

# ***South Bay Regional Public Safety Training Consortium***



## ***Joint Powers Agency Board Member Orientation Handbook***

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**South Bay Regional Public Safety Training Consortium  
Joint Powers Authority  
Board Member Orientation Handbook**

## Section 1: Joint Powers Agency Overview

### Executive Summary

South Bay Regional Public Safety Training Consortium is a Joint Powers Agency comprised of seven (7) California community colleges; six (6) within the Bay Area Community College Consortium region and Lake Tahoe Community College District. Created through a California Community College Chancellor's Office grant in 1994, the Consortium has been serving public safety students and industry partners regionally for over 25 years. The Consortium programs include basic and advanced course delivery for Law Enforcement, Fire Services, Emergency Medical Services, and Dispatch Services.

### Historical Perspective

February 1992 in Assembly Concurrent Resolution No. 93, the community colleges were tasked with providing "sufficient public safety training courses to satisfy State-mandated training requirements, participate in regional consortiums of community colleges in order to minimize duplication of training courses, and make training programs more readily available." The colleges had been offering these courses in standard semester and quarter term formats, generally failing to obtain the required attendance numbers to run the courses. Thus, active public safety personnel began to fall out of compliance with certifications and legal mandates.

As a result of this resolution and the issues with servicing the needs of the target student population, a Public Safety Committee was convened by the State of California, comprised of members from the Community Colleges, Police, Corrections, Hazardous Materials and Fire practitioners, and the State Chancellor's Office. The Committee was tasked with identifying ways to deliver high quality training and education to entry level students and working professionals within the Public Safety professions. This committee initiated a State-wide Request For Applications (RFA) for grant funding through the Community College Chancellor's Office Public Safety Educators Advisory.

In July 1993 Evergreen Valley College, Criminal Justice Training Center was awarded a grant from the California Community College Chancellor's Office to analyze the feasibility and develop "Public Safety Model of Education Program" in a "Regional Consortium": Reference Project #93-0070. South Bay Regional Public Safety Training Consortium (SBRPSTC) was born out of this grant. Evergreen Valley College and Gavilan College were the first two colleges to enter into the Joint Powers Agreement on October 6, 1994, as a continuing pilot for an additional year. The Joint Powers Agreement provided SBRPSTC the "powers common to the participating districts"

and “authorized (SBRPSTC) to do all acts necessary for the exercise of said common powers” pursuant to the provisions of Section 6500, et seq. of the California Government Code.

The pilot proved to be more successful for students and the colleges than expected and subsequently additional colleges joined the Consortium through the Joint Powers Agreement. By the end of the pilot the Consortium was five (5) colleges strong and negotiations were underway for additional colleges to partake. By August 1996, in a letter authored by Dr. Susan Oliviera to Dr. Leo Ruelas, SBRPSTC advised the California Community College Chancellor’s Office that the Consortium included seven (7) college districts, had been awarded additional Chancellor’s grant funding to develop and offer new training programs to meet the needs of the public safety students. At the recommendation of the Chancellor’s Office, all instructors recommended by SBRPSTC meet the minimum qualifications as designated through Title 5 and approved by “one of the participating SBRPSTC College Boards.” “The faculty are then considered approved by all the member colleges to teach in the SBRPSTC course offerings.”

SBRPSTC continued to prove to be beneficial in serving the public safety community, those seeking employment and those employed, as well as being more efficient and cost effective for the member colleges. During the 1994-95 pilot SBRPSTC successfully generated in excess of 615 FTES. Although the commitments from the colleges have fluctuated over the years, SBRPSTC has been able to maintain training and services to public safety students of all educational levels, and currently generates a combined total of approximately 2550 FTES for the colleges for eight (8) member colleges.

The structure and efficiencies of the organization have allowed SBRPSTC to expand the services offered to students not currently employed within the public safety profession. SBRPSTC is able to provide a single location to students for the pre-employment testing procedures (written and physical abilities) for law enforcement, dispatch and fire services. We offer pre-employment courses that assist the students in preparing for the Basic Academy, and the challenging employment processes including testing, interviewing and completion of required documents. In addition, we provide perishable skills update training so students can maintain the requisite skills and certifications necessary to secure employment, and keep current on the ever-changing legal implications associated with the public safety profession.

