



Board of Director's Retreat Agenda

Meeting Date/Time: April 26, 2023, 1:30 – 4:00pm

Members: Kathleen Mozak (Chair), Mike Allemang (Treasurer), Jesse Miller (Secretary), Chris Allen, Simi Barr, Rich Chang, Elisabeth Gerber, Susan Pollay, Monica Ross-Williams, Kyra Sims

Location: Dawn Gabay Operations Center
 Virtual attendance available [via Zoom](#)
 Passcode: 983308

Agenda Item	Info Type	Details	Page #
1. OPENING ITEMS			
1.1 Approve Agenda	D	Mozak	
1.2 Public Comment	O		
1.3 General Announcements	O		
2. LEADING WITH WRITTEN POLICY			
2.1 Intro and Purpose of Retreat	O	Mercier	
2.2 Four Areas of Policy	O	Mercier	
2.3 Policy Sizing	O	Mercier	
2.4 Existing Policy Development Tools	O	Mercier	
2.5 Small Group Exercises and Recap	O	All	
2.6 Closing / Next Steps	O		
3. CLOSING ITEMS			
3.1 Public Comment	O		
3.2 Adjournment			

Monitoring, D = Decision Preparation, O = Other



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TO: AAATA Board CC: Matt Carpenter, CEO
FROM: Rose Mercier
SUBJECT: April 26th Board Workshop

Hello Everyone

I am looking forward to meeting with you in person on April 26th during the board's retreat. The afternoon session which I am facilitating is designed to enhance the board's confidence in writing new policies, be that a complete policy or policy statements.

We will start by reviewing key policy concepts:

- Review of the recent successful policy work
- The purpose of each of the four categories of policies
- Writing policy in 'sizes' (Policy nesting)
- Discerning the policy value in the Board's concerns and hopes
- Guidelines for writing new policy

Next, you will work in small groups with some real policy development questions. This will give you a chance to dig into some of the recent and continuing policy questions.

We will take a break after the small group discussions and return to plenary discussion where the small groups will bring back their policy analysis and suggestions to the full group. This will provide the opportunity to share ideas and continue learning. Given the "messy" nature of policy development, it is likely that it will be necessary to identify next steps for any work started in the session to continue.

The session will end with a debrief of learnings.

To get you thinking about policy development, I have brought together a series of short readings. Please read as many as your schedule allows.

"Abstracting Up: Discovering the Big Issues Among the Trivia" John Carver. *Board Leadership* Sept-Oct. 1994

"Prescribing vs. Proscribing". Ted Hull. *REALBoard Buzz*. September 18, 2018

"The Board's Policy Manual – An Essential Tool". Rose Mercier. *REALBoard Buzz*. September 2, 2020

"Word Smith & Word Smart." Rose Mercier. *REALBoard Buzz*. October 19, 2021

If you have any questions or suggestions, please feel free to get in touch.



The Board's Policy Manual – An Essential Tool

Rose Mercier, September 2, 2020 [RealBoard Buzz]

You shouldn't be surprised to learn that the board's essential tool in Policy Governance® is its policy manual. After all, it is "Policy" Governance. However, you might be surprised to learn that a board can control and direct the entire organization in a relatively short document. Thirty or so pages is usually sufficient.

This realization is welcome relief for boards whose previous policy manuals ran to hundreds of pages, and who may have drafted policies in response to crises, inadvertently created conflicting policies, and seldom scheduled regular policy reviews. In these circumstances, a policy manual usually lacks coherence and is likely only used on an "as-needed" basis.

A Policy Governance board's manual is a living document, a precise and comprehensive statement of its values about everything for which the board is accountable, which – in fact – is everything and everyone in the organization. It is a constant reference for every board decision and practice.

All items on the board's meeting agenda should be related to board policy. If it does this, the board easily recognizes why an item is on the agenda and knows what it has already said in its policies about the item. One regularly scheduled agenda item should be policy content review. I think John and Miriam Carver explained the reason for this practice best when they wrote: "*...the policy manual's utility is that it contains all of what a given board has said that is still in force. But this is only true if the manual is kept up to date.*"¹

Even though a board can amend any policy at any time, it should still maintain the discipline of continuous review. By doing this, the board's policies stay current with its values and the organization's circumstances.

Along with regular review, your board needs to make sure it records its decisions about policy changes. This can be a bit of a puzzle sometimes. Following are helpful guidelines:

- If your board amends its policy in any way, it needs to record that decision in the minutes.
- If the amendment is minor, adding or deleting a phrase, the motion should include the full version of the amended policy statement.
- If the board has decided to add or replace a large part of a policy, or add a new policy, the motion should identify the name and number of the policy, the nature of the change, and



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that the revised (or new) policy is attached as an appendix to the minutes. The appendix then becomes part of the board's official record.

- If after reviewing a policy, the board decides no change is needed – no motion is needed. The board's minutes can record that it reviewed the policy and agreed no change was needed. If the board is not making a change, it does not require a motion to maintain the status quo.
- Incorporate any changes into the full manual as soon as practicable so that the board has ready access to the current version of its policies.

The Policy Governance system of governance provides a board with a set of tools that enable it to govern effectively and efficiently. As is true of any tool used by craftsman or artist, it must be kept sharp and ready for use. So too, must a board keep its policy manual current, coherent and comprehensive. Regular review, accurate record of changes, and timely updates will keep this essential tool fully ready for use at all times.

¹ John Carver and Miriam Carver. "Policy Governance and Staying on Track". Jossey-Bass A Wiley Imprint. 2006



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CASE IN POINT

Abstracting Up: Discovering the Big Issues Among the Trivia

IN GOVERNANCE, as in life, it's often difficult to see the forest for the trees—that is, to discover the big, relevant issues among the trivial concerns that are always threatening to overwhelm our attention. Yet it's an essential part of the board's job to determine where the day-to-day details of running an organization fit into the grand scheme of things. To achieve this goal, boards need to create comprehensive policies, of course. But creation is only the beginning. No matter how carefully policies are crafted, particular problems and unforeseen circumstances will come up that can throw boards right back into the meddlesome, micromanaging behavior that keeps them from addressing issues on a meaningful level. To avoid backsliding, boards must learn to exercise the skill of "abstracting up," or seeking and discovering the relevant higher principle or value in each smaller, narrower issue. Let me give you an example of how this concept works.

In one of my recent workshops, a YMCA board member raised his concern that the YMCA staff might not know how to respond in the case of an armed robbery at their urban facility. He'd heard of such an occurrence, during which staff members panicked, having had no training in how to appropriately react to that unfortunate circumstance. Staff members and clients were consequently endangered due to the staff's unschooled reaction. He asked me if the board should have an executive limitations policy that would make lack of robbery preparation unacceptable.

He was on the right track. Enumerating unpalatable conditions, practices, actions, and behaviors is exactly what executive limitations policies are designed to do. And here was a true case of an unacceptable circumstance. My questioner's problem, however, was that he wasn't abstracting the specific worry to a broader level. He was confining his thinking about board policy to too specific of an instance.

