

## 2.5 CODE OF CONDUCT FOR NRD BOARD OF DIRECTORS

### A. All Board Members Should:

1. Fully participate in District Board meetings and other public forums while demonstrating respect, kindness, consideration, and courtesy to others
2. Prepare in advance of meetings and be familiar with issues on the agenda
3. Represent the District at ceremonial functions at the request of the Chairperson
4. Be respectful of other people's time. Stay focused and act efficiently during public meetings
5. Serve as a model of leadership and civility to the District
6. Inspire public confidence in the District government
7. Leave contact information with the District in case an emergency or an urgent situation arises while the Board member is out of town
8. Demonstrate honesty and integrity in every action and statement
9. Participate in scheduled activities
10. Serve others, not ourselves. Be independent, impartial and fair in our judgment and actions. We should serve with dignity and respect, as well as be an agent of the democratic process.
11. Keep confidential information confidential and not inappropriately divulge what they know. Board members shall neither disclose confidential information without proper legal authorization, nor use such information for private interests, financial gain, or any other personal purposes.
12. Respect the long established, successfully proven method of presenting information to this body for making decisions. It is a Board member's responsibility to perform duties in accordance with the processes, rules of order established by this Board and of course, state law.
13. Represent many points of view in the District and provide the Board with advice based on a full spectrum of concerns and perspectives. Board members must be fair and respectful of all citizens.

### B. Policies & Protocols Related To Conduct

1. **Endorsement of Candidates** - Board members have the right to endorse candidates for all Board seats or other elected offices. It is inappropriate to mention endorsements during Board meetings or other official District meetings or functions.
2. **Keep political support away from public forums** - Board and Commission members may offer political support to a Board member, but not in a public forum while conducting official duties. Conversely, Board members may support Advisory Board members who are running for office, but not in an official forum in their capacity as a Board member.
3. **Public Meeting Hearing Protocol** - The Chairperson will open the public hearing. Staff will make the initial presentation. The applicant or appellant shall have the right to speak first. The Chairperson or hearing officer will determine the length of time allowed for this presentation. Speakers representing pro points of view will be allowed to follow. Speakers representing opposing points of view will then follow. The Chairperson will determine how much time will

be allowed for each speaker, with 3 to 5 minutes the standard time granted. The Chairperson will then ask the Board if any issues need clarification before the public hearing is closed. The Chairperson has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly. Board members will not express opinions during the public hearing portion of the meeting except to ask pertinent questions of the speaker or staff. "I think" and "I feel" comments by Board members are not appropriate until after the close of the public hearing. Board members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

**4. Travel Expenses** - The purpose of this regulation is to establish the policies and procedures for Board members who travel on official District business either in-state or out-of-state. Such travel shall include attendance at conferences, seminars, and training sessions on behalf of the District. The District shall pay reasonable expenses for registration fees, lodging, meals, transportation, and all allowable miscellaneous expenses for the Board member only. All travel expenses will be handled in the same manner and consistent with the provisions within the District's Employee Handbook.

### C. Board Conduct Towards Other Directors

**1. Practice civility, professionalism and decorum in discussions and debate** - Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Board members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated. Board members should conduct themselves in a professional manner at all times, including dress.

**2. Honor the role of the Chairperson in maintaining order** - It is the responsibility of the Chairperson to keep the comments of Board members on track during public meetings. Board members should honor efforts by the Chairperson to focus discussion on current agenda items. If there is disagreement about the agenda or the Chairperson's actions, those objections should be voiced politely and with reason, following procedures outlined in parliamentary procedure.

**3. Demonstrate effective problem-solving approaches** - Board members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the District as a whole.

**4. Be punctual and keep comments relative to topics discussed** - Board members have made a commitment to attend meetings and partake in discussions. Therefore, it is important that Board members be punctual and that meetings start on time. It is equally important that discussions on issues be relative to the topic at hand to allow adequate time to fully discussed scheduled issues.

**5. Provide advance notice of initiatives.** In the absence of an emergency, a Board member should not request discussion or action on a subject or initiative that is not noted on the Board's or a subcommittee's agenda, or that involves information that has not been submitted in writing to the District's Administrative Coordinator in time to be disseminated in the usual manner to the other

members of the Board in advance of the meeting.

**D. Board Conduct Towards District Staff**

1. **Governance** - Governance of the District relies on the cooperative efforts of elected officials, who set policy, and on District staff, who implement and administer the Board's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the District.
2. **Treat all staff as professionals** - Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Poor behavior towards staff is not acceptable.
3. **Limit contact to specific District staff** - Questions of District staff and/or requests for additional background information should be directed to the General Manager. The General Manager should be copied on or informed of any request. Requests for follow-up or directions to staff should be made only through the General Manager or the District legal counsel when appropriate. When in doubt about what staff contact is appropriate, Board members should ask the General Manger for direction. Materials supplied to a Board member in response to a request will be made available to all members of the Board so that all have equal access to information.
4. **Do not disrupt District staff from their jobs** - Board members should not disrupt District staff while they are in meetings, on the phone, or engrossed in performing their job functions, in order to have their individual needs met.
5. **Never publicly criticize an individual employee** - Board members should never express concerns about the performance of a District employee in public, to the employee directly, or to the employee's manager. Comments about staff performance should only be made to the General Manager through private correspondence or conversation.
6. **Do not get involved in administrative functions** - Board members must not attempt to influence District staff on the making of appointments, awarding of contracts, selecting of consultants, or other administrative functions.
7. **Do not attend meetings with District staff unless requested by staff.** - Even if the Board member does not say anything, the Board member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.
8. **Limit requests for staff support** - Mail addressed to the District is reviewed by the General Manager who notes suggested action and/or follow-up items. Requests for additional staff support – even in high priority or emergency situations -- should be made to the General Manager who is responsible for allocating District resources in order to maintain a professional, well-run District government.
9. **Do not solicit political support from staff** – Board members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from District staff. District staff may, as private citizens with constitutional rights, support political candidates but all such activities must be done away from the workplace.

