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AUG 26 2008

**Robert P. Deegan**  
Superintendent/President

August 26, 2008

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SAN DIEGO  
COUNTY GRAND JURY

**Governing Board**

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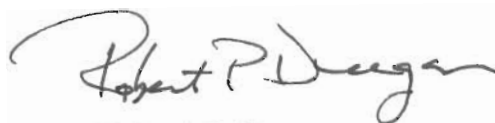
The Honorable Kenneth K. So, Presiding Judge  
Superior Court of California, County of San Diego  
Main Courthouse  
THIRD FLOOR  
220 W. Broadway  
San Diego, CA 92101

**Office of the President**

Dear Judge So:

At its regular public meeting on August 12, 2008 the Governing Board of the Palomar Community College District approved a response to the San Diego County Grand Jury's report: "Ethics 101 – Course Requirement for Community Colleges" issued May 27, 2008. The enclosed report constitutes the Governing Board response and is being sent to you as directed by the Grand Jury.

Respectfully submitted,



Robert P. Deegan  
Superintendent/President

**RESPONSE BY PALOMAR COMMUNITY COLLEGE DISTRICT  
TO GRAND JURY REPORT FOR SAN DIEGO COUNTY GRAND JURY**

**INTRODUCTION**

On May 22, 2008, the foreman of the San Diego Grand Jury sent to the Palomar Community College District Board of Trustees (hereinafter "District" or "Governing Board") a copy of a report dated May 27, 2008, entitled "Ethics 101 : Course Requirements for Community Colleges". The Governing Board notes the report acknowledges that there were no ethical issues involving the District and therefore questions why it was a report recipient. In the transmittal, the Governing Board was notified that the report was being prepared pursuant to Penal Code section 933.5 and was being submitted to the Governing Board for its review and comment to the Presiding Judge of the Superior Court. Based on this invitation, the District submits this reply.

**BACKGROUND**

As a state created and funded entity, a community college district and its governing board are subject to numerous state statutes as well as regulations adopted by the State appointed Board of Governors which are enforced by the California Community College System Chancellors Office. These statutes and regulations are found in the Government Code, the Education Code and in Title 5 of the Code of Regulations. Community colleges are also subject to numerous other state and federal statutes. Much of the report which appears to be suggesting another layer of governance fails to acknowledge the complexity of the existing governance structure and numerous statutes and regulations controlling the conduct of the District business, many of which have significant enforcement mechanisms. For example, political activities together with reporting requirements are governed not only by the Political Reform Act of 1974 that requires campaign disclosures and is enforced by way of criminal penalties through the District Attorneys office as well as substantial financial penalties which may be enforced by either the District Attorney or interested citizens who may be entitled to attorney's fees for bringing an enforcement action (see Government Code sections 87100 *et seq.*), but also by sections 7050 *et seq.* of the Education Code which limit the restrictions that the District can impose upon employees in connection with their political activities. Conflicts of interest are also governed by the Political Reform Act of 1974 and Government Code section 1090 *et seq.*, the latter of which is subject to criminal law enforcement. Public meetings including the posting of agendas, distribution of materials and notice of meetings to effected employees is the subject of the Brown Act which provides significant detail with respect to its implementation and is subject to enforcement by way of criminal penalties or by any interested person who wishes to bring an action with the potential of recovering attorneys fees. Disposal of surplus property is governed by Education Code section 81450 *et seq.* Employees and officials within the organization are also guaranteed protection and investigation when they report corruption or public waste. See Education Code sections 87160 through 87164 which can be enforced by the State Personnel Board. The requirement that employees be hired on the basis of merit as opposed to political connections is established by sections 53021, 53022 and 53024 of Title 5 of the California Code of Regulations which provides for extensive outreach and evaluations. This provision is enforced by the State Chancellor's Office. See 5 Cal. Code of Regulations section 53026.

The Governing Board would also like to make the Court aware that the California community colleges face difficult financial times in light of the ongoing and severe state budget crisis. The state neither provides sufficient funding for the ongoing operational costs nor does it provide sufficient monies for the additional students that the community colleges must educate each year. Moreover, in tough financial times our enrollment grows rapidly as the unemployed and underemployed seek job retraining and career skills that are only provided by community colleges, further stretching our limited funding. Palomar College would be hard pressed indeed to provide ongoing funding for the additional level of oversight recommended by the Grand Jury. Furthermore, the Governing Board questions the wisdom of diverting precious educational dollars for the purpose of creating additional bureaucratic oversight and taking funds away from the primary role of the College – to educate students.

