

**10203 Code of Ethics and Responsibilities of Members of the Board of Governors and College Employees**

- (1) Members of the Board of Governors of the Metropolitan Community College Area obligate themselves to:
  - (A) devote time, thought and study to the duties and responsibilities of a community college board member, so that they may render effective and creditable service; this includes a commitment to acquaint themselves with laws, regulations and policies relating to the operation of the College Area, and to observe and enforce them;
  - (B) work with their fellow members of the Board in a spirit of harmony and cooperation in spite of differences of opinion that arise during vigorous debates of points of issue;
  - (C) base their personal decisions upon all available facts in each situation; vote their honest convictions in every case, unswayed by partisan bias of any kind; and abide by and uphold the final decisions of the Board as a whole and assist in carrying out or implementing those decisions of the Board;
  - (D) remember at all times that as individuals, members of the Board have no legal authority outside the meetings of the Board, unless previously granted such authority by a resolution duly adopted by the Board, and must conduct their relationships with the community college staff, the local citizenry, and all media of the community, on the basis of that fact;
  - (E) resist every temptation and outside pressure to use their positions as members of the Board to benefit themselves or any other individual or agency apart from the total public interest of the Metropolitan Community College Area;
  - (F) give the President full administrative authority for properly discharging his or her professional duties, and hold him or her responsible for acceptable results;
  - (G) attempt to procure adequate financial support for the College;
  - (H) attempt to provide the best program of education possible within the means available;
  - (I) understand that the basic function of members of the Board of Governors is policy-making and not administration; and
  - (J) strive step-by-step toward ideal conditions for the most effective Board service to their community, in a spirit of teamwork and devotion to public

education as the greatest instrument for the preservation and the perpetuation of our representative democracy.

- (2) Subsection (3) of this Policy outlines restrictions and prohibitions imposed by or consistent with the Nebraska Political Accountability and Disclosure Act. Violation(s) of that Act may subject the individual violator to monetary penalty(ies) and/or criminal prosecution. Statutory References: Neb. Rev. Stat. §§ 49-1403 to 49-1444 (Definitions), 49-1499.03 through 49-14,103, and 49-14,126.
  - (A) As used in Subsection (3):
    - (1) “Immediate family” means a child residing in an individual's household, a spouse of an individual, or an individual claimed by that individual or that individual's spouse as a dependent for federal income tax purposes.
    - (2) “Business with which the individual is associated” or “business association” means a business:
      - (a) in which the individual is a partner, limited liability company member, director, or officer;
      - (b) in which the individual or a member of the individual's immediate family is a stockholder of closed corporation stock worth \$1,000 or more at fair market value or which represents more than a 5% equity interest, or is a stockholder of publicly traded stock worth \$10,000 or more at fair market value or which represents more than a 10% equity interest, or
      - (c) which employs the individual or a member of the individual's immediate family.
  - (3) Under express provisions of the Nebraska Political Accountability and Disclosure Act, or consistent with the principles of that Act, the following prohibitions and restrictions also apply to members of the Board of Governors and, where so indicated, to College employees:
    - (A) A Board member shall disclose any potential conflict(s) of interest when the Board member is required to take any action or make any decision in the discharge of his or her official duties that may cause financial benefit or detriment to himself or herself, to a member of his or her immediate family, or to a business with which he or she is associated, when the potential conflict is distinguishable from the effects of the action on the public generally or a broad segment of the public. The Board member shall notify the Board Recording Secretary in writing of the potential conflict as soon he or she becomes aware of it and shall abstain from voting on any matter in which the Board member has a conflict of interest.

- (B) A Board member may not employ or have an immediate family member of the Board member in the employ of the College unless the immediate family member of the Board member was employed by the College prior to the election or appointment of the Board member to the Board. In the latter case, the Board member shall make a full disclosure of the immediate family member's employment status to the Board Secretary as soon as reasonably possible.
- (C) A Board member or College employee may not solicit or accept anything of value, including a gift, loan, contribution, reward, or promise of future employment, based on an agreement that a vote, official action, decision, or judgment of the Board member or employee concerning a College matter would be influenced thereby.
- (D) A Board member or College employee may not use or authorize the use of his or her public office or any confidential information received through the holding of a public office to obtain financial gain, other than compensation provided by law, for himself or herself, a member of his or her immediate family, or a business with which he or she is associated.
- (E) A Board member or College employee may not use or authorize the use of public resources (i.e., College personnel, property, resources or funds) for the purpose of campaigning for or against the nomination or election of a candidate or the qualification, passage, or defeat of a ballot question, except as expressly allowed by law.
- (F) Use of public resources by a Board member or College employee which is incidental or de minimis shall not be considered to violate Subsections (3)(D) or (3)(E) above.
- (G) A Board member, member of the immediate family of a Board member, or business with which the Board member or his or her immediate family member is associated, shall not enter into a contract with the College valued at \$2,000 or more in any one year unless the contract is awarded through an open and public process as described by law.

(Amended 9/22/92; 6/26/12; 05/27/14; 11/15/16; 01/24/17)