
San Bernardino Community College District
Administrative Procedure
Chapter 3 – General Institution

AP 3050 INSTITUTIONAL CODE OF ETHICS

The 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.

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:

Use of District Resources: District resources shall not be used for other than their intended purpose. Employees of the District shall manage the District's resources prudently and shall not improperly convert such resources to personal use or for the personal use of another. The District's resources 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.

Relationship with Vendors: Employees of the District who have a financial interest in a firm under consideration for business transactions with the District must disclose the relationship to appropriate District personnel, if the employee is participating in the business decision. 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 District's legal counsel 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

45 individual's household.
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47 **Conflict of Interest:** Executive administrative personnel and other designated
48 personnel subject to the provisions of the Political Reform Act of 1974 as set
49 forth in Government Code Sections 81000 et seq. have additional responsibilities
50 with reference to contracts and financial decisions made by the District as
51 described in applicable conflict of interest laws, which include the following:
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- 53 • **Contractual Conflicts:** Executive administrative personnel and other
54 designated personnel are prohibited from having a financial interest in any
55 contract made by the District or in any contract entered into in their official
56 capacity. As such, they are prohibited from making, participating in making or
57 in any way attempting to use their official positions to influence a District
58 decision when it is foreseeable that their personal financial interests may be
59 affected by those decisions. If an executive administrator or other designated
60 person determines that they have a conflict of interest at some point in the
61 contract-making process, this determination shall be disclosed and they shall
62 immediately disengage from the contract process.
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- 64 • **Obligation to Resolve Conflicts:** Executive administrative personnel and
65 other designated personnel have an obligation to examine any situation in
66 which they believe they have a conflict of interest and take steps to resolve
67 the conflict.
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- 69 • **Disqualification:** When a conflict of interest exists, an executive
70 administrator or other designated person who has declared or who has been
71 found to have a conflict of interest in a matter shall refrain from participating in
72 consideration of the matter.
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- 74 • **Gratuities:** No employee of the District shall receive or solicit anything of
75 value in return for influencing or exercising their discretion in a particular way
76 on a District matter. In addition, employees of the District are prohibited from
77 accepting or soliciting any gratuity or thing of value (for which a fair market
78 price has not been paid) for or because of any official act performed or to be
79 performed in their official capacity with the District.
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81 The gratuities provision does not prohibit the acceptance of an item having a
82 nominal value or ceremonial gifts received by employees of the District in
83 their official capacity.
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85 **Maintenance of Accurate Accounts and Records:** The accounts and records of the
86 District are maintained in a manner that provides for an accurate and auditable record of
87 all financial transactions in conformity with generally accepted accounting principles,
88 established business practices, and all relevant provisions of controlling law. No false
89 or deceptive entries may be made and all entries must contain an appropriate
90 description of the underlying transaction.

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92 To the extent not required for daily operating transactions (e.g., petty cash
93 transactions), all District funds must be retained in the appropriate District accounts with
94 appropriately designated financial institutions and no undisclosed or unrecorded fund or
95 asset shall be established or maintained for any purpose.

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97 All reports, vouchers, bills, invoices, payroll information, personnel records, and other
98 essential business records must be prepared accurately and honestly, and access to
99 such data shall be closely controlled.

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101 Employees of the District who improperly access District accounts and records or who
102 improperly convert these records and accounts for their own personal purpose or for the
103 personal purpose of another, or who wrongfully disclose such records or accounts will
104 be subject to appropriate sanctions by the District.

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106 **Maintenance of Confidentiality:** Employees of the District who may have access to
107 confidential information relating to students, job applicants, employees, and other
108 information of a sensitive nature are expected to take appropriate measures to
109 safeguard confidential or sensitive information and not disclose such information except
110 in the course of their official duties to those who have a legitimate business need to
111 know or as otherwise required by law.

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113 **Employment Practices:** Employees of the District are expected to conform their
114 actions to the requirements of the law and District policy related to their positions and
115 areas of responsibility, and to ethically and effectively carry out their responsibilities.

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

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121 **Reference:** ACCJC Accreditation Standard III.A.13 (formerly III.A.1.d)
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