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### 11.7 Prohibition against Disclosure of Information Obtained in Closed Session

All documents prepared for and distributed in closed session, and all discussions among Board members and with authorized staff during closed sessions remain confidential pursuant to the terms of the Brown Act. [Cal. Gov. Code 54963]

Likewise, what occurs in a closed session is confidential, and Board members who have participated in such a closed session may not disclose the content of any of the matters discussed. As part of their oath, all Board members have an obligation to protect the confidentiality of information received during a closed session. A disclosure of such information would exceed the scope of his/her respective authority and potentially subject him or her to personal liability, as well as possible criminal penalties.

In addition, the Attorney General of California has opined that the Brown Act itself precludes the disclosure of information received in closed session, and if a Board member discloses such information he or she has violated Government Code Section 54959 which is a misdemeanor.

It has also been noted in various Attorney General Opinions that there are various methods of curbing unauthorized and improper disclosures of information received in closed session. The Attorney General has indicated that possible sanctions that may be imposed upon a person who discloses confidential information include barring that person as a Board member from participating in future closed sessions. (See *Hamilton v. Town of Los Gatos*, *supra*, 213

Cal.App.3d at 1054), obtaining an injunction against the person's public disclosures (see §54960; *Sacramento Newspaper Guild v. Sacramento County Board of Supervisors*, *supra*, 263 Cal.App.2d at 46; *City Council v. Superior Court*, *supra*, 204 Cal.App.2d at 73), or filing an accusation against the person for 'willful or corrupt misconduct in office' (§ 3060; see *People v. Tice* (1956) 144 Cal.App.2d 750, 754). [80 Ops.Cal.Atty.Gen 231 citing 76 Ops.Cal.Atty.Gen 289.]

This policy authorizes the board of directors, upon a majority vote, to pursue any or all of the remedies specified in this policy to prevent further disclosures of confidential information by board members to unauthorized individuals, if the board finds that its prior efforts to prevent such disclosures have not been successful in preventing such unauthorized disclosures.

## 12 TRAINING, EDUCATION AND CONFERENCES/OFFSITE NON-DISTRICT MEETINGS

Members of the Board of Directors are encouraged to attend educational conferences and professional meetings when the purposes of such activities are to improve District operation. Attendance at such educational conferences and professional meetings are considered part of an official's performance of their official duties for the District. Hence, there is no limit as to the number of Directors attending a particular conference or seminar when it is apparent that their attendance is beneficial to the District.

### 12.1 "Junkets" are Disallowed

"Junkets" (a tour or journey for pleasure at public expense), however, will not be permitted.

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## *12.2 Expense Reimbursement*

It is the policy of the District to encourage Board development and excellence of performance by reimbursing expenses incurred for tuition, travel, lodging and meals as a result of training, educational courses, participation with professional organizations, and attendance at local, state and national conferences associated with the interests of the District. Cash advances or use of District credit cards for these purposes is not permitted. All reimbursements of actual and necessary expenses shall be pursuant to the requirements of Section 10 of this Manual.

### *12.3 Arrangements – Manager’s Approval*

The General Manager, or his designee, is responsible for making arrangements for Directors for conference and registration expenses, and for compensation and reimbursement pursuant to Section 10 of this Manual.

#### *12.3.1 Per Diem and Expenses*

Per Diem, when appropriate, shall include reimbursement of expenses for meals, lodging, and travel. All expenses for which reimbursement is requested by Directors, or which are billed to the District by Directors, shall be submitted to the General Manager on a District expense form with all validated receipts attached.

### *12.4 Approval*

Prior to incurring any reimbursable costs, the Board shall approve attendance by Directors of seminars, workshops, courses, professional organization meetings, and conferences.

## *12.5 Keeping Expenses Minimal*

Expenses to the District for Board of Directors' training, education and conferences should be kept to a minimum by utilizing recommendations for transportation and housing accommodations put forth by the General Manager and by:

- (a) Utilizing hotel(s) recommended by the event sponsor in order to obtain discounted rates.
- (b) Directors traveling together whenever feasible and economically beneficial.
- (c) Requesting reservations sufficiently in advance, when possible, to obtain discounted airfares and hotel rates.
- (d) Utilizing government or group rates when available.

## *12.6 Prohibitions*

A Director shall not attend a conference or training event for which there is an expense to the District if it occurs after they have announced their pending resignation, or if it occurs after an election in which it has been determined that they will not retain their seat on the Board. A Director shall not attend a conference or training event when it is apparent that there is no significant benefit to the District.

## *12.7 Reports*

Upon returning from seminars, workshops, conferences, etc., where expenses are reimbursed by the District, Directors will either prepare a written report for distribution to the Board, or make a verbal report during the next regular meeting of the Board. Said report shall detail what was learned at the session(s) that will be of benefit to the District. Materials from the session(s) may be delivered to the District office to be

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included in the District library for the future use by other Directors and staff.

### **13 ETHICS TRAINING**

All Directors of the District shall receive two hours of training in general ethics principles and ethics laws relevant to public service within one year of election or appointment to the Board of Directors and at least once every two years thereafter, pursuant to Government Code Sections 53234 through 53235.2. This policy shall also apply to all staff members that the Board of Directors designates and to members of all commissions, committees and other bodies that are subject to the Ralph M. Brown Open Meeting Act.

#### *13.1 Curriculum*

All ethics training shall be provided by entities whose curriculum has been approved by the California Attorney General and the Fair Political Practices Commission.

#### *13.2 Proof of Participation*

Directors shall obtain proof of participation after completing the ethics

training. District staff shall maintain records indicating both the dates that Directors completed the ethics training and the name of the entity that provided the training. These records shall be maintained for at least five years after Directors receive the training, and are public records subject to disclosure under the California Public Records Act.

#### *13.3 Available Training*

District staff shall provide the Board of Directors with information on available training that meets the requirements of this policy at least once every year. Ethics training may consist of either a training course or a set of self-study materials with tests, and may be taken at home, in person or online.

#### *13.4 Training Required by Board Member Serving on Another Board*

Any member of the Board that serves on the Board of another agency is only required to take the training once every two years.