

**Board of Trustees**

**BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE**

**Reference:**

Accreditation Standard ~~IV.B.1.a, e, & h~~ IV.C.1; IV.C.4; IV.C.11

The Chabot-Las Positas Community College District is committed to the principle that higher education should be available to every person who can benefit. Given this basic premise, the activities and deliberations of the Board of Trustees will be governed by the following Code of Ethics:

Members of the Chabot-Las Positas Community College District Board of Trustees will:

1. Devote sufficient time, thought, and study to the duties and responsibilities of a Community College Board Member so that the entire Board will be able to give effective and creditable service.
2. Work with fellow Board Members in a spirit of harmony and cooperation in spite of differences of opinion that arise during discussions on points of issue.
3. Base decisions upon all available facts and situations, vote in honest conviction in every case, unswayed by partisan bias of any kind and abide by and uphold the final majority decision of the Board.
4. Adhere to the principle embodied in the Brown Act. The Board will discuss and vote on the District's business at meetings that are open to the public, except for those areas determined by law.
5. Respect and maintain confidentiality of information as determined by law.
6. Remember at all times that as an individual Board Member "I" have no legal authority outside the Board Meetings; "I" will conduct my relationship with the District/College Staff, the local citizenry, and all media of the community on the basis of this fact.
7. Refuse to use the Board Member position for personal gain or personal prestige; preventing conflicts of interest and the perceptions of conflicts of interest.
8. Recognize that it is as important for the Board to understand and become knowledgeable of the educational programs of the Colleges within the context of State/Federal laws and regulations and abiding by the accreditation standards as it is to exercise fiduciary responsibility of the District.

9. Understand that under all circumstances that the primary function of the Board is to establish policies by which the Colleges and District are to be administered, but that the administration of the educational programs and the conduct of the District/Colleges business shall be left to the Chancellor and his/her staff.
10. Welcome and encourage active cooperation by citizens, organizations, and the media communication with respect to establishing policy on current District/Colleges' operation and future development.
11. Nurture a healthy working relationship with the Chancellor and his/her staff by appointing the best qualified professional leader available; by supporting District/College personnel in the appropriate performance of their duties; by expecting the Chancellor to keep the Board well informed in both oral and written reports; by expecting the Chancellor to present recommendations to the Board in a timely manner; by recognizing the importance of full and open recommendations presented by the Chancellor before Board action is taken; by requesting that complaints be presented in writing to the Board as a whole; and by recognizing that most contacts with the media are best handled by the Chancellor and/or Board President.
12. Support the state and national community college trustees' associations.
13. Inform fellow Board Members immediately if a Member of the Board of Trustees intends to apply for a position within the District, as a matter of professional courtesy.
14. May not abuse their position by assisting students in gaining preferential treatment.

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

All Governing Board members are expected to maintain the highest standards of conduct and ethical behavior and to adhere to the Board's Code of Ethics. The Governing Board will be prepared to investigate the factual basis behind any charge or complaint of Board member misconduct. A Board member may be subject to a resolution of censure by the Governing Board should it be determined that Board member misconduct has occurred. Censure is an official expression of disapproval passed by the Governing Board.

A complaint of Board member misconduct will be referred to an ad hoc committee composed of two Board members not subject to the complaint. In a manner deemed appropriate by the committee, a fact-finding process shall be initiated and completed within a reasonable period of time to determine the validity of the complaint. The committee shall be guided in its inquiry by the standards set forth in the Code of Ethics as defined in Board Policy. The Board member subject to the charge of misconduct shall not be precluded from presenting information to the committee. The committee shall, within a reasonable period of time, make a report of its findings to the Governing Board for action.

## **Defense of Criminal Action or Proceeding**

The District is not required to provide for the defense of a criminal action or proceeding (including a proceeding to remove an officer under Sections 3060-3073, inclusive, of the Government Code) brought against an employee or a former employee. At the same time the Board of Trustees may, pursuant to section 995.8 of the Government Code, provide for the defense of a criminal action or proceeding (including a proceeding to remove an officer brought under Sections 3060-3072, inclusive, of the Government Code) brought against an employee (including a member of the Board of Trustees) or a former employee if the following conditions prevail:

1. The criminal action or proceeding is brought on account of an act or omission in the scope of his or her employment as an employee of the District.
2. The Governing Board determines that such defense would be in the best interests of the District and that the employee or former employee acted or failed to act, in good faith, without malice, and in the apparent interests of the District.

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**Adopted:** April 16, 2013

*(This new policy replaces CLPCGD Policies 7053 and 7060)*