ad hoc committees are appropriate and required for the completion of a specific project or task. When such ad hoc committees are formed, the Board shall approve a statement of the committee's charge as well as a timeline for the completion of the committee's work.
2. The Board Chairperson shall appoint the members of the ad hoc committee and name the committee's chair from among its members. When appropriate to the committee's task, its members may include persons from the staff or from the community.
3. It is the responsibility of ad hoc committees to complete the assigned task and to prepare a written report or to deliver an oral report to the full Board. When this task is completed, the committee shall be discharged.
4. Ad hoc committees do not exercise control or authority over the President or the staff.
5. Ad hoc committees have no independent authority or power to act in lieu of the Board, except when formally given such authority by the Board for specific and time-limited purposes.

Adopted: 1/24/02  
Reviewed: 11/21/02, 9/27/07  
Revised:

## 1.12 - BOARD PLANNING AND AGENDA

The Board shall assume and exercise responsibility for oversight of Board planning and agenda setting. Accordingly, each member of the Board shall have an opportunity to identify issues to be considered on the Board agenda. The Chairperson shall work with the President to prepare and disseminate the agenda.

1. The College Vision, Mission, Purposes, Values (Governance Commitment), and Strategic Directions will be reviewed annually.
2. Subjects for major policy issues to be discussed and acted upon by the Board will be developed on an annual basis.
3. The Board will conduct an annual organizational meeting on the second Monday of July for the purpose of administering the Oath of Office to newly elected Board Members and for the election of Board Officers.

Adopted: 1/24/02  
Reviewed: 11/21/02, 9/27/07  
Revised:

### **1.13 - 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. Board members are specifically classified as “public officials” under Subchapter III of Wisconsin Statutes Chapter 19 and, as such, are subject to the Wisconsin Code of Ethics for Public Officials and Employees.

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 fiduciary 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.
  - c. When a Board member’s spouse is employed by the College, the Board member is prohibited from participating in any way on matters in which his/her spouse may have a financial interest or personal benefit and is also prohibited from taking any role in matters related directly to his/her spouse’s employment, such as disciplinary matters and negotiations of future employment contracts for him/her.
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 with 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.

- c. Board members will express no judgments of the President or staff's performance except as that performance is assessed in accordance with explicit Board policies.
4. Board members will participate in educational activities, including 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 legally held 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.

Adopted: 1/24/02  
Reviewed: 12/19/02, 9/27/07  
Revised:

## 1.14 - COLLEGE BUDGET PROCESS

The Board shall oversee the development of the annual budget.

The Board will delegate to the President the responsibility to prepare the annual budget, budget reports, and detailed schedules as required by state statute and applicable rules.

The College budget process will include the following sequence of activities:

1. The Board will annually review the College's Vision, Mission, Purposes, Values, financial assumptions (local, state, and federal funds) and other plans and related materials (e.g., strategic plan, capital budgeting plan, debt retirement schedule, etc.).
2. The Board will review the College's prior year's budget experience and discuss major issues and initiatives to be considered over the course of the development of the next year's budget.
3. The Board will review the budget process calendar which includes the timetables for completion of the budget process in November.
4. The Board will review the President's proposed direction statements and establish budget assumptions and parameters in February.
5. The Board will review the President's proposed operating budget projections as well as any major capital budget initiatives included in the three-year facilities plan.
6. The Board will review the President's final proposed College budget during the month of May.
7. Public hearings on the proposed budget will take place during the month of June.
8. Following the public hearings, the Board shall approve the budget by July 1.

Adopted: 1/24/02  
Reviewed: 12/19/02, 9/27/07  
Revised: 11/29/07, 2/28/13

## 2.1 - PRESIDENT'S RESPONSIBILITIES

The President is the chief executive officer of the College. The President is the Board's single official link with the College as an organization. The President is accountable to the Board acting as a collective body. The Board will instruct the President through written policies delegating implementation to the President.

The President's responsibilities are:

1. Accomplishment of the Board's policies on Ends.
2. College operation within the boundaries established in Board policies on Executive Limitations.
3. Accomplishment of the responsibilities set forth in the President's position description.
4. Accomplishment of annual goals and objectives established by the Board in consultation with the President.

The President has five major functions:

1. Provide leadership and direction so that the organization has a continuous and effective effort to accomplish the Board policies on Ends.
2. Provide leadership and direction so that College operation is within the boundaries established in Board policies on Executive Limitations.
3. Accomplish the responsibilities set forth in the President's position description.
4. Accomplish annual goals and objectives established by the Board in consultation with the President.
5. Represent the College to the general public and all its diverse constituencies.