In Policy Governance, the board essentially addresses *every* issue in the organization. It does not do so one issue at a time, nor should it normally do so in reaction to single issues that arise. The board addresses all issues simply by creating broadly inclusive policy across all aspects of organization so that *every possible issue falls within the policies created*.

Creating policy from this broad perspective and then adding one level of detail at a time will ensure that all smaller issues are adequately governed. But issues do not come to the board's attention in this carefully ordered way, as my questioner's point illustrated. Something unexpected can come up. Some specific worry might arise in a board member's mind while reading the newspaper. A disgruntled caller might tell a board member of some real or imagined staff misconduct.

Finding the Broader Concern

The reason for seeking a broader embodiment of this board member's issue is that there is a broader concern

(continued on page 5)

THE POLICY GOVERNANCE MODEL

BOARD LEADERSHIP requires, above all, that the board provide vision. To do so, the board must first have an adequate vision of its own job. That role is best conceived neither as volunteer-helper nor as watchdog but as trustee-owner. Policy Governance is an approach to the job of governing that emphasizes values, vision, empowerment of both board and staff, and the strategic ability to lead leaders.

Observing the principles of the Policy Governance model, a board crafts its values into policies of the four types below. Policies written this way enable the board to focus its wisdom into one central, brief document.

ENDS

The board defines which human needs are to be met, for whom, and at what cost. Written with a long-term perspective, these mission-related policies embody most of the board's part of long-range planning.

EXECUTIVE LIMITATIONS

The board establishes the boundaries of acceptability within which staff methods and activities can responsibly be left to staff. These limiting policies, therefore, apply to staff means rather than to ends.

BOARD-EXECUTIVE LINKAGE

The board clarifies the manner in which it delegates authority to staff as well as how it evaluates staff performance on provisions of the Ends and Executive Limitations policies.

BOARD PROCESS

The board determines its philosophy, its accountability, and specifics of its own job.

bank examinations or federal housing grants. Committees of legislatures will no longer make virtually unilateral decisions about regulations in mental health or education. School boards will no longer hire school principals.

But to adopt Policy Governance, school boards and city councils must bring their constituencies along with them on their governance journey. Elected bodies would only be asking for trouble if they were to embark on such a radical shift—regardless of its benefits—without ensuring that the general public, press, unions, every pressure group, and all funding and regulating bodies understand the effort. (Boards of large membership associations are faced with a similar challenge.) This adds to the cost of making the change, but it is a cost that is inescapable under the circumstances and is, in any event, less than the cost that conventional governance currently imposes.

How will Policy Governance look in those vaulted chambers? City councils would continually weigh exactly what municipal outcomes for citizens are worth how much taxation. Should our city government produce safe streets, civic attractiveness, and potable water? If so, how much of each is worth how much taxation? What of the other municipal products? School boards would struggle with and determine exactly what skills and insights for tomorrow's adult citizens are worth what part of the education dollar. How will the resources be apportioned among mainstream kids and ones with special difficulties or special gifts?

Instead of tinkering with management, these bodies would be the electorate's hired thinkers in the business of crafting tomorrow's political reality. Perhaps it is too much to expect elected boards, councils, and commissions to be our moral beacons. But rather than being among society's most calcified elements, they should at least be the visionaries of our bodies politic. □

Case in Point

(continued from page 3)

than the specific one being discussed at this time by the board member. If my questioner's board can find what its broader concern is, then it can create a policy that covers not only the present matter but also many unforeseen ones.

This search calls for a board to ferret out its values about the presenting worry. A useful technique is for the board to ask itself, "What is it that makes staff preparedness for robberies matter?" The question seems silly at first glance. The board member in my workshop—as I questioned him in this way—found that for him the slightly broader concern underlying the robbery issue was that *staff members shouldn't be unprepared for life threatening emergencies of any sort.*

By making this observation about his own values, he took the first step in abstracting up to a higher level. What might have become a board policy prohibiting "lack of staff preparedness for robbery" now could be couched as preventing "lack of staff preparedness for conditions threatening life and limb." He and his board should not stop at this level, however. The next level up might be to prohibit "working conditions or exposures that place staff members or clients in jeopardy." Now, in a single stroke, his board would have covered not only robbery crises, but also other crises, and even beyond emergency situations to endangerment of any sort.

At each successively higher level, more and more conditions are encompassed by the policy, yet the initial concern has not been abandoned and the physical policy itself has not grown longer. Notice that if we continue to abstract up, we finally arrive at the ultimate executive limitations policy, the one that is broad enough to include all possible unacceptable staff means: "don't do or allow anything unethical or imprudent." If Policy Governance had been implemented in the first place, this broadest proscription would have already been stated, for policy making in Policy Governance always begins from the "largest end."

Pinning Down the Details

For every worry the board wishes to address, then, the board should abstract the matter all the way up to the level at which it has already spoken. Once the board has reviewed its existing policy, it can change what it has already said or add more specificity to the policy. If greater detail is added, the new policy language will be narrower than policy previously in place, but broader than the *specific issue that sparked the original concern.* After the new language receives a passing vote, the board may decide it would be wise to increase the level of detail further. This is fine, as long as it is done *one step at a time*, starting with the largest value or principle and working toward more specificity. My questioner's board could conceivably end up with a policy about robbery preparedness, but through this top-down route.

However, the original worry would probably be satisfied if the board were to state one of the higher level prohibitions, leaving an issue as specific as robbery preparedness to CEO interpretation. But the board must *always* work from the *broadest end of the spectrum*, even if, once sensitized to a very specific matter, it must painstakingly "think its way up." Routinely targeting policy on smaller issues fails to increase the integrity of the *total body of policy and swells policy documents beyond a manageable size.*

In summary, board leadership calls for developing the ability to take a particular event or concern and translating it into a legitimate board issue. The ability to abstract up prevents a board from reacting merely to a specific issue that has surfaced. Addressing the specific can quickly deteriorate into meddling in staff operations. But worse, it fails to improve the board policy that—had it been in effect—would have taken care of the matter in the first place. Abstracting up is an exercise of finding successively higher principles or values in any issue. It is a *required* skill for board leadership. □



Prescribing vs. Proscribing

September 18, 2018 – Ted Hull

We love Policy Governance, except for that negative language requirement. Why can't we just tell the CEO how to do something? To be consistent with the model and still get its way, a board may go to great lengths to come up with creative ways of directing its CEO, while still employing negative language.

First, let's remember the reason for the use of negative or boundary language. The concept of limitations is to make sure the board is limiting the means the CEO can use rather than telling the CEO how to do things. Once a board tells its CEO how to do the job, it can't hold that person accountable for the outcome.

