



Board of Director Policies

Adopted December 20, 2017

Ethics Statement

We, as NAMI Kern County Chapter professionals (Board members and Staff), dedicate ourselves to carrying out the mission of this organization. We will do the following:

- Recognize that the chief function of NAMI Kern County Chapter at all times is to serve the best interests of our diverse constituency.
- Accept as a personal duty the responsibility to keep up to date on emerging issues and to conduct ourselves with professional competence, fairness, impartiality, efficiency, and effectiveness.
- Respect the structure and responsibilities of the board. Staff and board members will provide the board with facts and advice as a basis for board policy decision making, and uphold and implement policies adopted by the board.
- Keep the NAMI Kern County Chapter community informed about issues affecting it.
- Conduct our organizational and operational duties with positive leadership exemplified by open communication, creativity, dedication, and compassion.
- Exercise whatever discretionary authority we have under the law to carry out the Mission of the organization.
- Serve with respect, concern, courtesy, and responsiveness in carrying out the organization's mission.
- Demonstrate the highest standards of personal integrity, truthfulness, honesty, and fortitude in all our activities in order to inspire confidence and trust in our activities.
- Avoid any interest or activity that is in conflict with the conduct of our official duties.
- Respect and protect privileged information to which we have access in the course of our official duties.
- Strive for personal and professional excellence and encourage the professional developments of others.

Ethics Policy

NAMI Kern County Chapter believes strongly that its Board Members and staff must uphold the highest standards of ethical, professional behavior.

To hold paramount the safety, health, and welfare of the public in the performance of professional duties.

To act in such a manner as to uphold and enhance personal and professional honor, integrity, and dignity.

To treat with respect and consideration all persons, regardless of race, religion, gender, abilities or disabilities, age, sexual orientation, or national origin.

To engage in carrying out NAMI Kern County Chapter's mission in a professional manner.

To collaborate with and support other professionals in carrying out NAMI Kern County Chapter's mission.

To build professional reputations on the merit of services and refrain from competing unfairly with others.

Code of Ethics for the Board

The following code of ethics was adopted by the Board and sets forth the standards the Board expects from its members.

To become familiar with and committed to the major responsibilities of a governing board:

- Setting mission and purposes
- Appointing the chief executive
- Supporting the chief executive
- Monitoring the chief executive's performance
- Assessing Board performance
- Insisting on strategic planning
- Reviewing educational and public-service programs
- Ensuring adequate resources
- Ensuring good management
- Preserving institutional independence
- Relating to the community

To support NAMI Kern County Chapter's fundraising efforts through personal giving in accordance with one's means (to both annual funds and capital drives), and to be willing to share in the solicitation of others.

To devote time to learn how NAMI Kern County Chapter functions—its uniqueness, strengths, and needs, its reputation and standing.

To carefully prepare for, regularly attend, and actively participate in board meetings and committee assignments.

To accept and abide by the legal and fiscal responsibilities of the board as specified by institutional charter, bylaws, and state statutes and regulations.

To vote according to one's individual conviction, to challenge the judgment of others when necessary, yet to be willing to support the decision of the board and work with fellow board members in a spirit of cooperation.

To recognize that the Board President alone speaks for the board.

To maintain the confidential nature of board deliberations and to avoid acting as spokesperson for the entire board unless specifically authorized to do so.

To understand the role of the Board as a policy-making body and to avoid interference in administrative functions.

To learn and consistently to use designated institutional channels when conducting board business (e.g., responding to staff and volunteer grievances, responding to inquiries concerning the status of a chief executive search, etc.)

To comply with conflict-of-interest policy and disclosure developed by the board.

To refrain from actions and involvement that might prove embarrassing to the institution and to resign if such actions or involvement develop.

To make judgments always on the basis of what is best for the organization as a whole.

No Board Members may represent themselves as speaking on behalf of NAMI Kern County Chapter to any group or organization without the President's authorization. When a Board Member speaks on behalf of NAMI Kern County Chapter, any honoraria shall be paid to NAMI Kern County Chapter.

