

OCCA BOARD POLICIES

The Board of Directors adopts the following policies to carry out its programs and activities as indicated in the Oregon Community College Association (OCCA) Bylaws. These policies may be amended or repealed with the majority vote of the Board of Directors.

BOARD AND ASSOCIATION OPERATIONS

1. Value Statement

- 1.1 The OCCA Board of Directors will adopt a value statement that guides the Association and staff.
- 1.2 The Board of Directors will review the value statement at the first association meeting of each fiscal year.

2. Conflicts of Interest

- 2.1 As public officials, Board of Directors and OCCA employees are prohibited from using or attempting to use their position to obtain a financial benefit if the opportunity for the financial benefit would not otherwise be available but for their position with the Association. The financial benefit prohibition includes persons within their family, business or financial ties. All conflicts of interest must be disclosed in accordance with Oregon Revised Statutes Chapter 244.

3. Publications And Research

- 3.1 The executive director has charge of and shall oversee the preparation of and dissemination of all Board and Association publications and communications.

4. OCCA Committees

- 4.1 **Member Services:** The Member Services Committee is chaired by the vice president of OCCA and is comprised of a minimum of five OCCA representatives or district board of education members, four presidents, and three college staff. This committee's primary role is to develop education and training programs and services for the benefit of OCCA Board of Directors members (OCCA representatives and college presidents), the district board of education members of OCCA member colleges, and emerging Oregon community college leaders. The committee reviews and makes recommendations to staff related to OCCA-sponsored education and training programs including but not limited to the annual conference, annual summer board member trainings, and quarterly board forums. The committee also reviews and selects student speakers for the All Oregon Academic Team event.
- 4.2 **Nominating:** There shall be five members of the Nominating Committee. The president shall designate a chair. The Nominating Committee shall prepare a slate of officers

consisting of the vice-president, treasurer and two at-large members (and, if necessary, the president or secretary) to be presented to the Board of Directors at the meeting prior to the meeting where the election of officers is to occur. Additional nominations may be made from the floor.

- 4.3 **Budget:** The Budget Committee is chaired by the treasurer. The committee will be comprised of two presidents, two OCCA representatives, and one college financial officer. The committee will review and make recommendations to OCCA staff about the OCCA budget. The committee will also review with staff the annual audit of the Association's financial statements.
- 4.4 **Legislative:** The Legislative Committee is comprised of the president, vice president, Oregon Presidents' Council chair and vice chair, representatives from college affinity groups including Oregon Community College Marketing and Public Relations (OCCMPR) and government affairs, and any other members appointed by the OCCA president based on their expertise and working knowledge of legislative affairs, advocacy and strategic communications. The committee will make recommendations to OCCA staff about OCCA statewide legislative advocacy efforts. Prior to the start of each odd year legislative session, the committee will review and make recommendations on OCCA Legislative Positions for approval by the Board of Directors. The OCCA president shall designate a chair.
- 4.5 **Diversity, Equity and Inclusion:** There shall be no more than twenty-five members of the Diversity, Equity and Inclusion (DEI) Committee comprised of eight to ten district board of education members, five to eight presidents, and three to five representatives from college staff affinity groups including members of the Diversity and Inclusion Consortium of Oregon Community Colleges, and other members appointed by the OCCA president based on their expertise and working knowledge of diversity, equity and inclusion. The group shall elect a chair from its members. The purpose of the DEI Committee is to actively engage and recruit people of color in our communities to increase their participation and representation on district boards of education; review OCCA bylaws, board policies, operational practices, and strategic goals; and support OCCA and all community colleges in their own individual and collective learning around racism and bias within our institutions and society.
- 4.6 **Howard Cherry Award Nominating:** The Howard Cherry Award Nominating Committee shall include the OCCA vice-president and secretary. Other members will be appointed by the OCCA president after all nominations are received. Members will be selected from member districts that did not submit a nomination. The committee shall consist of two additional president and three additional OCCA Representatives for a total of seven members.