Since its creation, SBRPSTC has worked in concert with our member colleges to articulate courses, follow procedures and meet the needs of the student population in the most effective and efficient manner possible.

## **Mission**

The Academy's mission is to meet the educational and training needs of public safety students within the areas represented by the participating community college districts. Courses offered must meet a regional need of either small or large public safety agencies. Courses will also be carefully articulated with lower division academic programs and upper division transfer degree programs.

*The mission will be accomplished in an effective and efficient manner to ensure the highest quality training for current and aspiring public safety professionals.*

## **Consortium Structure**

The Consortium is structured similar to its member colleges with a Board of Directors and President/Chief Executive Officer having primary responsibility for the governance of the organization. A Vice President and three (3) Directors (IT & Facilities, Administrative Services and Program Services) complete the Consortium executive team. Each of the managers oversees program coordinators, course coordinators, specialists, and support staff. The Consortium employs approximately 37 full-time personnel, 20 regular part-time personnel and over 275 adjunct and contract educators. The Consortium directly employs the full-time and part-time staff, with adjunct faculty Board approved and paid through the Gavilan College system.

The Consortium processes mirror those at its member colleges with a registrar's office, accounts receivable/payable department, human resources department, curriculum department and student services staff. Policies and procedures are based upon legislative and regulatory requirements or limitations from California Code of Regulations Title 5, the California Education Code and external accrediting agencies (Commission on Peace Officer Standards and Training, State Fire Training and County Department of Emergency Medical Services Agency).

## **Section 2: Joint Powers Agency Governing Role**

### **Governance**

Each of the seven community college districts appoints a member and an alternate to the JPA Board. The JPA Board appoints a President/CEO for South Bay Regional Public Safety Training Consortium. The President represents the colleges and provides leadership and direction for the day to day operation of the Consortium. The President provides operational, policy and status updates to the JPA Board through regularly scheduled meetings. The JPA provides broad based direction to the President for the operation of the Consortium consistent with JPA Bylaws.

### **JPA Board Mission**

In fulfilling the mission of the California Community Colleges, the JPA Board recognizes their responsibility not only to serve the needs of their respective communities, but also to respond to regional and statewide public safety needs, by:

- Establishing who is entitled to access to the colleges.
- Establishing the major functions of the JPA and its membership.
- Determining necessary categorical programs.
- Establishing policies for the employment of college staff.
- Establishing intersegmental education systems relationships.
- Determining policies for the sale, lease, and use of real and personal property.
- Establishing provisions to assure nondiscrimination.

- Establishing provisions for uniform residency determination.
- Determining general policies regarding territory of districts and district reorganization.
- Determining broad policies on student rights and responsibilities.

## **JPA Board Role**

JPA ensures the wise and prudent delivery of education, a critical local and state resource, on behalf of the people in their communities. They are guardians of and stewards for the public's interests. Members of the Board ensure that the Consortium fulfills its responsibility to lead and serve its ever-changing communities. The JPA Board is responsible for the resources, performance and welfare of the Consortium it governs.

Through their actions and behavior, the Board can establish a climate in which learning is valued, professional growth is enhanced, and the most important goals are student success and making a difference for the community. They ensure that the strategic plan addresses what is needed for students to succeed. Effective JPA Board members, as individuals, strive for the "high road," seek full participation in decision-making, and encourage and model innovation, leadership, and professional development.

## **JPA Board Responsibilities**

- **Selection of Board:** The Board of Directors shall consist of one representative and one alternate representative from each member Community College or District who shall be appointed by the Governing Board of the member Community College or District, and who shall serve at the pleasure of the appointing Board. Only the designated representative (or the designated alternate in his/her absence) may cast the College/District's vote at a Board meeting. The designated representative or designated alternate may invite members of their agency's staff or consultants to attend meetings of the Board in an advisory capacity.
- **Officers:** The Board shall elect a Chair, and a Vice Chair from among the member College/District representatives who shall each serve a two-year term. The Board may make these terms staggered so that they do not expire simultaneously.
- **Actions of the Board:** The Board shall act only through the vote of a majority of its members present and constituting a quorum cast at a duly-noticed meeting of the Board. A quorum shall consist of a majority of the members. Each member shall have one vote.
- **Meetings:** The Board shall meet a minimum of one (1) time per year, at locations within the boundary of the member College/Districts. All Board meetings shall comply with the notice, agenda, and other requirements of the Brown Act as defined by Government Code section 54950 et seq. The Board shall receive communications at the JPA's business office.

