

# **BROOKDALE COMMUNITY COLLEGE COLLEGE POLICY**

## **1.7060 Code of Ethics for Trustees of Brookdale Community College**

### **I. Title of Policy**

Code of Ethics for Trustees of Brookdale Community College

### **II. Objective of Policy**

To establish a Code of Ethics for the conduct of all Trustees of Brookdale Community College.

### **III. Authority**

N.J.S.A. 18A:64A-12; Executive Order No. 2 issued by Governor Murphy on January 17, 2018 and Board of Trustee Bylaw 1.7060 Code of Ethics for Trustees of Brookdale Community College.

### **IV. Policy Statement**

The Board of Trustees of Brookdale Community College will comply with the following Code of Ethics:

- A. A primary function of the Board of Trustees is to establish the policies and the goals of the institution and to audit the performance of the administration in the fulfillment of these policies and the progress towards the goals, but the administration of the College's operations shall be left to the President and the President's staff.
- B. A Trustee shall devote time, thought, and study to the duties and responsibilities of a community college trustee so as to render effective and creditable decision making and service.
- C. A Trustee shall complete professional development requirements established from time to time by the State of New Jersey or by the College in a timely manner, to ensure they have the expertise to fulfill their responsibilities...
- D. One of the basic tenants of effective trusteeship is the recognition that governing authority rests with the entire board. As an individual, a Trustee has no legal authority outside of the meetings of the Board and should conduct him/herself accordingly with College staff, local citizens, and facets of the community. The board's voice is expressed through the policies and actions taken in its official meetings. An individual member cannot bind the Board outside of such meetings.

E. No College Trustee should accept from any person, directly or indirectly, or through his/her spouse or any member of his/her family any gift, favor, service, employment, or other things of value under circumstances from which it might be reasonably inferred or which he/she knows or has reasons to believe is offered to him/her with intent to influence his/her public duties and responsibilities.

F. No College Trustee should knowingly act in an official capacity, by voting or otherwise, on any College matter in which he/she has an interest.

G. No College Trustee should act as an officer or agent of the College for the transaction of any business with himself/herself or in which he/she has an interest.

H. No College Trustee should willfully disclose to any person or party for pecuniary gain any information not generally available to members of the public which he/she receives or acquires in the course of his/her official duties.

I. No College Trustee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity which might reasonably be expected to impair his/her objectivity or independence of judgment, or which is otherwise in substantial conflict with the proper discharge of his/her duties in the public interest.

J. No College Trustee should use or attempt to use his/her official position to secure unwarranted privileges or advantages for himself/herself or others.

K. No College Trustee should act in his/her official capacity in any matter wherein he/she has a direct or indirect interest that might reasonably be expected to impair his/her objectivity or independence of judgment.

L. No member of the Board of Trustees, including the President of the College, nor any member of the immediate families of such officials, shall do business, directly or indirectly, with the institution that they govern or by which they are employed. For purposes of this section, "member of the immediate family" shall mean the official's spouse, domestic partner, partner in a civil union, child, parent or sibling residing in the same household.

M. The prohibitions in L, above, shall also apply to any firm, association or partnership by which the College President or Trustee is employed, from which the President or College Trustee receives compensation, or of which the President or College Trustee owns or controls more than one percent of the profits or assets of that firm, association or partnership. Such prohibitions shall also apply to shareholders, associates or professional employees of a professional service corporation regardless of the extent or amount of their shareholder interest in such a corporation.

N. A President or College Trustee who is currently involved in a business relationship that is prohibited by this Policy shall be given 120 days to terminate the prohibited

business relationship or to resign from public office. Failure to comply with the terms set forth in sections L through N, above, shall constitute good cause for the removal from employment or office of the College President or College Trustee.

### **Disclosure of Potential Conflict**

A. Disclosure of the precise nature of the interest or involvement, at first knowledge of the transaction, should be required in the event that the Board must consider any College matter which also involves:

1. A member of the Board of Trustees or a member of his/her family (defined as spouse domestic partner, partner in a civil union, child, parent, or sibling residing in the same household); and/or
2. An organization with which a member of the Board of Trustees is affiliated.

B. Disclosure should be further required of Board members concerning all relationships and business affiliations that reasonably could give rise to a conflict of interest involving the institution.

C. The Executive Director of the State Executive Commission on Ethical Standards is hereby authorized to grant an exception from the terms sections L through N, above, if, in the judgment of the Executive Director, the entity that employs, provides compensation or is owned in part by the College Trustee is one with which the College may contract with pursuant to N.J.S.A. 52:13D-19 and N.J.S.A. 52:34-10, or where the public interest requires that an exception be made.

### **Enforcement**

A. Violations of this Code of Conduct may also constitute cause for removal of an appointed member of the Board of Trustees pursuant to N.J.S.A. 18A:64A-9 or imposition of other sanctions determined by the Board and/or the appropriate appointing authority. The Board of Trustees will follow Board Policy 1.7070 Trustee Conduct to report trustee misconduct to the appointing authority.

B. Board members will annually sign a statement affirming the Code of Ethics and their intention to fully comply with same.

C. The members of the Board of Trustees will comply annually with public law with regard to the filing of financial disclosure statements.

The following definitions shall have the following meanings with regard to the Code of Ethics for Trustees of Brookdale Community College:

“College Matter” means any application, award, bid, claim, contract, license, proceeding, resolution or transaction made by, to, against, or with Brookdale Community College or which requires any official action by the Board of Trustees, its officers, or employees.

“College Trustee” means any person who is a member of the Board of Trustees of Brookdale Community College. This includes the President, who by appointment is an ex-officio member of the Board of Trustees.

“Interest” means any personal, financial, economic, property, or other concern amounting to a right, advantage, share, or portion coming either directly or indirectly to a Trustee singularly or in affiliation with any person or party as defined herein.

“Member of the immediate family” will mean the official’s spouse, domestic partner, partner in a civil union, child, parent or sibling residing in the same household.

“Domestic partner” shall mean “domestic partner” as defined in P.L. 2003, c. 246 (N.J.S.A. 26:8A-3)

“Partner in a civil union” shall mean partner in a “civil union” as defined in P.L. 2006 c.103 (N.J.S.A. 37:1-29)

“Person or party” means any natural person, association, corporation, estate, partnership, proprietorship, trust, or other legal entity.

## **V. Responsibility of Implementation**

Board of Trustees

Approved: August 1995

Revised: December 2005

Proposed Revision: March 2016

Approved Revision: March 2016 (Lodging of Policy was waived by unanimous consent)

Approved: Board of Trustees 04/26/22