



Agenda Item Details

Meeting Jun 19, 2012 - Board of Trustees

Category 16. Board Policy

Subject 16.05 ACTION TO REAFFIRM BOARD POLICY (BP) 2715 BOARD CODE OF ETHICS. This item presents for reaffirmation BP 2715 Board Code of Ethics and provides revised Administrative Procedure (AP) 2715(A) Board Code of Ethics for information.

Access Public

Type Action

Recommended Action The Chancellor recommends the Board of Trustees reaffirm BP 2715 Board Code of Ethics. AP 2715(A) has been revised, is provided for information, and is consistent with BP 2715.

Public Content

Background

Existing BP 2715/AP 2715(A) BOARD CODE OF ETHICS have been reviewed as part of the District's policy/procedure two-year review cycle (Accreditation Standard IV.B.1.e).

Analysis

The Policy Committee reviewed BP 2715 on May 15, 2012, and recommends the Board take action to reaffirm this policy as presented. AP 2715(A) has been revised, is provided for information, and is consistent with BP 2715. BP 2715/AP 2715(A) do not appear to impede the operational effectiveness of the colleges.

Staff Review	N/A	Date(s) Reviewed
Chancellor's Cabinet	X	
President's Council	X	
Administrative Council	X	
Academic Senate	X	
District Council on Administrative Services (DCAS)	X	
District Council on Human Resources (DCHR)	X	
District Council on Student Learning (DCSL)	X	
District Technical Review Workgroup (DTRW)	X	
Consultation Council		6/07/12
Legal Counsel	X	
Further Information	James Meznik, Clare Geisen	

[16.05.01_BP 2715 Board Code of Ethics.pdf \(52 KB\)](#)

[16.05.02_AP2715ABoardCodeOfEthicsDraftFor5-15-12PCmtg.pdf \(92 KB\)](#)



Book	VCCCD Board Policy Manual
Section	Chapter 2 Board of Trustees
Title	BP 2715 BOARD CODE OF ETHICS/STANDARDS OF PRACTICE
Number	BP 2715
Status	Active
Legal	<u>Accreditation Standard IV.B.1.a, e & h</u>
Adopted	November 3, 2009
Last Reviewed	March 13, 2012

The Board, as an independent policy making body, shall maintain high standards of ethical conduct for its members. Members of the Board are responsible to:

- Establish and support the mission and policies of the District.
- Act only in the best interests of the entire community.
- Advocate and defend the District and colleges through decision-making unbiased by personal interest, special interest, or partisan political influences.
- Ensure public input into Board deliberations.
- Adhere to both open and closed meeting state laws and regulations.
- Prevent conflicts of interest and the perception of conflicts of interest.
- Exercise authority only as a Policy Board and fully support Board actions once taken, its members avoid involvement in institutional operations.
- Use appropriate, formal channels of District communication, and encourage others to do so.
- Respect divergent opinions and treat others with civility.
- Be informed about the District, educational issues and the responsibilities of trusteeship.
- Be informed about and comply with accreditation requirements and process.
- Devote adequate time to the work of the Board.
- Read materials and raise questions prior to public meeting, when possible.
- File Statement of Economic Interest Form 700 in a timely manner, as required by law.
- Complete ethics training for elected officials as required by law.
- Commit to continuous, measurable, sustainable improvements in Board performance through professional development and Board self-evaluation.
- Observe the Open Meeting Act and maintain the confidentiality of closed sessions and other confidential matters.
- Ensure all Board members adhere to Board policies and the Board of Trustees Best Practices Agreement (attachment).

All Board members are expected to maintain high standards of conduct and ethical behavior. In order to maintain public confidence in the Board, and in the institutional integrity of the colleges under its governance, the Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct.

Trustee misconduct may result in censure and/or sanction(s). Censure is an official, public expression of disapproval passed by the Board. A Board member may be subject to a resolution of censure by the Board should it be determined that Trustee misconduct has occurred. Sanction is enacting a penalty for inappropriate behavior. Sanctions may include, but are not limited to, a Trustee's removal from serving on all Board committees or removal

from Board office (i.e., Chair or Vice Chair).

See Administrative Procedures [AP 2715\(A\)](#) and [AP 2715\(B\)](#).

[03.13.12 Board of Trustees Best Practices Agreement.pdf \(545 KB\)](#)
2012

Last Modified by Laurie Nusser on March 14,

Book VCCCD Administrative Procedure Manual
Section Chapter 2 Board of Trustees
Title AP 2715(A) BOARD CODE OF ETHICS
Number AP 2715(A)
Status REVISED
Legal Accreditation Standard IV.B.1.a, e, & h
Adopted July 14, 2009
Last Reviewed March 13, 2012

All Board members are expected to maintain the highest standards of practice and ethical behavior. To give guidance to Trustees in conforming their conduct to standards, the Board has adopted a Trustee Code of Ethics.

