

SOUTHERN WEST VIRGINIA COMMUNITY COLLEGE FOUNDATION, INC.
SFP-1005

SUBJECT: Code of Conduct Policy

REFERENCE: SFP-1001, Conflict of Interest Policy
SFP-1004, External Communications Policy

ORIGINATION: October 13, 2010

EFFECTIVE: December 6, 2010

REVIEWED:

SECTION 1. PURPOSE

- 1.1. The Southern West Virginia Community College Foundation, Inc. (Foundation) was formed as a not for profit corporation that enhances the mission and vision of the Southern West Virginia Community and Technical College through its many fundraising activities. The Foundation enhances relationships with alumni, friends, faculty, staff, and community partners. The Foundation secures and manages charitable resources for the college and acts with integrity and honesty.
- 1.2. This policy applies to all Southern West Virginia Community College Foundation, Inc. Board members.

SECTION 2. DEFINITIONS

- 2.1. College – Southern West Virginia Community and Technical College
- 2.2. Foundation – Southern West Virginia Community College Foundation, Inc.

SECTION 3. POLICY STATEMENT

- 3.1. In order to effectively carry out its mission, the Foundation requires the members of its Board of Directors to conduct themselves and carry out their duties in good faith and with honesty, integrity, due diligence, and reasonable competence. Board members agree to abide with this Code of Conduct and all other documents, rules, and regulations that govern the Foundation including, but not limited to, the Foundation’s Articles of Incorporation, Bylaws, and all applicable federal, state, and local laws and regulations.
- 3.2. Board members must act in the best interests of the Foundation, not for personal or third-party gain or financial enrichment. When encountering potential conflicts of interest, Board members will comply with the Foundation’s SFP-1001, Conflict of Interest Policy. While the receipt of incidental personal or third-party benefit may arise from certain activities of the Foundation, such benefit must be merely incidental to the primary benefit of the Foundation and its purpose. The Foundation is exempt from taxation as a charitable organization under Internal Revenue Service Code Section 501(c)(3). To maintain this exemption, Foundation members cannot act for the benefit of a particular individual or entity. Such conduct, commonly referred to as “private inurement”, is improper. Sanctions can include personal liability for Board members, senior officers, and the individual receiving the improper benefit. Additionally, the Foundation may lose its tax-exempt status.

Board members will also agree:

- 3.1.1. That they will provide goods or services to the Foundation as a paid vendor only after full disclosure to, and advance approval by, the Board and pursuant to any related procedures adopted by the Board.
- 3.1.2. That they will exercise proper authority and good judgment in their dealings with the Foundation's staff, suppliers, and the general public.
- 3.1.3. That they will not abuse their position by improperly using it or the Foundation's staff, services, equipment, resources, or property for their personal or third-party gain or pleasure and shall not represent to third parties that their authority as a Board member extends any further than that which it actually extends.
- 3.1.4. That they will not engage in any outside business, professional or other activities that would materially adversely affect the Foundation.
- 3.1.5. That they will complete, as requested, an annual disclosure form regarding conflicts of interest and other disclosures required under applicable federal, state and local legal and regulatory requirements during their term of service.
- 3.1.6. That they will not engage in or facilitate any discriminatory or harassing behavior directed toward the Foundation's staff, officers, directors, meeting attendees, exhibitors, advertisers, sponsors, suppliers, contractors or others in the context of activities relating to the Foundation.
- 3.1.7. That they will not solicit or accept gifts, gratuities, free trips, honoraria, personal property or any other item of value from any person or entity as a direct or indirect inducement to provide special treatment to such donor with respect to matters pertaining to the Foundation.
- 3.1.8. That they will not participate or intervene (including publication or distribution of statements) in any political campaign on behalf of or in opposition to any candidate for public office on behalf of the Foundation or when acting in their official Board capacity including using their affiliation with the Foundation in such a way as to suggest or imply that the Foundation supports a particular candidate or party.
- 3.1.9. That they will comply with the Foundation's SFP-1004, External Communications Policy when discussing Foundation related matters.
- 3.1.10. They will maintain the confidentiality of information entrusted to them, and any other information of a confidential nature acquired by them as a consequence of their service on the Foundation, regardless of its source or subject, except when the sharing, copying, reproduction, transmission, divulgement or other type of disclosure is expressly authorized or legally mandated. Whenever feasible, they will consult the President of the Board prior to making any disclosure they believe is legally required.
- 3.1.11. That they will not use any information provided by the Foundation or acquired as a consequence of the Board's service to the Foundation in any manner other than in furtherance of his or her Board duties.
- 3.1.12. That they will not misuse the Foundation property or resources and will at all times keep the Foundation's property secure and not allow any person not authorized by the Executive Board to

have or use such property.

- 3.1.13. Furthermore, no member of the Executive Board shall persuade or attempt to persuade any advertiser, sponsor, subscriber, supplier, contractor, or any other person or entity with an actual or potential relationship to or with the Foundation to terminate, curtail or not enter into its relationship to or with the Foundation.

SECTION 4. BACKGROUND OR EXCLUSIONS

- 4.1. None.

SECTION 5. GENERAL PROVISIONS

- 5.1. None.

SECTION 6. RESPONSIBILITIES AND PROCEDURES

- 6.1. None.

SECTION 7. CANCELLATION

- 7.1. None.

SECTION 8. REVIEW STATEMENT

- 8.1. This policy shall be reviewed on a regular basis with a time frame for review to be determined by the President or the President's designee. Upon such review, the President or President's designee may recommend to the Board that the policy be amended or repealed.

SECTION 9. SIGNATURES

President

Date

Attachments and Linked Pages:

Distribution: Members, Southern West Virginia Community College Foundation, Incorporated
President, Southern West Virginia Community and Technical College
Vice President for Development, Southern West Virginia Community and Technical College
www.southernwv.edu

Revision Notes: New Policy