

METROPOLITAN WASHINGTON REGIONAL HIV HEALTH SERVICES PLANNING COUNCIL

CODE OF CONDUCT POLICY & PROCEDURES

(Adopted by Planning Council 12-18-08)

NOTE: *This Code of Conduct formulated and adopted by for the DC EMA is consistent with the “best practices” of Planning Councils serving EMA’s and TGA’s across the United States. Further, it is compliant with guidelines of the Ryan White Treatment Modernization Act of 2006 and the most recent HRSA guidance. The Code is comprised of **two sections: (1)** one for **members of the Planning Council, its committees, subcommittees or task forces**; and **(2)** one for **members of the public** who attend Planning Council, committee, subcommittee or task force meetings as well as any other public events presented or supported by the Planning Council. Copies of this Code of Conduct are available to all meeting guests who, by their presence and participation, agree to respect and adhere to the terms of set forth herein.*

Purpose and Scope

This Code of Conduct describes the behavior expected of all Planning Council members and other official meeting participants at all meetings and activities associated with the work of the Planning Council.

The Code of Conduct is designed to ensure appropriate behavior at Planning Council and committee meetings as well as other events conducted by the Planning Council. Provisions of the Code of Conduct are designed to ensure that the Council can be productive, open to community input, and respectful of its members and visitors. The Code helps to create a positive environment, and to protect all members and public participants from inappropriate and disruptive behavior.

Applicability

The Code of Conduct applies to Planning Council members and to non-members who serve on standing committees, subcommittees, or task forces.

Approval and Implementation

The Planning Council establishes, approves and secures member acceptance of the Code of Conduct.

1. The Code of Conduct is presented and reviewed at each New Member Orientation, at the Planning Council Annual Retreat, and at the Planning Council’s Annual Meeting.
2. Planning Council members sworn and serving at the time of adoption of this Code of Conduct must sign and submit the Code of Conduct Affirmation and Pledge Form during the full Planning Council meeting in January 2009. If absent, a member must sign the form and submit it to the Planning Council Coordinator at HAA prior to March 1, 2009.
3. Non-Planning Council members of Standing Committees must sign and submit the Code of Conduct Affirmation and Pledge Form prior to March 1, 2009 or upon joining a committee if the latter occurs after March 1, 2009. Non-Planning Council committee members are to submit their completed forms to the Standing Committee Chair who will forward them to the Planning Council Coordinator at HAA.
4. The Planning Council Coordinator at HAA will ensure proper distribution of each form from a Planning Council member to (1) the Office of Boards and Commissions in the Executive Office of the Mayor of the District of Columbia, CEO of the EMA; (2) the Planning Council Logistics Contractor; (3) Planning Council Chair and Community Co-Chair; (4) the Chair of each Standing

Committee; (5) the Administrative Agent for the member's applicable jurisdiction. In each instance, copies of the member's declaration(s) are to be retained in the member's file. Copies of forms for Non-Planning Council members of Standing Committees, Subcommittees or Task Forces are to be forwarded only to the Planning Council Logistics Coordinator with the original retained by the Coordinator at HAA.

Expected Conduct by Planning Council and committee members at all Council Events

Code of Conduct during Meetings

Planning Council, committee, subcommittee and Task Force members are expected to follow these rules of conduct in all meetings and other Planning Council-related events:

1. Conduct themselves in a professional and courteous manner at all times.
2. Follow the laws and regulations governing Washington, DC Boards and Commissions, the agencies and jurisdictions in which they serve, and the Planning Council's Bylaws, Policies, and Procedures.
3. Follow the Council's Conflict of Interest Policies and Procedures, assist the chair of the meeting in ensuring that they are consistently followed, and conduct themselves in a manner that prevents perceived as well as actual conflicts of interest.
4. Address others with respect – as intelligent people with a right to be a part of discussions and decision making – so that everyone has the opportunity to speak and to be listened to, without interruption.
5. Follow any additional procedures for discussion that may be set by the meeting Chair, such as limiting the length of individual presentations and setting reasonable time limits on debate. The Council's Community Co-Chair will be responsible for helping to ensure that the Code of Conduct is followed during Planning Council and Executive Committee meetings. The Chair or Co-Chair of a committee will play this role in committee meetings.
6. Recognize the authority and follow the direction of the meeting Chair. Do not disrupt a meeting or encourage or assist members of the public to do so.
7. Cooperate with the agreed-upon decision-making process – whether majority rule, some form of super majority (e.g., two-thirds vote) if specified in the Bylaws, or consensus, etc. Unless otherwise determined, decision making will be done using *Robert's Rules of Order*.
8. State disagreements about issues without engaging in personal attacks.
9. Follow and support decisions made by the body, regardless of their personal position.
10. Serve as both an advocate and a planner, recognizing a responsibility to both present the concerns of specific communities or population groups, and make decisions that are data-based and reflect the overall needs of people living with HIV disease in the EMA.
11. Follow the Council's Confidentiality Policy, as stated in the Confidentiality Pledge signed by each member. This means not disclosing personal information about any Planning Council or committee or subcommittee member – such as the HIV status of anyone who is not publicly disclosed, or medical or personal/personnel information that would constitute an invasion of privacy – that was obtained through their Planning Council relationships and activities

12. Act on behalf of all PLWH in the EMA, not to benefit the member or any funded entity.
13. Refrain from asking questions, requesting information, or making comments about the performance or funding of individual Part A provider agencies. Dealing with specific providers involves procurement and contract management and is the responsibility of the grantee. Members may, however, request information about performance and expenditures related to a service category, regardless of the number of providers in that category.
14. If they feel they cannot support the mission, goals, strategies, programs, and/or leadership of the Council and committees as agreed upon by the members, resign or decline involvement in the affected matter.
15. Take responsibility not only for following by the Code of Conduct personally, but also for speaking out to ensure that all participants follow it.

Representation/Communications

Except as stated otherwise in the Bylaws, the only authorized official representatives of the Planning Council are the Chair and the Community Co-Chair.

1. The Chair and/or the Community Co-Chair may represent the Planning Council in public. This includes representation to the press, public, and in any situation where the official input of the Planning Council is needed.
2. Committee Chairs may represent their committee only, and only to other members of the Planning Council, except when authorized by the Planning Council to represent it.
3. Other members shall represent only themselves, unless properly authorized by the Planning Council or a committee to represent the Planning Council or the Committee, respectively.

Sanctions

The following measures may be taken if a Planning Council or committee member fails to comply with the Code of Conduct stipulated above.

1. When a Planning Council or committee member violates this Code of Conduct in a meeting, the meeting Chair is expected to inform him/her that the behavior is unacceptable. Others in attendance are expected to support the Chair in ensuring that everyone follows the Code of Conduct. If inappropriate behavior continues and the Chair feels it will disrupt the process, s/he may ask the individual to leave the meeting. Prior to removing the individual, the Chair of the meeting shall publicly state the reason for removal.
2. If a member of the Planning Council repeatedly violates the Code of Conduct, the Confidentiality Policy or other Council policies during committee meetings, the Committee Chair may request that the Planning Council Chair remove this individual as a committee member subject to the approval of the Executive Committee. The member will be suspended from Committee attendance and participation while the request for removal is pending.
3. If a Planning Council member continually violates the Code of Conduct in Planning Council meetings or other events, s/he may be recommended to the Mayor's Office of Boards and Commissions for "removal for cause" as stated in the Bylaws. Such a recommendation requires

a two-thirds vote of the Council members, meeting in executive session, at any regular or special meeting that is held after provision of no fewer than ten business day's prior notice. If the member is recommended by the Planning Council for removal, s/he will be suspended from participation until action by the Mayor's Office of Boards and Commissions. .