- **JPA President:** The Board shall select and employ a President who shall be responsible for the day-to-day operations of the JPA, recommending policy to the Board and implementing Board approved policy.
- **Guidance and Direction:** Review and approve policies for current and long-range academic and facilities plans and programs; for the approval of courses of instruction and educational programs; and for determining the academic calendar through the JPA Board meeting consultation process.

The JPA Board's role is significantly different than the roles of the President and others employed at the Consortium. One way to think of it is that the Board does not do the work of the Consortium, but ensures that it is done. The JPA Board should understand the values of its communities and its public safety partners and should strive for decisions that incorporate the variety of external interests.

A primary policy focus for the JPA Board is the Consortium's vision and mission. It requires that Board members are strategic in their thinking and focused on the future learning of public safety. They must provide leadership for the mission of the Consortium to provide access, promote equity, and ensure that students are successful. They ensure that strategic and educational plans support what is needed by public safety students and the community.

### **Statutory Responsibilities**

The California Education Code contains laws that govern community colleges and define the roles and responsibilities of governing boards. Boards and trustees are also subject to provisions of the Open Meetings Act (Brown Act), Fair Political Practices Act, and laws pertaining to conflicts of interest. In addition, the Board of Governors of the California Community Colleges has established regulations and policies (contained in Title 5 of the California Administrative Code) that implement legislation and further delimit the authority of local governing boards.

In general, the JPA Board delegates significant authority to the President. The Board limits their role to developing broad policy and providing oversight in the areas listed above, and delegate the responsibility for administrative and professional duties to the professionals in the Consortium.

### **Open and Public Meetings**

State law requires that public boards do their work in public. Public service requires that issues affecting the public are shared and debated openly. Doing so promotes trustworthiness and reliability. The Brown Act created the primary set of statutes (Government Code 54950-54961) that governs community the legislative bodies of local agencies. Community college governing boards, academic senates, and associated student governing bodies are among the groups to whom the Act applies. The laws cover board meetings and agendas, public participation, and limits on how boards may meet. They provide for holding executive or closed sessions on a

number of matters, including personnel and lawsuits. Closed sessions protect the rights of personnel and The Consortium, and it is unlawful to reveal information discussed in these sessions.

The manner in which JPA Board members discuss and explore various issues at board meetings sets a tone for the entire Consortium. The public and the staff are interested in the values, thoughts, contributions, and decisions of board members. Thoughtful, respectful discussions, particularly when there are diverse views; reflect well on the board and the entire Consortium.

### **Board Member Liability**

There are two areas of potential liability for Board members related to personnel: conflicts of interest and the importance of maintaining confidentiality. The Political Reform Act prohibits public officials from acting on decisions in which they have a personal interest, which includes certain employment actions related to family members. Maintaining confidentiality is extremely important. Publicly talking about personnel decisions or closed session discussions opens up the possibility of lawsuits and other legal actions against individual trustees.

### **Fiscal Health and Stability**

The JPA Board, through the President, is responsible for ensuring that the public's money is spent wisely and well. The Board fulfills this responsibility best by establishing, as policy, their parameters or boundaries on the use of public funds, and by reviewing annual fiscal audit. Participating in budget discussions and approval of the Annual budget document, the Board sets policies that will have great impact on the Consortium. Budget allocations should be tied to achieving the mission and goals of the Consortium, and should reflect educational priorities for the member colleges and regional needs.

### **High Standards for Good Personnel Relations**

The President is the only employee the JPA Board appoints. However, they should establish policy parameters that ensure that the selection, evaluation, and dismissal procedures for all employees are legal, fair, clear, and appropriate, and that equal opportunity philosophies are followed. Effective Boards set a positive climate for open communication, dispute resolution, and model principled negotiations.