The Governing Board believes that there are significant legal issues raised by the Grand Jury's recommendations and indeed, by its efforts to impose unreasonable oversight over community college policies, procedures, and operations. As noted by the California Supreme Court: "The California Grand Jury has three basic functions: to weigh criminal charges and to determine whether indictments should be returned; to weigh allegations and misconduct against officials and to determine whether to present formal accusations requesting their removal from office; and to act as the public's watchdog by investigating and reporting upon the affairs of local government." (*McClatchy Newspaper v. Superior Court* (1988) 44 Cal.3<sup>rd</sup> 1162, 1170. Citations omitted.). The Court went on to note: "The numerous statutory provisions . . . which grant the grand jury authority to investigate and report on numerous facets of local government, also limit the grand jury's investigation and reporting authority to the specifically enumerated fields . . . . Although the [grand juries] powers are broad, they are carefully defined and limited by statute, and the grand jury has no inherent investigatory powers beyond those granted by the Legislature." *Id.* at 1172; citations omitted.

Grand jury investigative authority for local government is focused primarily on county government. However, in the limited area of financial affairs which effect the assessing and taxing powers that investigatory power extends to educational agencies such as community college districts. As recognized by the *Court in Board of Trustees v. Leach*, 258 Cal.2<sup>nd</sup> 260, 281 (1968), however, school districts are agencies of the state for the local operation of the state school system and therefore the districts are state agencies with its board members being state officers. See also, 46 Ops.Cal.Atty.Gen. 144 (1965). Based on this premise, the court's conclusion in the *Leach* case was that Penal Code section 933.5 pursuant to which the May 27<sup>th</sup> Grand Jury Report was issued does not authorize grand jury investigations into personnel and general governance matters of school districts such as a community college district.

In light of the extensive legislation and regulations which currently exist, the lack of funding, the need to devote all available funds for the education of students, and the questionable jurisdiction of the Grand Jury in this matter, the District questions the wisdom of calling for more regulation as opposed to better enforcement of existing laws and regulations. Ultimately the Governing Board is accountable not only to the State Chancellors Office and Board of Governors but to the voters themselves.

Notwithstanding the significant question of whether the Grand Jury Report exceeds its statutory authority especially in light of no complaints involving the District, the District believes

that the findings and recommendations merit comment. The Governing Board, of course, is not in a position to evaluate the various factual assertions in light of the grand jury procedure of taking testimony in secret and not disclosing any “evidence” received. Therefore, the Governing Board can only rely on its collective 30 years of governing experience in the matter of community college district business.

## RESPONSE TO FINDINGS

Finding: “Not all board members take the time to review and comprehend all supporting documentation provided on agenda items and these members vote is sometimes merely a rubber stamp of staff recommendations.”

Response: The Governing Board disagrees. Each board member as a public elected official brings a unique set of talents, experience and background to his/her responsibility as a board member. Many hours are spent, not only preparing for board meetings, but in between board meetings investigating and considering district needs and the issues that are pending before the Board. These experiences provide board members a unique ability to effectively evaluate agenda items. Agendas with back up material are provided with sufficient advance time to enable board members to become familiar with agenda items. In addition, board members receive input at the board meetings, not only from staff, but also from the public. Governing Board meetings are regularly attended by interested community members, including various union officials representing the faculty and classified employees, who often have comments and concerns with respect to board items which are presented and considered.

Finding: “A limit of 3 four-year terms for trustees with the local community colleges would be consistent with limits for state legislatures, would provide continuity of leadership and also allow newly elected members to acquire the knowledge the position requires.”

Response: The Governing Board disagrees. None of the current trustees have served more than 3 terms. The trustees believe that any individual willing to engage in public service should be given the opportunity to present himself/herself and his/her credentials before the public through the electoral process every four years and that the voters are capable of determining whether that persons experience and knowledge would be beneficial irrespective of prior length of service. It should also be noted that the electorate has not called for trustee term limits.

Finding: “The imposition of limits on campaign contributions or restrictions on who may contribute to candidates for trustees would reduce the perception that elections could be influenced by firms doing business with the district.”

Response: The Governing Board disagrees. At the onset the Board notes that the Education Code has specific sections dealing with the political activities of school officers and employees which are found in section 7050, *et seq.* These specifically apply to a community college district (Ed. Code section 7051) and prohibit the District from placing restrictions on the political activities of officers or employees except as required by federal law or specifically mandated by that article. The District is concerned that the finding calls for a violation of these statutes. The District also believes that the Political Reform Act of 1974 provides a significant

basis for providing information to the electorate with respect to campaign financing which further allows for public accountability.

