

An Open Letter to Our New Regents/Trustees

From Susan Moore-Fontenot, Immediate Past Chair of the Community College Association of Texas Trustees (CCATT) Board of Directors

CONGRATULATIONS!!!!

It is with sincere pleasure that we welcome you as a new or relatively new member of one of 403 Texas community college trustees. Your talent, skills, experience, and inquisitive minds will be a great asset to your college. I hope that you've had or look forward to your own individual scheduled orientation by your respective institution. Even if you have not had that, CCATT's New Trustee Orientation will be an excellent place to start.

The relationship between a board and the CEO is one of the most consequential in a college's governance structure. Trustees and the CEO share a commitment to the vision, mission, and values of the institution and to serving as stewards of its students and community. While their responsibilities are distinct, they are equally critical. **Trustees set policies that establish and protect the college's mission**, ensuring it is well-governed, while the CEO leads the administration of the college. Individual trustees should not try to direct the actions of their CEO who is accountable for managing the day-to-day operations of the college. A strong, collaborative relationship between trustees and the CEO is essential for advancing the institution's success.

As you can tell from your first trustee meeting, you must exercise **adequate preparation**. Trustees should pledge to devote sufficient time, thought, and study to your duties as board members in order to render effective and creditable service. This means attending board meetings on time, reading agenda materials, and preparing for meetings. Trustees who need additional information on an agenda item should let the CEO know well in advance to prepare the information. Trustees should not surprise the CEO or other district staff at board meetings. Trustees who attend board meetings unprepared not only lose effectiveness themselves but also negatively impact the operation of the board.

Let's talk about the "c" word - **confidentiality**. Deliberations and discussions of the board, staff, and legal counsel in closed or executive sessions are not to be released or discussed in public without the prior approval of the board by a majority vote. The Texas Open Meeting Act (TOMA) restricts closed sessions topics to items such as personnel matters, student discipline, pending litigation, salary negotiations, and land acquisition. Disclosure of confidential information is not only unethical; it may also result in litigation against the district and individuals involved.

As with all organizations, the Board **sets explicit and clear expectations** for the CEO. Often this is accomplished at a retreat. Clear expectations are the basis for the **annual performance evaluation**. Can you imagine having 7 to 9 bosses? Boards should have an objective process that looks at discrete data points to ensure that the leader is transformational. While there are many opportunities for informal evaluative comments, the annual formal evaluation is an opportunity to improve performance, refine direction, and reinforce recognition of the primary goals.

The formal evaluation concludes with updating the **CEO employment contract**, which covers the terms of employment including duties, salary, benefits, expense allowance, important working conditions, and the terms of office. No gentlemen's agreement; it's always in writing! Make it your goal to **support the CEO**, both publicly and privately, because it goes a long way to building a strong and consistent relationship.

Boards invest in CEOs. Hiring even the best CEO still requires trustees to **support professional development and involvement**. You'll vote to allocate funds for the CEO to travel to represent the college and engage in professional activities. Likewise, it's important for us to attend conferences and engage in professional development activities, become better informed, and learn from colleagues just as you are doing today.

Effective colleges have a history of strong and stable leadership. But remember, there will always be **leadership challenges**. Whether it's a retirement, or resignation, or the board determines it is necessary to make a CEO change. This can be a challenging time for the college. Plan ahead. Create a succession plan. Don't delay the inevitable. Communicate and have courageous conversations in real time.

Unfortunately, there may be times when the CEO comes under attack just because they are visible targets symbolizing the college. Be careful not to wax and wane with immediate concerns of a campus community. Support unpopular but legally correct decisions. After all, the process for finding an excellent president is well worth the 30 to 40 to \$50,000 cost of a search process, so get in there and help the board's only employee to improve or to decide that there are other opportunities. Be sure to follow due process procedures and consult your school attorney on contract negotiations from hiring through termination.

Trustees should understand the importance of working with fellow board members and the CEO in a spirit of **harmony and cooperation** despite differences of opinion that may arise during vigorous debates of issues. Trustees and CEO behaviors are very visible and set the

tone for other relationships throughout the college. Now, you may have a rogue board member; hopefully not! Your CEO should not be expected to discipline nor **control inappropriate/disruptive trustees**. The board chair or other influential board member can be most helpful by discussing concerns with the particular trustee in private. There may be occasions in which the whole board may have to deal with a disruptive trustee or with one who is not living up to expectations or standards of ethics. Unfortunately, TOMA laws do not usually permit a board of trustees to discuss behavior issues in closed or executive sessions.

I hope you're feeling good about your decision. As I begin to wrap up, always remember **the CEO is the primary contact**. Most of us belong to community groups which advocate for certain values, ideals or political or religious beliefs. We become the eyes and ears of the CEO. All **referrals of complaints and suggestions** that you receive from the community members, students or employees of the district should be referred to the CEO to address through appropriate channels. Always be a good listener; but reserve judgment for the boardroom. Even the appearance of a conflict creates negative publicity and perhaps legal problems for both the college and the individual involved.

Finally, boards have a special responsibility for future generations of students. This requires **protection of the institution's long-term sustainability**. We must also ensure that the college has adequate facilities and human capital. Do not lose sight of the long term needs of facilities.

Your CCATT Board, Director, and fellow colleagues are here to help. Please feel free to reach out to us. Best wishes as you bring value to your role as a Texas Trustee!