A typical global Executive Limitation policy states that *the CEO shall not cause or allow conditions or activities that are unlawful, unethical or imprudent*. There may be certain other qualifiers or variations, but this highest level or broadest policy will always be stated in a way which limits the means a CEO can use.

Every policy which is further developed will provide a more specific level of detail of the policy above it. So when writing more specific policies, your board must ask how it is further interpreting the global policy. For example, the board considers it to be an unethical condition or activity (and possibly unlawful as well) for the CEO to cause or allow the mistreatment of staff. Of course, your board may use different words, but the exercise will help it to avoid sliding into the ditch (or even driving on the shoulder) of directing or prescribing the means which the CEO must use. I have found it helpful to have the board paste the global policy on the wall, and then keep asking itself if subsequent policies are further detailing the global policy.

Many boards struggle with writing policies without using phrases such as "shall not fail to..." which in most instances is virtually the same as "must." Once you get to "must" you are now requiring that your CEO do something, or do it in a particular way. At this point, a board needs to ask itself how that policy further interprets a means deemed unlawful, imprudent or unethical, or whatever other conditions or activities are limited in its global policy.

But isn't it just semantics? My initial response to that rhetorical question is "yes." If it's just semantics, then leave out *shall not fail to* terminology and state your policy using proscriptive or limiting language. However, in reality it is not just semantics. It is a backdoor way of directing or prescribing the means to be used by the CEO.



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The principle of Executive Limitations is a two-edged sword. It both ensures that the board avoids prescribing or directing means as well as putting off limits or out of bounds those means which would be unacceptable *even if they worked*. A board just needs to ask itself what conditions, activities or decisions could the CEO make or permit staff to make which would violate the collective values of the board. Make sure it is not just a preference of some or even all of the board members. Having done that, use your Executive Limitations as a place to declare those values in a way which ensures they will not be violated.

As an adult, I took typing lessons at evening school. In the first class, we were told not to look at the keyboard. If we started to learn to type by looking at the key board, there was absolutely no hope that we would ever be able to change. That was over 40 years ago – and yes – I still look at the keyboard when I type. The tendency for a board to look at the operational keyboard is a bad habit that will be hard to break. Instead, let me encourage you to keep your governance eyes on the monitor.



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THE POWER OF WORDS



Word Smith & Word Smart

October 19, 2021 – Rose Mercier

I draft a lot of documents – reports, articles like this one, policies, memos, letters, bylaws, social media posts, etc. If you write a lot, it is easy to get caught up in trying to find the precise words to say what you mean. The dictionary defines ‘wordsmith’ as “an expert in the use of words”, a characterization to which anyone who writes likely aspires. However, “wordsmith” has evolved from its origin as a noun to emerge as a verb – like many words that as Dilbert would say, have been “verbed.” Its definition has also evolved and is more often interpreted as spending an excessive amount of time in search of the precise word or phrase. It’s not unusual to hear a board in the middle of considering a policy say, “let’s not wordsmith this to death.” The intention explicit in this statement is one of avoiding the point at which return on the time spent deliberating over the choice or order of words in a sentence is significantly less than the impact of continued editing.

However, there is such a thing as a board spending too little time deliberating over the words of their policies or debating words before it is clear that it understands the values that underlie their word choice. Words will flow naturally once discussion produces appropriate clarity about values.

A board needs to find words precise enough that it is possible for the CEO to reasonably interpret the board’s directions and achieve what is intended by the words of the board’s Ends policies within the board’s boundaries as expressed in words of its Executive Limitations policies. A board needs to word smith so its intentions are clear. After all, the CEO should reasonably expect the board to ‘say what it means,’ and the board needs to be confident that it has said everything it needs to say about the processes it will use in governing the organization.

So, a Policy Governance board needs to be both a word smith – adept at finding the right words – and word smart – know when it has said enough or said something well enough that it can stop. This can be a challenge until a board has learned to trust that the words in its policies will have the desired effect: lead the organization to accomplish what it should, avoid what’s unethical or imprudent, ensure accountability to the organization’s owners, and safely delegate authority.

Word smart also means knowing when it has said enough, looking carefully at its policies so it avoids unintentional duplications, unnecessary detail or words that prescribe management means and do not describe that which is unacceptable.

Boards are also word smart when they realize that their policies will evolve. Regular and systematic content review allows a board to reconsider its words through the lens of time and experience.

Whether it is being word smith and word smart, boards would be also wise to consider the following:

“The more the words, the less the meaning, and how does that profit anyone?” (Ecclesiastes 6:11)

“The most valuable of all talents is that of never using two words when one will do.” (Thomas Jefferson)



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AAATA Writing Policy

April 26, 2023



Expert Coaching. Practical Resources.

Getting Starting

- A word that describes your thoughts about this session
- Why this topic
 - Become more comfortable when writing new policy
 - Deepen understanding of when to write policy to set direction and when to set boundaries
 - Avoid using assessment of monitoring to revise policy
 - Practise using existing tools (Policy 3.1) and tools like 5 Whys or Logic Model



General Plan



- Policy in Policy Governance®
- Developing policy
 - Determining the category
 - Nesting policies
- Practicing



THE POLICY IN POLICY GOVERNANCE

The “Policy” in Policy Governance

- Not the more familiar policy and procedures found in many organizations
- Policy is specifically created and structured for the board’s job and actively embraces the whole the organization

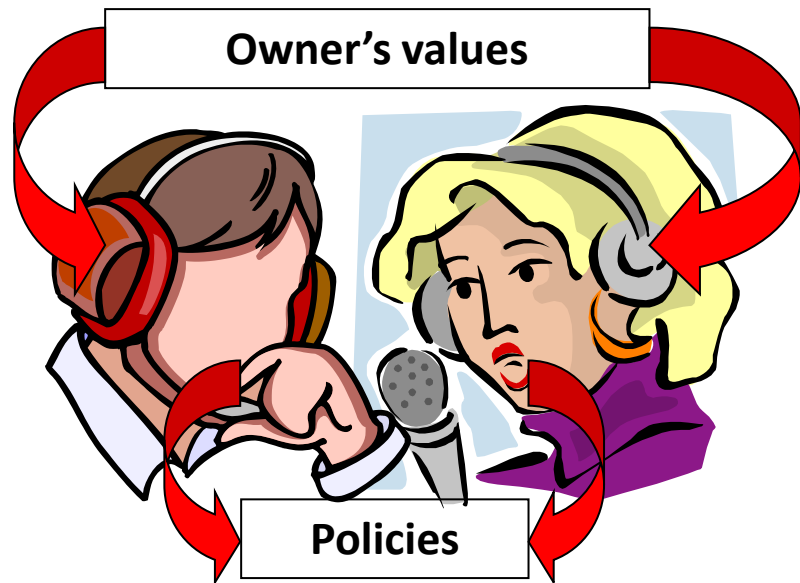


Distinguishing Characteristic of Policies

1. Policies **control everything** embracing all of governance and management
2. Policies are **written** to convey board's decisions in a consistent and enduring manner. Together they are the paramount board document except for incorporating documents and bylaws
3. Policies come in **sizes** – controlling broadest range of decisions and such narrower ones the board chooses
4. Policies are **created in size sequence** – progressing from the broadest level to the narrowest
5. Policies are **accurate and concise**
6. Policies are assembled in **categories tailored for governing**
7. Policies are **in regular use**
8. Policies are **generated by the board** – not by management for board approval
9. Policies are **current**
10. Policies are **centrally available**