Finding: “Student Trustees play a valuable role in bringing student concerns to the attention of their governing boards.”

Response: The District agrees and further notes that it has regularly solicited the active participation of the student trustees. At each governing board meeting the student trustee, as a portion of the regular agenda, makes a detailed oral report to the Board and public of issues that affect students. The student trustee is also called upon for an advisory vote on all action items contained in the Board agenda, save those which may pose a potential conflict of interest for the student trustee. Without exception, the role of the student trustee and his/her input at Governing Board meetings is valued and respected.

Finding: “There is no local entity to enforce the existing codes of ethics and to apply penalties for violations.”

Response: The Governing Board disagrees. The District policy, which is attached, specifically provides an enforcement mechanism including the process of censure. Further, the standards regarding ethics for governing boards are also established and enforced by the Western Association of Schools and Colleges through the accreditation process.

Finding: “Governing Board members and upper level administrators within the local community college districts are ill-prepared to fill out annual financial disclosure statements. Some staff members do not know that real property in the district, other than personal residence, must be listed on the Form 700.”

Response: The Governing Board disagrees. The Form 700 specifically provides instructions for filling out information, and training and instructions are given to new trustees. In addition, training is available to board members through the League of California Community Colleges. The District has no information to substantiate that portion of the finding as it relates to staff members’ knowledge about real property disclosure obligations.

Finding: “There is no local entity to monitor randomly the Form 700 for community college personnel, to respond to complaints of non-disclosure and to refer violators to the Fair Political Practices Commission.”

Response: The Governing Board disagrees. The District notes the District Attorney is specifically tasked with enforcement of the Political Reform Act of 1974 which is the basis for the Form 700 request. Moreover, any local resident may seek Court review of failure to comply with the Act. Additionally, fines are imposed for late filing of the Form 700.

Finding: “A local education ethics committee is needed to establish and enforce a uniform code of ethics for officials of the five local community colleges as well as to monitor compliance with the Brown Act.”

Response: The Governing Board disagrees. The District does not believe that there is a need for an additional bureaucratic layer of government to draft additional legislation. The

District has adopted a code of ethics and has enforcement capability with respect to that code of ethics as previously noted. The District Attorney for the County of San Diego is tasked with ensuring compliance with the Brown Act. In addition, any citizen may bring an action to compel Brown Act compliance.

Finding: “Items that are placed in the lost and found are not properly inventoried in all districts. Board policies do not provide for proper disposition of items that are not claimed by the owner.”

Response: The Governing Board disagrees. Lost and found procedures are operational matters and not the policy focus of the Board. The District lost and found is under the control of the College Police Department, which has internal procedures for safeguarding items and identifying the legitimate claims of property owners.

Finding: “In some districts college vehicles and other assets that are no longer needed are not always made available for public auction. Sole source bidding or direct sales to college staff is inappropriate.”

Response: The District agrees that sole source bidding or direct sales to college staff is inappropriate; however, such practices do not exist within the District. District assets are disposed of in accordance with the Education Code and existing District policy and procedure which provide for a public auction.

Finding: “At some colleges, attorneys are being paid for services that do not require legal expertise, such as acting as parliamentarian at open sessions of governing board meetings and attending interviews with prospective candidates for cabinet level positions.”

Response: The District disagrees that this finding is true with respect to Palomar Community College District. The District does not regularly employ attorneys to attend board meetings, act as parliamentarian or attend interviews of prospective candidates for cabinet level positions. Moreover, the District carefully evaluates the need for legal counsel for each specific issue brought to it before engaging counsel.

Finding: “A cost/benefit analysis of an employed legal staff for basic legal services versus a wholly contracted legal counsel would be a useful tool for identifying and controlling a district’s legal expenditure.”

Response: The District agrees. District staff has historically evaluated the costs of legal services and determined that it would not be cost effective to hire in-house legal counsel.

Finding: “At least one district has sworn police officers who do not meet Californian Police Officers standards in training (POST) requirements.”

Response: The Governing Board disagrees to the extent that this statement applies to the District. The District has documentation on file which demonstrates that all sworn officers meet POST requirements. POST certification is a condition of employment for sworn police officers at Palomar College.