**E. Board Conduct Towards the Public in District Meetings**

1. **Be welcoming to speakers and treat them with care and gentleness**  
Speaking in front of the Board can be a difficult experience for some people.

Some issues the Board undertakes may affect people's daily lives and homes. Some decisions are emotional. The way that the Board treats people during public hearings can do a lot to make them relax or to push their emotions to a higher level of intensity. Making the public feel welcome is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual Board members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

**2. Be fair and equitable in allocating public hearing time to individual speakers** - The Chairperson will determine and announce limits on speakers at the start of the public hearing process. Generally, each speaker will be allocated three-minutes with applicants and appellants or their designated representatives allowed more time. If many speakers are anticipated, the Chairperson may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers. No speaker will be turned away unless he or she exhibits inappropriate behavior. Each speaker may only speak once during the public hearing unless the Board requests additional clarification later in the process. After the close of the public hearing, no more public testimony will be accepted unless the Chairperson re-opens the public hearing for a limited and specific purpose.

**3. Be attentive to speakers** - It is disconcerting to speakers to have Board members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

**4. Ask for clarification, but avoid debate and argument with the public** - Only the Chairperson -- not individual Board members -- can interrupt a speaker during a presentation. However, a Board member can ask the Chairperson for a point of order if the speaker is off the topic or exhibiting behavior or language the Board member finds disturbing. If speakers become flustered or defensive by Board questions, it is the responsibility of the Chairperson to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Board members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Board members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

**5. No personal attacks of any kind, under any circumstance** - Board members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

#### **F. Board Conduct Towards the Public in Unofficial settings**

**Make no promises on behalf of the Board** - Board members will frequently be asked to explain a Board action or to give their opinion about an issue as they meet and talk with constituents in the District. It is appropriate to give a brief overview of District policy and to refer to District staff for further information. It is inappropriate to overtly or implicitly promise Board action, or to promise District staff will do something specific.

## **G. Board Conduct Towards Other Public Bodies**

**1. Be clear about representing the District or personal interests** - If a Board member appears before another governmental body or organization to give a statement on an issue, the Board member must clearly state:

a. If his or her statement reflects personal opinion or is the official stance of the District;

b. Whether this is the majority or minority opinion of the Board. Even if the Board member is representing his or her own personal opinions, remember that this still may reflect upon the District as an organization.

c. If the Board member is representing the District, the Board member must support and advocate the official District position on an issue, not a personal viewpoint.

d. If the Board member is representing another organization whose position is different from the District, the Board member should withdraw from voting on the issue if it significantly impacts or is detrimental to the District's interest. Board members should be clear about which organizations they represent and inform the Chairperson and Board of their involvement.

e. Any public comments by a Board member at an Advisory Board meeting should be clearly made as individual opinion and not a representation of the feelings of the entire District Board. Also, a Board member's presence may affect the conduct of the Advisory Board and limit its role and function.

**2. Correspondence also should be equally clear about representation** - District letterhead may be used when the Board member is representing the District and the District's official position. A copy of official correspondence should be given to the District's Administrative Coordinator to be filed as part of the permanent public record. District letterhead should not be used for correspondence of Board members representing a personal point of view, or a dissenting point of view from an official Board position.

**H. Board Conduct Towards Advisory Boards** - The District has established several Advisory Boards as a means of gathering more District input. Citizens who serve on Advisory Boards become more involved in government and serve as advisors to the District Board. They are a valuable resource to the District's leadership and should be treated with appreciation and respect.

## **I. Board Conduct Towards The Media**

**1. Board members may contact or be contacted by the media.** The Chairperson and the General Manager are the official spokespersons for the District. The Chairperson is the designated representative of the Board to present the Board's official position. If an individual Board member is contacted by the media, the Board member should be clear about whether his or her comments represent the official District position or a personal viewpoint.

**2. Choose words carefully** - Comments taken out of context can cause problems. Be especially cautious about humor, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

## 2.6 HANDLING INAPPROPRIATE BEHAVIOR

**A. Public Disruption** - Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Board room.

**B. Inappropriate Staff Behavior** - Board members should refer to the General Manager any District staff who do not follow proper conduct in their dealings with Board members, other District staff, or the public. These employees may be disciplined in accordance with standard District procedures for such actions.

**C. Board Members' Behavior and Conduct** - District Board members who intentionally and repeatedly do not follow proper conduct may be formally censured by the Board.

1. Serious infractions of the Code of Conduct could lead to other sanctions as deemed appropriate by Board.
2. Board members should point out to the offending Board member infractions of the Code of Conduct.
3. If the offenses continue, then the matter should be referred to the Chairperson in private.
4. If the Chairperson is the individual whose actions are being challenged, then the matter should be referred to the Vice-Chairperson.
5. It is the responsibility of the Chairperson to initiate action if a Board member's behavior may warrant sanction.
6. If no action is taken by the Chairperson, the alleged violation(s) can be brought up with the full Board in a public meeting.
7. If violation of the Code of Conduct is outside of the observed behaviors by the Chairperson or Board members, the alleged violation should be referred to the Chairperson.
8. The Chairperson should ask the General Manager and/or the District Legal counsel to investigate the allegation and report the findings to the Chairperson.
9. It is the Chairperson's responsibility to take the next appropriate action. These actions can include, but are not limited to: discussing and counseling the individual on the violations; recommending sanctions to the full Board to consider in a public meeting; or forming a Board ad hoc subcommittee to review the allegation, the investigation and its findings, as well as to recommend sanction options for Board consideration.