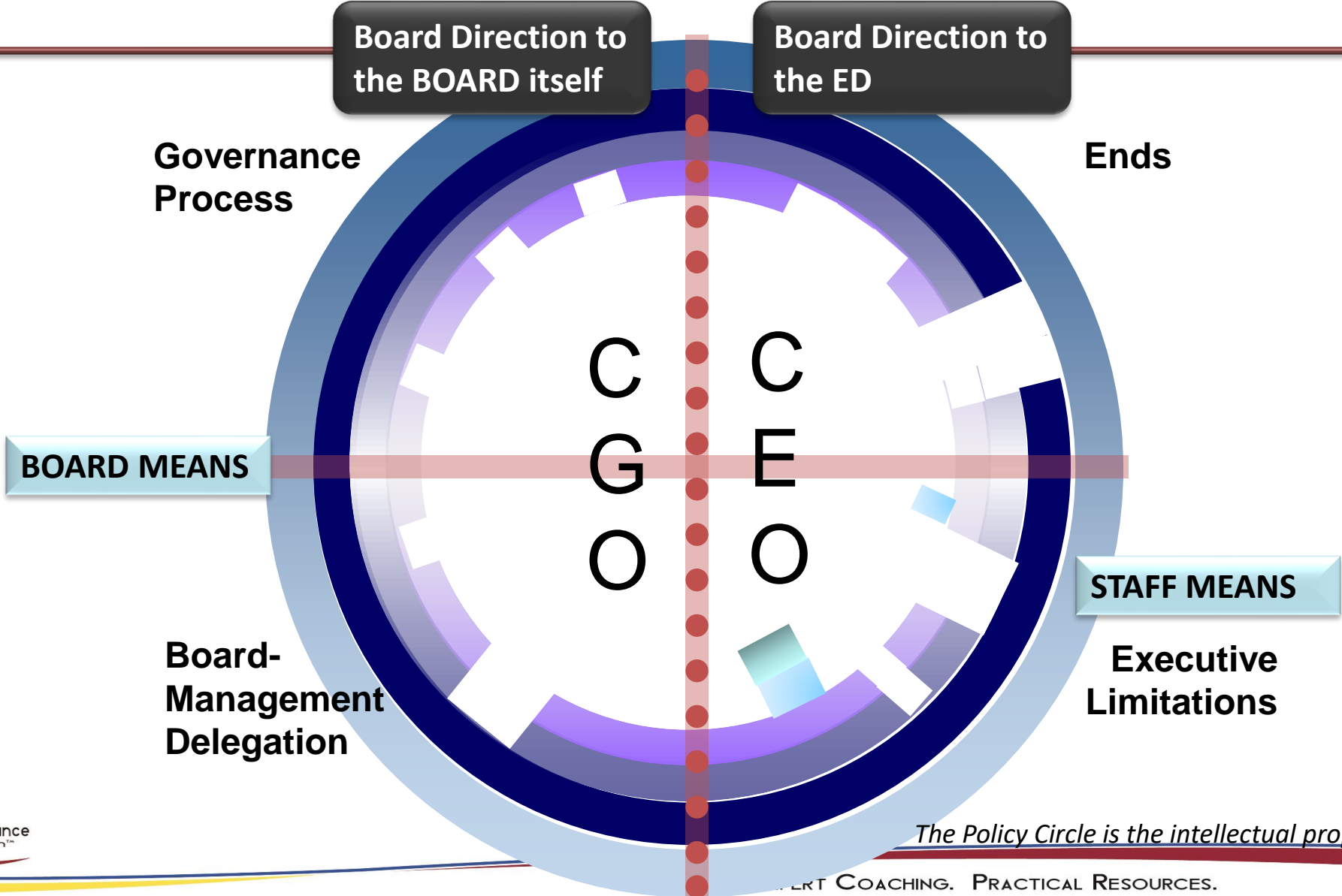


Board leads through values-based policies

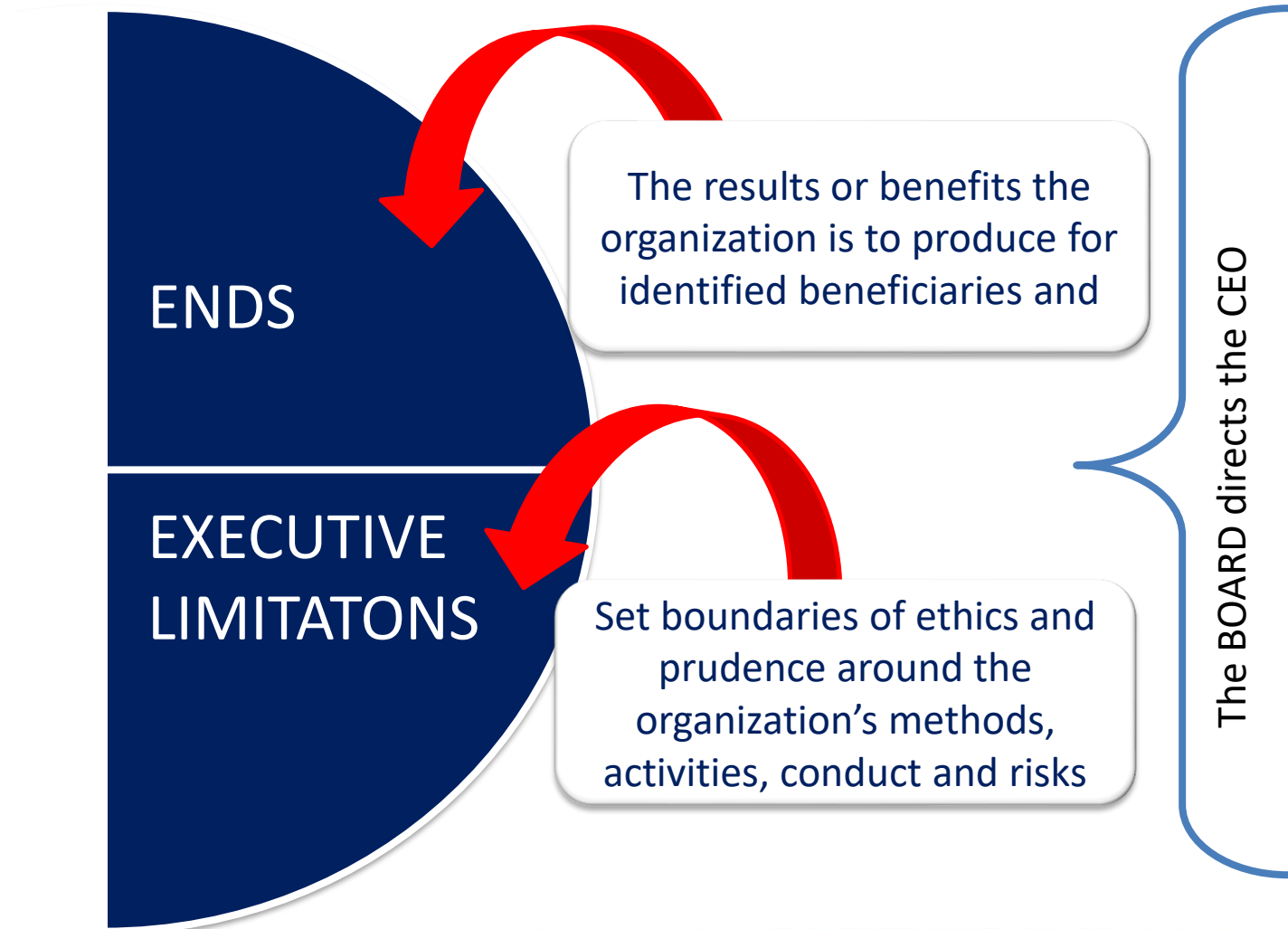


1. Values about what the organization is to produce = **(ENDS)**
2. Values about how management does things = **(Executive Limitations)**
3. Values about process of governing = **(Governance Process)**
4. Values about delegating authority and assessing its use = **(Board-CEO Delegation)**