The Board as collective body will assess presidential performance in meeting the above responsibilities through a formal review each June. The President's performance will be considered synonymous with the organizational performance of the College as a whole.

Adopted: 1/24/02  
Reviewed: 1/16/03, 10/25/07  
Revised:

## 2.2 - DELEGATION TO THE PRESIDENT

The Board appoints the President as chief executive officer of the College and directs the President to achieve certain results through the establishment of Ends policies (including goals and objectives).

1. The Board will limit the latitude the President may exercise in practices, methods, conduct, and other “means” through establishment of Executive Limitations policies.
2. The president is authorized to establish and implement administrative policies and procedures.
3. The President may take actions based on any reasonable interpretation of the Board’s Ends and Executive Limitations policies.
4. 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.
5. The President is obligated to follow decisions made by the Board as a collective body.
6. Requests or instructions from individual Board members are not binding on the President except when the Board has specifically authorized such exercise of authority.
7. The President shall seek direction from the Board Chairperson on requests from individual Board members that in the President’s judgment may require a material amount of staff time, funds, or that are potentially disruptive.
8. The President shall request a waiver of a Board policy if the President believes a waiver is in the best interest of the College.

Adopted: 1/24/02  
Reviewed: 1/16/03, 10/25/07  
Revised: 11/29/07

## 2.3 - MONITORING COLLEGE EFFECTIVENESS

The Board shall monitor College effectiveness in meeting Board policies. 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.

College effectiveness may be monitored in one or more of three ways:

1. INTERNAL REPORTS – Disclosure of compliance information to the Board from the President. Internal reports follow a yearly established Monitoring Plan and include but are not limited to:
  - a. College Goals
  - b. Programs
  - c. Major Programmatic and/or Capital Initiatives
  - d. Fiduciary Responsibility
  - e. Board Special Requests
  - f. Executive Limitations
  
2. EXTERNAL REPORTS – Disclosure of compliance information by an external auditor or other persons or entities external to the institution. External reports include but are not limited to:
  - a. Financial Audit/Management Reports
  - b. Licensing Examination Results
  - c. Accreditation Reports
  - d. WTCS Reports on College Comparables
  
3. DIRECT BOARD INSPECTION – Discovery of compliance information by an ad hoc 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.

As a result of the Board's monitoring, the Board shall review policies and make any adjustments necessary to improve College effectiveness with monitoring charts to be developed.

Adopted: 1/24/02  
Reviewed: 1/16/03, 10/25/07  
Revised:

## 2.4 - PRESIDENT'S PERFORMANCE REVIEW

Monitoring the President's performance is synonymous with monitoring organizational performance against Board policies on Ends and on Executive Limitations. The Board will evaluate performance in a manner as to have systematic assurance of policy compliance, including accomplishments of Ends. Performance review for the President will occur at a minimum of once a year.

An annual evaluation will occur according to the following timetable:

1. Prior to the May Board meeting, the President will provide a written summary related to the performance review since the previous July. At the May Board meeting, the President will provide an oral summary of the report and answer questions.
2. The Board will discuss the report and the job performance of the President.
3. The Board Chairperson will draft a narrative performance report based upon the Board's discussion at the May meeting. The Board's final written performance report will be shared with the President prior to June 30.
4. The Board will provide direction to the President for the following year's initiatives and take appropriate action for contract renewal at the June Board meeting.
5. The Board will take action on the President's compensation annually.

Adopted: 1/24/02  
Reviewed: 1/16/03, 10/25/07

## **2.5 - EMPLOYEE COMPLAINT AND APPEAL POLICY FOR DISCIPLINARY DEMOTION, SUSPENSION WITHOUT PAY, DISCIPLINARY TERMINATION AND WORKPLACE SAFETY ISSUES – Pursuant to Wis. Stats. Sec. 66.0509**

### **Purpose**

The purpose of this document is to establish an administrative complaint and appeal procedure with respect to discipline and workplace safety consistent with Sec. 66.0509 (1m) of the Wisconsin Statutes. This document applies when an employee (“complainant” as defined below) believes that he or she has been subjected to unfair or illegal discipline and/or unsafe working conditions (as defined below) provided the alleged wrongful behavior had a significant connection to employment of complainant and the activities of the College.

