

## **BP 2710 Conflict of Interest**

Reference:

Government Code Sections 1090, et seq.; 1126; 87200, et seq.;

Title 2, Sections 18730 et seq.

Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as board members

A board member shall not be considered to be financially interested in a contract if his or her interest is limited to those interests defined as remote under Government Code Section 1091 or is limited to interests defined by Government Code Section 1091.5.

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.

In compliance with law and regulation, the President/Superintendent shall establish administrative procedures to provide for disclosure of assets of income of board members who may be affected by their official actions, and prevent members from making or participating in the making of board decisions which may foreseeably have a material effect on their financial interest.

Board members shall file statements of economic interest with the filing officer identified by the administrative procedures.

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

## **BP 2715 Code of Ethics/Standards of Practice**

Reference: *Accreditation Standard IV.B.1.a, e, & h*

Board Approved: 04/13/05

Board Revised: 02/12/07

The Board maintains high standards of ethical conduct for its members. Members of the Board are responsible for the following:

- 1) Acting only in the best interest of the entire community and adhering to District Policies and Procedures.
- 2) Protecting the interests of students in every decision and assuring the opportunity for high-quality education for every student.
- 3) Using the powers of the office honestly and constructively, communicating and promoting the needs of the community to the College, and the needs of the College to the community.
- 4) Maintaining an atmosphere in which controversial issues will be debated openly and fairly, protecting the dignity of individuals. Respecting others; acting with civility.

- 5) Exercising authority only as a Board and conducting their relationships with college staff, students, local citizenry, and the media on that basis.
- 6) Ensuring public input into board deliberations; adhering to the law and spirit of the open meeting laws and regulations. ~~As prescribed in the Brown Act, a majority of the 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. (BP 2720)~~
- 7) Maintaining confidentiality of closed sessions.
- 8) ~~Avoiding situations that may constitute a Preventing~~ conflicts of interest or the appearance of a conflicts of interest and informing the entire Board or the Board President when a matter under consideration might involve such a conflict, as stated in the District's Conflict of Interest Code. ~~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 under the District's Conflict of Interest Code. (BP 2710)~~
- 9) Using appropriate channels of communication, authority and responsibility. ~~Assuring the orderly operation of the College by encouraging employees to make use of established organizational channels before bringing their concerns to the Board. Individual Board members shall not instruct staff to conduct investigations, prepare reports, or undertake extensive analysis of information. However, individual Board members can make requests through the President/ Superintendent.~~
- 10) Devoting adequate time to board work.
- 11) Being informed about the District, educational issues, and responsibilities of trusteeship. ~~Attending all scheduled Board meetings insofar as possible, and being well prepared concerning the issues to be considered at those meetings. Notifying the President of the Board or the Secretary to the Board of an expected absence from a Board meeting.~~
- 12) Promoting a healthy working relationship with the President/Superintendent through supportive, open, and honest communication and regular evaluation. ~~Individual Board members shall inform the Superintendent/President of significant concerns expressed by members of all constituencies whether or not action is requested. In turn, the Board shall be kept informed of significant concerns by the Superintendent/ President. It is desired 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.~~
- 11) ~~No member of the Board 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. (BP 2717)~~

## ~~BP 2715b Procedure to Address Violations of the Code of Ethics, Standards of Practice, Laws, or Regulations Concerning Elected Board Members~~

~~Board Approved: 02/12/07~~

- ~~1) The Board Officers and President/Superintendent are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of the Code of Ethics, 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. Potential violations of law may be referred by College legal counsel to the District Attorney or Attorney General as provided for in law.~~
- ~~2) Alleged violations of the Board's Code of Ethics/Standards of Practice BP 2715 will be addressed by the President of the Board, who together with the Vice President of the Board will first discuss the alleged violation with the Trustee to reach a determination of the potential existence of a violation. If it is determined that a potential violation of BP 2715 has occurred, the Board President will appoint an ad hoc committee to examine the matter and identify further courses of action to the Board. Sanctions, including censure of the Board Member, may be considered by the full Board. If either the Board President or Vice President is perceived to have violated the Code, they will be replaced with another Board member selected by the other unaffected Board officer authorized to pursue appropriate processes.~~
- ~~3) Consideration by the full Board of any and all actions under the Provisions of this Policy shall be in a formal and open meeting of the Board of Trustees, under an agenda item with appropriate and legal Notice, as required by State Law.~~

## **BP 2745 Board Self-Evaluation**

Reference:

Accreditation Standard IV.B.1.e & g

The Board is committed to assessing its own performance as a board in order to identify its strengths and areas in which it may improve its functioning.

To that end, the Board has established the following processes:

A committee of the Board shall be appointed in May to determine the instrument or process to be used in board self-evaluation. Any evaluation instrument shall incorporate criteria contained in these board policies regarding board operations, as well as criteria defining board effectiveness promulgated by recognized practitioners in the field.

The process for evaluation shall be recommended to and approved by the Board.

If an instrument is used, all board members will be asked to complete the evaluation instrument and submit them to the Board Chair.

A summary of the evaluations will be presented and discussed at a board session scheduled for that purpose. The results will be used to identify accomplishments in the past year and goals for the following year.