



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

Reference:

Accreditation Standard 4.6

### **I. Procedure for a violation of BP 2715**

- A. If a trustee violates the Board's Code of Ethics, it may harm the Board and the College in a number of ways. Violating ethics laws may subject the Board and College to legal action, which can involve penalties and significant costs or create circumstances that may jeopardize the District's Accreditation. Not addressing ethical and legal violations may cause the public and College employees to lose respect for and trust in the Board. The strategy a Board uses to address ethical breaches depends on whether the behavior violates related laws or the Board's own Code of Ethics.
- B. Anyone claiming or expressing the possibility that a Board member has violated the Board's Code of Ethics, shall make such violation known to the Board of Trustees. The CEO and Governing Board President have the authority 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.
- C. In the event that the alleged violation constitutes a violation of the laws of the State of California, such violation shall be referred to the District Attorney or the Attorney General.
- D. The Board of Trustees may act in one of the following manners depending on the severity and intent of the violation:
  - 1. The Board President and another trustee meet with the accused trustee to discuss the implications of the perceived violation, including the negative impact the behavior will have on the College, the Board, and the individual trustee.
  - 2. If that discussion does not result in resolution and if the Board President determines further action is necessary, the Board President will appoint an Ad Hoc Committee to look into the allegations and make a recommendation to the Board President or the Board as a whole. If the President of the Governing Board is

alleged to have violated the code, the Vice President of the Governing Board will fulfill the function of the Board President in this section. The Ad Hoc Committee may investigate the factual basis behind any charge or complaint of Board member misconduct.

- a. The Committee will determine how it will initiate and complete the fact-finding process. The Committee will complete the fact-finding process in a reasonable period and will determine the validity of the complaint.
    - b. The Board Member subject to the charge of misconduct will have the opportunity to present information to the Committee.
    - c. Within a reasonable time, the Committee shall make a report of its findings to the Governing Board for action. The Board must act on any sanctions in open session.
  3. The Board may hold a study session, workshop, or retreat on codes of ethics and the importance of upholding them. All trustees discuss interpretations of the code and reinforce expected behavior.
  4. The Board may, in a meeting, make a public statement of expected Board behavior, adopt a Board resolution about what expected behavior is, and publicly reaffirm the ethics policy.
  5. The Board may issue a public statement in which it expresses concern with an individual trustee's behavior. The statement would be made at a Board meeting.
  6. The Board may vote to censure the trustee's behavior. Censure is a formal action of the Board, and distances the Board from the unethical behavior of one of its members and is a clear, public statement that unethical behavior is not condoned or tolerated.
- E. If illegal or unethical behavior occurs during a Board meeting (such as participating in Board action when the trustee has a conflict of interest, engaging in debate or discussion with audience members (more than a brief response) on topics not on the agenda, verbally attacking a speaker or repeatedly after being reminded of them, not following the Board's meeting procedures), undermine the ability of the Board President to conduct the meeting effectively, the Board President can state the expectations and standards for Board behavior or state that the behavior violates Board policy or procedures.

Board approved: 3/10/2021, 5/8/2024

Next review date: Spring 2027