

December 11, 2003

04-079

RESOLUTION TO APPROVE BOARD POLICY  
REVISIONS (Second Reading and Adoption -  
Sections 100 & 200)

PREPARED BY: Jan Coulton, Director, Public Affairs

APPROVED BY: Gerard "Jerry" Berger, President

REPORT: The Board appointed a subcommittee to review its policy manual. The subcommittee reviewed Chapters 100 and 200 and presented revisions to the Board for First Reading at the November 20, 2003 Board meeting. The subcommittee is recommending the adoption of the policies in Chapter 100 and 200 at the December 2003 meeting.

RECOMMENDATION: That the Board approve the revisions to policies in Chapter 100 and 200.

# Portland Community College Board Policy

## Chapter 100- Mission and Philosophy

- 101 College Mission
- 102 Philosophy
- 103 Guiding Principles
- 104 Values Statement
- 105 Continuous Improvement

## **College Mission – B 101**

Portland Community College provides quality education in an atmosphere that encourages the full realization of each individual's potential. The College offers students of all ages, races, cultures, economic levels, and previous educational experience opportunities for personal growth and attainment of their goals. To achieve its mission Portland Community College offers accessible and affordable education to the residents of its 1500 square mile district and to the residents of its service districts.

As a public, comprehensive, post- secondary institution, this multi-campus college offers lower division college transfer programs, occupational and technical programs, basic skills education, and community education programs. Partnerships with business, industry, labor, educational institutions and public sector agencies provide training opportunities for the local workforce and promote economic development. Through effective teaching and supportive student services, Portland Community College prepares students for success as individuals, members of a democratic society, and citizens of a rapidly changing world.

(December 2003)

## Philosophy – B 102

The educational philosophy of Portland Community College is based on the belief that all citizens of the area are entitled to those programs and services of the college from which they can benefit.

This premise underscores the importance of presenting these programs and services in a manner that will help people to:

- Live creative, humane, healthy and sensitive lives.
- Recognize, accept and encourage differences in personal, racial, ethnic and cultural backgrounds.
- Relate to others openly and responsibly.
- Acquire the tools and motivation to continue learning throughout life.
- Develop an appreciation for all occupations, recognizing that dignity and honor come from a task well done rather than from the status of a vocation.
- Acquire the skills necessary for earning a living in a way that will promote the general welfare.
- Prepare for a beneficial use of leisure.

(December 2003)

## Guiding Principles – B 103

The Board's guiding principles for the college are these:

- The college will serve the total community
- The college will provide educational opportunity for all, regardless of social or economic class or status, level of aspiration or previous performance.
- The college shall adhere strictly to the "open door" policy included in Oregon Revised Statute. (ORS 341.009)

Each student will be accepted as a unique individual, and it will be the responsibility of each staff member to focus on the worth and dignity of the student.

Emphasis will be on learning as an individual process best accomplished through active involvement in a setting of reality. Learning is an outgrowth of meaningful experience for each student and not the mere rote acquisition of a specific body of knowledge. The college will be characterized by its flexibility in meeting student needs. Every student will be encouraged to look upon learning as a lifelong pattern and assisted to build the learning habits and motivation required. Learning is considered a continuous process rather than isolated series of incidents occurring only in formal situations.

College programs will combine work experience in various areas so that each will contribute to and support student efforts to reach individual goals. Integration of program content will be so managed as to prevent any artificial barriers between "academic" and "vocational" areas of study and experience.

Achievement is recognized as a function of individual growth and performance. Student success will be emphasized, achieved by preserving an environment where each individual will have maximum freedom of choice. Each student will be afforded an opportunity to profit from education to the student's fullest capabilities.

The college is committed to continuous planning, development and evaluation. It will seek and expect constant re-examination as a natural process for making appropriate modifications in every phase of its activities.

The college will seek change with a purpose, encouraging innovation and supporting creativity and imagination applied toward college objectives.

The college will function in an open climate with opportunities for students, faculty and staff to provide input in policy making.

The college will be continually aware that change is constant in our society and that these changes will make a significant impact on educational planning of the college.