To the extent that the provisions of Sec. 118.22, Wis. Stats. are applicable, those statutory procedures shall be followed as required by law.

### **Definition**

“Discipline” for the purposes of this procedure is defined as disciplinary demotion, suspension without pay, or disciplinary termination.

“Workplace safety” is defined as conditions of employment affecting an employee’s physical health or safety, the safe operation of workplace equipment and tools, safety of the physical work environment, personal protective equipment, and training.

“Complainant” is defined as any College employee, not to include student employees, on the payroll of Southwest Wisconsin Technical College who has a personal complaint as defined in this procedure.

“Complaint” is defined as any written allegation of impropriety regarding discipline or workplace safety as defined in this procedure. The written signed complaint shall include a clear and concise statement of the facts upon which the complaint is based, the specific policies alleged to have been violated, if any, and the relief sought. If mutually agreed upon by both parties, written complaints with the same or sufficiently similar underlying facts and policy issues may be combined at any time.

“Days” are defined as Monday through Friday when the College is open for business. Weekends, holidays, and days when the College is closed are excluded.

### **Procedure**

#### **Step 1**

If an issue related to employee terminations, employee discipline, or workplace safety as defined in this procedure has not been resolved informally with the complainant’s immediate supervisor, the complainant has the right to present a formal written

complaint to the immediate supervisor within ten (10) days after the facts upon which the complaint is based first occurred. The supervisor will meet with the complainant within seven (7) days and provide his or her written response within ten (10) days of the meeting.

### **Step 2**

The complainant may, within seven (7) days after receipt of the written response of the immediate supervisor, request a review of the decision of his or her supervisor in writing to his or her Vice President or designee.

#### **A. Review of Complaint.**

The Vice President or designee, within ten (10) days of receipt of the request for review, shall review the complaint to determine whether the complaint is valid and notify the complainant. Validity is not a determination of whether or not the actions that gave rise to the complaint occurred, but whether or not the action underlying the complaint is within the scope of the complaint procedure. The Vice President or designee shall establish validity upon determining all of the following:

- That the complaint involves discipline or workplace safety as defined in this procedure.
- That the alleged conduct occurred on College-owned, College-leased, or College-controlled property or had a significant connection to the employment of the individual complainant and activities of the College.
- That the complainant is a College employee as defined in this procedure.
- That the complainant was the party harmed by the activity or action set forth in the complaint.

If the Vice President or designee concludes that the complaint lacks validity, he or she shall dismiss the complaint.

#### **B. In-Person Meeting regarding merits.**

If the Vice President or designee concludes the complaint is valid, he or she shall meet with the complainant within seven (7) days of receipt of the request for review to evaluate the merits. The Vice President or designee shall provide a written decision on the merits of the complaint within seven (7) days after the meeting.

The written complaint may not be amended following this decision; however, the remedy requested may be modified at any time without prejudice to the complainant's position in the appeal.

### **Step 3**

The complainant may submit a written request for a hearing on the Vice President or designee's decision with regard to merit within seven (7) days of the written response from the Vice President or designee. The written request for hearing shall state the specific basis for disagreement and shall be submitted to the Director of Human Resources. Upon receipt of the request, the College shall retain the services of an Impartial Hearing Officer (IHO) and a hearing shall be scheduled within thirty (30) days after receipt of the request for hearing.

A record of the hearing shall be made. The complainant shall have the burden of proof that the complaint is meritorious, which must be shown by evidence that is clear, satisfactory, and convincing. In his or her written decision, the IHO shall make relevant findings of fact, shall decide for or against the complainant, and state his or her reasons. The decision of the IHO shall be limited to the issues raised in the request for hearing. The IHO shall have no authority to add to, modify, or delete from the policies of the College. If the IHO rules in favor of the complainant, the IHO will determine the appropriate remedy. The IHO's decision will be provided in writing to the parties within thirty (30) days of the hearing.

### **Step 4**

Either party may, within seven (7) days after receipt of the written decision of the IHO, appeal the decision of the IHO to the Southwest Wisconsin Technical College Board of Trustees by filing a written appeal specifically stating the basis for contesting the findings and/or decision of the IHO. The appeal shall be filed with the Executive Administrative Assistant to the President/Board. Upon receipt of a request for an appeal, the College will provide a record of the IHO hearing for use by the Board. Upon receiving the record, the Board shall schedule the appeal within thirty (30) days. The deliberations will be conducted according to procedures established by the Board. The Board shall overturn the decision of the IHO if the decision was unreasonable, arbitrary, or capricious.

