

ADMINISTRATIVE REGULATION 4001

SOUTH ORANGE COUNTY
COMMUNITY COLLEGE DISTRICT

HUMAN RESOURCES

INSTITUTIONAL CODE OF ETHICS

The South Orange County Community College District (District) recognizes its responsibility and obligation to the public and to the students it serves to conduct its business with honesty, integrity, professionalism, and quality in the performance of those operations and functions necessary to achieve its established mission and philosophy as described in board policy. To that end, the District is committed to public accountability and transparency.

Ethical behavior is often defined as “right” or “good” behavior as measured against commonly accepted rules of conduct for a society or for a profession. The ethical person is often described as one who is fair, honest, straightforward, trustworthy, objective, unprejudiced, and equitable. The consistent exercise of integrity is the cornerstone of ethical behavior.

The Institutional Code of Ethics applies to all employees of the District. Employees of the District share the fundamental responsibility to always act with integrity and in a manner that reflects the best interests of the District and its students. Employees of the District shall conform their conduct to the following Standards of Ethics:

1. **Compliance with Laws:** Commitment to ethical behavior begins with complying with laws, rules and regulations. Each employee must have an understanding of the policies, laws, rules, and regulations that apply to his or her specific role. Each employee is responsible for preventing violations of law and for reporting violations of laws to their respective supervisor.
2. **Use of District Resources:** District resources, supplies and/or equipment shall not be used for other than their intended purpose. Employees of the District shall manage the District’s resources, supplies, and/or equipment prudently and shall not improperly convert such resources to personal use or for the personal use of another. The District’s resources, supplies and/or equipment shall not be offered to another in order to obtain unfair advantage or otherwise offered in a manner or under circumstances that would constitute a violation of law.
3. **Relationship with Vendors:** Employees of the District who have a financial interest in a firm under consideration for business transactions with the District, excluding publicly-traded firms, must disclose the relationship to appropriate District personnel. Such employees shall recuse themselves from participation in decisions related to District business with the firm. In addition, such employees shall disclose the relationship in writing, to the Vice Chancellor of Business Services to determine that the proposed activity is fair to the District and will not result in the District foregoing revenues, or incurring costs in excess of the costs that would be incurred for goods, property, or services of like quality if acquired from another source.

Under no circumstances may an employee with a financial interest, as described above, approve a relationship with, order or authorize purchase from, or approve or make payments to an affiliated firm or person on behalf of the District. For the purposes of this paragraph, the terms “person” and “affiliated person” includes an individual’s immediate family members, spouse, and others living within such individual’s household.

Under no circumstances may an employee require, request, or coerce a student into making payments on behalf of the District, thereby obligating the District to repay the student, outside of established procedures.

4. **Conflict of Interest:** Executive administrative personnel and other designated personnel subject to the provisions of the Political Reform Act of 1974 as set forth in Government Code Section 81000 et seq., as outlined in Administrative Regulation 4000.9 – Conflict of Interest Code, have additional responsibilities with reference to contracts and financial decisions made by the District as described in applicable conflict of interest laws, which include the following:
 - a. **Contractual Conflicts:** Executive administrative personnel and other designated personnel are prohibited from having a financial interest in any contract made by the District or in any contract entered into in their official capacity. As such, they are prohibited from making, participating in making or in any way attempting to use their official positions to influence a District decision when it is foreseeable that their personal financial interests may be affected by those decisions. If an executive administrator or other designated person determines that they have a conflict of interest at some point in the contract-making process, this determination shall be disclosed and they shall immediately disengage from the contract process. An employee shall not be deemed to be financially interested in a contract if he or she has only a remote interest in the contract. Remote interests are specified in Government Code Section 1091.
 - b. **Obligation to Resolve Conflicts:** Executive administrative personnel and other designated personnel have an obligation to examine any situation in which they believe they have a conflict of interest and take steps to resolve the conflict.
 - c. **Disqualification:** When a conflict of interest exists, an executive administrator or other designated person who has declared or who has been found to have a conflict of interest in a matter shall refrain from participating in consideration of the matter.
5. **Gifts and/or Gratuities:** No employee of the District shall receive or solicit anything of value in return for influencing or exercising their discretion in a particular way on a District matter. In addition, employees of the District are prohibited from accepting or soliciting any gift, gratuity, and/or thing of value (for which a fair market price has not been paid) for or because of any official act performed or to be performed in their official capacity with the District. The gifts and/or gratuities provision does not prohibit the acceptance of an item having a nominal value (less than \$50) or ceremonial gifts received by employees of the District in their official capacity (valued less than \$50).

Employees shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified in law. The limitation on gifts does not apply to

wedding gifts and gifts exchanged between individuals on birthdays, holidays and other similar occasions, provided that the gifts exchanged are not substantially disproportionate in value. Gifts of travel and related lodging and subsistence shall be subject to the limitations except as described in Government Code Section 89506. A gift of travel does not include travel provided by the District.

6. **Fundraising:** No employee or department may utilize the college/District name, branding or logo in relation to fundraising efforts in person or online (e.g. through crowd funding sites) without prior written approval by the appropriate college/District official and the respective Foundation Director as this would constitute the unauthorized acceptance of gifts on behalf of the institution. All fundraising for the college/District must be administered through the respective Foundation. All use of the college/District name, brand or logo must be approved in writing by the appropriate college/District official prior to use.
7. **Maintenance of Accurate Accounts and Records:** The accounts and records of the District are maintained in a manner that provides for an accurate and auditable record of all financial transactions in conformity with generally accepted accounting principles, established business practices, and all relevant provisions of controlling law. No false or deceptive entries may be made and all entries must contain an appropriate description of the underlying transaction. To the extent not required for daily operating transactions (e.g., petty cash transactions), all District funds must be retained in the appropriate District accounts with appropriately designated financial institutions and no undisclosed or unrecorded fund or asset shall be established or maintained for any purpose. All reports, vouchers, bills, invoices, payroll information, personnel records, and other essential business records must be prepared with care and honesty, and access to such data shall be closely controlled.

Employees are prohibited from taking action on, creating transactions, and/or recommending any transaction for themselves or any member of their family. Employees of the District who improperly access District accounts and records or who improperly convert these records and accounts for their own personal purpose or for the personal purpose of another, or who wrongfully disclose such records or accounts will be subject to appropriate sanctions by the District.

8. **Maintenance of Confidentiality:** Employees of the District who may have access to confidential information relating to students, job applicants, employees, and other information of a sensitive nature are expected to take appropriate measures to safeguard confidential or sensitive information and not disclose such information except in the course of their official duties to those who have a legitimate business need to know or as otherwise required by law and in accordance with the Identity Theft Prevention Program.
9. **Employment Practices and Public Relations:** Employees of the District are expected to conform their actions to the requirements of the law and District policy related to their positions and areas of responsibility, and to ethically and effectively carry out their responsibilities. No employee of the District shall engage in any employment practice that is a violation of law or District policy, or use their position to intimidate subordinate employees or exact personal favors or things of value (for which a fair market price has not been paid) from subordinate employees. Employees of the District are expected to treat

other members of the District, students and members of the public with courtesy, honesty, professionalism, fairness, mutual respect and civility, in accordance with BP and AR 4040 Institutional Code of Conduct.

10. **Consequences for Violations:** Employees of the District who fail to comply with this Institutional Code of Ethics will be subject to disciplinary action in accordance with established disciplinary procedures.

References:

Government Code Sections 1091, 89506, 8314, et. Seq.;

Penal Code, Section 424, et seq.

Accreditation Standard II.A.13.