(December 2003)

## Values Statement – B 104

The Board of Directors and the college community believe that certain fundamental values characterize the institution in which we work and guide us in the accomplishment of this mission. These values are:

- The dignity and worth of each individual
- Effective teaching
- Educational and personal growth of the individual
- Open and honest communication
- Teamwork and cooperation
- An environment that encourages the expression of original ideas and creative solutions
- Effective and ethical use of public funds.

In addition, the Board believes that the college should be a good steward of the environment, engaging in energy-saving and environmental performance improvement strategies to the greatest extent possible.

(December 2003)

## **Continuous Improvement – B 105**

The Board of Directors encourages all college employees to commit themselves to the pursuit of excellence in all aspects of college life. The Board of Directors endorses the following principles as an approach to achieving quality:

Portland Community College will focus its energies, resources and talents on meeting the needs of our students and community, and in support of that goal, the service needs of each other.

Portland Community College will commit itself to continuous improvement of all its programs, services and systems through planning and the establishment of specific goals.

Portland Community College will commit itself to continuous assessment based on established goals and benchmarks.

Portland Community College will place special emphasis on collaboration through teamwork in the pursuit of quality.

Portland Community College will expect all its employees to participate in the solution of problems and improvement of systems, programs and services, in the belief that quality is everyone's responsibility.

Portland Community College will encourage and support innovation in the belief that contemporary problems require contemporary solutions.

(December 2003)



# **Portland Community College Board Policy**

## Chapter 200 – Board Operations

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## **Board Mission – Policy B 201**

The mission of the Board of Portland Community College is to lead in the constant definition, interpretation, articulation, implementation and evaluation of the college mission.

As elected community representatives, the Board's role is to ensure that the administration establishes procedures and regulations to implement board policies and to carry out the legal mandates for community colleges.

**(ORS 341.290)**

(December 2003)

## Board Operations & Bylaws – B 202

The Metropolitan Area Education District was established by the voters of the district at an election held June 6, 1968. The name of the district was changed to Portland Community College District on October 13, 1971. Portland Community College District operates under authority of Oregon Revised Statutes and Oregon Administrative Rules.

**Membership of the Board:** The Board of Directors of the Portland Community College District consists of seven members. Members are elected to a four year term at an election held as specified in ORS 255.355(1).- Members shall be elected to represent a zone, and they shall be residents of that zone. (ORS 341.326) The zones within the district are to be as nearly equal in population as feasible according to the latest federal census and are adjusted by the Board following the federal census to reflect population changes. (ORS 341.175)

No person who is an employee of Portland Community College may serve on the PCC Board. (ORS 341.275 (2)).

**Term of Office:** The term of office of all Board members shall begin on July 1 following the date of their election. Board members shall serve until their successors are elected and qualified. Board members must qualify by taking the oath of office before assuming the duties of office. (ORS 341.326 (4))

**Vacancies:** When a vacancy occurs on the Board the remaining members shall fill it by appointing a qualified resident of the zone in which the vacancy exists. The member so appointed shall serve until the next regular district election when a successor shall be elected to serve for the remainder of the unexpired term.

A Board member who changes residence from one zone to another zone, or who no longer resides in the zone due to a change in zone boundaries, is entitled to remain as a board member until June 30 following the next regular board election date at which a successor shall be elected. (ORS 341.335 (2))

**Officers of the Board:** The Board of Directors of the Portland Community College District shall elect one of its members as Chairperson and another as Vice Chairperson at its annual organizational meeting in July. The President of Portland Community College shall serve ex-officio as Executive Officer of the Board. The President may appoint a deputy to assist in that role.

Duties of Chairperson of the Board:

- Preside at all meetings of the Board.
- Call special meetings as required.
- Sign the minutes of all regular and special meetings of the Board, and such other documents as may be required by law.

Duties of Vice Chairperson of the Board:

- Preside at Board meetings in the absence of the Chairperson and to
- Fill other duties of the Chairperson as needed.

**Legal Counsel, Auditor, Insurance Agent Review:** Legal counsel may be appointed by the Board. Legal counsel shall advise the Board on specific legal problems as requested. All requests by an individual Board members for legal opinions from legal counsel shall be made at Board meetings. The Board will review at least once every three years its contracts with legal counsel, auditors and insurance agents.

**Meetings of the Board:** (ORS 341.283) It is the policy of the Board to welcome and encourage the attendance of all interested persons at its meetings. The President or a duly authorized representative shall be present at all meetings of the Board.