The Board shall issue its written decision within fifteen (15) days following the conclusion of the Board's deliberations. The decision shall be by simple majority vote and shall be limited to holding for or against the appealing party. The decision shall be limited to the precise issue raised in the appeal and shall be final and binding.

### **Timeline Requirements**

If the College fails to give a written answer at Steps 1 or 2 within the designated timeframe, the complainant may immediately proceed to the next step. Failure by complainant to meet applicable deadlines may be the basis for dismissal of any complaint. If it is impossible to comply with the time limits specified because of extenuating circumstances, these time limits may be extended by mutual consent in writing by the complainant and the President or designee of the College.

**Representation**

Either party may utilize a designated representative at their own expense.

**Confidentiality**

All participants in all proceedings under this procedure shall observe confidentiality to the extent reasonably possible.

### **Southwest Wisconsin Technical College Complaint And Appeal Procedures for the District Board**

Per the Southwest Wisconsin Technical College Employee Complaint and Appeal Procedure for Discipline and Workplace Safety Issues Pursuant to Wis. Stats. Sec. 66.0509, either party may, within seven (7) days after receipt of the written decision of the Impartial Hearing Officer (IHO), appeal the decision of the IHO to the Southwest Wisconsin Technical College District Board by filing a written appeal specifically stating the basis for contesting the findings and/or decision of the IHO. The appeal shall be filed with the Executive Administrative Assistant to the President/Board. This appeal procedure relates only to a complaint submitted under the above Board Policy. Neither party in the appeal may engage in communication with any Board member(s) on any substantive issues. Board members must not discuss the complaint with any person prior to the meeting.

The Board may designate a person to handle all procedural issues and communications associated with this appeal. The procedures below may be modified at the option of the Board, so long as they are consistent with the above policy.

#### **Procedures**

1. Upon receipt of a written request for an appeal of the decision of the IHO to the Board, the College will provide a record of the IHO hearing for use by the Board. Copies of all documents and the record from the proceedings before the IHO will be made available to the Board members at least ten (10) days prior to the meeting.
2. Upon receipt of the record, the Board Chair shall schedule the appeal within thirty (30) days. Board deliberations on the appeal will be conducted in closed session. Only Board members and the Board's legal counsel shall be present.
3. The Board must consider only evidence submitted during the hearing before the IHO.
4. At its sole discretion, the Board may request clarification of the IHO record in writing from either party, prior to the scheduled deliberations.
5. The Board shall overturn the decision of the IHO if the decision was unreasonable, arbitrary, or capricious.
6. The decision shall be by simple majority vote of the Board and shall be limited to holding for or against the appealing party. The decision shall be limited to the precise issue raised in the appeal and shall be final and binding.
7. The Board shall issue a written decision within fifteen (15) days following the conclusion of the Board's deliberations.

Adopted: 2/28/13  
Reviewed:  
Revised:

## 2.6 – ACTING PRESIDENT

On occasion, the President of the College on account of official business, vacation, illness, or other unavoidable cause, will be absent from campus. During such absences, it is essential that provision be made so that official business may proceed.

Therefore, in the temporary absence of the President, the order of succession for President of the College will be as follows:

1. Vice President for Administrative Services
2. To be determined
3. To be determined

In the event any of the above-named positions are vacant or filled by persons in an acting or interim capacity, the line of succession shall automatically be directed to the next position. In the event nobody on the list is available to serve, the President shall designate an Acting President. In the event that one of the above-named positions is vacated, the order of the positions will be examined by the Board when the vacancy occurs.

The President's Office will notify the Leadership Team when an Acting president is named and forward that notification to the Board.

The Acting President shall fulfill the responsibilities outlined in the Acting President Position Description, which is attached.

Because of these considerations, the Board of Trustees:

- A. Authorizes the President to:
  - a. Implement formal mentoring opportunities specifically designed to provide training related to the powers, duties, and responsibilities held by the President.
  - b. Assess and evaluate the performance of the Acting President.
  - c. Provide compensation for services rendered as Acting President.
  - d. Support the pursuit of a doctorate degree by the Vice President for Administrative Services and, if necessary, other identified positions through an investment of time and resources.
- B. Determines the process to select a second Acting President during the October 2018 Board Retreat.

