



## MEMORANDUM

Date: **March 27, 2015**

Date Last Updated: **April 25, 2014**

**To: Chair and Board of Governors**  
**From: President**  
**Subject: MONITORING REPORT – EL-2g Communication and Support to the Board**

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**The President shall not permit the Board to be uninformed or unsupported in its work.**

I believe that the Board has comprehensively interpreted this policy in its subsequent policy provisions. My interpretations and evidence are below, attached to those provisions.

**The President shall not:**

- 1. Neglect to submit monitoring data required by the Board according to its policy “Monitoring President Performance” in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored, and including the President’s interpretations consistent with the “Delegation to the President” policy, as well as relevant data.**

I interpret “timely” to mean that the President will ensure that all monitoring reports are submitted by the dates articulated in the Board’s policy BMD #2d, Monitoring Executive Performance and “accurate” is interpreted to mean that the Board’s policy language is represented word for word in its entirety for each policy.

I interpret “understandable” to mean that the reader does not need a technical knowledge of our business to be able to understand the report.

Furthermore all of the interpretations submitted will be consistent with the Board’s policy BMD #2c Delegation to the President and all monitoring reports will have relevant data that is directly related to each policy clause.

Compliance will be demonstrated when the Board’s monitoring worksheet indicates that:

- all monitoring reports were submitted by their due date on the Board’s annual calendar.
- all monitoring reports submitted included the Board’s policy words restated, and have both an interpretation and rationale clearly articulated.
- the Board approves receipt of each monitoring report at its meetings throughout the year and indicates that the interpretations are reasonable, and if not, then the resubmission meets these criteria.

Evidence:

<b>MONITORING REPORTS</b>	<b>DATE</b>	<b>APPROVED / NOT APPROVED</b>	<b>COMMENTS</b>
EL2d – Financial Condition and Activities (Budget & Enrolment Updates)	<b>Mar. 28/14</b>	EL2d – Approved *	*EL2d & EL2f – addressed in-camera.
EL2f – Asset Protection		EL2f – Approved *	
EL2b – Treatment of Staff	<b>Apr. 25/14</b>	EL2b – Approved	
EL2g – Communications & Support to the Board		EL2g – Approved	
EL2h – Emergency President Succession		EL2h - Approved	
EL2c – Compensation & Benefits	<b>May 23/14</b>	EL2c – Deferred *	*Auditor’s report to be finalized and vetted with the Audit Committee.
EL2e – Financial Planning and Budgeting	<b>Jun. 27/14</b>	EL2e – Approved *	*Conditional upon receipt of a 3-year projection – provided at the March Board meeting.
EL2c – Compensation and Benefits		EL2c - Approved	
EL2d – Financial Condition & Activities	<b>Sept. 26/14</b>	EL2d – Approved	
No reports.	<b>Oct. 24/14</b>		
EL1 – Global Executive Constraint	<b>Nov. 28/14</b>	EL1 – Approved *	* Addressed in-camera.  EL2d: Note: Actuals – Transitional Report provided.
EL2d – Financial Condition & Activities (Budget & Enrolment Updates)			
EL2i – Public Image		EL2i – Approved	
EL2a – Treatment of Learners	<b>Jan. 23/15</b>	EL2a – Approved	
EL2d – Financial Condition & Activities		EL2d - Approved	
No reports.	<b>Feb. 27/15</b>		

All metrics required by the Board regarding my performance were provided to the Board in May of 2014.

I report compliance.

**2. Let the Board be unaware of any significant incidental information including anticipated adverse media coverage, threatened or pending lawsuits, and material external and internal changes.**

“Anticipated adverse media coverage” is interpreted to include media coverage (news stories and opinion pieces) that could be reasonably expected to cast the College in a negative light and is interpreted to not include content or opinions that are published on the web only (e.g., on an individual’s website, “blog” or discussion forum) or via other similar individually, non-commercially produced means, for which it is simply not feasible or practical to monitor or to anticipate.

“Threatened or pending lawsuits” requires no further interpretation, and will be reported at each Board meeting, unless it can be reasonably expected that the media or the organization’s staff may hear about it more quickly, in which case the Board shall be advised by email as soon as possible.