Code of Ethics

As an elected Trustee and member of the governing Board of the Ventura County Community College District, Trustees will support and maintain the following ethical principles:

Board as a Unit

- Recognize that individual Board members have no legal authority outside the meetings of the Board. Conduct relationships with District and college staff, students, local citizenry, and the media only on that basis.

Conflict of Interest

- Board members shall not have a financial, personal, or political interest in any contract or agreement made by the Board or in any contract or agreement they make in their capacity as Board members.

Student/Education Focus

- Protect the interests of students in decision-making and assure the opportunity for effective, efficient, high-quality education for college students.

Confidentiality

- Recognize that deliberations of the Board in closed session are confidential and not for release or discussion in public without the prior approval of the Board by majority vote.

Fiduciary Responsibility

- Serve as a steward of District resources by protecting, advancing, and promoting the interests of all citizens. Demonstrate independent decision-making unbiased by personal or special interest, or partisan political influences.

Create a Positive Climate

- Set an example for the entire District by acting with integrity and reflect the values of trustworthiness, respect, fairness, civility, and caring at all times when performing their responsibilities.

Advocate and Support the District and Colleges

- Use the powers of the office honestly, constructively, and civilly communicate and promote the needs of the wider community to the college District and the needs of the District to the community.

Board Relations and Delegation

- Maintain a public atmosphere where controversial issues can be debated openly, civilly, and fairly, protecting the dignity of individuals, and placing the good of the District above personal or political concerns.

Allegations of an Ethics Code/Standards of Practice Violation

To maintain public confidence in the Trustees, and in the institutional integrity of the District under its governance, the Board will be prepared to investigate the factual basis behind any charge or complaint of Trustee misconduct or violation of its Ethics Code. Allegations of misconduct or violation of the Board's Ethics Code ~~are to~~ can be submitted to the Chancellor/Board Chair in person, by telephone, or in writing ~~to ensure a clear understanding of the issues(s) raised.~~ A person or persons submitting an allegation of Trustee misconduct or violation of the Board's Ethics Code shall be protected under Board Policy (B) 7700 Whistleblower Protection.

Allegations will be promptly addressed in the following manner:

- Alleged violations of Board Policy 2715 Code of Ethics/Standards of Practice will be addressed initially by the Board Chair, or by the Vice Chair if the alleged violation is by the Board Chair. The Board Chair/Vice Chair may refer the item to legal counsel and/or the Chancellor to determine whether there is sufficient cause to conduct an investigation. If sufficient cause is found, the Board Chair/Vice Chair will first discuss the violation(s) with the Trustee to reach resolution.
- If resolution is not achieved and further action is deemed necessary, the Board Chair, in open session at the next Board meeting, will appoint an ad hoc committee composed of two Board members not subject to the alleged violation(s) to examine the matter, prepare a written report, and provide recommendation(s) up to and including censure and/or sanction(s). Censure is an official, public expression of disapproval passed by the Board. Sanction is enacting a penalty for inappropriate behavior. Sanctions may include, but are not limited to, a Trustee's removal from serving on all Board committees or removal from Board office (i.e., Chair or Vice Chair).
- The ad hoc committee will be guided in its inquiry by the standards set forth in the Code of Ethics/Standards of Practice as defined in Board Policy 2715. In a manner determined by the ad hoc committee, a fact-finding process will be initiated and completed within a reasonable period of time to determine the validity of the alleged violation(s). The Trustee subject to the charge of misconduct will not be precluded from presenting

information to the ad hoc committee. The ad hoc committee will provide a written report of its findings and recommended action(s) to the full Board. Recommendation(s) to the Board may include sanctions and an action to censure the individual Trustee.

- The Board will then issue a public statement at an open Board meeting to express concern of an individual Trustee's misconduct. The Board Chair will state the expectations and standards of Board behavior and that the individual Trustee's action(s) failed to comply with Board Policy. Any action on the recommendation(s) up to and including censure and/or sanction(s) must be reported out and voted on in an open Board meeting. The Board must find by majority that the Trustee has violated Board Policy 2715 Code of Ethics/Standards of Practice. The action taken by the Board will be binding on the charged Trustee and on the Board as a whole. The records of any actions identified in the recommendation(s) will be maintained by the Chancellor's Office.
- The Student Trustee is not eligible to move, second, or vote upon the imposition of a sanction or censure on a Board member. However, a Student Trustee may participate in the discussion of a potential censure or sanction at an open Board meeting.

The Chair or Vice Chair and Chancellor are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of Board Policy 2715 Code of Ethics/Standards of Practice, including but not limited to:

- violating conflicts of interest laws
- violating open and public meeting laws
- failing to maintain confidentiality of closed session information
- misusing public funds/resources
- involvement in institutional operations or attempts to administer rather than govern
- ignoring local decision-making processes and communication protocols
- publicly advocating against Board decisions or pending future Board actions
- acting as an agent of a union, specific community group, or business interest
- advocating personal interests over the needs of the college district in community college education

Matters involving potential or actual violations of law may be referred to the proper authorities as prescribed by law.

Also see Administrative Procedure 2715(B) Standards of Practice.