- **Annual Organizational Meeting:** The Board will hold an annual organizational meeting in July.
- **Regular Meetings.** The Board will hold meetings as required by the business of the college and establish regular meeting dates. The date or place of a regular meeting may be changed by action of the Board or by the President or Chairperson provided every member is notified in writing.
- **Special Meetings.** Special meetings of the Board shall be called by the Chairperson or upon request of any three members of the Board, or by the President when such action is approved by the Chairperson. Written notices will be given to each Board member by the secretary of the Board at least 24 hours in advance of such meeting. No business may be transacted at any such meeting other than that specified in the call except by unanimous consent of the total Board.
- **Adjourned Meetings:** Meetings adjourned to a later time or date may be held, as the business of the Board requires.
- **Executive Sessions:** The Board may hold an executive session for the purposes authorized under ORS Chapter 192 during a regular, special or emergency meeting, after the Board Chairperson has identified the authorization under ORS 192.610 to 192.690. An executive session means any meeting or any part of a meeting of a governing body that is closed to certain people for deliberations. (ORS 192.610(2)). Executive sessions may not be held for the purpose of taking any final action or making any final decision.

**Notice of Meetings:** The secretary of the Board shall give written notice of all annual, regular, special or executive sessions of the Board in accordance with ORS 192.640. The written notice shall state the time and place of the meeting and the agenda, or a summary thereof, setting forth the subject matter to be considered at the meeting. In the case of annual or regular meetings, the notice should be distributed not more than seven (7) days or less than twenty-four (24) hours prior to the time of the meeting. Notice of executive sessions may be included in a notice of an annual, regular or special meeting, or if the meeting is to be solely an executive session notice shall be distributed not less than 24 hours prior to the time of the meeting.

Notice of an executive session shall not set forth the specific subject matter to be considered, but may describe in general terms the subject matter. Notice of an executive session shall set forth the statutory authority for the executive session.

Notice of meetings shall be distributed to the major newspapers published within the district known to the Secretary of the Board, radio and television stations located within the district, and to interested organizations or persons who have requested notice of meetings of the Board. The Secretary of the Board may make such additional distribution as deemed necessary or desirable to insure maximum notice to the public of meetings of the Board.

**Adjournment Time:** Board meetings shall be adjourned by 11 p.m. unless a quorum of the Board members votes to continue the meeting.

**Quorum:** Four members shall constitute a quorum of the Board. In the absence of a quorum, the only business that can be transacted is to take measures to obtain a quorum, to fix the time at which to adjourn, and to adjourn or take a recess. The affirmative vote of at least four members of the Board is required to transact any business.

**Parliamentary Procedure:** Unless otherwise provided by law or by bylaws of the Board, the Board shall follow parliamentary procedures in conducting its meetings.

**Agenda and Order of Business:** The College President shall develop the agenda for regular Board meetings in cooperation with the Board Chairperson. Request for placing items on the agenda shall be given to the President in sufficient time to develop proper informational materials for the use of Board members.

No new business shall be transacted by the Board unless the items are placed on the agenda and relevant information has been delivered to the Board at least twenty-four (24) hours prior to each meeting; except that, upon the concurrence of a quorum of Board members, new business items may be brought up for Board action without the twenty-four (24) hour notice and in accordance with ORS 192.640.

**Order of Agenda:** The order of business at meetings of the Board shall be:

- Call to Order
- Introduction of guests
- Approval of minutes of previous meeting(s)
- Board Information Session
- Board Policy Review (if needed)
- Public Comment on Agenda Items
- Board Business
- Public Comment on Non-agenda Items
- Reports (Board members, president, faculty and classified federation, students)
- Adjournment



Upon consensus of the Board members present, the Chairperson may deviate from this order of business.

**Adequate Information to Precede Action:** The Board shall strive to ensure that all members have access to full and adequate information prior to action. The Board shall provide the President an opportunity to examine and evaluate all information received by the Board and to recommend action before the Board makes any decision.

**Citizen communications with the Board:** The Board values input from citizens of Portland Community College District. Citizens wishing to speak on agenda or non-agenda matters shall notify the Board Secretary prior to the commencement of the meeting and be heard on the agenda at the time allocated for public comment. Citizens requesting to speak on non-agenda items shall be heard following the Board business agenda. Each citizen will have five minutes to speak on such matters unless the Board requests more information. The Board Secretary will maintain a file of correspondence received from citizens and will ensure that the file is available for Board member review at all times.