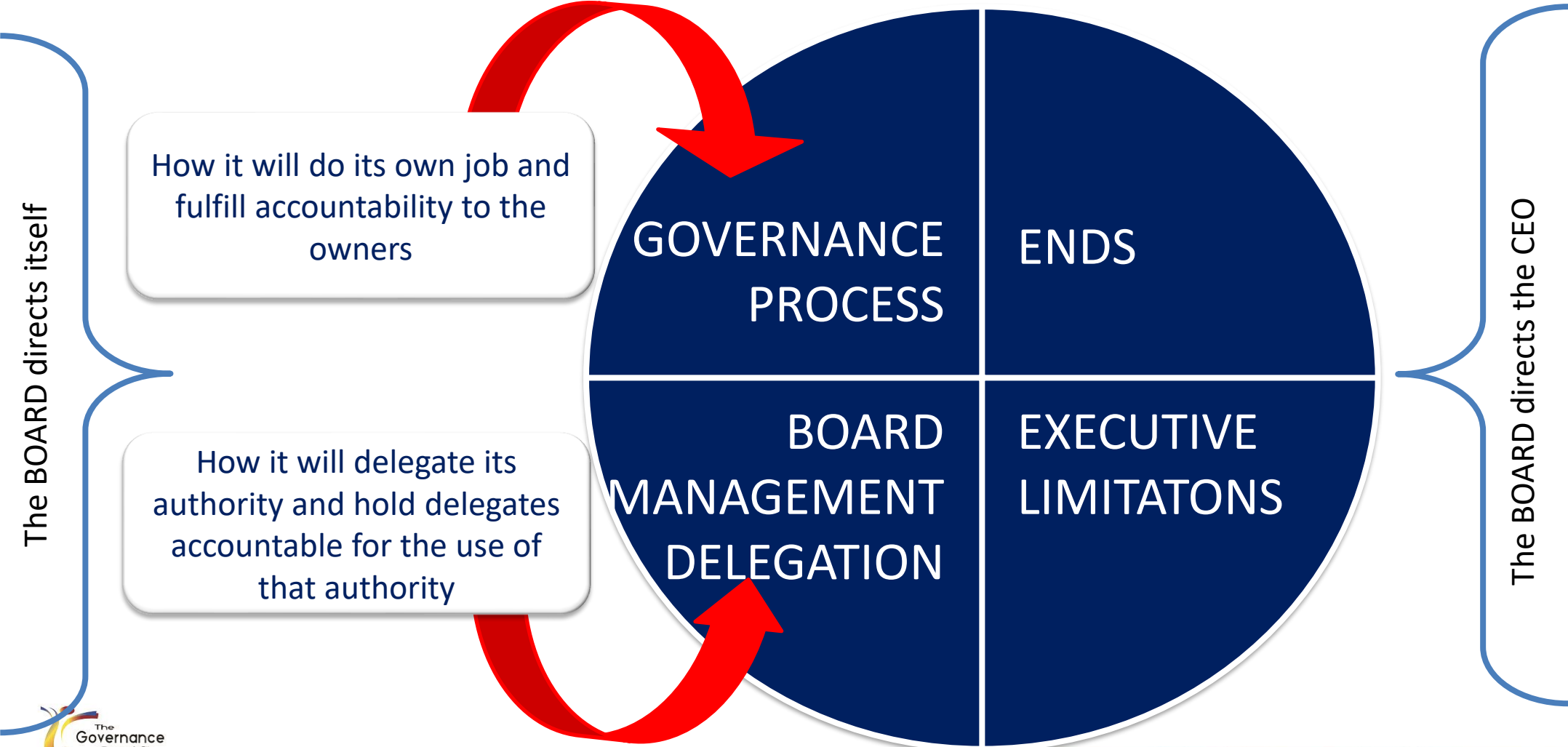
Policy Categories



Policy Purpose



Policy Purpose



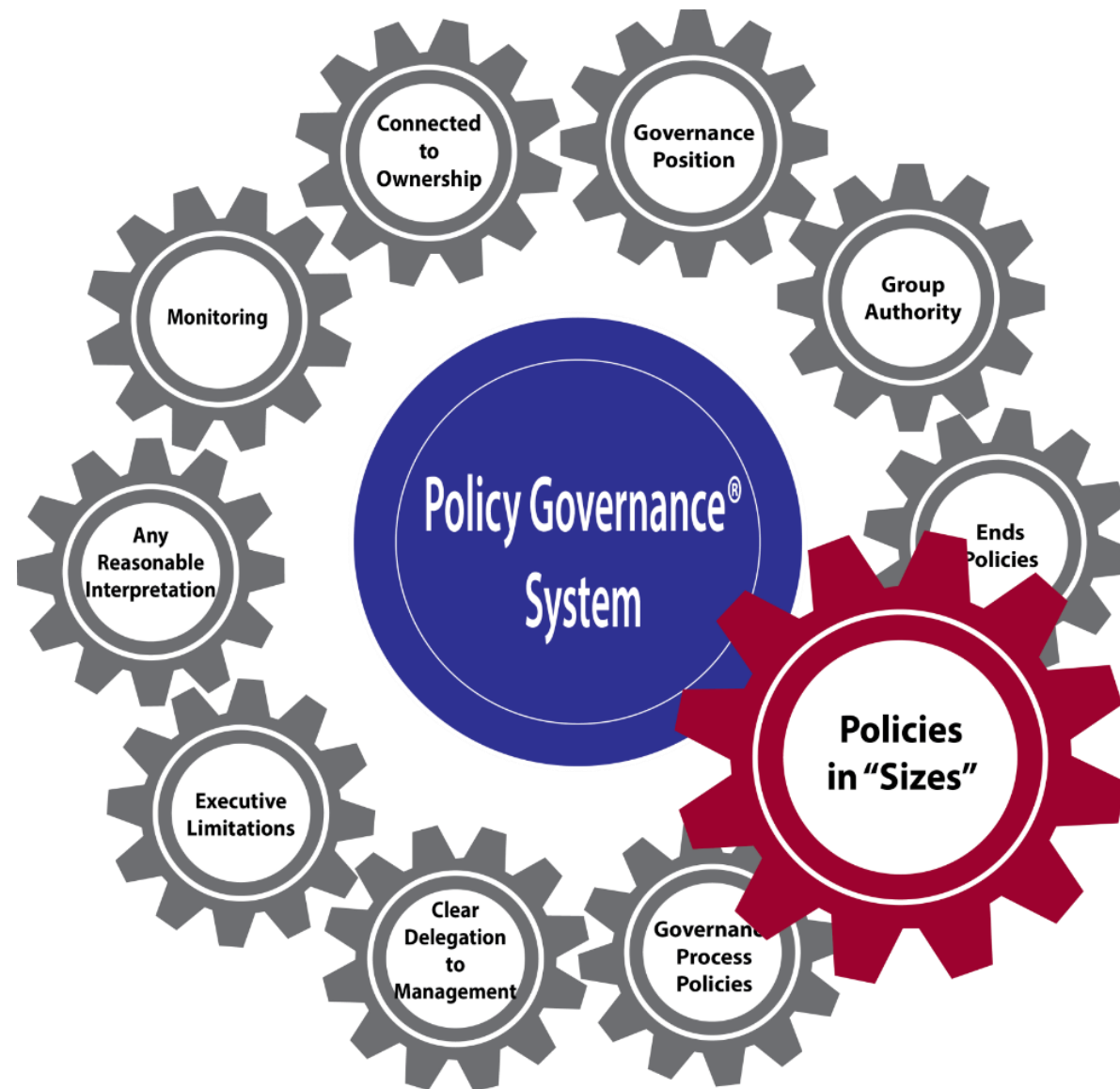
In which category might this policy belong? Why?

- Hiring persons who have previously been elected
- A committee to consider CEO compensation
- Safety of traveling public
- Equity



Things which matter the most
must never be at the mercy of
things which matter least

Johann Wolfgang von Goethe



Policy Sizes /Levels /Nesting

- Recognizes that decisions are not equal in size