5. OCCA Annual Awards

- 5.1 **Dedicated Service Award:** This award is given to long-time community college district board of education members in recognition of their years of service. Awards are given to those district board of education members who:
 - a) Will complete their second four-year term on June 30 following the annual convention.
 - b) Will complete additional four-year terms (12 years or more) on June 30 following the annual convention.

- 5.2 **Howard Cherry Award:** This award is given only to those who, by their contribution to the community college cause in Oregon, have brought recognition to community colleges statewide. The Howard Cherry Award Nominating Committee shall decide how many awards and in which categories awards shall be given each year before the annual convention.
- a) Presentation of the awards will be made as part of the annual convention or at a meeting of the individual's district board of education.
 - b) **Chuck Clemans Award:** The Howard Cherry Award Nominating Committee may ask for nominations for this award to recognize the exceptional service of a community college district board of education member to the Oregon Community College Association.

6. **OCCA Board Forum**

- 6.1 OCCA representatives may hold informal forums in conjunction with regular meetings of the Board of Directors to discuss current topics of interest, conduct training and information workshops relevant to elected board members, and promote networking opportunities among OCCA representatives. The OCCA vice president shall chair the forum.
- 6.2 The purpose of the forum is for representatives to connect with fellow district board of education members in an informal manner and share issues they are discussing at their colleges. No formal motions may be made, or action taken, during a forum meeting. If an issue should arise from a board forum meeting for consideration by the Board of Directors, the chair shall notify the president and executive director prior to presentation to the Board of Directors.

7. **Oregon Student Success Center**

- 7.1 The Oregon Student Success Center (OSSC) is a grant-funded initiative of the Association established in 2016. It is housed at OCCA and the executive director is an OCCA employee. The work of the OSSC is overseen by the Student Success Advisory Committee (formerly the Student Success Oversight Committee), a sub-committee of the board that meets twice annually to provide strategic and operational direction to the OSSC and the Board of Directors. The OSSC executive director is also guided by a broad Steering Committee that meets monthly and focuses on policy and content of student success initiatives.
- 7.2 The Board of Directors makes final decisions on strategic policy initiatives and annual goals of the OSSC upon the advice and recommendation of the OSSC Advisory Committee.

PERSONNEL POLICIES

8. **Hiring and Dismissal of Staff:**

- 8.1 The Board of Directors shall hire the executive director.
- 8.2 The Executive Committee shall negotiate the terms of the contract for the executive director.
- 8.3 **Evaluation:** The Executive Committee shall evaluate the executive director annually, prior to the May board meeting. The evaluation will be based on the executive director's position description and the Board of Directors' expectations and approved performance measures.

The evaluation will be completed in time to allow the results of the evaluation to be sent to the Board of Directors prior to the May board meeting. The evaluation process shall allow opportunity for each board member to provide input into the Executive Director's evaluation. The Executive Committee shall make recommendations to the Board of Directors prior to extension of the executive director's contract.

- 8.4 The Board of Directors delegates to the executive director the responsibility for selection and dismissal of other staff. (Article VII, Section 1) The executive director will advise the Executive Committee of all new hires and terminations and any changes in office positions.
- 8.5 All employees, other than executive director, shall be considered at will and without expectation of continued employment with the Association. Their services may be terminated for any reason.

9. Salary Approval

- 9.1 The executive director shall advise yearly the Executive Committee of staff salaries and proposed salary increases and employee benefits as part of the proposed budget package.
- 9.2 Each year the Association will review employee benefits to ensure benefits are equitable for the employees and the Association. This process will be performed by the executive director in consultation with the Executive Committee.

10. Executive Director

10.1 Chief Executive Officer: The Board of Directors shall hire the executive director on such terms as may be determined by the board. (Article VII, Section 1) The executive director shall serve as the chief executive officer to the Board of Directors and the Association and shall assume those duties upon appointment by the board. The executive director shall perform duties as established by the Board of Directors and as designated in the Association's policies and procedures. Among other general executive duties, the executive director shall:

- 10.1.1 Be expected to work as a professional to accomplish Association objectives and perform Association obligations;
- 10.1.2 Be the administrator and budget officer of the fiscal affairs of the Board of Directors and the Association. As such, the executive director shall take charge of all Association funds, prepare budgets, maintain fiscal records, collect membership dues and prepare such reports as are required or requested;
- 10.1.3 Prepare the agenda for all meetings in collaboration with the president; record the minutes of all meetings and transmit copies to all members of the board; take charge of all records, proceedings and documents of the Board of Directors and the Association;
- 10.1.4 Implement the Association's bylaws and policies by ensuring that all employees they supervises have knowledge of and understands the bylaws and policies, and for taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with the bylaws and policies; and any other State or Federal regulations or laws pertaining to the Association.