### **Performance of the Consortium**

The JPA Board has the responsibility to hold the Consortium accountable for achieving its mission and student success, and serving their communities. The JPA Board also monitors adherence to the legal, ethical and prudent expectations defined in policy related to Consortium operations. The JPA Board should establish the criteria and indicators used to monitor progress and adherence to policies prior to the actual monitoring, so that the President and staff know what is expected of them.



## Leads as a Thoughtful, Ethical, Educated Team

JPA Board members should function as part of a team, and a team functions best when the members are well informed and act objectively. Board members are expected to speak openly for their points of view during the decision-making process, and to support the position of the Board once the decision is made. The JPA Board should model civility and professionalism by working well together and handling conflict constructively.

The JPA Board should also be analytical in their thinking. Members contribute to Board effectiveness by listening well, asking good questions, and clarifying for themselves and staff members their most important values and priorities. Asking questions and listening to answers ensures that issues are explored thoroughly and that policy decisions are based on thoughtful deliberation and comprehensive understanding.

An effective JPA Board is future-oriented and strategic in their thinking. They recognize that today's world requires flexible institutions and personnel who are willing to evolve, adapt, and grow in response to the changing needs of society. Board members who act with vision, intelligence, curiosity, and enthusiasm help create a Board that is a positive agent for change.

## Section 3: The JPA Board and the President/CEO

### JPA Board Chair

The role of the Board Chair is very important to the effectiveness of the Board, the President/JPA relationship, and the Consortium. Careful thought must be given to the selection process for and expectations of the position. The Chair is the leader of the Board and facilitator of board process. The JPA elects the Chair and Vice-Chair based on interest, time, experience, and good leadership and interpersonal skills. The JPA informally designates the Vice-Chair as a Chair-elect position, thereby allowing the person to anticipate the responsibilities and arrange his or her schedule to commit to the time needed.

### Board Chair Responsibilities

The JPA Chair, as all board members, has no legal authority as an individual other than that specifically delegated by the Board. He or she is a member of the board team, but has greater responsibility to create a positive climate, lead the board, and work closely with the chief executive officer.

#### Specific areas of responsibility are:

- Preside over Board meetings
- Develop the Board team.
- Build a sense of team and help trustees work together.
- Ensure that there is respectful and ongoing communication among board members, and assist them in understanding their roles and responsibilities.

Where there are significant disagreements or “split” boards, the Chair will exhibit excellent conflict resolution skills to prevent discord from hurting the Consortium. The JPA Chair must occasionally remind Board members of legal, ethical, and appropriate board behavior. This takes tact and courage, but it is essential for an effective board.

### **Represents the Board**

The Board Chair often acts as the spokesperson for the board. Therefore, he or she must be knowledgeable about the Consortium, policy, and external issues and trends. The Chair may be asked to explain, defend, and advocate board decisions and institutional actions, and must have a thorough grasp of the issues. He or she is an advocate for Consortium issues with locally elected officials and others in the community, state, and national governments. The Chair must be articulate, informed, and willing to represent only the Board’s actions.

There may be occasional ceremonial duties the Chair performs within the Consortium and external to the organization. Board chairs should have excellent public relations skills and be comfortable dealing with the media.

### **The Board/President Partnership**

The Consortium President is the primary agent of the Board—the person to whom the Board delegates its authority to manage or administer the Consortium in accordance with its policies. The success of an institution is most dependent on the quality of leadership provided by the President.

The relationship between the Board and the President is multifaceted and paradoxical. Both parties in the relationship are responsible for creating and maintaining a strong partnership. The partnership is between the President and the Board as a unit, not individual colleges. A strong partnership combines the strength of the board as community representatives and policy-makers with the strength of the President as an expert public safety educational leader.

### **Appointing the Consortium President**

Because the President is the most important single person in the Consortium, it follows that the most important action a board can take to ensure the success of its district is to appoint and retain the best President possible. The Consortium needs a President who can set clear priorities in implementing policy, and then act on those priorities in ways that protect the quality and stability of the colleges and the Consortium. The responsibility for the President selection lies squarely on the shoulders of the Board even when a search consultant is hired to assist in the process. The search process for a new Consortium president should be designed to involve appropriate constituencies, determine the qualifications based on an analysis of institutional needs, and enable the Board to select a person it can support fully.

