

# San Bernardino County CoC Operations and Governance Manual

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In the performance of their duties, ICH Members are expected to carry out the mandate of the CoC to the best of their ability, and to maintain the highest standards of integrity for actions with other Members of the ICH, CoC Representatives, Service Recipients, Service Providers, and members of the public.

## General Conduct

Members of the ICH are expected to conduct themselves with courtesy and respect, without harassment, or physical or verbal abuse.

Unprofessional behavior is prohibited by this policy, 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 ICH, members of the CoC, and members of the public, whether or not they are present or observe the behavior. Examples of such conduct and expressions include, among other actions:

— Profanity;

— Inappropriate physical contact or gestures; and

Throwing objects and/or destruction of property.

Personal relationships should not result in special considerations, including bias or favoritism, that influence the performance of their official duties in a manner contrary to the interest of the broader CoC.

ICH Members are expected to exercise adequate control and supervision over matters for which they are individually responsible.

This code of conduct also prohibits retaliation against any person who makes a complaint about an ICH Member's professional behavior.

## Stewardship of Resources

ICH Members must assure that the resources entrusted to them are used for conducting official business only.

Members of the ICH must abide by the Conflict of Interest Policies established for CoC operations.

## Protection of Confidential Information

In line with the rules and guidelines of the CoC, Members of the Partnership have a responsibility to protect the security of any confidential information provided to, or generated by, the activities of the CoC.

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public in accord with the Ralph M. Brown Act [CA Government Code, section 54950, et seq.] and the California Public Records Act [CA Government Code, section 6250, et seq.]. Meetings of the ICH are open to members of the public wishing to observe in accordance with the Brown Act. The public may address the ICH at its regular meetings concerning any matter within its purview during the time set aside for public comment. If a Visitor to an ICH meeting is verbally or physically disruptive to the proceedings, they may be asked to leave.

## **Ability to Conduct Business with Government Funds – Debarment or Suspension by Public Funding Sources**

Members of the ICH must be eligible to transact business with federal and local government. At the time of nomination, potential Members of the Council must not be individuals or agencies that are barred from, or suspended from transacting business with federal, state, or local government.

## **Conflict of Interest and Recusal Policy Regarding Federal Funds**

Although it is not established as a legal entity, the ICH membership will conduct decision-making in accordance with 24 CFR ~~parts 84 or 85~~ part 200 for non-profit organizations and state, local, and government agencies that receive federal funds. The Conflict of Interest Policy for the CoC Board must also meet the conditions set forth in the Interim Rule, as defined under 24 CFR §578.95(b) section 578.95(b). In summary, these conflict of interest considerations apply to:

- Procurement: For the procurement of property (goods, supplies, or equipment) and services, the recipient and its sub-recipients must comply with the codes of conduct and conflict of interest requirements under 24 CFR 85.36 (for governments) and 24 CFR 84.42 (for private nonprofit organizations).
- Funding Decisions: No ICH member may participate in or influence discussions or resulting decisions concerning the award of a grant or other financial benefits to the organization that the member represents.
- Organizational Conflict: An organizational conflict of interest arises when, because of activities or relationships with other persons or organizations, the recipient or sub-recipient is unable or potentially unable to render impartial assistance in the provision of any type or amount of assistance, or when a covered person's, as described in the next section, objectivity in performing work with respect to any activity assisted under this part is or might be otherwise impaired. Such an organizational conflict would arise when a board member of an applicant participates in decision of the ICH concerning the endorsement of or award of a grant, or provision of other financial benefits, to the organization that such member represents. It would also arise when and if an employee of a recipient or sub-recipient participates in making rent reasonableness determinations under §578.49(b)(2) and §578.51(g) and housing quality inspections of property under §578.75(b) that the recipient, sub-recipient, or related entity owns.

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- 2) ICH Members shall not participate in the selection, award, or evaluation of a contract supported by CoC funds if a real conflict of interest exists. A conflict would arise when the employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ, or employed during the prior 6 months, has a financial or other interest in the organization under consideration for an award, or evaluation.
- 3) ICH Members shall not solicit monetary value from CoC-funded recipients, sub-recipients, contractors, or vendors.
- 4) ICH Members will not accept gratuities from CoC-funded recipients, sub-recipients, contractors, or vendors except for unsolicited gifts of nominal value as provided in item 5 below.
- 5) It is determined that a conflict of interest does not exist when the value of the gift is an unsolicited item of nominal value (less than \$15) and such gifts are not repeated more than twice annually. The ICH Member must maintain a record of gifts received, including source, date, value, and type of gift.

## Recusal Policy

ICH Members and persons acting on behalf of the Partnership must remove themselves from the decision-making or evaluation process when a personal or organizational conflict exists based on the conflict of interest guidelines enumerated herein or the guidelines of their own employing agency's Code of Conduct (if stricter than those adopted here). ICH Members must recuse themselves during the decision-making or evaluation process, and may not participate in absentia through electronic or other means.

## Obligation to Declare Potential Conflict of Interest

To avoid apparent conflicts of interest, ICH Members and Partnership members shall declare any real or potential conflicts of interest or the appearance of such conflicts. The person must disclose this information before participating in the discussion and decision-making or evaluation process, including appointment to any sub-committee having influence over such decisions. This policy applies to both personal and organizational conflicts. Members of the public participating in Partnership committees shall also be screened for potential conflicts.

## E. Grievance Procedure

Members of the ICH, members of the CoC, and members of the public have the right to file a complaint or grievance if they believe a Member of the ICH has violated the above mentioned ICH Governance Charter Code of Conduct or Conflict of Interest Policy.

### Informal Grievance Procedure

If a Member of the ICH, member of the CoC, or member of the public has a complaint or grievance regarding the conduct or conflict of interest of a Member of the ICH, the complaint or grievance should first be