
Administrative Procedure
Chapter 3 – General Institution

AP 3050 INSTITUTIONAL CODE OF ETHICS

Reference:

ACCJC Accreditation Standard III.A.13

The Vice President of Human Resources or designee is responsible for implementing this procedure.

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, each of whom share the fundamental responsibility to always act with integrity and in a manner that reflects the best interests of the District and its students.

The credibility of the District’s employees depends upon whether they are perceived as honest people, and, thus, ethical behavior is a singular prerequisite to successful performance of one’s duties.

Upon accepting a job with the District, employees understand that they remain representatives of the District throughout their employment tenure. This means that District employees, upon acceptance of the job, agree to uphold and conduct themselves in a manner that is consistent with the District’s Code of Ethics. District employees are expected to exercise integrity in their conduct and in their speech, including but not limited to, e-mail and in any publicly accessible online forum, such as authenticated posts on social media networks. Exercising integrity means that employees have an obligation to act and communicate in a manner that is collaborative, respectful, collegial, anti-racist, and inclusive. Words or actions that are degrading, dehumanizing, derogatory, racist, abusive, false, mean-spirited, or meant to harm, embarrass, cause ill will toward, intimidate, harass, or exclude other people do not fulfill the foregoing obligations and reflect poorly on the District.

As specified in the California Education Code section 66270, “No person shall be subjected to discrimination on the basis of disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or any other

characteristic that is contained in the definition of hate crimes set forth in Section 422.64 of the Penal Code, including immigration status.” Penal Code section 422.6 further states, “No person, whether or not acting under color of law, shall by force or threat of force, willfully injure, intimidate, interfere with, oppress, or threaten any other person in [or knowingly deface, damage, or destroy the real or personal property of any other person for the purpose of intimidating or interfering with] the free exercise or enjoyment of any right or privilege secured to him or her by the Constitution or laws of this state or by the Constitution or laws of the United States in whole or in part because of one or more of the actual or perceived characteristics of the victim listed in subdivision (a) of Section 422.55.” Accordingly, Employees are required to refrain from words or actions that constitute discrimination under the law or a hate crime under Penal Code sections 422.55 and 422.6. Exercising integrity and professionalism accordingly means that employees refrain from words or conduct that would lead to such violations if continued.

Employees who are found to have violated the District’s Code of Ethics, either willfully or unintentionally, will be subject to the disciplinary process as specified in the collective bargaining agreements or LBCCD management handbook appropriate to their particular constituent group.

This Institutional Code of Ethics is a public statement by the District that sets clear expectations and principles to guide practice and inspire professional excellence. All District employees are educators and/or role models for students. We believe a commonly held set of principles can assist in the individual exercise of professional judgment. We are all leaders who provide guidance, encouragement, and continuity in the operation of our District. 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 functions necessary to achieve its established mission and philosophy as described in board policy.

Principle 1: Employees nurture the intellectual, physical, emotional, social, and civic potential of others.

Employees promote growth in all students and colleagues through the integration of intellectual, physical, emotional, social, and civic learning and support. They respect the inherent dignity and worth of each individual, by remaining continuously informed of characteristics, preferences, and educational needs of the local community, including but not limited to, disability, gender, gender identity, gender expression, nationality, race or ethnicity, religion, sexual orientation, or immigration status.

Employees help others to value their own identity, learn more about their cultural heritage, and practice social and civic responsibilities. They help others to reflect on their own learning and connect it to their life experience, and to navigate the institution. They encourage activities that involve diverse approaches and solutions to issues, while providing a range of ways for others to demonstrate their abilities and knowledge. They

foster the development of others who can analyze, synthesize, evaluate, and communicate information effectively.

Principle 2: Employees create, support, and maintain engaging and rewarding learning and work environments for all.

Educators apply their professional knowledge to promote student learning. They know the curriculum and support a range of strategies and assessments to address differences in learning styles. They foster a challenging learning environment. They advocate for necessary resources and are careful and effective stewards of those resources. They establish and maintain clear standards of behavior and civility. Employees are role models, display the habits of mind and work necessary to develop and apply knowledge. They invite students to become active, inquisitive, and discerning individuals who reflect upon and monitor their own learning. They recognize that the shift to an information society gives us access to increasing amounts of data, much of it automated. They exercise the privilege of using such data with care and integrity, and actively guard the privacy of students and colleagues. Outside of the classroom, educators ensure students have access to the information and resources they need to develop as individuals and to embrace learning in all of its forms.

Principle 3: Employees commit to their own learning in order to develop their practice.

Employees recognize that professional knowledge and development are the foundations of their practice. They know their subject matter and areas of responsibility. Employees respect the reciprocal nature of learning between colleagues and students. They engage in a variety of individual and collaborative learning experiences essential to develop professionally. They draw on various forms of research to improve their own practice. Where applicable, they are responsive to the changing needs of students, and they strive to ensure students have positive experiences in and out of the classroom. Employees are confidantes, mentors, and advocates for growth and development of students and colleagues. As models for youth and the public, they embody intellectual honesty, diplomacy, tact, consistency, and fairness. Throughout the term of their employment, they acknowledge the impact of publicly available communications (including, but not limited to, any online forum that is accessible to another person such as social media networks) during and outside of working hours.

Principle 4: Employees collaborate with colleagues and other professionals in the interest of professional growth and student learning.

Employees encourage and support their colleagues to build and maintain high standards. They participate in decisions regarding curriculum, instruction, and facilities, as applicable, and they share responsibility for the governance of the District. They comply with policies, laws, rules, and procedures, including financial conflict of interest laws under the Political Reform Act and as detailed below under "Avoidance of Fraudulent Activities and Conflicts of Interest." They cooperate with community

agencies in using resources and building comprehensive services in support of students. Employees respect fellow professionals and believe that all have the right to learn and work in a professional and supportive environment. They participate in the preparation and induction of new employees and in professional development for all employees.

Avoidance of Fraudulent Activities and Conflicts of Interest

Employees shall avoid fraudulent activities and conflicts of interest. Fraud is defined as a deception deliberately practiced in order to secure unfair or unlawful gain.

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, in writing, to appropriate District personnel, and shall recuse themselves from participation in decisions related to District business with the firm. The Superintendent-President or designee may consult 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, and will not violate conflict of interest laws.

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.

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 Sections 81000 et seq. have additional responsibilities with reference to contracts and financial decisions made by the District, as described in applicable conflict of interest laws, discussed in more detail at Board Policy and Administrative Procedure 2710, which include the following:

- **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, in writing, to appropriate District personnel, and they shall immediately disengage from the contract process.

- **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.
- **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.
- **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 gratuity 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 gratuities provision does not prohibit the acceptance of an item having a nominal value or ceremonial gifts received by employees of the District in their official capacity.

Further Considerations

This procedure provides general guidelines and expectations for all District employees. It does not supersede more specific District rules, regulations, or state or federal laws affecting ethical considerations.

Also see BP/AP 2710 Conflict of Interest, BP 2715 Board Code of Ethics/Standards of Practice, BP 3050 Institutional Code of Ethics, and BP 4030 Academic Freedom.

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(Replaces former LBCC AR 3008)