- 10.1.5 Establish operation procedures that support the Association’s Bylaws and OCCA Board Policies;
 - 10.1.6 Establish an employee handbook;
 - 10.1.7 Evaluate all staff and, at a minimum, conduct an annual appraisal of performance with each staff member;
 - 10.1.8 Establish a complaint procedure for employees. In the case of a complaint against the executive director, the president of the Association shall be contacted;
 - 10.1.9 Assume such powers not set forth herein which are customarily exercised by executives in like positions;
- 10.2 **Advocacy and Public Relations Function:** The executive director reports to the Board of Directors and shall advise the board regularly and at all times of emergency of such state or federal policy, legislative or regulatory matters which may affect the interests of the Association or any of its members. The executive director shall be the chief spokesperson at the legislature and with state agencies and commissions on matters adopted by the Board of Directors as legislative or other statewide policy priorities. The executive director may delegate legislative and statewide policy advocacy duties to staff as the executive director sees fit.

11. Harassment Policy

- 11.1 The Association is committed to a work environment free of inappropriate and disrespectful conduct, and communication of a sexual nature. OCCA strongly opposes any type of harassment including sexual harassment. Any form of harassment or sexual harassment in the workplace by a manager, employee or non-employee, including any vendor or board member, will not be tolerated. Sexual harassment is a violation of Title VII, Section 703 of the Civil Rights Act of 1964, as well as the applicable laws of the state of Oregon (see ORS 659.030).
- 11.2 HARASSMENT DEFINITION: Harassment is verbal or physical conduct that demeans or shows hostility or aversion toward an individual because of their race, color, religion, gender, national origin, age, or disability, or that of their relatives, friends, or associates, and that: (1) has the purpose or effect of creating an intimidating, hostile, or offensive working environment; (2) has the purpose or effect of unreasonably interfering with an individual's work performance; or (3) otherwise adversely affects an individual's employment opportunities. Harassing conduct includes, but is not limited to, the following:
 - 11.2.1 Epithets, slurs, negative stereotyping, demeaning comments or labels, or threatening, intimidating or hostile acts that relate to race, color, religion, gender, national origin, age, or disability and,
 - 11.2.1 Written or graphic material that demeans or shows hostility or aversion toward an individual or group because of race, color, religion, gender, national origin, age, or disability and that is placed on walls, bulletin boards, computers or elsewhere on the employer's premises, or circulated in the workplace.

11.3 **SEXUAL HARASSMENT DEFINITION.** Sexual harassment is defined as: discrimination related to or because of an individual's sex or gender. It includes unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when such conduct is directed toward an individual because of that individual's gender; and

11.3.1 Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

11.3.2 Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individual; or

11.3.3 Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

11.4 **ENFORCEMENT PROCEDURE.** The Executive Director is responsible for implementation of the Association's harassment and nondiscrimination policies, for ensuring that all employees have knowledge of and understand the policies, and for taking and/or assisting in prompt and appropriate corrective action when necessary to ensure compliance with these policies. All employees are strongly encouraged to report conduct if they believe they have been subjected to discrimination and/or harassment or have knowledge of any discrimination and/or harassment in the workplace.

11.4.1 Complaints or reports regarding harassment including sexual harassment shall be brought to the Executive Director.

11.4.2 The initiation of a complaint, or making a report in good faith, shall not under any circumstances be grounds for discipline.

11.5 **COMPLAINT PROCEDURE.** An employee may bring any complaint to the executive director either orally or in writing. In the case of a complaint against the executive director, the president shall be contacted. The complaint shall be processed expeditiously and confidentially.

