



1. PURPOSE

The Code of Ethical Conduct policy sets forth the principles of conduct, which have been adopted by the Barstow College Foundation (the “Foundation”). All staff, members of the Board of Directors and volunteers of the Foundation are required to act with honesty, integrity and openness in all their dealings as representatives of the organization. This policy is intended to serve as a guide for and a yardstick of their proper conduct relative to expectations of service, conflicts of interest and reflects the intent of the Foundation that its leaders shall conduct themselves in all aspects of their public and private business, in such a fashion, as to avoid even the appearance of impropriety with regard to the best interests of the Foundation and Barstow Community College (the “College”).

2. POLICY / PROCEDURE

It is the policy of Barstow College Foundation that no member of its board of directors, committee member or staff shall derive any undue personal profit, or gain, directly or indirectly, either monetary or otherwise by reason of his or her services to the Foundation.

Confidentiality of Information: The Foundation has and will continue to develop and maintain certain business records, financial data and records, membership records and other information, donor lists and databases, and other confidential and proprietary information relative to the business, affairs and operations of the Foundation and / or College, in both written and electronic format (“Confidential Information”).

Disposition of Confidential Information: Directors, staff member and volunteers may be authorized access to the Foundation’s Confidential Information, solely for the furtherance of the legitimate purposes of the Foundation. No director, staff member or volunteer shall use or permit the use of the Confidential Information, for any unauthorized purpose, or any purpose that is not in the best interests of the Foundation. Further, no director, staff member or volunteer shall, without the prior written consent of the Executive Committee or Full Board of Directors of the Foundation, disseminate, release or utilize for any unauthorized purpose, any Confidential Information, or authorize or permit another to do so.

Conduct of Duties: No director, staff member or volunteer shall breach or permit the breach of any law, regulation or policy regarding the proper conduct of a director in a public benefit, non-profit California Corporation, or decline, refuse or fail to carry out any of the duties imposed on directors who perform functions with respect to assets held in charitable trust, as imposed by the United States of America or the State of California, including *Corporations Code § 7238*. Further, no director, staff member or volunteer shall withhold any information relative to the legitimate interests of the Foundation from either the Executive Committee or the Full Board of the Foundation.

Additionally, directors, staff members and volunteers are expected to:

- Support the mission of the organization:

The mission of the Barstow College Foundation is to assist Barstow Community College in building alliances with the community through the solicitation of gifts, bequests, monies, & property for the benefit of students and college educational programs.

- Contribute financially and maintain good-standing with respect to personal gift pledges.

- Represent the Foundation and College accurately and disclose all relevant details to donors in the gift solicitation process.
- Work in the best interests of the Foundation.

Conflicts of Interests: Directors, staff members and volunteers accept responsibility for scrupulously avoiding conflicts of interest between the interests of the Foundation on one hand, and personal, professional and business interest on the other. This includes avoiding potential and actual conflicts of interest as well as the perceptions of conflicts of interest.

A conflict of interest is defined as an actual or perceived interest by a director, staff member or volunteer or a relative of any of these members in an action that results in, or has the appearance of resulting in, personal, organizational or professional gain. A conflict of interest occurs when a director, staff member or volunteer has direct or fiduciary interest in another relationship that benefits from a decision or activity of the Foundation.

The purpose of this policy is to protect the integrity of this Foundation's decision making process, to enable its constituencies to have confidence in its integrity and to protect the integrity and reputations of its directors, staff members and volunteers. In analyzing our business decisions, contracts, transactions and relationships, the Foundation considers at least these six elements:

1. Person – is any party to the transaction a “disqualified” person?
2. Prohibited Transaction – is the transaction prohibited by law; is it “self-dealing”?
3. Perception – how will the public perceive the transaction; what headline might be written?
4. Personal Gain – who gains personally from the transaction?
5. Problem – is it unfair to the organization; does it unfairly benefit another; is the integrity of the organization going to suffer because of the transaction; does it elevate secondary loyalty above primary loyalty?
6. Policy – was the organization's conflict of interest policy followed in arriving at the decision; is the decision well documented?

If conflict of interests are evident by any of the measures above or by any other concern to any one director, he/she make the other directors aware of the concern and directors must resolve the conflict in accordance with existing law prior to acting on the transaction.

Annually, within the first quarter of the organization's fiscal year, directors, staff and volunteers will receive information about current law regarding conflict of interests, be presented with a copy of this policy and be asked to make full written disclosure of interests, relationships and holdings that could potentially result in a conflict of interest. Any situation which creates an actual or perceived conflict of interest must be reported by the director, staff or volunteer as soon as it is identified.

Directors, staff and volunteers will not be permitted to participate in discussions or vote on actions related to the questions in which a decision could result in a benefit to the individual or a member of that individual's family.

Interests of other Charitable Organizations: It is recognized that, from time to time, Directors may serve on the Boards of other IRC § 501 (c) 3 and other charitable organizations, some of which may conduct business in the same geographical areas as are served by the Foundation and the College. In so doing, however, no Director shall place or permit the interests of any other such, charitable organization to be placed either above or in actual or potential, direct or indirect, conflict with the interest of the Foundation.



Barstow College Foundation
Policy # BP-1 (June 2022)
Code of Ethical Conduct / Conflict of Interest

Agreement to be Bound by Policy: Annually each director, staff member and volunteer shall, at the commencement of his or her engagement with the Foundation, agree to be bound to the Foundation's Code of Ethical Conduct Policy and shall confirm that agreement by execution of a copy of this Policy, which shall be retained in the records of the Foundation.

I, _____, the undersigned director, staff member or volunteer agree to be bound by the Foundation's Code of Ethical Conduct Policy as it relates my service, and to conduct myself in accordance with its provisions during my tenure with the Foundation.

Signed: _____ Date: _____