**Minutes:** The Board shall ensure that minutes of all public meetings are kept in accordance with the provisions of ORS 192.610 to 192.690 (Oregon Public Meeting Law).

#### **Committees of the Board**

**Standing Committees:** No individual members and no group comprised of less than the full membership shall be designated as a permanent committee to perform any of the Board's functions.

**Temporary Committees:** Temporary committees may be established from time to time to conduct Board assignments.

**Authority of Members:** Board members have authority only when acting as a Board legally in session. The Board is not bound by any statement or action of individual Board members, or of employees, except when such statement or action is in pursuance of instruction by the Board.

**Formulation of Written Policies and Bylaws:** The Board will exercise its leadership in the governance of the college through the formulation of written policies and bylaws

The written policies and bylaws adopted by the Board shall serve as guides for their implementation by those to whom the Board delegates authority. The policies and bylaws adopted by the Board shall be recorded in the minutes of the Board and only those so adopted and recorded shall be official policies and bylaws of the Board. Unless circumstances require immediate action, a policy or bylaw shall not be adopted at the first meeting during which it is presented. Recognizing its own functions as the lawful and final authority in policy matters, the Board accepts the principle that those who are affected by a policy or bylaw should be represented in the formation of that policy. The Board encourages staff and administration to review and recommend new policies or changes in existing policy. The Board shall review its policies on a regular basis.

**Adoption, Amendment, Repeal and Suspension of Policies and Bylaws:**

The adoption, amendment, repeal and suspension of policies or bylaws shall be accomplished by roll call vote, which shall be entered in the minutes of the meeting.

Adoption: The policies or bylaws of the Board shall be subject to adoption, amendment, repeal or suspension only upon a vote of a quorum of the members of the Board.

**Board Position on Legislative Matters:** The Board shall refrain from taking any position either for or against any local, state or national legislative concern unless that concern is of special interest to the welfare of the college. The Board shall consider and adopt legislative priorities prior to each regular session of the Legislature.

**Reimbursement of Board Members:** (ORS 341.283 (6)) Board members shall receive no compensation for their services, but when on college business, including attendance at Board meetings, will be compensated for their reasonable and necessary expenses.

**Board Self-Evaluation:** The Board shall evaluate its own operation and effectiveness annually.

(December 2003)

## Board Code of Ethics – B 203

**Board Code of Ethics:** Each Board member will sign the PCC Board Code of Ethics as follows.

The Board commits itself to the very highest ethical conduct, in carrying out its requirements under state and federal laws.

I, \_\_\_\_\_, as a member of the Governing Board, hereby agree to:

- Recognize that the primary responsibility of the Board is to govern and evaluate the College to best meet the educational needs of the entire college district.
- Devote time, thought and study to the duties and responsibilities of a community college board member so that I may grow in my ability to render effective and credible service; enhance my ability to function as a trustee through the study of contemporary educational issues as well as through attendance at workshops and conferences - state, local and national.
- Work with my fellow board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during vigorous debate.
- Base my personal decision upon all available facts in each situation; ~~to~~ vote my honest conviction in every case, unswayed by partisan bias of any kind; ~~to~~ abide by and support the final majority decision of the board.
- Remember that as an individual I have no legal authority outside the meetings of the Board, and I will conduct any relationships with the community college staff, the local citizenry and news media on the basis of this fact. I agree that the Board Chairperson or designee serves as the official spokesperson and that the individual Board members will not represent themselves as speaking for the Board.
- Resist every temptation and outside pressure to use my position to benefit either myself or any other individual or agency apart from the total interest of the community college district.
- Review and analyze the college mission regularly.
- Bear in mind that the Board accomplishes its responsibility to govern and evaluate the college by adopting the policies by which the community college is to be governed, but that the administration of the educational program and the conduct of college business are the responsibility of the President.
- Welcome and encourage active participation by citizens in establishing policy.