11.6 **ANONYMOUS COMPLAINTS.** If a complainant wishes to remain anonymous, OCCA will take all actions possible to investigate, stop the harassment if confirmed, prevent its recurrence, and remedy its effects. However, anonymous complaints will limit the opportunity for the accused to respond to the complainant and thus will constrain the Association's ability to respond and/or implement remedial action.

11.7 **PROHIBITION OF RETALIATION.** OCCA prohibits retaliation against any employee who makes a legitimate complaint of sexual or other harassment or who provides testimony in the investigation of any such complaint.

12. Equal Employment Opportunity/ Non-discrimination

- 12.1 The Association is committed to avoiding discrimination in all its employment practices. OCCA will not discriminate against persons because of sex, race, color, religion, national origin, age, political or union affiliation, marital status, sexual orientation, gender identity, familial status or any other legally protected status. Physical and mental impairments will be considered only as they relate to bona fide job requirements.
- 12.2 PROHIBITION OF RETALIATION. OCCA prohibits retaliation against any employee who makes a complaint of discrimination on the basis of any protected status or who provides testimony in the investigation of any such complaint.

13. Staff Compensatory Time and Overtime

- 13.1 The executive director shall establish compensatory time and overtime pay, within budget, following all state and federal requirements.
 - 13.1.1 Exempt Employees: Employees exempt from federal and state overtime provisions shall be expected to work as necessary to perform the Association requirements. It is understood that these positions may require work beyond a 40-hour week and shall not be eligible for overtime. The executive director shall have the discretion to award discretionary time off to exempt employees. Accrued discretionary time off shall not be paid to exempt employees at the termination of the employment relationship.
 - 13.1.2 Non-exempt Employees: Overtime shall be awarded in accordance with the provisions of the Fair Labor Standards Act and state law. Overtime must be approved by the executive director in advance. Non-exempt employees who work greater than 40 hours in a work week shall earn overtime in the form of compensatory time off on a time-and-a-half basis for every hour in excess of 40 hours as permitted by Oregon law. Overtime approval is the sole responsibility of the executive director and must be approved ahead of time. Any overtime hours earned in excess of 240 hours shall be paid to non-exempt employees instead of as compensatory time off as required by law.
 - 13.1.3 Compensatory and discretionary time off may be used at a time mutually agreed to with the executive director consistent with the Association’s vacation leave policy.
- 13.2 Executive director compensation and benefits are included in the terms of the contract negotiated by the Executive Committee. The executive director is subject to the same employee policies as other association employees unless otherwise stated in their contract.

14. Whistleblower Policy and Reporting Responsibility

- 14.1 The Association strictly prohibits discrimination or retaliation against any employee for engaging in whistleblowing activities as defined in ORS 659A.200 to 659A.229, including disclosure of information otherwise protected under Oregon’s public records law (ORS 192.311 to 192.478). An employee who in good faith has an objectively reasonable belief that the actions of the Association or its employees violates federal, state, or local law and

who, in the process of reporting the alleged violation, discloses information that is exempt from disclosure under Oregon’s Public Records law has an affirmative defense against civil or criminal charges arising out of such disclosure as permitted by Oregon law.

- 14.2 Any employee who invokes their rights under this policy has the right to file a complaint under the Association’s harassment complaint procedure; and, is entitled to all remedies available under Oregon’s unlawful employment practices law, ORS 659A.200 to 659A.224.
- 14.3 COMPLAINT PROCEDURES. The executive director shall establish procedures regarding the reporting and investigation of suspected unlawful activities by OCCA employees, and the protection from retaliation of those who make such reports in good faith or assist in the investigation of such reports. For the purposes of this policy and any implementing procedures, “unlawful activity” refers to any activity — intentional or negligent — that violates state or federal law, local ordinances, or Association policy. The procedures shall provide that individuals are encouraged to report suspected incidents of unlawful activities without fear of retaliation, that such reports are investigated thoroughly and promptly, remedies are applied for any unlawful practices and protections are provided to those employees who, in good faith, report these activities or assist the Association in its investigation.

