

Board of Trustees**BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE****Reference:**

Accreditation Standard IV.B.1.a, e, & h

The Board maintains high standards of ethical conduct for its members. Members of the Board shall:

- Act only in the best interests of the entire community.
- Exercise authority only as a Board.
- Be bound by approved District policies.
- Work and communicate through appropriate channels of authority and responsibility.
 - Members of the Board shall not communicate among themselves by the use of any form of communication (e.g., personal intermediaries, e-mail, or other technological device) in order to reach a collective concurrence regarding any item that is within the subject matter jurisdiction of the Board.
- Notify the President of the Board or the Secretary to the Board of an expected absence from a Board meeting.

Board member authority shall not be construed to imply administrative authority; nor shall it be interpreted by any Board member in any manner that diminishes the administrative responsibility of any College or District employee.

As provided for in law, written or oral background information supplied to Board members on matters to be discussed in Closed Session shall be kept confidential.

- Board members shall not reveal the nature or any details of discussion at Closed Sessions.

When information is requested by Board members, the following policy shall be observed.

- No restraints are placed upon District employees in providing routine public information to Board members.

- Public information that exists in the form requested will be provided as soon as possible.
- Individual Board members shall not instruct staff to conduct investigations, prepare reports, or undertake extensive analysis of information. However, such requests shall be directed by the majority vote of the Board through the Chancellor.
- All Board member requests received will be referred to the Chancellor who will determine the appropriate disposition and may include, where indicated, the anticipated cost of completing the request, as well as an expected completion date.

A Board member shall not approach a District employee on personal or sensitive matters with the request that such matters be held in confidence.

Data or reports prepared by individual Board members for distribution to the Board shall be the sole responsibility of the author and shall place no obligation on the part of the Chancellor or the Board to take action. Such materials should normally be distributed under “New Business - Trustees” on the regular Board meeting agenda.

Generally, individual Board members shall inform the Chancellor of significant concerns expressed by members of internal or external constituencies even though no action is requested. In turn, the Board shall be kept informed of significant concerns by the Chancellor. The intent of this section is to assure that sensitive or controversial events do not become the subject of public comment before the Board and the administration have knowledge of the facts in the case.

Board members shall maintain orderly conduct at Board meetings.

No member of the Board shall make, participate in making, or in any way attempt to use his or her official position to influence a governmental decision in which he or she knows or has reason to know that he or she has a financial interest in investments, real property, and income designated as reportable under the District’s Conflict of Interest Code (Government Code, §87100, et seq.).

- A Board member who has a remote interest in any contract considered by the Board shall disclose his or her interest during a Board meeting and have the disclosure noted in the official Board minutes. The Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.
- A Board member shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to his or her duties as an officer of the District.

- Board members are encouraged to seek counsel from the District's legal advisor in every case where any question arises.

No trustee shall use or permit others to use public resources, except that which is incidental and minimal, for personal purposes or any other purpose not authorized by law.

Members of the Board shall not use District funds, services, supplies or equipment to urge the passage or defeat of any ballot measure or candidate, including, but not limited to, any candidate for election to the governing board.

Initiative or referendum measures may be drafted on an area of legitimate interest to the district. The Board may by resolution express the board's position on ballot measures. Public resources may be used only for informational efforts regarding ballot measures.

The Board is committed to maintaining the highest standards of conduct and ethical behavior in order to develop trust and confidence with all segments of the staff, students, and communities served by the Colleges. The Trustees believe that their behavior and decisions are predicated on the understanding that meeting the educational and support service needs of the students is at the core of what is most important. Students' needs and expectations form the basis of our work. All students will be served well when the Board ensures that educational programs and support services are of the highest quality. Therefore, let it be known that the Board is committed to:

- Working together to achieve common goals, looking beyond self interest, and encouraging compromise and positive change when necessary.
- Encouraging and supporting innovation and creativity.
- Expanding opportunities for a diverse student population and staff.
- Acting honestly and openly at all times, following the letter and intent of the Brown Act and Education Code, and keeping the confidentiality of privileged and Closed Session information.
- Assuring the orderly operation of the Colleges by encouraging employees to make use of established organizational channels before bringing their concerns to the Board.
- Working with students, faculty, administration, and staff to encourage open, mutually supportive, respectful, and accountable participation in the governance process.

- Maintaining consistent and vigilant monitoring of the role of the Board as a policy-setting entity, with emphasis on instructional quality, operational efficiency, and fiscal stability.
- Attending all scheduled Board meetings insofar as possible, and becoming informed and well-prepared concerning the issues to be considered at those meetings.
- Working with fellow Board members in a spirit of harmony, respect, and cooperation, in spite of differences of opinion that may arise during vigorous debates of points at issue.
- Promoting a healthy working relationship with the Chancellor through supportive, open, and honest communications and regular evaluations.
- Serving as stewards of the District resources and facilities and, as agents of the public, protecting, advancing, and promoting the interests of all citizens, and maintaining independent judgment unbiased by private interests, partisan political groups, or in any other way.
- Avoiding situations that may constitute or appear to constitute a conflict of interest and informing the entire Board or the Board President when a matter under consideration might involve or appear to involve such a conflict, as stated in the State provisions pertaining to the conflict of interest codes to be followed by publicly elected officials. Board members shall refer to the District's Conflict of Interest Code as a guide (additional reference: Government Code Sections 1090 and 1097).

Violations of the Code of Ethics/Standards of Practice

The Governing Board will promptly address any violation by a Board member or Board members of the Code of Ethics in the following manner:

- The Chancellor and Board President are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of pertinent laws and regulations, including but not limited to conflict of interest, open and public meetings, confidentiality of closed session information, and use of public resources. Violations of law may be referred to the District Attorney or Attorney General as provided for in law.
- Violations of the Board's Code of Ethics will be addressed by the President of the Board, who will first discuss the violation with the trustee to reach a resolution. If resolution is not achieved and further action is deemed necessary, the President may appoint an ad hoc committee to examine the matter and recommend further courses of action to the Board. Sanctions will be determined by the Board Officers and may include a recommendation to the Board for censure of the

trustee. If the President is perceived to have violated the Code, the Vice President is authorized to pursue resolution.

Board members have authority only when acting as a Board of Trustees legally in session. The Board cannot be bound in any way by any statement or action on the part of an individual board member or employee, except when such statements or actions are in pursuance of specific instructions by the Board. No member of the Board shall speak for, represent, or act for the Board in any way unless specifically authorized to do so by a majority vote of the Board.

Date Adopted: January 17, 2012

(Replaces current WVMCCD Policies 1.5.1, 1.5.2, and 1.6.6)