Adopted: 7/9/18  
Reviewed:  
Revised:

## POSITION DESCRIPTION

**JOB TITLE:** Acting College President

**REPORTS TO:** College President

**SUMMARY:** Under the authority delegated by the President, the Acting College President serves in the place of the President when he is engaged in off-campus responsibilities. The Acting College President provides leadership and is responsible for ensuring the operations of the College continue effectively while the President is away from campus.

### ESSENTIAL DUTIES AND RESPONSIBILITIES:

- Participate in professional development opportunities provided by the Wisconsin District Boards Association, American Association of Community Colleges, Association of Community College Trustees, and other opportunities as may be identified.
- Serve as a liaison with the Board Chair, in the absence of the President, to keep the Board informed of issues or concerns with potential to cause significant impact to the College.
- Lead, guide, and direct the positions which report directly to the President.
- Serve in the place of the President in the event of a campus emergency.
- Responsible for the success of all elements of the day-to-day operations of the college in the absence of the College President. Assess and report progress to the College President.
- Exercise leadership to ensure teaching and student achievement are conducted at a high level.
- Maintain fiscal oversight ensuring purchases, expenditures, and investment meet expectations and are in the best interest of the College.
- Exercise leadership in maintenance of District facilities and resources.
- Responsible for effective management and direction of the human resources of the college including the right to appoint, direct, assign, transfer, promote, and discipline employees as provided by law, in accordance with policies of the Board, and, if possible, with approval of the President.
- As directed by the President, organize and facilitate meetings and activities of the District Board, inform the Board of significant events, and advise the Board concerning necessary courses of action to be taken to implement college policies, goals, and programs.

- Provide direct support for all collaborative activities with federal, state, and district agencies, local and state educational institutions, and with district business and industry. Enhance the image of the College in the region.
- Provide leadership and direction for internal governance of Councils, Team, and Committees.
- Supervise the development of and give final approval to all federal and state reporting requirements and final approval of all special funding projects through various federal and state agencies.

**EDUCATION AND QUALIFICATIONS:**

- Pursue an Ed.D. or Ph.D. with a minimum of five years of experience in higher education at a senior administrative level.

### 3.1 - GENERAL EXECUTIVE CONSTRAINT

The President is specifically classified as a “public official” under Subchapter III of Wisconsin Statutes Chapter 19 and, as such, is subject to the Wisconsin Code of Ethics for Public Officials and Employees. The President shall act at all times in an exemplary manner consistent with the responsibilities and expectations vested in that office. The President shall act in a manner consistent with Board policies and with those practices, activities, decisions, and organizational circumstances which are legal, prudent, and ethical.

Accordingly, the President may 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 to the community, Board, or College constituencies which is knowingly untimely, inaccurate, or misleading.
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 College.
7. Manage the College without adequate administrative policies.
8. Fail to take prompt and appropriate action when the President becomes aware of any violation or potential violation of any laws, rules, or regulations, or of any breach of Board policies.
9. Enter into any lease, purchase, sale of any land or lease, purchase, sale or construction of facilities nor name facilities or parts of facilities without prior Board knowledge and authorization.

Adopted: 1/24/02  
Reviewed: 3/27/03, 3/22/07, 1/17/08, 10/15/10  
Revised: 10/28/10

## 3.2 - HUMAN RELATIONSHIPS

Treatment of and interaction with students, staff, and persons from the community shall not be inhumane, unfair, or undignified and will not be in violation of the Wisconsin Code of Ethics for Public Officials and Employees.

Accordingly, the President may not:

1. Operate without policies and/or procedures which set forth staff and student rules.
2. Fail to provide for effective handling of grievances.
3. Fail to insure due process.
4. Fail to protect against wrongful actions against or by staff or students.
5. Fail to comply with all state and federal laws, rules and regulations pertaining to employees and students including those pertaining to discrimination, equal opportunity, sexual harassment, and rights of privacy.
6. Prevent students and staff from using established grievance procedures.
7. Fail to acquaint students and staff with their rights and responsibilities.
8. Fail to maintain confidentiality where appropriate.
9. 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.

Adopted: 1/24/02  
Reviewed: 3/27/03, 3/22/07, 1/17/08, 10/15/10  
Revised: 10/28/10

### 3.3 - COMPENSATION AND BENEFITS

The President shall maintain fiscal integrity and a positive public image with respect to employment, compensation, and benefits to employees, consultants, and contract workers.