15. Post-Retirement Employment Policy

- 15.1 Employees may request to continue employment with the Association upon retirement from the Public Employee Retirement System (PERS) as permitted by state and federal law. Requests for post-retirement employment may be approved if it is determined that the continued employment is in the public interest of the Association. The Association retains the sole discretion to authorize post-retirement employment of PERS retirees.
- 15.2 The following factors will be considered when making a decision about whether post-retirement employment is in the public interest of the Association:
- The impact on OCCA services while recruiting and/or retraining a successor;
 - The need to retain the level of professional expertise, job knowledge, skills or training of the retiree due to their key role or critical function;
 - The need to complete work on a specific project or assignment;
 - The need to continue employment to ensure stability or continuity of OCCA operations;
 - The impact on the Association’s budget.
- 15.3 The executive director, in consultation with the Executive Committee, will make the decision on all employee post-retirement employment requests. The Executive Committee will make the decision on requests for post-retirement employment made by the executive director. All decisions will be made after considering the factors above and consistent with existing OCCA re-employment guidelines, state, and federal laws.

FINANCIAL MANAGEMENT

16. Fiscal Year

16.1 The fiscal year of the Association shall run from July 1 to June 30.

17. Accounting Method

17.1 The Association shall use the modified accrual basis in reporting financial transactions. Revenues will be recognized when earned and available and expenses when a benefit is realized.

18. Fund Structure

18.1 General Fund: The Association's operations are accounted for in the general fund. The primary sources of revenue are membership dues Expenses are for the Association's operation costs.

19. Audit

19.1 An audit of the financial affairs of the Association shall be performed annually by an auditor appointed by the Board of Directors.

20. Budget

20.1 Annual Association and OSSC budgets shall be prepared by the executive director or their designee before the May meeting of the Association and submitted to the Budget Committee for its review and recommendations to the Board of Directors. The treasurer will provide copies of both budgets to the Executive Committee for review prior to approval by the Board of Directors.

20.2 The recommended budgets shall be submitted to the Board of Directors at the May meeting for approval and final adoption.

21. OCCA Member Dues

21.1 Member institution dues to support the Association shall be billed by splitting half equally between the colleges and half based on college reimbursable full-time enrollment.

21.2 The executive director will provide an estimate of potential dues increases to all member colleges by March of each year.

21.3 On or before June 1 of each year, the Board of Directors shall determine the total dues amount required to provide Association services for the fiscal year commencing the next July 1.

21.3.1 Calculation: The Board shall levy 50 percent per college on a flat rate, shared equally by members, and 50 percent in an amount per member which is the product of the number of reimbursable FTE paid by HECC/CCWD for the current fiscal year which is the previous year's actual FTE multiplied by a uniform rate per FTE.

- 21.4 Dues may be increased any time in addition to the budget process upon unanimous approval of the Board of Directors.
- 21.5 Dues for the period beginning July 1 of any fiscal year shall be paid in full within 30 days of commencement of the fiscal year.

22. Insurance

- 22.1 The Association shall secure:
- a) Fire insurance on personal property;
 - b) Liability insurance (bodily injury, property damage and loss);
 - c) Liability insurance on any auto used for OCCA business;
 - d) Comprehensive general liability insurance on OCCA board members, officers and employees;
 - e) Fidelity bonds, in adequate amounts, shall be carried on the Executive Director and/or the employee who is involved in handling the Association's funds.
 - f) Property insurance on the OCCA office building.

23. Contingency Fund (Operating Reserve)

- 23.1 The "Target Level" for the Contingency Fund shall be 10% of the membership dues as approved in the annual budget. If the Contingency Fund is less than the target level, all interest generated from the contingency fund shall be kept in the contingency fund until such time as the Target Level is reached. Building the reserve will be phased in over a period of five (5) years beginning in FY 2022. Dues paid by member colleges will be increased annually by 2% until the 10% reserve requirement is met. In addition, until the Target Level is reached, at least 15% of any year-end income over expenses (budget carryover) shall be applied to the Contingency fund. The 2% dues assessment on member colleges may be reduced by the budget carryover upon recommendation of the Budget Committee.
- 23.2 Once the Contingency Fund reaches the Target Level of 10%, the Board shall evaluate whether the reserves are sufficient.
- 23.3 When the Contingency Fund is diminished to 40% or less of the Targeted Level, the Board of Directors shall develop a plan of action to bring the fund back to the Target Level.