Confidentiality Statement

Confidentiality is a hallmark of professionalism. NAMI Kern County Chapter employees and board members shall:

1. Ensure that no information that is confidential or privileged, or that is not publicly available is disclosed inappropriately.
2. Ensure that all nonpublic information about other persons or firms acquired by NAMI Kern County Chapter personnel in dealing with outside firms on behalf of NAMI Kern County is treated as confidential and not disclosed.

Confidentiality Policy

It is the policy of NAMI Kern County Chapter that Board Members and employees of NAMI Kern County Chapter may not disclose, divulge, or make accessible confidential information belonging to, or obtained through their affiliation with NAMI Kern County Chapter to any person, including relatives, friends and business and professional associates, other than to persons who have a legitimate need for such information and to whom NAMI Kern County Chapter has authorized disclosure. Board Members and employees shall use confidential information solely for the purpose of performing services as a board member or employee for NAMI Kern County Chapter. This policy is not intended to prevent disclosure where disclosure is required by law. Board Members and employees must exercise good judgment and care at all times to avoid unauthorized or improper disclosures of confidential information. Conversations in public places, such as restaurants, elevators, and airplanes, should be limited to matters that do not pertain to information of a sensitive or confidential nature. When using multi-media, social networking websites, blogs and wikis (Facebook, Twitter, YouTube, Instagram, etc.), internet postings should not disclose any information that is confidential or proprietary to the organization or to any third party that has disclosed information to the organization. In addition, Board Members and employees should be sensitive to the risk of inadvertent disclosure and should for example, refrain from leaving confidential information on desks or otherwise in plain view and refrain from the use of speakerphones to discuss confidential information if the conversation could be heard by unauthorized persons.

At the end of a Board Member's term in office or upon the termination of an employee's employment, he or she shall return, at the request of NAMI Kern County Chapter, all documents, papers, and other materials, regardless of medium, that may contain or be derived from confidential information in his or her possession.

Conflict of Interest Statement

Board Members and employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest **or** the appearance of conflicts of interest. This policy establishes the framework within which NAMI Kern County Chapter wishes its business to operate. The purpose of these guidelines is to provide general direction so that board members can seek further clarification on issues related to the subject of acceptable standards of operation.

An actual or potential conflict of interest occurs when a Board Member is in a position to influence a decision that may result in a personal gain for the board member or for a relative as a result of NAMI Kern County Chapter's business dealings. For the purpose of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the board member is similar to that of persons who are related by blood or marriage.

No presumption of guilt is created by the mere existence of a relationship with outside firms. However, if a board member has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she discloses to an officer of the organization as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

Personal gain may result not only in cases where an employee, Board Member, or relative has a significant ownership in a firm with which NAMI Kern County Chapter does business, but also when an employee, Board Member, or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction of business dealings involving NAMI Kern County Chapter.

The materials, products, designs, plans, ideas, and data of NAMI Kern County Chapter are the property of NAMI Kern County Chapter, and should never be given to an outside firm or individual except through official channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that a board member has personally gained by such action, constitutes unacceptable conduct. Any board member who participates in such a practice shall be subject to disciplinary action by the full board.

Reason for the Statement

NAMI Kern County Chapter, as a nonprofit, tax-exempt organization, depends on charitable contributions from the public. Maintenance of its tax-exempt status is important both for its continued financial stability and for the receipt of contributions and public support. Therefore, the IRS, as well as state corporate and tax officials, view the operations of NAMI Kern County Chapter as a public trust that is subject to scrutiny by and accountability to such governmental authorities as well as to members of the public.

Consequently, there exists between NAMI Kern County Chapter and its Board, Officers, and management employees a fiduciary duty that carries with it a broad and unbending duty of loyalty and fidelity. The Board, Officers, and management employees have the responsibility of administering the affairs of NAMI Kern County Chapter honestly and

prudently, and of exercising their best care, skill, and judgment for the sole benefit of NAMI Kern County Chapter. Those persons shall exercise the utmost good faith in all transactions involved in their duties, and they shall not use their positions with NAMI Kern County Chapter or knowledge gained there from for their personal benefit. The interest of the organization must have the first priority in all decisions and actions.

