

Board of Trustees

BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE

Reference:

ACCJC Accreditation Standard 4.6

The Chabot-Las Positas Community College District is committed to the principle that higher education should be available to every person who can benefit. Each member of the Board of Trustees is committed to serving the educational needs of all citizens of the district. One of the Board's most important responsibilities is to provide learning opportunities to each student regardless of ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, physical or mental disability, socio-economic status, or any protected status. 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 regarding establishing policy on current district/colleges' operations 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; and by recognizing that most contacts with the media are best handled by the Chancellor 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.

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 and to the Board's policies and district's administrative procedures. Trustees who violate the Board's Code of Ethics/Standards of Practice, Board Policies, and Administrative Procedures harm the Board and district. The Board of Trustees will promptly address any violation by a Board member or Board members of the Code of Ethics/Standards of Practice Board Policies, and Administrative Procedures in the following manner:

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.

Charges or complaints submitted by any person alleging that a Trustee has violated laws and regulations governing Board behavior or the Board's Code of Ethics/Standards of Practice, Board Policies, and Administrative Procedures shall be directed to the Board President or the Board of Trustees itself. Charges may be submitted both in writing or orally.

When charges or complaints are submitted against the majority of the Board of Trustees (four or more Trustees), complaints may be submitted to the State Chancellor's Office for consideration.

If deemed appropriate, the Board President shall establish an ad hoc committee to examine the charges and recommend further courses of action to the Board. The ad hoc committee will be 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 and Administrative Procedure. The Board member subject to the charge of misconduct may present information to the committee. The committee shall, within a reasonable period of time, make a report of its findings to the Governing Board for review and 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 3060-3075, 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 3060-3075, inclusive, of the Government Code) brought against an employee, former employee, or member of the Board of Trustees if the following conditions prevail:

1. The criminal action or proceeding is brought on account of an act or omission in the scope of their employment as an employee of the district or the scope of their duties as a Trustee.
2. The Governing Board determines that such defense would be in the best interests of the district and that the employee, former employee, or Trustee

acted or failed to act, in good faith, without malice, and in the apparent interests of the District.

Adopted: April 16, 2013

Reference Edit: July 16, 2024

Board Reviewed: July 18, 2023; April 21, 2020