

FRESNO MADERA COC BOARD CODE OF CONDUCT AND CONFLICT OF INTEREST POLICY

Each Fresno Madera Continuum of Care (FMCoC) Board Director, member, employee, agent or consultant is expected to uphold certain standards of performance and good conduct and to avoid real or apparent conflicts of interest.

A conflict of interest is a breach of an obligation that has the effect or intention of advancing one's own interest in away detrimental to the organization. Conflicts of interest, and even the appearance of a conflict of interest, must be avoided. Directors are to conduct themselves at all times with the highest ethical standards in a manner which will bear the closest scrutiny. Directors shall report possible conflicts of interest at such time as reasonably possible after the conflict arises and receive guidance from the Board on the issue, including, if necessary, recusal from participating in discussion or voting on a particular matter in which a conflict of interest exists. For any matter that involves a decision on funding for which a director is a recipient, that member must recuse him/herself.

In order to prevent a conflict of interest, a director, member, employee, agent or consultant of the Board may not:

- Participate in or influence discussions or decisions concerning the selection or award of a grant or other financial benefit to an organization that he/she has a financial or other interest in or represents, except for the Board itself
- Solicit and/or accept gifts or gratuities by anyone for their personal benefit in excess of minimal value
- Engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict

Individuals with a conflict of interest will inform the Board of the conflict and excuse themselves from the meeting or deliberations during such discussions. The Board Chair or its administrative designee shall track which Board members have conflicts of interest and help to ensure such members do not participate in discussions or decisions in which the members have a conflict.

Each Board director, member, employee, agent or consultant must sign a *Code of Conduct and Conflict of Interest Policy Agreement* to demonstrate that the individual is aware of and agrees to abide by this policy. Any failure to adhere to the policy may result in disciplinary action. Disciplinary action may include, but is not limited to:

- Oral warning
- Written warning
- Suspension
- Termination

The Board must keep records showing compliance with code of conduct and conflict of interest requirements, including documentation of a signed policy acknowledgment by all Board members. The Board will maintain any records supporting exceptions to the conflicts of interest policy as required by 24 CFR part 578.95.

The members of the CoC are entrusted with specific responsibilities related to use of public funds invested in addressing homelessness. CoC Members are expected to observe the highest standards of ethical conduct in the execution of these responsibilities. The FMCoC recognizes that each participating member representative, in most instances, is employed by a responsible public, non-profit, or private sector agency or firm that has an adopted Code of Conduct or Employee Manual that governs the behavior of employees while conducting of business on behalf of their employer. However, when deciding to participate in the CoC or its related meetings, activities, or events, members of the CoC, the CoC Board, Standing Committees, Workgroups, CoC employees/staff, and participants/attendees, etc. are agreeing to and expected to abide by the following Code of Conduct:

- A. Commit to the collective mission to end and prevent homelessness and support CoC projects and initiatives by working to ensure the collaboration/engagement of your own agency or constituency. This can include marshaling resources and changing policies and practices.
- B. Communicate the needs, requirements and hopes of the agency/constituency you represent while building toward consensus and activities that strengthen the collective impact effort and needs of the entire system.
- C. Express concerns and offer solutions or amendments during the discussion and/or public comment period of a proposal/analysis/policy.
- D. Do not dominate discussions; make space for and remain open-minded about differing views.
- E. Prepare for meetings by reviewing materials in advance.
- F. Be respectful, without harassment, or physical or verbal abuse. Unprofessional behavior is prohibited by this Code of Conduct, and includes, but is not limited to spoken, written, virtual, cyber-bullying, and physical conduct and expressions that are threatening, berating, vulgar, degrading, demeaning, or intended to show contempt or disdain for another. Such conduct is prohibited if it is directed at or relates to Members of the CoC, the CoC Board of Directors, persons being served/housed by CoC agencies, and/or members of the public, whether or not they are present or observe the behavior.
- G. Abide by the CoC's Conflict of Interest policy, recusing yourself from decisions as appropriate.
- H. Protect the security of any confidential information provided to, or generated by, the activities of the CoC.
- I. Abide by the CoC's Anti-Discrimination policy.
- J. Make it clear, when making public statements or speaking to the media on CoC matters, whether you are speaking in your own name/agency or if the CoC has empowered you to speak on the group's behalf.

- K. Be an ambassador in the community on behalf of the collective impact effort to end homelessness in Fresno and Madera Counties.
- L. This code of conduct also prohibits retaliation against any person who makes a complaint about a CoC Member's professional behavior.
- M. Violations of any provision of the Code of Conduct may result in appropriate disciplinary action by the CoC Board, which may include censure, removal of CoC Membership, permanent disqualification from holding current or future CoC positions (or Standing Committee or CoC Board positions/Fixed Memberships).

Code of Conduct and Conflict of Interest Policy Agreement

I, _____, am a *director / member/ employee / agent/ consultant (circle one)* of the FMCoC Board and in that position, I have read and understand the Code of Conduct and Conflict of Interest Policy of the Board and I agree to uphold these standards of performance and good conduct and to avoid real or apparent conflicts of interest.

I will not participate in or influence discussions or decisions concerning the selection or award of a grant or other financial benefit to an organization that I have a financial or other interest in or represent, except for the FMCoC itself.

Organizations that I or a close relative or family member have a financial or other interest in are:

If and when such discussions or decisions occur and a conflict arises, I will inform the FMCoC board of my conflict and excuse myself from the meeting or deliberations during those discussions.

I will not solicit and/or accept gifts or gratuities on behalf of the Board by anyone for my personal benefit in excess of minimal value.

I will not engage in any behavior demonstrating an actual conflict of interest or giving the appearance of any such conflict.

I will not engage in unethical business practices or conduct that violates the law, including any payments for illegal acts, indirect contributions, rebates, and bribery.

I understand that any failure by me to comply with this code of conduct or conflict of interest policy could result in disciplinary action, which may include termination of my position from the Board and civil and/or criminal penalties.

I have read and understand and agree to abide by the Code of Conduct.

Name [printed]

Signature

Date