24. Capital Contingency Fund (Building/Land Reserve)

- 24.1 The "Target Level" for the Capital Contingency Fund shall be 10% of the value of the Association office building and land. These funds shall be earmarked specifically for the long-term repair and maintenance of the office building based upon a projected schedule provided by OCCA staff. Repairs and maintenance to include but not be limited to: roof, sidewalks, driveway, HVAC, painting, and wiring. The Board of Directors will review the Target Level each year to assure it continues to meet the needs of the organization and reflect fluctuations in the real estate market.

25. Check Signing Authority

- 25.1 The executive director, operations and policy analyst, president, and treasurer shall have authority to sign checks drawn on Association accounts on behalf of the Association.
- 25.2 Any signer may sign checks up to \$10,000 after an expense is approved by the designated approving authority. All checks over \$10,000 shall be signed by the president or treasurer.
- 25.3 An authorized signer may not sign a check on which they are a payee.
- 25.4 If the executive director is a payee, then the check shall be signed by the president or treasurer.

26. Expenses Reimbursement

- 26.1 Association employees will be reimbursed for reasonable expenses as outlined in the OCCA employee handbook.
- 26.2 Cash purchase of supplies or other items for the office can be included on the claim for reimbursement. Such purchases must be pre-approved by either the executive director or their designee.
- 26.3 The executive director and the deputy director shall have an expense allowance for expenses incurred in the course of meeting legislative candidates or members. The expense allowance may be spent on expenses directly associated with Association advocacy. This allowance will be established in the Association budget and approved by the Board of Directors.
- 26.4 Any expense not covered by this policy may be claimed and, if circumstances so justify, may be approved for reimbursement by the executive director prior to submission for reimbursement.
- 26.5 The executive director may assign credit cards to employees as needed for appropriate Association expenses. Employees shall not use the credit card for personal use.

27. Expense Reimbursement - Executive Committee and Board of Directors

27.1 Definitions:

- a) **Mileage reimbursement.** Mileage costs will be reimbursed at the current IRS rate for round trips of 50 miles or more.
- b) **Parking and tolls.** OCCA will reimburse for parking and tolls associated with a local or long-distance trip.
- c) **Meals.** Meal costs will be reimbursed at the current IRS per diem rate and as outlined in the OCCA employee handbook. Excluded are entertainment, alcohol expenses and other types of personal expenses not relating to meals. Government guidelines related to per diem should be used when ordering meals.
- d) **Lodging.** Lodging should be obtained at the approved government rate. Travelers should use standard single room accommodations at medium range hotels.

- e) **Receipts.** Receipts for all expenses must be attached to the expense report and itemized by expense category (meals, parking, lodging, etc.). Providing original receipt for all expenses is required for all items, per the Association's auditor.
 - f) **OCCA Expense Form.** A completed expense form with receipts shall be submitted within 30 days of all travel to receive reimbursement.
- 27.2. **Board President.** When acting in their official role at an annual convention or other approved Association meetings, the president shall be reimbursed for in-state travel expenses (lodging, meals and mileage) in the same manner as employees.
- 27.3 **Executive Committee Members.** OCCA will reimburse members of the Executive Committee for actual and necessary expenses incurred while performing their official duties as members of the committee when in-state travel is required. Executive Committee members will be reimbursed for in-state travel expenses (lodging, meals and mileage) in the same manner as employees.
- 27.4. **Board of Directors.** Expenses incurred by all other members of the Board of Directors shall be reimbursed by their member colleges.
- 27.5 **Executive Committee.** OCCA will reimburse the president for actual and necessary expenses for participation in approved out-of-state meetings or conventions when the president is acting in their official role as president. OCCA will also reimburse Executive Committee members who attend out-of-state meetings at the request of the executive director and/or the Executive Committee.