

Chapter 3 – General Institution

AP 3050 Institutional Code of Ethics (NEW)

Reporting a Timely Incident

The College strongly encourages individuals who believe that members of the campus community are not adhering to BP 3050, Institutional Code of Ethics, to report incidents timely. All supervisors and managers are expected to address incidents that infringe upon ~~the Mt. SAC's~~ [the College's](#) Institutional Code of Ethics.

Institutional Code of Ethics ~~violations~~ incidents may be reported using the College's anonymous reporting mechanism, The Network. The Network is operated by an outside agency; incident reports may be made via toll-free telephone number (866) 367-7970 or web site <https://www.reportlineweb.com/mtsac>. Reports of fiscal waste, fraud, or other forms of fiscal abuse will be sent to the Chief Compliance Budget Officer, or designee. Reports of other forms of unethical or unwelcome conduct will be sent to the Vice President of Human Resources, or designee. Employees may also report incidents to their immediate supervisor or administrator and/or Human Resources.

Communicating that the Conduct is Unwelcome

The College further encourages ~~individuals~~ the reporting party to inform the ~~offending person(s)~~ responding party when their conduct is abusive or behavior lacks fairness, honesty, dignity, respect, and/or fails to meet the expectations for ethical behavior and the responsibilities identified in ~~Mt. SAC's~~ [the College's](#) Institutional Code of Ethics.

Oversight of Incident Procedure

The immediate supervisor or administrator, with assistance from Human Resources as needed, is the "responsible College officer" charged with receiving, reviewing, evaluating and processing incidents that encroach upon the Institutional Code of Ethics ~~violations~~.

~~Intake and Processing of the Incident~~ Informal Resolution of Incidents

Upon receiving notification of a reported incident ~~Institutional Code of Ethics violation~~, the immediate supervisor or administrator, with assistance from Human Resources, as needed, ~~shall~~ is expected to:

Undertake efforts to uniformly resolve the ~~charges~~ incident informally, including but not limited to mediation, rearrangement of work/academic schedules, obtaining apologies, providing informal counseling and/or training, or other informal action that brings resolution to the reported incident ~~etc.~~

Discipline and Corrective Action Formal Resolutions of Incidents

If informal resolution of the incident is not appropriate or the incident cannot be resolved informally, the immediate supervisor may formally review the incident and take appropriate action. Appropriate action by the immediate supervisor will include the following:

- Inform Human Resources that Informal Resolution was not successful, or was not appropriate given the circumstances of the incident.
- a. Request a written account of the incident from the reporting party. In the event that the reporting party will not or cannot provide a written account of the incident, the immediate supervisor will continue to pursue resolution without undue delay.
- b. Review the reporting party's written account of the incident and meet with other relevant involved parties, as needed.
- c. Analyze the incident as it relates to applicable board policies and recommend a course of action to the appropriate Vice President, or designee, with the assistance of Human Resources, as needed.
- d. Provide the reporting party with notification of the resolution of the reported incident.

The College may take reasonable steps to protect the reporting party and other participants from retaliation as a result of communicating the reported incident and/or assisting with a review of the reported incident. The immediate supervisor will also take reasonable steps to ensure the confidentiality of the reported incident and to protect the privacy of all parties to the extent possible without impeding the College's ability to review and respond effectively to an incident.

Courses of action may be remedial or disciplinary in nature. Remedial action may include, but is not limited to: referral to counseling, revision of department procedures, or additional training and education. Disciplinary action may include, but is not limited to: demotion, suspension, or termination.

If an individual does not adhere to the Institutional Code of Ethics, the College may take disciplinary action against the responding party and/or take any other remedial action it determines to be appropriate. The action will be timely, effective, and commensurate with the severity of the circumstances. If discipline for is imposed, the nature of the discipline will not be communicated to the reporting party unless otherwise directed to by another College policy, state or federal law. The reporting party will be notified when the reported incident has been addressed and that the reporting party may report new incidents that occur.

Disciplinary action against faculty, staff and students will conform to all relevant statutes, regulations, Board policies and administrative procedures, including the provisions of any applicable collective bargaining agreement.

If informal resolution of the incident is not appropriate or the incident cannot be resolved informally,

~~the immediate supervisor may formally review the incident and take appropriate action. The College shall~~may also take reasonable steps to protect the reporting party and witnesses~~other participants from retaliation as a result of communicating the reported incident and/or assisting in the investigation~~with a review of the reported incident. ~~The College~~The immediate supervisor shall~~will also take reasonable steps to ensure the confidentiality of the investigation~~of the reported incident and to protect the privacy of all parties to the extent possible without impeding the College's ability to investigate~~review and respond effectively to the complaint~~an incident.

~~If an individual does not adhere to~~violation of the Institutional Code of Ethics occurred,~~the College shall~~may take disciplinary action, up to and including termination,~~against the accused~~the responding party and/or take any other remedial action it determines to be appropriate. ~~The action will be prompt~~timely, effective, and commensurate with the severity of the offense~~circumstances.~~ ~~If discipline for~~is imposed, the nature of the discipline will not be communicated to the reporting party unless otherwise directed to by another College policy, state or federal law. ~~The reporting party will be notified when the reported incident has been addressed and that the reporting party may report new incidents that occur.~~

~~Disciplinary actions against faculty, staff and students will conform to all relevant statutes, regulations, Board policies and administrative procedures, including the provisions of any applicable collective bargaining agreement.~~

~~The College shall also take reasonable steps to protect the reporting party and witnesses from retaliation as a result of communicating the incident and/or assisting in the investigation. The College shall take reasonable steps to ensure the confidentiality of the investigation and to protect the privacy of all parties to the extent possible without impeding the College's ability to investigate and respond effectively to the complaint.~~

Ratified: <INSERT DATE>