- Assure the orderly operation of the Board by bringing potential agenda items to the Board Chair and President before bringing proposed agenda items to the Board table.
- Recognize that discussions of the Board in executive session are confidential to the extent provided in Oregon statute.
- Be scrupulous in requesting only authorized and legitimate reimbursement of expenses.
- Be familiar with the duties imposed by law upon me as a member of the Board of Directors; to understand those duties and powers as set forth on Oregon Revised Statutes Chapter 341; and to faithfully carry out those powers and duties to the best of my ability.
- Finally, to strive for the most effective community college board in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

(December 2003)

## **Board-Faculty and Classified Staff Relations – B 204**

The Board will consult and confer with faculty and classified staff through their respective legally constituted organizations on appropriate matters.

(December 2003)

## **Equal Opportunities (Affirmative Action Policies) – B 205**

The Portland Community College District has a continuing commitment to programs of Affirmative Action/Equal Opportunity. The District Board has adopted and shall maintain an Affirmative Action Plan, which provides for the implementation and evaluation of its Affirmative Action/Equal Opportunity programs. The programs are to further extend educational, employment, community services and promotional opportunities to legally protected classes. In addition, the programs are geared to achieve representation in college programs, staff and offerings that is substantially equal to the composition of appropriate populations.

(December 2003)

## **Nondiscrimination – B 206**

The college shall promote non-discrimination and an environment free of harassment based on an individual's race, color, ethnicity, religion, sex, national origin, disability, parental or marital status, sexual orientation or age and shall comply with all requirements of state and federal law in all areas, activities and operations of the college.

(December 2003)

## **Nonharassment – B 207**

The college's goal is to provide an environment that encourages individuals to realize their potential. Therefore, it is against the college's policy for any manager, supervisor, faculty, staff, or student to engage in harassment or discrimination of any member of the college community based on his/her race, color, religion, ethnicity, national origin, age, sex, marital status, disability or sexual orientation.

Under the college policy harassing or discriminatory behaviors will not be tolerated. Therefore, it is the responsibility of every member of the college community to strictly comply with the policy. This includes notifying each employee of his/her rights and responsibilities under PCC's nonharassment policy and publishing a copy of this policy in the PCC student handbook.

Management staff will be held accountable for taking reasonable action to maintain work sections and educational environments free of conduct that causes, or reasonably could be considered to cause, intimidation, hostility, or discrimination.

Any person who believes he or she has been discriminated against or harassed by a college employee, representative or student may file a complaint through the Affirmative Action Office. Non-affirmative action complaints are to be filed with the collective bargaining unit or through the student grievance procedure. At any point in the procedure, the complainant may file a complaint with (1 ) the Equal Employment Opportunity Commission (EEOC); (2) the Oregon Bureau of Labor and Industries Civil Rights Division; or (3) the U.S. Department of Education, Region X. If the complainant chooses to file through any of these agencies or in court, the internal complaint procedure will be stopped.

(December 2003)

## **Inspection of Public Records – B 208**

Portland Community College is a public institution whose purpose is to provide education for the public. The Board encourages and welcomes public participation and awareness of the operation of the college. College activities and public records are open to inspection except in those limited instances where inspection is confidential or exempt from disclosure under law.

(ORS 192.235(2))

(ORS 192.410-192.505)

(December 2003)

## **Conflict of Interest – B 209**

Board members shall adhere to state laws relating to conflict of interest and government ethics  
(ORS 244.010 to 244.400)

(December 2003)



## **Board Member Attendance at State and National Meetings – B 210**

The Board of Directors recognizes the benefits derived by the college through membership in various educational organizations and from the attendance of board members at state and national meetings that deal with community college issues.

### **Board of Directors Designation of Delegates to Out-of-State Conventions and Meetings.**

The Board shall designate delegates to various state and national conventions and meetings as may seem desirable.

The Board Secretary shall poll the Board members for expressions of interest in attending state and national meetings. The Board Secretary shall present the expressions of interest of individual Board members to attend such meetings to the Chairperson. The Chairperson and Vice-Chairperson shall present to the Board a slate of delegates to attend an out-of-state national meeting. The slate of delegates to a national meeting shall be presented to, and acted upon, by the Board at its regular meeting no later than 30 days prior to the date of the national meeting. The Board Chairperson, in consultation with the Vice-Chairperson and the College President, shall determine if there are sufficient funds to warrant attendance at the meetings requested by the Board members.