- Makes it possible for board to stay out of details if it makes the broad decisions and entrusts the smaller decisions within the broad decision to others
- By using concept of decisions within decisions, a board can control everything by making decisions in cascading sequence of breadth or levels and stopping where it is willing to accept any reasonable interpretation of its words

Until the board can accept
any reasonable interpretation

Increasing detail

Increasing detail

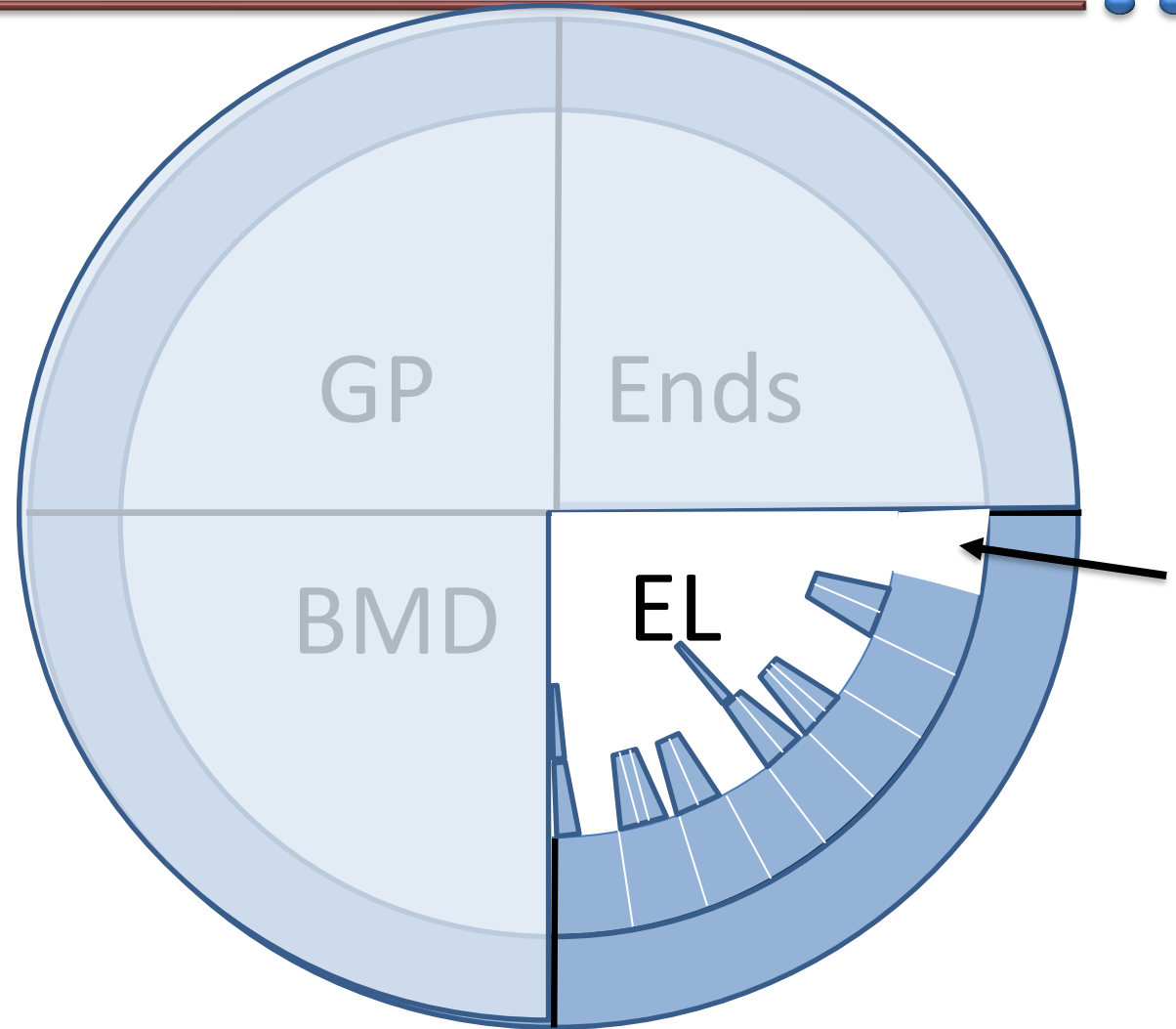
POLICY SIZES

More detailed policies are contained by the “parent” policy
Board continues writing policies of increasing detail...