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 policies of the Board.
3. Promise or imply permanent or guaranteed employment.
4. Employ persons not properly certified/certifiable for the position.
5. Grant fringe benefits not approved by the Board.

Adopted: 1/24/02  
Reviewed: 3/27/03, 3/22/07, 1/17/08, 10/15/10  
Revised: 2/28/13, 4/23/15

### 3.4 - BUDGETING/FORECASTING

Budgeting for any fiscal year or the remaining part of any fiscal year shall follow Board Ends priorities, control College financial risk, and accurately reflect projections of income and expenses. The President shall propose a budget after first seeking broad input from all College constituencies. Budgets will become effective upon approval by the Board

Accordingly, the President shall:

1. Propose a balanced budget with supporting information to enable a reasonable projection of revenues and expenses, use of fund balance, separation of capital and operational items, and disclosure of planning assumptions.
2. Propose a budget which provides the annual funds for Board operations, such as cost of fiscal audit, Board development and training, and Board professional fees.
3. Propose a budget which takes into account Board Ends priorities.
4. Propose a budget which includes adequate amounts for non-compensation needs such as plant and facilities maintenance, instructional equipment, new program and course development, staff development, and institutional research.
5. Propose a capital budget which meets guidelines established by the Board and includes an analysis of the impact of such capital plan on the debt service mill rate.
6. Propose an operating budget which meets guidelines established by the Board and is within limits mandated by State Statute.
7. Submit any budget changes resulting in increases, decreases, or transfers by fund and /or function to the Board for a roll-call vote per Section 65.90(5), Wisconsin Statutes. (A two-thirds affirmative vote of the entire membership is required.)

Adopted: 1/24/02  
Reviewed: 4/24/03, 5/1/07, 1/17/08, 10/15/10  
Revised: 9/26/13

### 3.5 - FINANCIAL CONDITION

The President shall administer the Board approved budget without material deviation and shall protect the College from financial risk.

It is a material deviation to:

1. Expend more funds than have been received in the fiscal year without prior Board approval.
2. Indebt the College 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 without prior Board approval.
4. Make any purchase or commit to any expenditure greater than funds available in the contingency fund without Board approval.

Furthermore, the President may not:

1. Make any purchase:
  - a. Without prudent protection against conflict of interest;
  - b. Over \$10,000 without having obtained at least three competitive quotes, if available; and
  - c. Over \$50,000 without receipt of sealed bids or proposals, if available, submitted on prepared specifications unless a waiver of bidding requirements has been issued as permitted by the Wisconsin Technical College System Administrative Code or the purchase is made via a cooperative purchasing contract whose competitive purchasing process has been recognized as acceptable by the Wisconsin Technical College System.
2. Accept gifts or grants which obligate the College to make future expenditures of funds or human resources other than those created by the gift or grant without Board approval or which are not in the best interest of the College to accept.
3. Fail to maintain adequate combined operating fund balance reserves sufficient to provide for an average of two (2) months' operating expenses.
4. Fail to apply for aid from all sources of funding when eligible except when not in the best interests of the College.

Adopted: 1/24/02  
Reviewed: 4/24/03, 5/1/07, 10/15/10  
Revised: 2/28/08, 10/28/10, 6/20/13

### 3.6 - ASSET PROTECTION

The President shall cause assets to be adequately maintained and protected from unnecessary risk.

Accordingly, the President may not:

1. Fail to insure against theft and casualty losses in amounts consistent with replacement values or against liability to Board members, staff, or the College itself in amounts consistent with limits of coverage obtained by comparable organizations.
2. Permit plant and equipment to be subjected to improper wear and tear or inadequate maintenance.
3. Unnecessarily expose the College, the Board, or staff to claims of liability.
4. Receive, process, or disburse funds under controls which are not sufficient to meet the auditor's standards.
5. Invest funds in non-interest bearing accounts or in investments not permitted by Wisconsin 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; and
  - c. Local financial institutions receiving favorable consideration where (a) and (b) are relatively equal.
6. Acquire, encumber, or dispose of real property without Board approval.
7. Fail to protect property, information, and files from loss or damage.
8. Fail to protect the College's trademarks, copyrights, and intellectual property interests.