Persons Concerned

This statement is directed not only to Board Members and officers, but to all employees who can influence the actions of NAMI Kern County Chapter. For example, this would include all who make purchasing decisions, all other persons who might be described as "management personnel," and all who have proprietary information concerning NAMI Kern County Chapter.

Areas in Which Conflict May Arise

Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:

- Persons and firms supplying goods and services to NAMI Kern County Chapter
- Persons and firms from whom NAMI Kern County Chapter leases property and equipment
- Persons and firms with whom NAMI Kern County Chapter is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property
- Competing or affinity organizations
- Donors and others supporting NAMI Kern County Chapter
- Agencies, organizations, and associations that affect the operations of NAMI Kern County Chapter
- Family members, friends, and other employees

Nature of Conflicting Interests

A material conflicting interest may be defined as an interest, direct or indirect, with any persons and firms mentioned in Section above. Such an interest might arise through:

- Owning stock or holding debt or other proprietary interests in any third party dealing with NAMI Kern County Chapter
- Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) in any third party dealing with NAMI Kern County Chapter
- Receiving remuneration for services with respect to individual transactions involving NAMI Kern County Chapter
- Using NAMI Kern County Chapter time, personnel, equipment, supplies, or good will for other than NAMI Kern County Chapter approved activities, programs, and purposes
- Receiving personal gifts or loans from third parties dealing with NAMI Kern County Chapter receipt of any gift is disapproved except gifts of nominal value that could not be refused without discourtesy. No personal gift of money should ever be accepted.

Interpretation of this Statement of Policy

The listed areas of conflicting interest, and the relations in those areas that may give rise to conflict, are not exhaustive. Conceivably, conflicts might arise in other areas or through other relations. It is assumed that the board members, officers, and management employees will recognize such areas and relation and act appropriately.

The fact that one of the interests described above exists does not mean necessarily that a conflict exists. Likewise, if the conflict exists, it does not always mean the conflict is material enough to be of practical importance. It is conceivable that upon full disclosure of all relevant facts and circumstances that the conflict may not necessarily be adverse to the interests of NAMI Kern County Chapter. This underscores the importance of disclosure.

However, it is the policy of the board that the existence of any of the interests described above shall be disclosed before any transaction is entered into. It shall be the continuing responsibility of board, officers, and management employees to scrutinize their transactions and outside business interests and relationships for potential conflicts and to immediately make such disclosures.

Disclosure Policy Procedure

Disclosure should be made according to the NAMI Kern County Chapter standards. Transactions with related parties may be undertaken only if all of the following are observed:

- A material transaction is fully disclosed in the audited financial statements of the organization;
- The related party is excluded from the discussion and approval of such transaction;
- A competitive bid or comparable valuation exists; and
- The organization's board has acted upon and demonstrated that the transaction is in the best interest of the organization.

Disclosure involving directors should be made to the board chair, who shall bring these matters, if material, to the board.

Disclosure in the organization should be made to the chief executive (or if she or he is the one with the conflict, then to the board chair), who shall determine whether a conflict exists and is material, and if the matters are material, bring them to the attention of the board chair.

Board Members will be provided with vendor information on at least an annual basis, and are asked to review their previous disclosures for any needed updating. The board shall determine whether a conflict exists and is material, and in the presence of an existing material conflict, whether the contemplated transaction may be authorized as just, fair, and reasonable to NAMI Kern County Chapter. The decision of the board on the matters will rest in their sole discretion, and their concern must be the welfare of NAMI Kern County Chapter and the advancement of its purpose.

Recusal

Board Members with a potential conflict of interest shall recuse themselves provided that the Board by majority vote may wave such conflict.

(See next page for Disclosure Form)

NAMI Kern County Board of Directors

Conflict-of-Interest Form

Conflicts can arise from many ordinary and appropriate activities; the existence of a conflict does not imply wrong doing on anyone's part. But when conflicts do arise, they must be recognized and disclosed, and then eliminated or appropriately managed. Some relationships may create an appearance of conflict; those too, are important to eliminate or manage so that we may maintain public confidence in the integrity of our activities.