4. If a committee or subcommittee member who is not a Planning Council member repeatedly violates the Code of Conduct, the Planning Council Chair may remove this individual as a committee member with the approval of the Executive Committee.
5. If the individual feels that s/he has been treated unfairly, s/he may express this concern to the Executive Committee, which will attempt to resolve the situation informally. If unable to do so, the Executive Committee will inform the individual of his/her right to pursue his/her complaint using the Planning Council's Grievance Policy and Procedures process that is managed by the Bylaws, Policies, and Procedures Committee.

Expected Conduct by Members of the Public at Planning Council Events

Code of Conduct

The following is expected conduct by members of the public who attend Council or committee meetings or other Planning Council-sponsored events:

1. Members of the public are encouraged to attend and participate in meetings of the Planning Council as well as community events organized or supported by the Planning Council.
2. PWA and PLWH members of the community are strongly encouraged to attend and actively participate in the monthly Jurisdictional (DC, MD, VA and WV) PWA Committee meetings as well as the monthly EMA Consumer (PWA-PLWH) Access Committee meeting. These PWA-PLWH committees are an integral part of the Planning Council process. The EMA Consumer (PWA-PLWH) Access Committee Chair is a member of the Executive Committee. As a result, the PWA-PLWH committees, open only to PWA-PLWH, are the best means of providing input and raising concerns of the PWA-PLWH community.
3. Members of the public are encouraged to attend and participate in committee meetings and to become regular, active members of committees that include non-Planning Council membership. This allows maximum opportunities for public input at an early stage in discussions.
4. Opportunity for public comment and contribution will be included in Planning Council meetings and events. Members of the public are expected to comply with the times and means for comment and input established by the Planning Council.
5. The Agenda for each monthly Planning Council Meeting including specific issues to be considered will be posted on the Council website seven (7) days prior to the meeting.
6. Members of the public may submit written comments that will be distributed to all Planning Council members and meeting attendees. In order for such written comments to be included in the Meeting Materials for a specific meeting, the comments must be provided to the Planning Council Coordinator at HAA no less than ten (10) calendar days before the meeting date.

7. A Public Comment Period with a firm time limit will be provided at every regular monthly meeting of the full Planning Council. Members of the public wishing to offer comments at a given meeting must submit a written or email request to the Planning Council's Community Co-Chair or Planning Council Coordinator at HAA no later than close of business on the Monday before the monthly Planning Council meeting held on Thursday. Priority for use of available public comment time will be assigned based upon the order in which requests were received. If requests for use of public comment time exceed the pre-set period, the Chair shall have sole and final discretion of whether additional meeting time will be allocated for public comments. The Chair's decision will consider the time demands imposed by the remainder of the agenda requiring Planning Council consideration and action at the particular meeting.
8. Time constraints prevent having members of the public participate in Planning Council debate.
9. Members of the public are expected to treat members and other guests with courtesy and respect at all times.
10. When speaking, members of the public are expected to follow any specified time limitations and to recognize the authority and follow the direction of the Chair of the meeting.
11. Members of the public may speak during the meeting only during Public Comment periods or when recognized and requested to do so by the Chair.
12. Members of the public should recognize that the Planning Council has no role in procurement or in monitoring the performance of specific Part A providers, and that concerns related to services provided by specific agencies should be addressed to the grantee, not the Planning Council. Such concerns or questions can also be raised at the monthly DC, MD and VA PLWH meetings and the EMA-wide Consumer Access Committee meeting

Sanctions

The following measures may be taken if a member of the public fails to comply with the Code of Conduct stipulated above.

1. At any given meeting, a member of the public who repeatedly fails to follow these guidelines, uses disrespectful language or otherwise disrupts meetings or events will be warned and, then if the behavior persists, will be asked by the Chair to leave the meeting. Prior to removing the individual, the Chair of the meeting shall state on the record the reason for removal. Other members will behave in a manner that supports the decision and action by the Chair.
2. If a member of the public repeatedly behaves disrespectfully or disruptively at multiple meetings, the Executive Committee may vote to recommend that the individual be excluded from future meetings. If the member of the public wishes to protest this decision, s/he may file a complaint using the same process stated in the Planning Council's Grievance Policy and Procedures.