



Administrative Procedure 2715 Code of Ethics/Standards of Practice

Reference: *Accreditation Standard IV.B.1.a, e, and b*

The Board of Trustees shall periodically review the Code of Ethics/Standards of Practice policy to be sure it continues to be an effective guide for Board behavior. The Board shall foster awareness of ethical expectation by:

- Ensuring that all trustees are aware of the Board's ethical expectation by providing the policy to all trustees and having it available at Board meetings.
- Including a review of the Code of Ethics when orienting new trustees.
- Using the standards in the Code of Ethics as criteria in the Board self-evaluation process.
- Identifying consequences for violations of the code of ethics.

Types of Violations

There are three major categories of laws that address ethical behavior by public officials:

- Financial Interests – Conflicts of interest laws prohibit trustees from financially benefiting from Board decisions, or acting on matters that benefit family members.
- Fair and Open Decision-Making – California's open and public meetings laws (the Brown Act) require that the public's business be done in public. Examples of violations include making decisions in private or that should be made in public meetings, discussing items that have not been noticed to the public, and violating provisions that closed session information shall be kept confidential.
- Use of Public Funds – It is felony to misuse public funds. Examples include claiming expenses that were not incurred and using college resources for personal or political purposes.

Violating the Board's Code of Ethics

In some cases, behaviors may violate the Board's code of ethics or standards of practice, but do not violate the law. Examples of violations include:

- Attacking other trustees or the Board President in public
- Publicly advocating against Board decisions after they are made
- Sabotaging the work of the Board
- Ongoing and substantial attempts by trustees to administer, rather than govern the district, which violates the separation of CEO and Board roles.
 - Ignoring the local decision-making process and communication protocols by working directly with staff members
 - Telling college staff whom they should hire
 - Attempting to direct the day-to-day duties of staff members

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- Advocating a single interest instead of the common public good
 - Ignoring the broad range of public needs in community college education
 - Appearing to be agents of a union, a specific community group, or a business interest

Actual or perceived violations of the law must be dealt with expeditiously and legal advice should be sought. A study session or workshop may be appropriate for the entire Board if it appears that trustees may be unaware of the law.

Consequences of Violations

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 policy will be addressed by the Board President 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 Board 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 [or committee] and may include a recommendation to the Board to censure of the trustee. If the Board President is perceived to have violated the code, the Vice President of the Board is authorized to pursue resolution.

Board approval date: 1/24/06