The Board and President roles complement each other. The Board embodies the member college’s interests and the President embodies the interests of the Consortium and industry

partners. Both parties care greatly about the quality of the education that students are receiving and the ultimate affect it has on their lives. Once the Board sets policy for the direction and standards of Consortium programs, services, and operations, the President is empowered to run the organization.

### **Developing Shared Purpose**

The Board and President develop Consortium goals and purposes through open dialogue that engages all team members. The governing board becomes a sounding board for the President to explore different options. The JPA Board and President engage in “courageous conversations” about how well the Consortium is serving students and the community. The CEO gives the board clear and meaningful information that is focused on the most important issues facing the Consortium. In turn, Board members are constantly alert to changing college and community needs, and share what they learn with the JPA Board and the President so together they can focus on the “big picture.”

Board members, the President, and other public safety leaders explore:

- The external environment: What is going on in the community, the state, and the nation that affects public safety education? How satisfied is the public safety community with the Consortium mission and programs?
- Student success: How well does the consortium serve its community? How successful are its students?
- Future needs: What will students need to learn in the future? What is the Consortium’s role in responding to these needs?
- Education and training trends: What are potential competitors and partners doing? How are educational services being provided? What is happening in education?
- Potential strategies: What does the Consortium have to do well to succeed? What are the barriers it faces?

Such conversations also enable the President to capitalize on the strength of the board as community/college representatives, exploring ideas and strategies. When the President and Board that have the same information and engage in open dialogue, they are able to come together to establish a shared vision and set strategic goals for the institution. The Board-President team then shares the same understanding of the major issues. The Board upholds a common vision and goals; the President works to achieve them.

### **Mutual Respect and Support**

Even though the roles are different, the responsibilities that each has to the other members are similar. JPA Board is responsible for creating an environment in which the President has the power to lead the Consortium. The Board empowers the President to be an outstanding leader and knowledgeable manager. The President has the responsibility to foster the success of the Board and empowers them by creating an environment in which it can successfully govern the Consortium and by facilitating board process.

When the President and JPA Board show mutual support and respect, the Consortium and Public Safety Community benefit. The President and Board send a message that they value the institution and its goals above all else. By their behavior, they establish a standard for respectful behavior for public safety community members and consortium employees. The JPA Board should rely on their President for leadership and have confidence in their recommendations. The Board maintains healthy board-President relationships by working as partners with their President.

Constant open communication is a major component of expressing mutual support and respect including the following practices:

- *No Surprises*
- *Equal communication*
- *Regular communication*
- *Respecting Time*
- *Clear Expectations*

## Section 4: Fiscal Responsibilities

### The Fiscal Environment

Understanding the role and responsibilities of the governing JPA board means understanding the environment in which the Consortium operates. Many factors in the environment influence the decisions Board members are expected to make. The JPA Board must consider a complex interplay of economic, political, social, demographic, and legal forces.

The Consortium generates over 50% of its funding through shared Full Time Equivalent Student funding from Consortium member colleges historically at a 60% efficiency rate (based upon 2017-18 FTES rates). The remainder of its funding predominately comes from bookstore sales, contract classes, driver training, testing, and student fees. Reflective of its purpose, over 80% of the Consortium's expenses are associated with staffing the organization and the delivery of instructional programs: salaries, wages and benefits, and instructional supplies, equipment and maintenance. The JPA Board approves compensation levels and depend on the President to recommend salaries and benefits that are fair, equitable, competitive, and which can be supported by projected revenues.

### Budget Development Process

The JPA is asked to adopt Consortium budgets no later than the beginning of the fiscal year. The purpose of the budget is to provide the consortium with an operating plan for the fiscal year. The final budget takes into account revenue and allocations as well as the actual ending balance from the previous fiscal year. During the adoption of the final budget, the JPA will review and discuss the proposed budget.

The President is responsible to manage the budget building process and creating the budget

report. The budget is built using policy direction and parameters established by the JPA as well as a set of general assumptions about revenues and costs. The President enlists the assistance of his or her executive team to assess needs, potential growth, programmatic constraints or other economic implications that might impact the annual budget. The Preliminary Budget Report is subsequently developed and presented to the Board in May or June of the prior fiscal year.

