



POLICY

Title: DISTRICT BOARD MEMBER CODE OF CONDUCT AND COMPLAINT PROCEDURE	Code: A0106
Authority: Board Minutes, 7/13/81; 11/18/97; 4/28/98; 9/28/99; 9/25/07; 12/18/18	Original Adoption: 7/13/81 Revised/Reviewed: 11/5/18 Effective: 12/18/18

Code of Conduct

It shall be the duty of every district officer to comply with Wisconsin Statutes with respect to the proper and appropriate conduct of the office. In keeping with the district's goals to develop quality educational programs consistent with its philosophy and objectives that lead to gainful employment of students, each member of the District Board:

1. Shall perform all mandatory, nondiscretionary, and ministerial duties of his or her office within the time and in the manner required by law;
2. Shall devote full attention to the duties of the office, uphold the law and conduct district business with fairness, integrity, professionalism, and with full regard to the public trust of the office;
3. Shall never act in excess of lawful authority or commit an act forbidden by law within his or her official capacity;
4. Shall not, by act of commission or omission, in the capacity as an officer of this district, exercise a discretionary power in a manner inconsistent with the duties of a member of this district board or the rights of others or with the intent to obtain dishonest advantage for himself or herself or for another;
5. Shall not, in the capacity as an officer of this district board, make an entry in an account or record book or return, certificate, report, or statement that in a material respect is intentionally falsified;
6. Shall not under color of this office as a member of this district board intentionally solicit or accept for the performance of any service or duty anything of value including but not limited to any gift, loan, favor, or service given for the purpose of influencing him or her in the discharge of official duties;
7. Shall not surrender his or her responsibilities under law to any other person, group, or organization;



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8. Shall not use district property, facilities, or resources for private or personal gain for self, family, or others. MATC Board members who have communication equipment (i.e., computers, facsimile machines, etc.) loaned to them by the district may use these items for limited personal or private use so long as that use does not interfere with the proper discharge of their duties and responsibilities. Any additional costs that are incurred as a result of their personal or private use will be reimbursed to the district. Board members will ensure that they do not use software not appropriately licensed for their laptop computers, nor will they rely upon MATC staff for support of personally licensed software. Questions in this regard can be forwarded to the Office of the General Counsel;
9. Shall not use confidential information for personal gain or benefit or for the benefit of family or others;
10. Shall maintain the confidentiality of discussions which occur at legally held closed meetings of the Board and shall not discuss personnel or performance matters in public except in accordance with Board policies or as may be required by law;
11. Shall in keeping with the legislative and judicial nature of the functions of a board member, delegate executive responsibilities to the president and/or designee;
12. Shall endeavor to meet all the requirements of state and federal law and regulations pertaining to education including the regulations of the Wisconsin Technical College System Board;
13. Shall observe pertinent policies of this district board;
14. Shall comply with MATC Policy C0200 as it relates to the college's policy on nondiscrimination, discriminatory and bias-related harassment, sexual harassment and sexual misconduct in their interactions with staff, students, Board members, college vendors, and the general public at college sponsored events and shall avoid all prohibited activity;
15. Shall act in what is, in the district board member's opinion, conceived to be the best interest of the citizens of the entire district. Similarly, no member shall grant any special consideration, treatment, or advantage to any other citizen beyond that which is available to every other citizen;
16. Shall observe the Wisconsin Open Meetings law and not knowingly participate in closed meetings except as permitted by the Open Meetings law;



Title: DISTRICT BOARD MEMBER CODE OF CONDUCT AND COMPLAINT PROCEDURE	Code: A0106
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17. Shall remove oneself from consideration or voting on any matter before the district board which does or could result in personal financial gain for oneself or family except as allowed in § 946.13 of Wisconsin Statutes or as otherwise permitted by law. Each member shall make a concerted effort to be aware of the details and scope of matters pending or brought before the district board so as to abstain from voting where a conflict or an unresolved potential conflict of interest may exist, and shall state publicly that the vote to abstain is because of a possible conflict of interest;
18. Shall not use their positions to obtain employment at the college for themselves or immediate family members, as defined in Chapter 19 Wis. Stat. and in College policy. Board Members shall not use their positions to protect or maintain employment at the college for their immediate family members;
19. Shall not participate either directly or indirectly in purchases for personal use for less than full value by utilizing discounts allowed to the district;

Nothing in this policy shall deny a member of this board the rights of a citizen under the Constitution of the United States of America, Constitution of the State of Wisconsin, Wisconsin Statutes, or any other bona fide regulations of this state.

Board Member Reporting Requirements

A Board Member who has a reasonable basis to believe another Board Member has violated a Board Policy shall report the alleged violation to the Board's Legal Counsel, Chairperson of the Board, or any Officer of the Board. A Board Member shall report his/her own alleged violation of Board Policy in the same manner.

Complaint Procedure

This procedure applies to a Board Member who allegedly violates this Board Policy or any other Board Policy. The Board's Legal Counsel, Chairperson of the Board, or Officer of the Board who has received a report of an alleged violation is responsible for determining the appropriate procedure to be followed which may include any procedure specified in the underlying Policy.

- A. A report of violation made in accordance to the Board's Legal Counsel, Chairperson of the Board or Officer of the Board shall be promptly referred to the Chairperson of the Board. An alleged violation which involves the Chairperson of the Board shall be referred to the Officers of the Board. The process under subsections (c) through (f) shall be followed.



Title: DISTRICT BOARD MEMBER CODE OF CONDUCT AND COMPLAINT PROCEDURE	Code: A0106
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- B. The Board Chairperson shall inform the Board Member against whom the allegation is made of the allegation. The Board Chairperson, in his/her sole discretion, may meet with the Board Member at any time prior to, during, or following any investigation to discuss and resolve the matter. If the matter is not resolved, the Board Chairperson shall refer the matter to the Officers of the Board.
- C. The Officers of the Board shall inform the Board Member against whom the allegation is made of the allegation if subsection (c) is not applicable. The Officers of the Board may meet with the Board Member to discuss and resolve the matter.
- D. The Board's Legal Counsel, Board Chairperson, or the Officers of the Board, at any time, may authorize an investigation of the matter by a qualified investigator, internal or external to the College. The final report of the investigation, if any, shall be provided to the Board.
- E. If the matter is not resolved, the Board may vote, by a majority of the full Board, to refer the matter, with or without a recommendation, to the Board Appointment Committee as then constituted pursuant to Sec. 38.10(1) Wis. Stat. The Appointment Committee may, by majority vote, remove the Board Member at pleasure pursuant to Sec. 17.13(1) Wis. Stat.
- F. This policy acknowledges Sec. 17.13(3) Wis. Stat. which provides a Board Member is subject to removal by the judge of the appropriate circuit court, for cause.