“Material internal changes” are interpreted to mean changes to the major programs and services of the College and personnel changes in the senior management team. “Material external changes” are interpreted to include social, economic, political or environmental events that can be reasonably expected to have an impact on the Ends of the College, or on the operations, such that future Ends decisions may be affected.

Compliance will be demonstrated when:

- An external evaluation of College media coverage shows that our negative media is less than 5% of total media coverage.
- There are no instances where the Board was not informed of pending lawsuits within one month of the College becoming aware of same.
- There are no instances where the Board heard of material internal or external changes from other than the President, notwithstanding a Board member may have missed a Board meeting or a communication from the President between Board meetings.

Evidence:

Vocus, an independent media monitoring service, indicates that over the period March 1, 2014 – March 18, 2015). 98.09 were positive or neutral – 1.90% negative. The #1 News by Medium continues to be online at 76% with newspaper second at 16%.

An external evaluation of College media coverage shows that our negative media is less than 2% of total media coverage.

The College has not initiated any lawsuits and none have been initiated against the College since the last monitoring report for this policy. No Board members were advised of material internal or external changes from someone other than the President since the last monitoring report for this policy.

I report compliance.

**3. Allow the Board to be unaware that, in the President’s opinion, the Board is not in compliance with its own policies on Governance Process and Board-Management Delegation, particularly in the case of Board behavior, which is detrimental to the work relationship between the Board and President.**

Compliance will be demonstrated when the President advises the Board, through the Chair, of any concerns detrimental to the Board/President relationship. The Board is responsible to manage its own behaviour.

Evidence:

I have brought concerns, if any, to the Chair of the Board as the chief interpreter of Governance Process and Board-Management Relationship Policies.

I report compliance.

**4. Allow the Board to be without decision information required periodically by the Board or let the Board be unaware of relevant trends.**

Compliance will be demonstrated when the President provides information to the Board (in addition to monitoring information) that the Board needs in order to be able to make or reconsider policy decisions. This information will usually be at the Board’s request, but may be as a result of the President’s initiative as well. The Board’s education plan will be executed in a satisfactory manner as evaluated by the Board.

Evidence:

The Board received presentations throughout the year according to the Board’s education plan [see table below] and the Board has determined (at the June 2014 meeting) that all education topics presented by the President were complete.

MONTH	ENDS / STRATEGIC ISSUES / BOARD EDUCATION
April 25, 2014	<ul style="list-style-type: none"> <li>o Lunch meeting with Internal Stakeholder Groups.</li> <li>o Presentations provided by the respective group leaders.</li> </ul>
May 23, 2014	<ul style="list-style-type: none"> <li>o President’s Ends Monitoring and Strategic Report 2013-2014</li> </ul>
October 24, 2014 Retreat	<ul style="list-style-type: none"> <li>o Future of Aboriginal Education including First Nations Act and Role of Confederation College Guest Speaker: Grand Chief Gord Peters, Association of Iroquois &amp; Allied Indians</li> <li>o Applied Research Guest Speakers: Dr. Gary Polonsky, Consultant &amp; former President of UOIT Colin Kelly, Director of Applied Research</li> </ul>
November 28, 2014	<ul style="list-style-type: none"> <li>o Strategic Enrolment Management (SEM) Presentation</li> <li>o Presenter: Sue Prodaniuk, Executive Director, Advancement &amp; Communications</li> <li>o Culinary Student Luncheon (Host: Professor Ken Veneruz)</li> </ul>
January 23, 2015	<ul style="list-style-type: none"> <li>o Good News Story at Beginning of meeting</li> <li>o Environmental Scan / Ends Discussion</li> <li>o Guest Speaker: Charles Cirtwill, CEO, Northern Policy Institute</li> <li>o Tour: Biomass Facility and McIntyre Building (Host: Chair Riley Burton)</li> </ul>
February 27, 2015	<ul style="list-style-type: none"> <li>o Governance Refresher Overview / Review of Ends Policies and</li> </ul>

MONTH	ENDS / STRATEGIC ISSUES / BOARD EDUCATION
	discussions re 2015-16 Governance Plan o Facilitator, Catherine Raso, Governance Consultant

I report compliance.

