

Executive Limitations

Level EL 1: Global Executive Constraint

The ED shall not cause or allow any organizational practice, activity, decision, or circumstance that is either unlawful, imprudent, in violation of funding agency requirements, or in violation of commonly accepted business ethics and practices.

Level EL 2a: Treatment of Consumers

With respect to interactions with consumers or those applying to be consumers, the ED shall not cause or allow conditions, procedures, or decisions that are unsafe, untimely, undignified, or unnecessarily intrusive.

Level EL 3a: Treatment of Consumers

The ED shall not:

1. Elicit information for which there is no clear necessity.
2. Use methods of collecting, reviewing, transmitting, or storing consumer information that fail to protect against improper access to the material.
3. Fail to operate facilities with appropriate accessibility and privacy.
4. Fail to put in place protections for consumers regarding treatment of minors.
5. Fail to establish with consumers a clear understanding of what may be expected and what may not be expected from the service offered.
6. Fail to inform consumers of this policy or to provide a way to be heard for persons who believe they have not been accorded a reasonable interpretation of their rights under this policy.

Level EL 2b: Treatment of Staff

With respect to the treatment of paid and volunteer staff, the ED shall not cause or allow conditions that are unfair, undignified, disorganized, unclear, or unsafe.

Level EL 3b:

The ED will not:

1. Operate without written personnel rules that a) clarify rules for staff, b) provide for effective handling of grievances, and c) protect against wrongful conditions, such as nepotism and grossly preferential treatment for personal reasons
2. Retaliate against any staff member for nondisruptive expression of dissent.
3. Fail to put in place procedures for staff regarding appropriate treatment of minors that include staff protection against unfounded accusations of misconduct.
4. Fail to acquaint staff with the ED's interpretation of their protections under this policy.

5. Allow staff to be unprepared to deal with emergency situations.

Level EL 2c: Financial Planning/Budgeting

The ED shall not cause or allow financial planning for any fiscal year or the remaining part of any fiscal year to deviate materially from the board's Ends priorities, risk financial jeopardy, or fail to be derived from a multiyear plan.

Level EL 3c: Financial Planning/Budgeting

The ED will not allow budgeting to

1. Risk incurring those situations or conditions described as unacceptable in the board policy "Financial Condition and Activities"
2. Omit credible projection of revenues and expenses, separation of capital and operational items, cash flow, and disclosure of planning assumptions.
3. Provide less for board prerogatives during the year than is set forth in the Cost of Governance policy.
4. Jeopardize the non-profit status of the organization.

Level EL 2d: Financial Condition and Activities

With respect to the actual, ongoing financial condition and activities, the ED shall not cause or allow the development of financial jeopardy or material deviation of actual expenditures from board priorities established in Ends policies.

Level EL 3d: Financial Condition and Activities

The ED will not

1. Expend more funds than have been received in the fiscal year to date unless the board's debt guideline (below) is met.
2. Incur debt in an amount greater than can be repaid by certain and otherwise unencumbered revenues within sixty days unless pre approved by the board.
3. Use any long-term reserves unless pre approved by the board.
4. Fail to ensure that encumbered funds are properly disbursed.
5. Fail to settle payroll and debts in a timely manner.
6. Allow tax payments or other government ordered payments or filings to be overdue or inaccurately filed.
7. Make a single purchase or commitment of greater than \$1000. Splitting orders to avoid this limit is not acceptable.
8. Dispose of functional organizational property without board approval.
9. Acquire, encumber, or dispose of real estate without board approval.
10. Fail to aggressively pursue receivables after a reasonable grace period.

Level EL 2e: Emergency ED Succession

In order to protect the board from sudden loss of ED services, the ED shall not permit there to be fewer than one other person sufficiently familiar with board and ED issues and processes to enable him or her to take over with reasonable proficiency as an interim successor.

Level EL 2f: Asset Protection

The ED shall not cause or allow organizational assets to be unprotected, inadequately maintained, or unnecessarily risked.

Level EL 3f: Asset Protection

The ED will not

1. Fail to insure adequately against theft and casualty and against liability losses to board members, staff, and the organization itself.
2. Allow unauthorized personnel access to material amounts of funds.
3. Subject facilities and equipment to improper wear and tear or insufficient maintenance.
4. Unnecessarily expose the organization, its board, or staff to claims of liability.
5. Make any purchase wherein normally prudent protection has not been given against conflict of interest.
6. Fail to obtain comparative prices and quality assessment for purchase of an item costing more than \$2000
7. Fail to protect intellectual property, information, and files from loss or significant damage.
8. Compromise the independence of the board's audit or other external monitoring or advice, such as by engaging parties already chosen by the board as consultants or advisers.
9. Endanger the organization's public image, credibility, or its ability to accomplish Ends.
10. Change the organization's name or substantially alter its identity in the community.

Level EL 2g: Compensation and Benefits

With respect to employment, compensation, and benefits to employees, consultants, contract workers, and volunteers, the ED shall not cause or allow jeopardy to financial integrity or to public image.

Level EL 3g: Compensation and Benefits

The ED will not

1. Change the ED's own compensation and benefits, except as those benefits are consistent with a package for all other employees.
2. Promise or imply permanent or guaranteed employment.

3. Establish current compensation and benefits that deviate materially from the geographic or professional market for the skills employed.
4. Create obligations over a longer term than revenues can be safely projected, in all events subject to losses in revenue.

Level EL 2h: Communication and Support to the Board

The ED shall not cause or allow the board to be uninformed or unsupported in its work.

Level EL 3h: Communication and Support to the Board

The ED will not:

1. Neglect to submit monitoring data required by the board in Board-Management Delegation policy "Monitoring ED Performance" in a timely, accurate, and understandable fashion, directly addressing provisions of board policies being monitored, and including ED interpretations consistent with Board-Management Delegation policy "Delegation to the ED," as well as relevant data.
2. 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.
3. Allow the board to be without decision information required periodically by the board or let the board be unaware of relevant trends.
4. Let the board be unaware of any significant incidental information it requires including in anticipated media coverage, threatened or pending lawsuits, and material internal and external changes.
5. Allow the board to be unaware that, in the ED'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 that is detrimental to the work relationship between the board and the ED.
6. 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.
7. Deal with the board in a way that favors or privileges certain board members over others, except when responding to officers or committees duly charged by the board.
8. Fail to submit to the board a consent agenda containing items delegated to the ED yet required by law, regulation, or contract to be board-approved, along with applicable monitoring information.