## RECOMMENDATIONS

08-91: “Endorse and support the County Educational Ethics Committee for Community College Districts, as proposed above in this Report.”

This recommendation will not be implemented because it is not warranted or reasonable. The Report tasks the San Diego County Board of Education with creating an ethics committee and legislating ethics for community college districts. The creation of additional levels of unnecessary governmental bureaucracy at public expense which diverts limited college funding from student education is not warranted given the District’s Ethics Policy, the oversight provided by the State Chancellors and State Board of Governors Office, the Accreditation process and other governmental entities tasked with responsibility of monitoring conflicts of interest and campaign financing, *viz.* the District Attorneys Office and the Fair Political Practices Commission.

Moreover, the Governing Board does not believe that the San Diego County Board of Education has jurisdiction over community college districts. (The recommendation shows a lack of understanding of the jurisdiction and responsibilities of a County Board of Education. While some community college districts may have limited interaction with the County Superintendent, that interaction is limited to assisting with fiscal matters as opposed to governance. See Education Code sections 85230 and 85237. (The District, however, is fiscally independent pursuant to Education Code section 85266.5.))

Furthermore the Governing Board receives periodic training in ethical conduct at various community college trustee workshops each year, and has sufficient policies and procedures in place to ensure ethical conduct throughout the college – with trustees, the faculty, the staff, administration, and students.

08-92: “Formulate a ballot proposal for approval of voters by the district to limit the terms of trustees.”

The recommendation will not be implemented because it is not warranted or reasonable. As noted, with respect to the findings above, none of the current trustees have served more than 3 terms. The trustees believe that any individual willing to engage in public service should be given the opportunity to present himself/herself and his/her credentials before the public through the electoral process every four years and that the electors are capable of determining whether that persons experience and knowledge would be beneficial irrespective of prior service.

Furthermore, the cost of a ballot initiative is significant. For example, the cost of the recent ballot initiative placed by Palomar College on the November 2006 ballot for a bond measure exceeded \$100,000. Spending this amount of money on a ballot measure without sufficient value is unreasonable and not a prudent expenditure of public funds. Moreover, the District’s electorate has not called for trustee term limits.

08-93: “Adopt a governing board policy that would limit campaign contributions to a candidate for trustee, whether to a candidate or to a political action committee (PAC) on behalf of that candidate.”

This recommendation will not be implemented in that it is not warranted or reasonable. As previously noted, political practices, including campaign contributions, are highly regulated by the Fair Political Practices Committee. Contributions are publicly reported in accordance with the Political Reform Act of 1974. Furthermore, the governing board's ability to adopt rules and regulations with respect to political activities is limited by Education Code section 7052 and 7055. Education Code section 7052 provides:

“Except as otherwise provided in this article or as necessary to meet requirements of federal law as it pertains to a particular employer or employees, no restriction shall be placed on the political activities of any officer or employee of a local agency.”

Education Code section 7055 empowers the Governing Board to establish rules and regulations, but limits those rules and regulations to political activities during working hours and political activities on the premises of the local agency.

08-94: “Adopt a governing board policy that would limit the total amount of campaign contributions a candidate or trustee could receive to a reasonable amount to be determined by the governing board.”

This recommendation will not be implemented for the same reasons as set forth in response to recommendation 08-93.

08-95: “Adopt a governing board policy that would set standards for staff members from soliciting campaign contributions. The policy should include a provision prohibiting staff members from soliciting campaign contributions for governing board candidates from contractors and other firms doing business with the district.”

This recommendation will not be implemented because it appears to call for action which is contrary to expressed statutory limitations contained in California Education Code section 7050, *et seq.* and in particular, section 7052.

08-96: “Adopt a governing board policy that provides disclosure standards for Trustees. The Policy should include a requirement that a Trustee disclose the fact that a bidder on a contract donated to his or her campaign.”

This recommendation will not be implemented in that it is not warranted or reasonable in light of the existing laws, rules and regulations relating to disclosure of campaign contributions providing adequate information to interested members of the public about the source of campaign contributions. Moreover, the District has already adopted a disclosure policy consistent with the Political Reform Act of 1974.

08-97: “Adopt a governing board policy that would set standards for buyouts of administrative contracts. The policy should include a provision limiting administrative contract buyouts to an amount specified in the contracts. No salary or benefit should exceed the 18-month period specified in the State Education Code. No damages or special payout should be granted.”