**5. Present information in unnecessarily complex or lengthy form or in a form that fails to differentiate among information of three types: monitoring, decision preparation, and other.**

Compliance will be demonstrated when all information submitted by the President to the Board is organized as being in one of the following three categories: monitoring, decision preparation or other.

Evidence:

All information submitted to the Board has been labeled clearly for every Board meeting, and for every communication with the Board. The agenda format is set by the Board and monitored by the Coordinating Committee for clarity. The purpose of agenda items is clear on the agenda and cover memos are provided to give context where necessary.

I report compliance.

**6. Allow the Board to be without a workable mechanism for official Board, officer or committee communications.**

Compliance will be demonstrated when:

- there is consistent, dedicated administrative support for the Board and all of its committees (as established in policy on Board Committees), such that meetings are arranged and supported, and minutes are recorded and distributed as per each committee, or the Board's, expectations.
- the Board and committees report that they are satisfied with their support service.

Evidence:

The Board and its committees have reported, via their minutes, that the support services they received met all of their requirements and that they are satisfied.

I report compliance.

**7. Favour or privilege certain Board members over others, except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.**

Compliance will be demonstrated when the President presents all information (monitoring, decision preparation and other) to the entire Board at the same time (not to the Board chair, secretary or treasurer, or a committee chair, in advance or separately) by way of a Board meeting package, or other communication when necessary for expediency.

Evidence:

All monitoring, decision preparation/background information and other reports have been sent to all Board members simultaneously in group e-mails as evidenced by our communications monitoring.

I report compliance.

**8. Allow the Board to be unaware of any actual or anticipated noncompliance with any Ends or Executive Limitations policy of the Board regardless of the Board’s monitoring schedule.**

I interpret that the timeliness of advising the Board on actual or anticipated non-compliance varies depending on the perceived importance of the non-compliance issue. Where the importance is deemed to be serious, very serious or potentially damaging to the College, non-compliance issues will be reported as soon as they are known or anticipated. When the importance is deemed to be non-threatening to the College’s future and/or the period of non-compliance is expected to be very brief or related to an ongoing circumstance previously brought to the Board’s attention, non-compliance will be reported in the regularly scheduled monitoring report.

Evidence:

No instances of failure to advise the Board of non-compliance or anticipated non-compliance arose.

I report compliance.

**9. Fail to submit to the Board via required approval (consent) agenda any items that by legislation, MTCU policy or Board By-Laws, require Board approval, i.e. those terms delegated to the President yet required by law or contract to be Board-approved, accompanied by applicable monitoring information.**

Compliance will be demonstrated when the Board is asked to make a decision (usually by a funder) that, according to our Board Management Delegation policies, is delegated to the President, but must be made by the Board.

Evidence:

The following is an exhibit indicating the motions requiring approval by the Board.

Date of Board of Governors’ Meeting	Subject of Motion	Description	Name of MTCU Directive
Each Agenda	Consent Agenda	Approval of Program Advisory Committee Minutes; Negahneewin Council Minutes; Program Advisory Committee Memberships	MTCU / By-Laws
May 28, 2014	Tuition fees approval	Board approval of tuition fees for 2014-2015	Tuition and Ancillary Fees Policy
Jun. 5, 2014	2013-2014 Financial Statements		Audited Financial Statements Operating Procedure
June 27, 2014	2014-2015 Business Plan		Business Plan Operating Procedure

	Approval of By-Law Revisions		Ontario Colleges of Applied Arts and Technology Act
Sept. 26, 2014	2013-2014 Annual Report		Annual Report Operating Procedure
Nov. 28, 2014	Restatement of Mid-Year 2014-2015 Budget Update	Restated Update for MTCU's Canadian Public Sector Accountability Standards	Business Plan Operating Procedure
	Special Audits	Audit Committee recommendation	Audited Financial Statements Operating Procedure

I report compliance.

**Motion:**

**THAT we accept Report EL2g – Communications & Support to the Board, showing full compliance with a reasonable interpretation of the policy.**

Respectfully submitted,

D. Jim Madder,  
President