

Southwestern Oregon Community College

BP 2014 Right to Censure

Purpose:

To establish the censure process and procedure.

Statement:

The Board of Education encourages free speech and the open sharing of opinions. Within that process, it is incumbent that each member of the Board complies with section 2000 of their policies which includes abiding by all state and federal laws that pertain to the College, abiding by public meeting laws, and being supportive of the College at all times. Appropriate public decorum and behavior, when representing the College, are necessary for the success of the institution.

Should a violation of policy be brought to the attention of any board member, it must be reported to the Board Chair who will meet with the President, or designee, to determine the seriousness of the reported infringement.

The Board of Education retains the right to censure a member of the Board found to violate policy. Each board member must understand that our success as leaders rely on open and frank discussions with one another to resolve issues before they reach this crucial stage.

Censure is an official condemnation, reprimand, or criticism leveled at a board member or public official by his/her peers. Censure does not remove a board member from office or technically impede his/her ability to serve. However, it can be an important means of distancing a board from counterproductive behavior, since silence in some cases might be interpreted as a tacit endorsement or conspiracy.

Before an official public censure takes place, the Board Chair and the President shall meet with the board member(s) that the censure would affect. This meeting would be private and confidential. Should the board member(s) being interviewed agree to alter the behavior(s) in question; no further action needs to take place.

How to Censure:

1. Identify and spell out in writing the specific charges related to the censure.

Charges should be specific and include dates, names of witnesses, and as much detail as possible. Any e-mails or letters related to the issue should be attached as addendum and evidence. Davis-Sterling Mediation Services lists the following typical reasons as grounds for censure: "Personal attacks against fellow directors, disruption of meetings, breach of confidences, interference with association operations, breach of fiduciary duties, improper behavior toward association vendors or employees, undisclosed conflicts of interest."

2. Draft a resolution.

A resolution may begin with the word "Whereas" followed by a description of the concerns held by the member(s) presenting the resolution. It should describe the violations to provide the basis for the charge. Following this will be a section beginning with the words, "Therefore, be it resolved that ..." followed by a statement that the rogue member is hereby being censured and describing any other action to be taken.

3. Vote on the resolution.

Board members must have the resolution read aloud at a meeting called by the governing documents of the organization. Following the reading, the floor is to be opened for comments. Next, the Board votes on the censure resolution. The votes of individual Board members and the overall results must be recorded in the official meeting minutes.

Adopted: 03/27/2023