Policy Sizes: How it Works

EL Policy Map

Each smaller, more specific policy is interpreted within the context of the larger, containing policy.



Benefits of policy structure (categories & sizes)



- Enables a board to govern all that it should:
 - Comprehensive coverage
 - To the appropriate level of specificity
- Enables empowerment and accountability
 - Any reasonable interpretation instead of mind-reading
- Enables currency of policies
 - Volume of board policies can be regularly reviewed

Policy Sizes - Practice



- Review the five groups of police statements
- Decide the sequence in which you would place the three policy statements.

What order of the following policy statements would best demonstrate the principle of development policies by size? Determine the order from largest (#1) to smallest (#2).

A.	The CEO shall not allow staff to be without current, enforced documentation that clarifies expectations and working conditions, provides for effective handling of grievances, and protects against wrongful conditions.	2
B.	The CEO shall not cause or allow a workplace environment that is unfair, disrespectful, unsafe or disorganized or otherwise interferes with employees' ability to do their jobs.	1
C.	The CEO shall not permit staff to be without adequate protection from harassment.	3

What order of the following policy statements would best demonstrate the principle of development policies by size? Determine the order from largest (#1) to smallest (#2).

A.	The CEO shall not permit planning that allocates resources in a way that risks fiscal jeopardy or that is not aligned with achievement of the board's Ends	1
B.	The CEO shall not operate without a documented multi-year strategy that can be expected to achieve a reasonable interpretation of the Ends.	2
C.	The CEO shall not permit planning that does not explain and justify assumptions and identify relevant environmental factors.	3

What order of the following policy statements would best demonstrate the principle of development policies by size? Determine the order from largest (#1) to smallest (#2).

A.	The board will instruct the CEO through written policies which prescribe the organizational Ends to be achieved and describe organizational situations and actions to be avoided, allowing the CEO to sue any reasonable interpretation of these policies.	1
B.	The board will develop Ends policies instructing the CEO to achieve specified results for specified recipients at a specified worth.	2
C.	Specifically, documents such as strategic plans and budgets will not be considered Ends, as they relate to operational means of achieving Ends.	3

What order of the following policy statements would best demonstrate the principle of development policies by size? Determine the order from largest (#1) to smallest (#2).

A.	Meeting discussion content will include only those issues that, according to board policy, clearly belong to the board to decide or monitor	3
B.	The Chair (Chief Governance Officer), a specially empowered member of the board, assures the integrity of the board's process.	1
C.	The assigned result of the Chair's job is that the board behaves consistently with its own rules and those legitimately imposed upon it from outside the organization.	2

What order of the following policy statements would best demonstrate the principle of development policies by size? Determine the order from largest (#1) to smallest (#2).

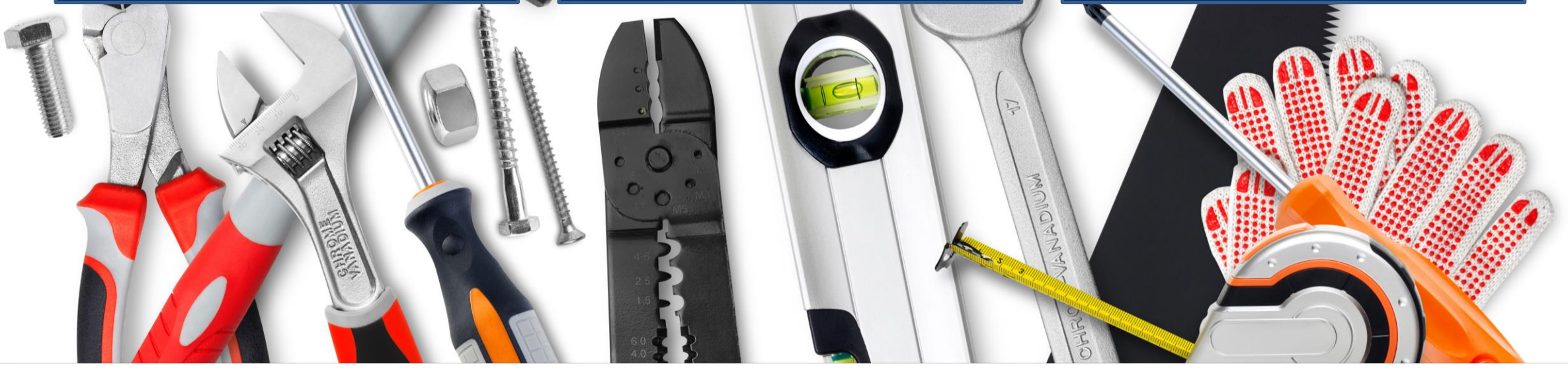
A.	Graduating students demonstrate proficiency in geometry at a level that meets entrance criteria for post-secondary educational institutions.	3
B.	XYZ School exists so that students have a foundation of knowledge, skills and attitudes for a successful life at a cost that justifies expenditure of public resources.	1
C.	Students demonstrate knowledge in reading, writing and mathematics at the level expected for their grade. This is the highest priority.	2