Adopted: 4/25/02  
Reviewed: 5/22/03, 5/1/07, 1/17/08, 10/15/10  
Revised: 2/28/13

### 3.7 - COMMUNICATION AND COUNSEL TO THE BOARD

The President shall keep the Board adequately informed. Accordingly, the President shall:

1. Submit monitoring data required by the Board (see Policy 2.3, Monitoring College Effectiveness) in a timely, accurate, and understandable fashion, and 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 an appropriate form that is accurate, complete, concise, and is not misleading.
5. Provide a mechanism for official Board, officer, or ad hoc committee communications.
6. Interact with the Board on matters within the area of Board responsibility.
7. Report in a timely manner on actual or anticipated non-compliance with any Board policy.

Adopted: 4/25/02  
Reviewed: 5/22/03, 5/1/07, 1/17/08, 10/15/10  
Revised: 5/22/03

## 4.1 - COLLEGE VISION

Southwest Wisconsin Technical College will be a preferred provider of education, source of talent, and place of employment in the region. We at the College change lives by providing opportunities for success.

Adopted: 1/24/02  
Reviewed: 11/2/02, 3/22/12  
Revised: 3/24/05, 2/22/14

## 4.2 - COLLEGE MISSION

Southwest Wisconsin Technical College provides education and training opportunities responsive to students, employers, and communities.

Adopted: 1/24/02  
Reviewed: 11/2/02, 7/14/08, 3/22/12  
Revised: 3/24/05, 8/28/08, 2/22/14

### 4.3 - COLLEGE PURPOSES

Southwest Wisconsin Technical College's purposes are to:

1. Provide apprenticeship, certificate, technical diploma, and associate degree programs that respond to District workforce needs and prepare students for family-sustaining jobs and career advancement.
2. Provide customized training, retraining, and technical assistance to businesses, industries, and individuals that foster economic development and the expansion of employment opportunities.
3. Collaborate with schools to provide K-12 students opportunities to explore college and career options as well as to enhance their preparation for postsecondary education and employment.
4. Provide career pathways and collegiate transfer opportunities programs that enable graduates to continue their education.
5. Provide continuing education opportunities to enhance the occupational knowledge and skills of District workers and residents.
6. Provide Adult Basic Education, GED/HSED, bridge, and other programs that help unskilled or low-skilled individuals prepare for work, postsecondary education, or career advancement.
7. Provide education and services which address barriers created by stereotyping and discriminating and assist minorities, women and the handicapped or disadvantaged to participate in the work force and the full range of technical college programs and activities.
8. Provide community services and avocational or self-enrichment activities.

Adopted: 1/24/02  
Reviewed: 11/2/02  
Revised: 3/24/05, 2/22/14, 12/16/16

## 4.4 - COLLEGE VALUES

**Learning.** We make high-quality, affordable education accessible to our diverse population. We help students develop the knowledge, skills, and attitudes needed for workforce success.

**Integrity.** We promote a cohesive culture that is based on professionalism, fairness, trust, and respect. We work as a team to maintain a healthy environment of open communication, transparency, and dedication to the mission of Southwest Tech.

**Accountability.** We hold ourselves and our teams responsible for achieving academic and fiscal College goals as established by the District Board.

**Partnerships.** We work together to set and attain goals that support our strategic directions. We collaborate internally with students and staff and externally with businesses, donors, alumni, retirees, and the community to identify needs and provide services that impact lives.

**Innovation.** We foster creativity and student success while exceeding industry needs. We leverage our rural perspective and progressive entrepreneurial spirit by utilizing emerging technologies that incorporate trend-setting techniques and strategies.

**Continuous Improvement.** We attract forward-thinking team members. We support and promote their personal and professional development in order to produce high-quality, relevant programs and services, essential to our growth and sustainability as a college.

Adopted: 1/24/02  
Reviewed: 11/2/02, 3/24/05  
Revised: 2/26/16

## 4.5 - COLLEGE STRATEGIC DIRECTIONS

- Advance Quality
- Increase College Access
- Improve Student Completion & Success
- Strengthen Partnerships
- Create a Cohesive Culture
- Make Customer Service a Priority
- Promote Effective Communication
- Promote Fiscal Efficiency and Sustainability

On October 22, 2015, The District Board of Directors prioritized the Strategic Directions. Several directions were combined with the Board identifying the below as the priorities for the College.

- Increase Access and Improve Success
- Cohesive Culture and Customer Service
- Promote Fiscal Efficiency and Sustainability

Adopted: 1/24/02  
Reviewed: 11/2/02, 6/19/08  
Revised: 3/24/05, 7/14/08, 3/22/12, 3/26/15, 10/22/15