



Book	VCCCD Administrative Procedure Manual
Section	Chapter 7 Human Resources
Title	AP 7205 Employee Code of Ethics
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Status	Active
Legal	<p>Accreditation Standard III.A.1.d</p> <p>Administrative Procedure 7700</p> <p>Board Policy 7205</p> <p>Board Policy 7310</p> <p>Board Policy 7370</p> <p>Board Policy 7700</p> <p>California Education Code Section 7054</p> <p>California Education Code Sections 87100-87103</p> <p>California Education Code Sections 87160-87164</p> <p>California Education Code Section 87732</p> <p>California Fair Political Practices Commission</p> <p>California Government Code Section 1090</p> <p>California Government Code Section 1098</p> <p>California Government Code Section 1126</p> <p>California Government Code Section 8314</p> <p>California Government Code Section 87100</p> <p>California Government Code Section 87103</p> <p>California Government Code Section 87200</p> <p>California Government Code Section 89500</p> <p>California Government Code Section 89502</p> <p>California Government Code Section 89503</p> <p>California Government Code Section 89506</p> <p>Personnel Commission Rule 263</p>
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### Preamble

The Ventura County Community College District is comprised of professionals who are dedicated to promoting a climate that enhances the worth, dignity, potential, and uniqueness of each individual within the college community. Although employees work in various settings and positions, they are committed to protecting human rights and pursuing academic excellence. While demanding for themselves freedom of inquiry and communication, they accept the responsibility these

freedoms require: competency; objectivity in the application of skills; concern for the best interest of students, colleagues, and the college community; and avoidance of conflicts of interest and the appearance of impropriety.

## **Operational Definition of Ethics**

Ethical behavior is defined as behavior that distinguishes right from wrong as measured by the accepted rules of conduct for a society and/or profession. Ethical behavior is based on integrity. An ethical person is fair, honest, straightforward, trustworthy, objective, moral, and unprejudiced.

Pursuant to Board Policy 7205, the following administrative procedure identifies employee commitments and processes related to the Employee Code of Ethics.

### **1. Employee Responsibilities**

- A. Employees will abide by the Code of Ethics and adhere to its principles.**
- B. Employees will abide by the District's procedures and adopted policies as listed on the District website.**
- C. Employees will conduct themselves in a manner consistent with applicable laws, regulations, and codes.**
- D. Employees will be familiar with Administrative Procedure 7700 - Whistleblower Protections.**
- E. Employees will act with integrity.**

### **2. Responsibilities to the College Community**

This administrative procedure does not attempt to provide comprehensive examples as to what constitutes ethical or unethical behavior. Instead, it attempts to provide guidance for employees regarding the conduct of individuals as they work towards modeling ethical behavior and/or making ethical decisions in the workplace.

When making decisions, employees should always use sound judgment to fulfill the spirit as well as the letter of the policy. In addition, employees must be aware that as stewards of the public trust, they should avoid making decisions that give the appearance of participating in unethical behavior.

The following illustrates broad areas of concern where questions of ethics need to be considered prior to taking a course of action:

#### **A. Being honest when dealing with others and performing job duties.**

Employees are truthful in their discussions and in their work-related business, and do not intentionally withhold information, ignore data, or misrepresent facts or circumstances. They uphold the highest standards of honesty in their daily work.

#### **B. Maintaining appropriate relationships.**

Appropriate relationships within the District are free of coercion, harassment, and the abuse of authority.

*Employees:* Employees should refrain from entering into intimate relationships with District colleagues if a reasonable person could conclude that an abuse of power exists or might exist in those relationships. Supervisor/subordinate romantic or physical relationships are prohibited as is nepotism (see VCCCD Board Policy 7310).

*Students:* A romantic or physical relationship between an employee of the District and a student is prohibited in those instances where the employee has responsibility for directly supervising, evaluating, instructing, counseling, treating or otherwise overseeing the student. This is to protect the student from possible coercion and harassment where an unequal balance of power is inherent in the relationship.

Federal and State regulations regarding sexual harassment apply to this Administrative Procedure where appropriate.