Name:

Last name:

First name:

Middle name:

Home Address:

Street:

City:

State:

ZIP:

Phone Numbers:

E-mail:

Day time:

Evening:

Cell:

AREAS IN WHICH CONFLICT MAY ARISE: Conflicts of interest may arise in the relations of directors, officers, and management employees with any of the following third parties:

- Persons and firms supplying goods and services to NAMI Kern County Chapter
- Persons and firms from whom NAMI Kern County Chapter leases property and equipment
- Persons and firms with whom NAMI Kern County Chapter is dealing or planning to deal in connection with the gift, purchase or sale of real estate, securities, or other property
- Competing or affinity organizations
- Donors and others supporting NAMI Kern County Chapter
- Agencies, organizations, and associations that affect the operations of NAMI Kern County Chapter
- Family members, friends, and other employees

NATURE OF CONFLICTING INTEREST: A material conflicting interest may be defined as an interest, direct or indirect, with any persons and firms mentioned above. Such an interest might arise through

- Owning stock or holding debt or other proprietary interests in any third party dealing with NAMI Kern County Chapter
- Holding office, serving on the board, participating in management, or being otherwise employed (or formerly employed) in any third party dealing with NAMI Kern County Chapter
- Receiving remuneration for services with respect to individual transactions involving NAMI Kern County Chapter

- Using NAMI Kern County Chapter’s time, personnel, equipment, supplies, or good will for other than NAMI Kern County Chapter approved activities, programs, and purposes
- Receiving personal gifts or loans from third parties dealing with NAMI Kern County Chapter receipt of any gift is disapproved except gifts of nominal value that could not be refused without discourtesy. No personal gift of money should ever be accepted.

Under this policy, do you have any potential or perceived conflicts of interest to disclose?

No, I have no potential or perceived conflicts of interest to disclose.

Yes, I have the following potential or perceived conflicts of interest to disclose:

I have read and understand NAMI Kern County Chapter’s conflict-of-interest policy and agree to be bound by it. I will promptly inform the Board president of any material change that develops in the information contained in the foregoing statement.

Signature: _____

Date: _____

Annual Review: Board members are required to review this disclosure and NAMI Kern County’s updated vendor/supporter list prior to each Board meeting and to provide any relevant updates.

Signature: _____ Date: _____ No changes
 Changes noted

Signature: _____ Date: _____ No changes
 Changes noted

Signature: _____ Date: _____ No changes
 Changes

Diversity, Inclusion and Non-Discrimination

NAMI Kern County Chapter shall actively recruit, engage and serve members from every race, culture, ethnicity, age, religion, socio-economic status, sexual orientation, gender, gender identity and disability and shall not discriminate in the requirements for membership, provision of service or support or in its policies or actions.

The NAMI Kern County Chapter Board of Directors will regularly review their own composition and membership demographics compared to those of the community NAMI Kern County Chapter serves using available data, in order to aspire towards reflecting that composition.

In keeping with NAMI's values regarding nondiscrimination and with applicable federal law, NAMI Kern County Chapter shall include in bylaws, operating policies and procedures and other relevant policy documents, explicit statements that require the organization to embrace the broadest possible definition of inclusion and nondiscrimination.

NAMI Kern County Chapter shall collect a baseline of members' voluntarily supplied demographic information. Systems shall be put in place to protect the confidentiality of this information; demographic information will only be reported in the aggregate.

NAMI Kern County Chapter will reach out to and welcome the community at large through our recruitment, marketing, public education, and awareness activities. NAMI Kern County Chapter will strive to support recruitment and retention of a diverse and inclusive membership and leadership. Whenever there is a demand and the interests of members can best be served by support through groups sharing some affinity, including but not limited to lived experience or primary language, NAMI Kern County Chapter shall offer multiple support groups to address those needs.