Board members attending such meetings at college expense shall complete travel authorization forms prior to attendance and to coordinate travel arrangements with the President's or Board Secretary's office. Board members attending statewide and national conventions will be granted an advance or reimbursement for reasonable and necessary expenses related to their travel. Such expenses will cover only days requested to be in attendance and normal travel time to and from destination. Board members shall submit expense reports to the college promptly upon completion of the travel.

A written or verbal report to the Board of meeting highlights will be submitted to the Board Secretary by all participants.

(December 2003)

## **Board Policies Distribution - B 211**

The Board Secretary shall distribute printed copies of the Board Policies and any updates to the campus libraries, the federation offices, the campus presidents, vice presidents and district president's offices, and to others who may request a copy. The Board Secretary shall also maintain current Board Policies on the College web page for internal and external use. These policies shall be available for examination by all employees of the college and members of the public.

(December 2003)

## **Individual Director's Secretarial Services – B 212**

Reasonable secretarial services required by members of the Board in carrying out their responsibilities as directors shall be provided by the Secretary to the Board as designated by the college president.

(December 2003)

# College President's Duties and Responsibilities

## – B 213

Under its authority granted by ORS 341.290, the Board establishes the office of President and delegates to the President the powers and duties as described in this policy.

The President is the chief executive officer of Portland Community College and is responsible to the Board for the proper administration of the college. The President, or the President's designee:

- Shall be responsible for the organization and operation of the College;
- Shall appoint, remove, discipline and supervise all employees of the College in a manner consistent with the College personnel system and applicable collective bargaining agreements;
- Shall annually prepare and submit a proposed College budget for the Board's review and approval pursuant to Local Budget Law and shall properly administer the budget as adopted;
- Shall prepare an annual work plan and report of accomplishments;
- Shall keep the Board advised of the financial condition and needs of the College;
- Shall be responsible for maintaining open communications with the Board and for keeping the Board informed as to all matters pertinent to the governance of the College;
- Shall make recommendations to the Board concerning Board policy;
- Shall, subject to the approval of the Board, conduct all aspects of real property transactions on behalf of the College;
- Shall adopt administrative procedures as required by Board policy, as otherwise directed by the Board, or as the President deems necessary for the effective administration of the College;
- Shall act as the purchasing agent for the College and shall execute and administer contracts under authority of the Board;
- Shall perform other duties consistent with this Policy and as required by the Board; and
- Shall exercise all powers and duties under ORS 341.290 to ORS 314.321 not retained by the Board.

(December 2003)

## **Board Duties and Responsibilities - B 214**

The Board of Education is the governing body of the Portland Community College District pursuant to ORS Chapter 341. The primary duty of the Board under ORS Chapter 341 is to adopt policies for the general governance of Portland Community College. The Board will consider, review and act upon the recommendation of the President in matters of policy pertaining to the current and future welfare of the Portland Community College District. The Board will approach its task in a manner that emphasizes strategic leadership rather than administrative detail, and will keep its major focus on the long-term effectiveness of the college.

Powers and Duties of the Board. The Board shall:

- Review and adopt Board policy and ensure implementation of Board policy by the President;
- Recruit, appoint, compensate, and evaluate the President.
- Review and approved the annual budget pursuant to Local Budget Law;
- Levy taxes within the authority of the College;
- Decide, after consultation with the President, on all questions to be referred by the College to the voters of the District;
- Review and approve classification and compensation structures, personnel policies and collective bargaining agreements;
- Approve the purchase or sale of real property;
- Approve the lease of real property that has a contract value of \$75,000 or more;
- Approve contracts except as such authority may be delegated to the President;
- Conduct an annual evaluation of the Board's performance in providing leadership to the college community.
- Exercise such other powers and duties as may be required by law and are not delegated to the President.

Relationship with the President

- The Board has established the office of President and set forth the powers and duties of the office pursuant to Board Policy B 213. The Board and the President will respect each other's role, responsibility and expertise.

- Evaluation of President. The Board will conduct an annual evaluation of the President.
- Relationship to be Collaborative: The Board recognizes that an open, honest and trusting relationship between the Board and the President is essential to the successful operation of the college and fulfillment of its mission. In addition, the Board recognizes that in order to provide the most effective leadership, Board members need to work collaboratively, respect one another and be committed to working together as a team.

(December 2003)