The recommendation will not be implemented as presented because it is not warranted or reasonable. Pursuant to Government Code section 53260 (the recommendation erroneously references the Education Code), provisions related to limitation of compensation for contract terminations are already made a part of executive contracts in the District. Contracts are formally adopted by the Board and therefore an additional policy beyond the contract appears to be superfluous. The District also recognizes the fact that administrative employees have various legal rights which may at some point entitle them to damages, i.e., workers' compensation, fair employment practices, whistle-blowing statutes, etc. It would therefore be imprudent to tie the hands of a future Governing Board or legal counsel representing the District in dealing with claims which may arise based on currently unforeseeable circumstances.

08-98: "Endorse a policy to expand the public governing board meeting agendas according to the spirit of the Brown Act. For items concerning the awards of contracts, approving bids and hiring consultants, the agenda should include amounts of bid and award, scope of award, time period, name and address of contract, and any college contact."

The recommendation will not be implemented because it is not warranted or reasonable. It is unclear what the recommendation believes to be the spirit of the Brown Act; the Brown Act itself specifically states that agenda items should be "brief" "generally need not exceed 20 words." As a general practice, the District does provide specific information on the agenda with respect to scope of work and costs when awarding contracts. The District works continuously in response to input from its constituencies to make the board agenda and exhibits transparent to the public. Moreover, the contracts themselves are available to the public for review both prior to and after board action.

08-99: "Adopt a District policy that the campus police chief reports directly to the chancellor or president/superintendent or an appropriate vice chancellor or vice president."

The recommendation will not be implemented because it is not warranted or reasonable. The superintendent/president is responsible for assigning and delegating duties and responsibilities within the District. The matter of District organizational structure is operational in nature, and a board policy limiting that responsibility is neither warranted nor within the policy role of the Board. The District does note, however, that the campus police chief, by direction of the superintendent/president, does now and for an extended period of time has reported to an assistant superintendent/vice president.

08-100: "Review the qualifications of all sworn campus police officers for compliance with the requirements of the California Commission on Peace Officers Standards and Training (POST)."

The recommendation for Palomar Community College District is not warranted in that the District has conducted such a review and will continue to conduct such a review on an annual basis. Moreover, the District is regularly audited by the California Commission on Police Officer Standards and Training (POST). Furthermore, District hiring policies mandate POST certification for all sworn police officers as a condition of employment.

08-101: “Adopt a governing board policy for all real property purchases that specifies the data to be listed on the public agenda when the purchase is voted on. The data should include the current assessed valuation and information on amounts of all sales in the last two years for comparison with the amount of a current purchase price.”

The recommendation will not be implemented because it is not warranted or reasonable. The acquisition of real property requires board action. Board action can only occur at a public meeting with the notices and agenda descriptions as required by the Brown Act. The Brown Act itself specifically recognizes that during the course of negotiating for real property, the Board may meet in closed session with its negotiator based on the disclosure of specific information as required therein. See Government Code section 54956.8. Any final purchase agreement is approved by the Board in open session. Documentation with respect to that purchase including the purchase price is a matter of public record. Any interested member of the public may also access from the records of the County Assessor’s Office information as it relates to the assessed valuation. Comparable sales are now also widely available through the internet.

08-102: “Undertake a cost/benefit analysis on the feasibility of employing a counsel for the District as opposed to contracting for all legal services.”

The use of legal counsel is a matter of District operations and not of Board policy. As an ongoing business practice the recommendation has been implemented on an informal basis by staff. District staff continually reviews the cost of contracted legal services for the District. The costs are believed to be substantially less than the cost of an in-house legal counsel when the necessary administrative, clerical and informational support systems are considered. Contracting for outside legal services enables the District to utilize various attorneys with specific expertise as opposed to having in-house counsel who often has to consult with outside counsel. Also, by contracting for legal services, the District does not incur the various administrative costs associated with staffing a legal office, such as secretarial support and research and library support. With respect to specific litigation matters, the District relies on its liability carrier with respect to the selection and compensation of legal counsel.

08-103: “Direct District human resources officers to adopt procedures to avoid the appearance of nepotism and inappropriate supervisory relationships in the hiring process. The procedures should include the identification and screening of applicants who are close friends and relatives of elected Governing Board Members and staff.”

The recommendation will not be implemented because it is not warranted or reasonable. The filling of the vacant positions within the District is governed by sections 53021, 53022 and 53024 of Title 5 of the California Code of Regulations. Those regulations require an extensive recruitment often on a statewide basis as well as a documented selection process, which the District has had in place for a number of years. In addition, the process for hiring faculty is an academic and professional matter for which, under Title 5, the District accepts the recommendations and guidance of the faculty. Moreover, the hiring of immediate members of a governing board member’s family is prohibited by Government Code section 1090. The District does have a nepotism policy in place and monitors compliance with the policy.