Compensation Policy

NAMI Kern County Chapter Peer Coordinator

The employment contract between the NAMI Kern County Chapter Board and Peer Coordinator sets out areas in which the Peer Coordinator must report to the Board. In setting the compensation for the Peer Coordinator, the Board will employ non-profit industry best practices and existing compensation surveys in determining appropriate compensation. The Peer Coordinator is accountable and responsible to all Board Members.

NAMI Kern County Chapter Staff Compensation Guidelines

The goal of NAMI Kern County Chapter's compensation program is to attract potential employees, meet the needs of all current employees and encourage well-performing employees to stay with our organization. With this in mind, our compensation is built to balance the employees' and the Affiliate's needs.

It is NAMI Kern County Chapter's desire to pay all employees' wages and salaries that are competitive with other employers in the marketplace in a way that will be motivational, fair, and equitable. Compensation may vary depending upon the performance of the individual and the organization.

Whistleblower Policy

Purpose

This Whistleblower Policy applies to “Covered Persons” who consist of NAMI Kern County Chapter directors, employees, and persons seeking employment, volunteers, agents, persons doing business with NAMI Kern County Chapter and persons seeking to do business with NAMI Kern County Chapter. Covered Persons are expected to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. Covered Persons are also expected to practice honesty and integrity in fulfilling their responsibilities and comply with all applicable laws and regulations. This Whistleblower Policy establishes protections for Covered Persons who make good faith complaints about Covered Conduct, as defined in these Policies and Procedures, from retaliation, harassment, or adverse employment consequences as a result of making such complaints. This Whistleblower Policy also encourages and enables Covered Persons to raise serious concerns with the Board prior to seeking resolution outside NAMI Kern County Chapter. This Whistleblower Policy shall not prevent the executive leadership of NAMI Kern County Chapter from promulgating personnel policies or other administrative policies for employees, persons seeking employment, volunteers, agents, those doing business with NAMI Kern County Chapter and those seeking to do business with NAMI Kern County Chapter that are more extensive than this policy.

Conduct to Be Reported Under the Policy

For purposes of this Whistleblower Policy, “Covered Conduct” means (a) questionable or improper accounting or auditing practices or actions and circumvention of or attempts to circumvent internal accounting or auditing controls, (b) breach of the duties of integrity, loyalty and confidentiality, and (c) violation and suspected violation of applicable law.

Reporting Responsibility and Procedure

Reports made to any Director regarding Covered Conduct will be reported by the Director in writing to the Board President or, in the event the complaint contains allegations about conduct of the Board President, to the Board Vice President. All reports will be promptly investigated and appropriate corrective action will be taken as warranted by the investigation. Within two weeks of the Board President’s or Board Vice President’s receipt of the complaint, the complainant will be sent confirmation that the complaint has been received and an investigation is underway. The complainant will receive a written notification of the completion of the investigation and confirmation that, if warranted, appropriate corrective action has been taken.

No Retaliation

Harassment, retaliation or adverse employment consequence against any Covered Person who in good faith makes a complaint under this policy is strictly prohibited. The Board will take appropriate steps to stop any such harassment, retaliation or adverse employment consequence. An employee who engages in such retaliation is subject to discipline up to and including

termination of employment. Complaints regarding retaliation will be handled in the same manner set forth in the preceding section concerning complaints about Covered Conduct.

Acting in Good Faith

For purposes of this Whistleblower Policy, “good faith” means reasonable grounds for believing the information disclosed in the complaint supports a finding that Covered Conduct has occurred. Any good faith complaint is fully protected by this policy, even if the complaint is, after investigation, not substantiated. Any employee who makes a complaint that he or she knows to be false, or to be made with reckless disregard for the truth or falsity of the complaint, will be subject to disciplinary action up to and including termination.

Confidentiality

Complaints may be submitted on a confidential basis by the complainant or may be submitted anonymously. Complaints will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation and Board’s obligation to abide by applicable laws or comply with subpoenas and court orders.