#### **C. Maintaining confidential information.**

Employees respect the privacy and confidentiality rights of co-workers and of students. All confidential information will be used only for the purpose for which it was originally collected and shared only with authorized parties on a need-to-know basis unless consent is given or required by law.

**D. Keeping political affiliations and activities separate from the workplace.**

As responsible and interested citizens in our democratic society, employees are encouraged to participate in the political process. However, employees do not use District resources in political campaigns and activities or in support of or opposition to state bond measures, ballot propositions, or particular candidates. Employees holding elected offices do not allow their political activities to interfere with the performance of their District work.

**E. Exercising caution when accepting gifts, including honoraria.**

Employees may accept gifts from others in limited circumstances, but must also be aware that accepting any gift, favor, service, employment, or other thing of value could be inferred by a third party to influence the employee in the discharge of their duties and therefore should be avoided.

Employees will not accept from any person, directly or through another person or party, any gift, favor, service, employment, or other thing of value that is intended to influence the employee in the discharge of his or her duties at the District. The acceptance of honoraria for most public officials is prohibited.

**F. Avoiding conflicts of interest and the appearance of conflicts of interest.**

Employees do not use their positions or District property for non-District, personal purposes. They do not allow their private interests, whether personal, financial, or of any other type, to conflict or appear to conflict with their work-related duties and responsibilities. Employees avoid any conduct that would lead a reasonable person to conclude the individual is biased or motivated by personal gain or private interest in the performance of their work.

Full-time employees do not engage in any other employment that conflicts with, or is incompatible with their District responsibilities. Any exception for incidental emergencies are authorized by the employee's supervisor.

**G. Entering into unauthorized contracts.**

Employees do not make unauthorized commitments or promises of any kind purporting to bind the District in a contractual agreement, relationship or partnership.

**3. What to do when there is an ethical concern and/or steps for reporting violation ethics**

A. Employees may seek the advice of a supervisor or a human resources manager to clarify rules and regulations impacting their duties. Employees governed by professional and/or discipline conduct standards will comply with these requirements, in addition to those described in this Employee Code of Ethics.

B. Allegations of unlawful activities may be filed pursuant to VCCCD Board Policy 7700 - Whistleblower Protections and its associated administrative procedure.

C. Violations of VCCCD Board Policy 3430 - Prohibition of Harassment and Discrimination may be reported pursuant to its associated administrative procedure when the allegation relates a complaint of discrimination or harassment regarding gender, race, color, religion, national origin, age, disability, Veteran's status, sexual orientation, or political affiliation.

**4. Consequences for exhibiting unethical behavior that may also be in violation of law.**

Employees should be aware of various policies, statutes, laws, and rules that touch on ethics. Sometimes unethical behavior can also be illegal behavior. Exhibiting or participating in unethical behavior can have serious consequences, including adverse employment actions (that is discipline up to and including dismissal per California Education Code section 87732 and Personnel Commission Rule 263), civil penalties and criminal penalties. The following information is non-exhaustive and is listed as a resource for employees to refer to regarding:

**A. Reporting of improper conduct and keeping colleagues safe from retaliation for filing such reports:** i) California Education Code sections 87160 and 87163; and ii) VCCCD Board Policy and Administrative Procedure 7700 - Whistleblower Protections

**B. Potential problems associated with the improper influence of family members and associates:** i) California Government Code sections 87100-87103; and ii) VCCCD Board Policy 7310 - Nepotism

**C. Employee's obligation to maintain appropriate relationships with students:** California Education Code section 87732.

**D. Employee's obligation to uphold confidentiality:** California Government Code section 1098.

**E. Potential problems associated with conflicts of interest and outside income:** i) California Government Code sections 1090, 1098, 1126, 87100, 87103, 87200; ii) California Penal Code section 504; and iii) the California Fair Political Practices Commission ([www.fppc.ca.gov](http://www.fppc.ca.gov)).

**F. Potential problems associated with using a District position to support political candidates or parties:** i) California Education Code section 7054; and ii) California Government Code sections 8314 and 8900.

**G. Potential problems associated with the acceptance of gifts:** i) California Government Code sections 89500-89503, 89506; and ii) the California Fair Political Practices Commission ([www.fppc.ca.gov](http://www.fppc.ca.gov)).

See [Board Policy BP 7205](#).