08-104: Adopt Governing Board Policies regarding the disposition of surplus property. Said Policies should include a requirement that any college surplus property donated to nonprofit organizations or sold by means of public auctions and prohibit purchase by college staff/employees or relatives.

The recommendation will not be implemented because it is not warranted in that the District already has in place a policy which meets the requirements of Education Code section 81450.

### CONCLUSION

Extensive legislation and regulation currently exists with respect to the governance of Community College Districts. Moreover, the District's Governing Board has itself established comprehensive policies and regulations in connection with the further implementation of those laws and regulations. The diversion of critical funding to additional regulation is contrary to the community college primary educational functions. The District's Governing Board is committed to continuing its ongoing process of regular review of local policies and procedures to ensure that they adequately fulfill the Board's stewardship and responsibilities to the electorate.

**GOVERNING BOARD**

**BP 2715 CODE OF ETHICS/STANDARDS OF PRACTICE**

**References:**

Accreditation Standards IV.B.1.a, e, and h

As a member of the Palomar Community College District Governing Board, I will perform my duties in accordance with my oath of office. I am committed to serving the educational needs of the citizens of the District. My primary responsibility is to provide learning opportunities to each student regardless of ethnic group identification, national origin, religion, age, sex, race, color, ancestry, sexual orientation, or physical or mental disability.

It is my further responsibility to:

1. Devote time, thought, and study to my duties as a Palomar College Board member so that I may render effective and creditable service.
2. Work with my fellow Board members in a spirit of harmony and cooperation in spite of differences of opinion that may arise during vigorous debates of points at issue.
3. Base my decisions upon all available facts in each situation, vote my honest conviction in every case unswayed by partisan bias, and abide by and uphold the final majority decision of the Board.
4. Remember at all times that as an individual I have no legal authority outside the meetings of the Board and conduct my relationships with District staff, students, the local citizenry, and the media on that basis.
5. Be aware that I am responsible to all citizens of the District and not solely to those who elected me. The authority delegated to me by the voters must be exercised with as much care and concern for the least influential as for the most influential member of the community.
6. Resist every temptation and outside pressure to use my position as a community college board member to benefit either myself or any other individual or agency apart from the total welfare of the Palomar Community College District.
7. Recognize that it is as important for the Board to understand and evaluate the educational program of Palomar College as it is to plan for the business of District operation.

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8. Bear in mind under all circumstances that the Board is legally responsible for the effective operation of the District. Its primary function is to establish the policies by which the Palomar Community College District is to be administered. The Board shall hold the Superintendent/President and his/her staff responsible for the administration of the educational program and the conduct of District business.
  9. Welcome and encourage the active involvement of students, employees, and citizens of the District with respect to establishing policy on current District operation and proposed future developments and consider their views in my deliberations and decisions as a Board member.
  10. Recognize that deliberations of the Board in closed session are not mine to release or discuss in public in accordance with the Brown Act.
  11. Avail myself of opportunities to enhance my potential as a Board member through participation in educational conferences, workshops, and training sessions offered by local, state, and national organizations.
  12. Be informed about the actions and positions of state and national community college trustees' associations.
  13. Strive to provide the most effective community college board service of which I am capable, in a spirit of teamwork and devotion to public education as the greatest instrument for the preservation and perpetuation of our representative democracy.

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The Superintendent/President and Governing Board President are authorized to consult with legal counsel when they become aware of or are informed about actual or perceived violations of pertinent laws and regulations, including but not limited to conflict of interest, open and public meetings, confidentiality of closed session information, and use of public resources. Violations of law may be referred to the District Attorney or Attorney General as provided for in law.

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Violations of the Governing Board's Policy #2715 (Code of Ethics) will be addressed by the President of the Board, who will first discuss the violation with the Board member to reach a resolution. If resolution is not achieved and further action is deemed necessary, the Governing Board President may appoint an ad hoc committee composed of two Board members to examine the matter and recommend further courses of action to the Board. Sanctions will be determined by the Governing Board officers [or committee] and may include a recommendation to the Governing Board to censure the Board member. If the President of the Governing Board is perceived to have violated the code, the Vice President of the Governing Board is authorized to pursue resolution.