

FANSHAWE COLLEGE BOARD OF GOVERNORS' POLICY MANUAL

CATEGORY D - EXECUTIVE LIMITATIONS

TITLE: GENERAL EXECUTIVE CONSTRAINT

POLICY NUMBER: D-01

EFFECTIVE DATE: 2017 03 16

REFERENCE: 37206, 42506, 48406, 54101, 54501, 55108

BACKGROUND INFORMATION:

This policy forms the largest (i.e., broadest and therefore most open to interpretation) of any policy in the executive limitations policy category. All further executive limitations policies are merely a narrowing of the provisions of this policy. The President is granted the authority to use any reasonable interpretation of the Board's words he/she chooses.

THE POLICY:

- 1) The President shall neither cause nor permit any practice, activity, decision, or organizational circumstance which is unlawful, imprudent or in violation of commonly accepted business and professional ethics.
- 2) The President shall ensure all material/strategic/compliance issues involving the Ministry of Advanced Education and Skills Development are fully disclosed to the Board of Governors.
 - 2.1 For purposes of this policy, "material" shall mean, in a financial context, amounts greater than 0.5% of operating revenue as defined as a "Significant Change" in Board Policy D-05 (Financial Planning) and as "Significant" in Policy D-12 (Capital Planning), and, more generally, as may otherwise be required by executive limitations policies;
 - 2.2 For purposes of this policy, "strategic" shall mean matters related to Board Ends policies, the College's Strategic Goals; and
 - 2.3 For purposes of this policy, "compliance" shall mean operating the College consistent within the legislative, regulatory, and policy frameworks of Ontario colleges.

MONITORING:

The President and the Corporate Treasurer shall provide a signed Management Certification at each Board meeting, following the template provided in Appendix 1.

FANSHAWE COLLEGE
BOARD OF GOVERNORS' POLICY MANUAL
APPENDIX 1
(to Policy D-01)

FANSHAWE COLLEGE OF APPLIED ARTS & TECHNOLOGY (the "College")
Management Certification

TO: FANSHAWE COLLEGE BOARD OF GOVERNORS

The undersigned hereby certify that, to the best of their knowledge, information and belief after due inquiry, as at *[insert date of Board meeting]*

1. The College is in compliance with the Ontario Colleges of Applied Arts and Technology Act, 2002, as amended from time to time, and any Regulations thereunder.
2. The undersigned further certify that the College is in compliance with all other applicable statutes and regulations, unless noted below, including not-for-profit corporations law, and including but not limited to,
 - a. Ministry Binding Policy Directives and Policy Framework documents, except as follows:
 - i. [List exceptions]*
 - b. legislation relating to Provincial Crown agencies and registered charities; and
 - c. reporting, withholding and/or payment of governmental remittances and
 - d. Broader Public Sector Accountability Act, 2010 and the Broader Public Sector Executive Compensation Act, 2014, as amended from time to time, and any Regulations thereunder and related directives.
3. The undersigned further certify that,
 - a. all authorizations of disbursements have been in compliance with the signing authority limits authorized by the Board of Governors of the College;
 - b. the College is in compliance with all applicable Health and Safety legislation and all applicable Employment legislation; and
 - c. there are no known contingent liabilities except for those disclosed in the College's financial statements.
4. As at the date of this Certification, the known standing exceptions are noted above in 2a. Additional, exceptions, if any, to this Certification are set out in Schedule 1 hereto.

DATED at London, Ontario the _____ day of _____ *[Insert Date]* _____, 20__.

[Insert Name]

President, Fanshawe College of Applied Arts & Technology
Corporate Secretary

[Insert Name]

Vice-President, Finance & Administration
Corporate Treasurer

Policy D-01 Schedule 1

EXCEPTIONS TO MANAGEMENT CERTIFICATION

Date: *[insert date of Board meeting]*

1. *[List exceptions and rationales]*
2. ...