Record Retention Policy

A. GENERAL POLICY STATEMENT

1. The purpose of this policy statement is to allow the NAMI Kern County Chapter to identify, retain, store, and dispose of the organization's records in an appropriate, legally sound, and orderly manner.
2. Except as otherwise indicated, documents shall be retained for the number of years indicated in Part B.
3. Irrespective of the retention periods specified in Part B, upon (i) receiving notice of a lawsuit, government investigation, or other legal action against or involving the organization, or (ii) learning of circumstances likely to give rise to such an action, proceeding or investigation, all documents in any way relating to such matter shall be preserved and safeguarded.
4. No officer, director, employee, agent or member of the organization shall knowingly destroy a document with the intent to obstruct or influence the investigation or proper administration of any matter within the jurisdiction of any government department or agency or in relation to or contemplation of any such matter.
5. Employees are expected to utilize documentation practices as trained and are required to comply with the documentation standards outlined in this policy. Failure to do so could result in disciplinary action, up to and including termination of employment. Employees with questions about this policy should consult with management or seek legal advice.
6. The Organization will maintain accurate and high-quality records electronically or in local, damage-proof storage for the duration of the time periods provided for in this policy. Once any such time period is complete, the records are to be destroyed.
7. Documents maintained solely in electronic format will be scanned and retained in highly organized electronic folders on the organization's network in accordance with this schedule.
8. The organization is to maintain complete, accurate and high-quality records in local, damage-proof storage for the duration of the time periods provided for in this policy, when any such time period is complete, the records are to be destroyed.
9. The organization's Chief Financial Officer shall be responsible for authorizing, overseeing, and ensuring that records are destroyed pursuant to this policy.

B. RECORD RETENTION GUIDELINES

1. General Corporate Records

Type of Record	Retention Period
Articles of Incorporation and amendments thereto	Permanently
Bylaws	Permanently
Meeting Minutes	Permanently
Patents, trademark registrations, copyright registrations	Permanently
Property records (including leases, deeds, easements, rights of way, appraisals, costs, depreciation reserves, blueprints, plans, end-of-year trial balances, tax records)	Permanently
Membership ballots	3 years following the applicable vote
Membership applications	Membership term, plus 1 year
Correspondence relating to member discipline matters	Membership term, plus 5 years
Contracts	3 years

2. Accounting, Finance and Tax Records

Type of Record	Retention Period
Income tax returns and filings	Permanently
Audit reports of accountants	Permanently
Cash books	Permanently
Charts of accounts	Permanently
Federal and state tax bills and statements	3 years
Schedules, ledgers and other supporting documentation for financial statements and tax forms	7 years
Bank reconciliations	3 years
Checking records, including account statements, check register	3 years
Social security tax records	7 years
Accounts Receivable and payable	7 years
End-of-year financial statements	Permanently
Budget data	3 years
Banking records, including deposit and withdrawal records, bank statements	7 years
Expense accounts, approvals, petty cash records	3 years
Invoices to members, customers and vendors	7 years

3. Personnel Records and Payroll Documents

Type of Record	Retention Period
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Resumes/applications and related employment materials, including background checks, letters of reference and related documents: For applicants not hired For employees	2 years Employment term, plus 4 years
I-9 Forms Active employees Terminated employees	Employment term Employment term, plus the later of 3 years from date of hire or 1 year following termination of employment.
Compensation, job history and timekeeping records	Employment term, plus 4 years
FMLA/USERRA and related leave records	Employment term, plus 4 years
Performance appraisal/disciplinary action records	Employment term, plus 4 years
Benefit records	Employment term, plus 6 years
Records related to disputed issues involving external agencies or parties, wage charge or suit hour investigation by DOL, EEOC charge, arbitrations, court actions, etc	Employment term, plus 4 years
Records of accommodation to any disabled employee requesting such accommodation	Employment term, plus 4 years
Records of any sexual harassment complaints and the investigations and actions taken in response	Employment term, plus 4 years
OSHA & employee safety records	Employment term, plus 5 years
Workers Compensation claims	30 years after date of injury/illness

4. Insurance

Type of Record	Retention Period
Insurance records	Permanently
Accident reports	7 years
Appraisals	7 years
Worker compensation claims	7 years
Unemployment insurance	7 years