

**District Governing Board Policy Review
Evaluation of Board Policies
Policy 3.3 Board Member Code of Conduct and Ethics**

**Compilation - February 2016
REVISED 2/8/16**

3.3 Board Member Code of Conduct and Ethics	The Board expects of itself, as a whole and of its individual members, ethical and professional conduct. This commitment includes proper use of authority and appropriate decorum in group and individual behavior when acting as Board members.	
Interpretation		
Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments: Sigafoos: Much of the data to support my conclusions is based on my personal experiences. The same will be true for all other Board members. Whether we as individuals adhere to these policies will not necessarily be obvious to others. The policies are in place and we should be guided by them if we are to do our best for the College.		
3.3.1 Discipline Needed to Govern	The Board shall enforce upon itself whatever discipline is needed to govern with excellence. Discipline will apply to matters such as policy-making principles, respect of roles, speaking with one voice, and adherence to ethical practices.	
Interpretation		
Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments: McCarver: In general, Board members interact with each other only at regular Board meetings, and occasionally outside of those meetings. Our interactions with each other at the meetings are generally courteous and appropriate. Not sure if all Board members understand the meaning of speaking with one voice--it is important that we all publicly support the decisions we make as a Board, even if we individually disagree or vote against a particular item on the agenda.		
3.3.2 Conflict of Interest	Board members must avoid any situation that may constitute a conflict of interest or the appearance of a conflict of interest with respect to their fiduciary responsibility to the College's ownership. Any question as to whether a potential conflict of interest exists shall be referred to legal counsel for the College.	
Interpretation		
Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO

Is this policy still relevant or useful to the Board?		YES 3	NO
Comments: McCarver: We have a policy and procedure for reporting potential and actual conflicts of interest. This is not used often, but is available for every meeting.			
3.3.2.1 Self-Dealing	There must be no self-dealing or any conduct of private business or personal services between any Board member(s) and the organization, except as allowed by law, to ensure openness, competitive opportunity, and equal access to information.		
Interpretation			
Is the interpretation reasonable?		YES 4	NO
Does the data show accomplishment of the interpretation?		YES 4	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?		YES 3	NO
Is this policy still relevant or useful to the Board?		YES 3	NO
Comments: McCarver: We rely on the President to report any concerns in this area. There are not any concerns that I am aware of.			
3.3.2.2 Employment	Board members must not use their positions to obtain employment in the College for themselves, family members, or close associates.		
Interpretation			
Is the interpretation reasonable?		YES 5	NO
Does the data show accomplishment of the interpretation?		YES 4	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?		YES 3	NO
Is this policy still relevant or useful to the Board?		YES 3	NO
Comments:			
3.3.2.3 Acceptance of Employment	Should a Board member or the Board member's spouse be considered for employment by the College, the Board member must withdraw from deliberation and voting on any matter that pertains to such employment consideration and shall have no access to applicable Board information. If a Board member or the Board member's spouse accepts employment from the College, the Board member must resign his/her Board position in accordance with Arizona statute.		
Interpretation			
Is the interpretation reasonable?		YES 5	NO
Does the data show accomplishment of the interpretation?		YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?		YES 3	NO
Is this policy still relevant or useful to the Board?		YES 3	NO

Comments: McCarver: As far as I know we are in compliance here.		
3.3.2.4 Personal Gain	Board members will refrain from using their Board position for personal or partisan gain, will take no private or individual action that will compromise the Board or administration, and will respect the confidentiality of information that is privileged from disclosure under applicable law.	
Interpretation		
Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments: McCarver: As far as I know we are in compliance here.		
3.3.2.5 Voting	When a matter under consideration might involve or appears to involve a conflict of interest for a Board member, that member shall declare the conflict at the beginning of discussion on the issue and will not vote on, participate in discussion regarding, or attempt to influence votes on any matter related to the conflict.	
Interpretation		
Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments:		
3.3.2.6 Conflict of Interest Agreement	Each Board member shall complete and submit a Conflict of Interest form, in a format determined by the Board, at least one time each year. Such form shall require the submission by the Board member of information relating to any potential conflicts of interest or shall affirm that no such potential conflict currently exists.	
Interpretation		
Is the interpretation reasonable?	YES 4	NO
Does the data show accomplishment of the interpretation?	YES 4	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO

Comments: McCarver: This will be done at the February meeting--it was held over from the January meeting because 2 Board members were not able to attend the full meeting.		
3.3.3 Individual Authority	Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies:	
Interpretation		
Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments: McCarver: As far as I know we are in compliance here.		
3.3.3.1 Interaction with President or Staff	Board members' interaction with the President or with staff must recognize and actively communicate that authority rests only with the Board in a legally constituted meeting, and not with any individual Board member or group of Board members except as noted in these governance policies.	
Interpretation		
Is the interpretation reasonable?	YES 4	NO
Does the data show accomplishment of the interpretation?	YES 4	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments: McCarver: As far as I know we are in compliance here.		
3.3.3.2 Interaction with Public, Press, or other Entities	Board members' interaction with the public, press, or other entities must recognize the same limitation and the similar inability of any Board member or Board members to speak for the Board.	
Interpretation		
Is the interpretation reasonable?	YES 4	NO
Does the data show accomplishment of the interpretation?	YES 4	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO

Comments:

McCarver: The Board Spokesperson is the authorized contact with the press on Board decisions and activities.

3.3.3.3 Judgments of President Performance

Board members will make no formal evaluations of the President's performance except in compliance with the official evaluation process, and the President's performance shall be assessed only against explicit Board policies.

Interpretation

Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 4	NO
Is this policy still relevant or useful to the Board?	YES 4	NO

Comments:

3.3.3.4 Board Operates with One Voice

Board members will exercise authority over the organization only as they operate with one voice as a whole in Board meetings. Individual Board members will abide by and uphold the final majority decisions of the Board.

Interpretation

Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 5	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 4	NO
Is this policy still relevant or useful to the Board?	YES 4	NO

Comments:

3.3.4 Understanding the College as a Whole

Although Board members are elected by individual Yavapai College districts, they will seek to represent the ownership as a whole rather than the people of an individual district. Therefore, Board discussions will generally be about the welfare of the entire Yavapai College District.

Interpretation

Is the interpretation reasonable?	YES 5	NO
Does the data show accomplishment of the interpretation?	YES 3	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 4	NO
Is this policy still relevant or useful to the Board?	YES 4	NO

Comments:		
3.3.4.1 Contact for Complaints	Board members will work carefully with the public to ensure use of standard College procedures for handling community complaints or grievances. When individual Board members receive complaints from members of their constituency, the following process shall be followed:	
	The Board member will encourage the individual(s) to contact an appropriate College staff member, and the Board member will also contact the President. The President will let the Board member know when the College processes have been followed and the complaint has been addressed.	
	The Yavapai College District Governing Board supports the faculty and employee grievance policy, and recognizes that this process was derived through a joint deliberative process resulting in a rational approach to resolving an employee's grievance. The Yavapai College District Governing Board encourages employees to use this process, which may ultimately lead to a direct appeal to the District Governing Board. The Board also recognizes that extreme circumstances may require an employee to seek a direct hearing before the Board. The Board will decide if circumstances warrant a direct appeal or the employee will be referred back to the administrative grievance policy.	
Interpretation		
Is the interpretation reasonable?	YES 4	NO
Does the data show accomplishment of the interpretation?	YES 3	NO
Is there sufficient evidence to indicate compliance with this Governance Process policy?	YES 3	NO
Is this policy still relevant or useful to the Board?	YES 3	NO
Comments:		

SHADED ITEMS should be raised for discussion at the meeting.