The Consortium budget includes a General Fund, Capital Projects Fund, and Reserve Fund. The General Fund and Reserve Fund are based upon projected annual revenue and expenditures, while the Capital Projects Fund is projected out for a five (5) year period. The Budget Report includes a comparative document indicating past performance of Budgeted to Actuals since FY 2007-08.

#### *Assumptions and Policy Criteria*

Budgets are based in part on policy level criteria that JPA has adopted. The development of the budget is also guided by assumptions made about the future needs of the Consortium and projected revenue and usually describe:

- What funds are expected from various revenue sources.
- What the FTES enrollment is projected to be, since revenue is dependent in large part on enrollment.
- What reserves are needed for general contingencies, equipment and long-range commitments.
- What major expenditures are planned, including equipment purchase and replacement, technology upgrades, scheduled maintenance, and salary and benefits adjustments?
- What major program changes are planned, including adding, expanding, or reducing programs. What new personnel are needed? What investment in professional development will keep personnel current? What will be the space and equipment needs of new programs?

#### *Relationship to Strategic Planning*

An initial phase of budget development is the planning process. The Consortium's accomplishments and programs are reviewed in the context of future trends, demographic changes, economic constraints, program reviews, and public safety needs. Budget priorities for the coming year should support implementing the various plans within the Consortium as outlined in the Strategic Plan.

### **Budget Summaries**

The Preliminary and Final Budget Reports presented to the JPA Board should be clear and understandable. The Board benefits from having a brief summary of the budget and key issues. How the proposed budget considers assumptions about revenues and expenditures, and how it meets college and Consortium goals and policy criteria should be emphasized. The Consortium is not expected to review individual line items in the budget. Focusing on too much detail obscures how the overall budget meets policy criteria and invites Board micromanagement. Instead, the Board should look at fund and major program categories.

## The External Audit

A JPA Board helps assure good practices in fiscal management by directing the Consortium to contract with an independent firm to audit the fiscal operations of the consortium. Independent local audits are required annually under Section 84040 of the California Education Code. The Consortium selects the auditor and reviews the audit findings, and ensures that appropriate corrective action is taken. The Annual Audit is submitted to the JPA for review and approval.

## Section 5: Facilities, Property & Assets

### Real Property

All property and assets acquired and utilized by the Consortium fall under the authority of the JPA Board. The Consortium delivers Police Academies on three member college campuses occupying office and instructional space daily. Historically, additional FTES has been generated, for which the colleges do not share any portion, in lieu of paying rent. As needs arise, the Consortium engages in rental contracts for other specialized facilities (firearms & driving). To meet operational needs, the Consortium has purchased vehicles, storage containers and other various office and instructional equipment. The Consortium incurs all costs associated with the purchase and maintenance of these assets.

Asset protection and risk management policies include general standards for protection for the people and property in the Consortium and guide decisions as to when to transfer funds, insure, or accept risk. The standards may address:

- Liability
- Investments
- Insurance
- Security
- Management of debt
- The image of the Consortium
- Intellectual property
- Facility use
- Scheduled maintenance
- Depreciation of equipment
- Buildings and grounds

### Other Assets

The stability and health of the Consortium can vary greatly based upon the economy and student enrollment at individual member colleges. Generally, the Consortium strives to maintain a Reserve Fund Balance of approximately 50-55% of its annual budget to sustain the organization through times of

economic uncertainty. The JPA Board will provide advice for maximizing assets as well as cost-saving strategies to ensure the short-term and long-term health of the Consortium.

### **Monitoring Consortium Status**

To fulfill the monitoring role, the JPA Board receives periodic reports on expenditures and revenues as measured against criteria for organizational health. These reports provide the President an opportunity to assure the Board that its policy standards are met. The reports may alert the Board to major changes in revenues and expenditures and allow for discussion about the implications for the long-range fiscal status of the Consortium. Financial statements, external audits and periodic reports covering identified and agreed upon criteria are usually sufficient for the Board to assume compliance with its policies and standards. It is unusual and unnecessary for boards to review individual warrants or expenditures.

## Addendums:

Administrative, Operational, and Fiscal Documents will be attached as appropriate and based upon the latest revision, to include; JPA Agreements, By-Laws, Strategic Plan, and Annual Fiscal Reports.