

Chapter 2 – Board of Trustees

BP 2715 Code of Ethics/Standards of Practice

References:

Accreditation Standard 4.6

The Board maintains high standards of ethical conduct for its members.

The following standards of excellent performance establish a norm for trustee performance. They are a commitment to a set of values guiding the performance of the Board. Each member of the Board of Trustees will:

1. In all decisions, hold the educational welfare of the students of the College as their primary concern. Communicate the Board's interest in respect for student accomplishments by attending student ceremonies and events.
2. Ensure the College maintains equality of opportunity for all students regardless of race, color, religion, gender, national origin, marital status, medical condition, physical or mental disability, age, sexual orientation, military and veteran status, immigration status, gender identification, gender expression, ancestry, or any other characteristic protected under applicable federal or state law.
3. As an agent of the public -- entrusted with public funds -- protect, advance, and promote the interest of all citizens. Maintain independent judgment unbiased by private interest, partisan political groups, or any other way.
4. Through the establishment of policies and appointment of administrative personnel, uphold, implement, and enforce all laws and codes applying to the College.
5. Support and encourage innovation and change through established channels.
6. Recognize and actively communicate that authority rests with the Board only in a legally-constituted meeting, not with individual members.
7. Attend and participate in all meetings insofar as possible, having prepared for discussion and decision by studying all agenda materials.
8. Conduct all meetings according to current law and the Brown Act.
9. Maintain confidentiality of all Board discussions held in closed session and recognize that deliberations of the Board of Trustees in Closed Session are not to be released or discussed without the prior approval of the Board of Trustees by majority vote in compliance with Government Code Section 54963. All participants in Closed Session are required to maintain the absolute confidentiality of Closed Session discussions.
10. Avoid any situation that may constitute a conflict of interest. Inform the entire Board or the Board President when a matter under consideration might involve or appear to involve such a conflict.
11. Enhance their ability to function effectively as a trustee through devotion of time to study of contemporary educational issues as well as attendance at professional workshops and conferences on the duties and responsibilities of trustees.

12. Promote and maintain good relations with other Board members by:

- Recognizing the importance of keeping an open mind and promoting the opportunity to think through other facts and points of view that may be presented at the legally constituted sessions of the Board.
- Respecting the opinions of others and abiding by the principle of majority rule.
- Respectfully working with other Board members in the spirit of harmony and cooperation. Giving each member courteous consideration of their opinion.

13. Promote a healthy working relationship with the College President/CEO and their staff by:

- Appointing and nurturing the College President/CEO and supporting their administrative recommendations by maintaining a climate of “no surprises.”
- Supporting the College personnel in the appropriate performance of their duties and ensuring that they have the requisite responsibility and necessary authority to perform effectively.
- Referring complaints/criticisms through the appropriate channels as previously agreed upon by the College President/CEO and the Board.

14. Be an advocate of the College in the community by encouraging support for and interest in Mt. San Antonio College.

15. Keep current with the Board’s policies, operating rules, and statewide guidelines and priorities set by the Board of Governors. Be informed about the State and Federal legislative actions and positions that affect the College.

16. Ensure the financial stability of the College by reviewing and understanding financial reports, establishing priorities, and requiring prudent reserves and budgetary controls.

17. Remember that as an individual, Board members have no legal authority outside the meetings of the Board, and individual members will conduct their relationships with College staff, students, local citizenry, and the media on that basis.

The Board of Trustees will promptly address any violation of the Board’s Code of Ethics by a member or members of the Board.

Filing a Complaint

A complaint regarding Board member misconduct may be filed with the Board President by any student, employee, or Board member. A filed complaint shall be shared with all members of the Board of Trustees. To be acted upon, a complaint must:

1. Be in writing;
2. Include the name(s) of and contact information for the complainant(s);
3. Allege specific actions and include dates or approximate dates of such actions;
4. Identify provisions of the Code of Ethics, laws, or other standards that have allegedly been violated;
5. Be filed within six months of the alleged violation(s), or within six months of the time the complainant(s) first learned of the alleged violation(s), or within any applicable statute of limitations.

Addressing a Complaint

A complaint alleging a violation of the Code of Ethics will be addressed by the Board President, who will first discuss the violation with a Board Member to reach a resolution and then report on the resolution during a Board meeting.

If resolution is not achieved and further action is deemed necessary by the Board of Trustees, the Board President may appoint an ad hoc committee composed of three Board members to examine the matter and recommend a course of action to the Board of Trustees within a reasonable period. The affected Board member shall be provided an opportunity to present information to the committee.

Sanctions, if any, will be determined by the Board of Trustees and may include censure, removal from a Board officer position, or other actions of less severity.

If the Board member in question is the Board President, the Board Vice President is authorized to pursue resolution and in the absence of the Board Vice President, the Board Clerk is authorized to do so.

The Board President and President/CEO are authorized to consult with legal counsel if a complaint alleges violations of pertinent laws or regulations including but not limited to those dealing with conflict of interest, misuse of public resources, and confidentiality of closed session information. Violations of law may be referred to the District Attorney or Attorney General as provided for in law.

Sanctions

Censure is an official expression of disapproval passed by the Board. Sanctions of censure or removal from a Board officer position shall require a vote of two-thirds of the members of the Board of Trustees. Less severe sanctions require a majority vote of the Board of Trustees.

Examples of less severe sanctions may include removal from committees, requirements for professional development, and that the Board member tenders an apology at a Board meeting.

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