TOOL #1

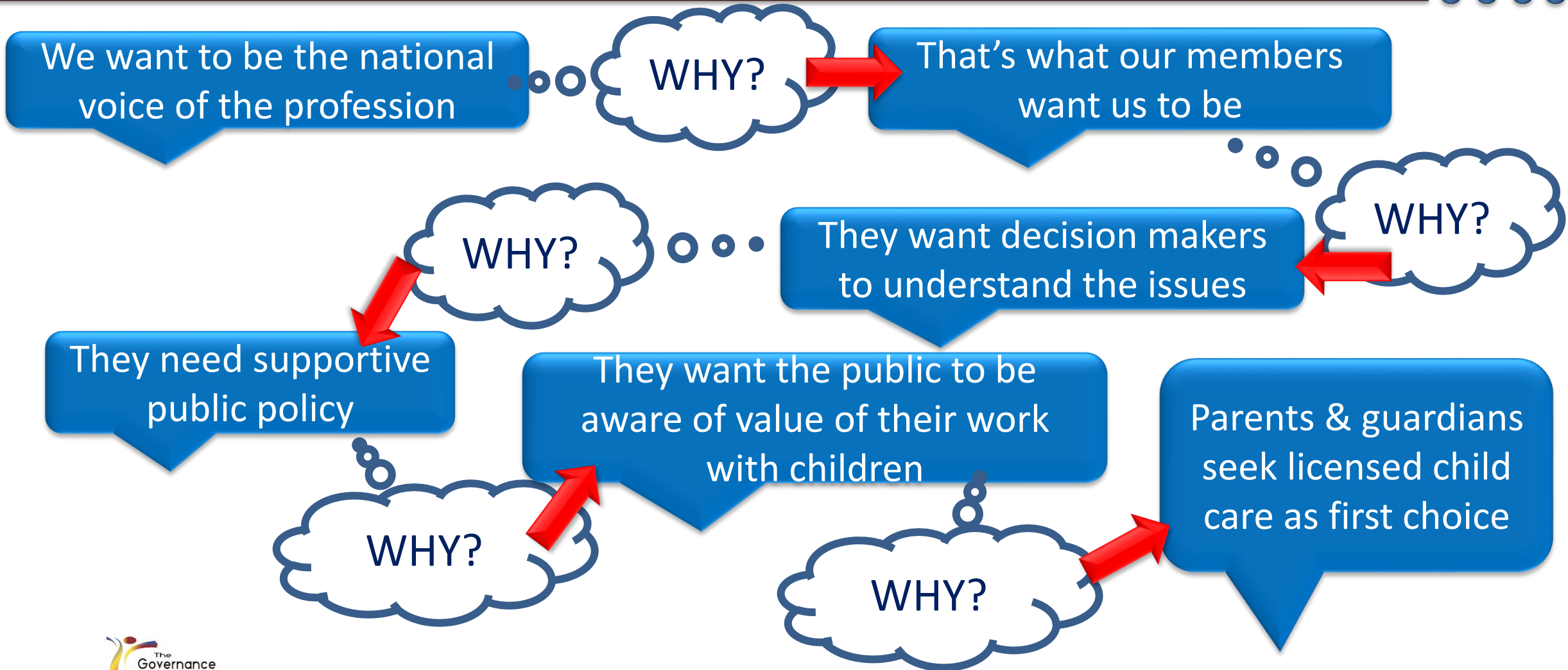
THE

5

WHYS



Finding The Hidden End: 5 Whys



TOOL #2

THE

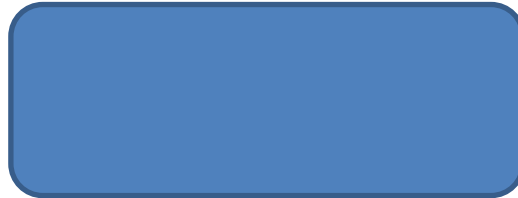
LOGIC

MODEL





ACTIVITIES



Activities
combine to
produce short
term results =
OUTPUTS

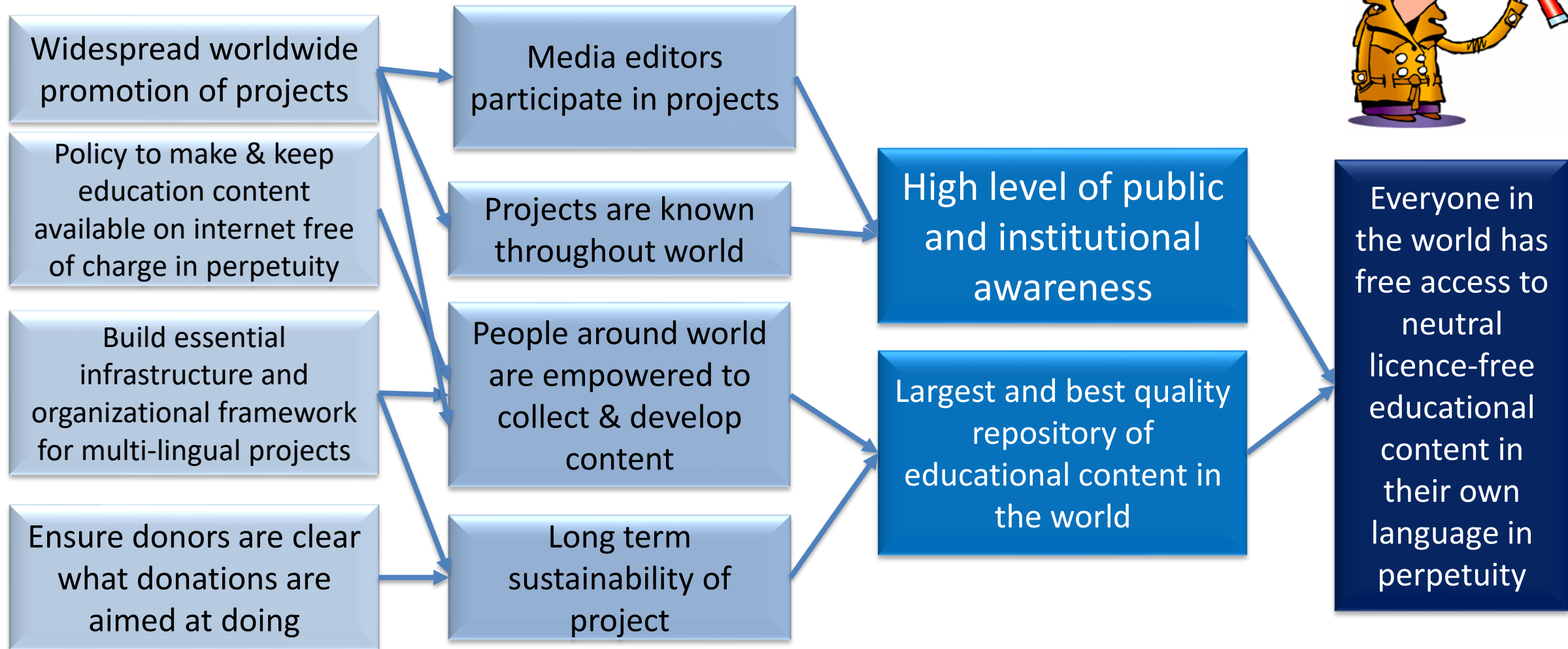


OUTPUTS
combine to
produce
medium term
results =
OUTCOMES



LONG
TERM
OUTCOME

Finding Wikipedia Foundation's Hidden End: Logic Model



Small Group Discussion

- What is the underlying value you want the policy to express? Ask why until you identify the circumstance or situation that is unacceptable because it is imprudent or unethical (Executive Limitation) or until the policy statement expresses a reason you exist.
- Use the Policy Discussion Checklist to guide your conversation on the Policy Discussion your group is discussing.
- Experiment using 5 Whys or Logic Model
- You do not need to arrive at a final policy suggestion.
- The objective is to gain experience in writing policy.



Small Group Discussion

Chris, Kathleen, Kyra, Monica
Ends Policy 1.1 or choice

Jesse, Rich, Susan
Treatment of the Traveling Public
– Accessibility or choice

Liz, Mike, Simi
Ends Policy 4 and/or 5 or choice

1. Review the document and the suggested policy in question
2. Time allowed – 30 minutes
3. Takes notes /Decide who will present back to
4. Identify questions you want to discuss further

Closing



- Learning?
- Insight?
- Next steps
- Thoughts on annual plan of work of policy review



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