

# **DDH Compact Commission Administrative Policy**

## **Code of Conduct**

### **I. Introduction**

As a joint government entity created by the enactment of the DDH Compact (Compact) by its member states, the DDH Compact Commission (Commission) affords great deference to its member states in selecting DDH Compact Commissioners (Commissioners) to represent them. The diverse personal, educational, and professional backgrounds of Commissioners are one of the Commission's greatest assets. However, this diversity means that some Commissioners may have personal pecuniary interests which are affected by the outcomes of management and other decisions which must be made concerning the administration of the Compact Commission at times. This policy was implemented to ensure transparency, accountability, and integrity in the Commission's decision-making process.

### **II. Code of Conduct**

Commissioners and their Temporary Representatives appointed by the states are responsible for upholding the integrity of the Commission and its member states. No Commissioner or Temporary Representative shall engage in criminal or unethical conduct prejudicial to the Commission, any other Commissioner, or any other state.

No Commissioner or Temporary Representative shall vote or participate in debate upon a matter in which they have a direct or indirect financial or other personal interest resulting in a personal benefit that conflicts with the fair and impartial conduct of official duties. The Executive Committee shall have the sole authority to consider allegations of breaches of this code, including appeals from Commissioners alleged to be in violation herewith. In the case of a breach, the Executive Committee may direct the Chair to notify the appropriate appointing authority in the Commissioner's home state.

### **III. Definition**

A Conflict of Interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary personal interest economic or otherwise.

### **IV. Disclosure of Conflicts of Interest**

1. All Commissioners and Temporary Representatives are required to complete a Code of Conduct form. The form constitutes an agreement by each Commissioner and Temporary Representative to disclose personal interests that may impact the ability of a Commissioner or Temporary Representative to conduct business in a "fair and

impartial” manner and that the Commissioner or Temporary Representative will recuse from debating or voting on such a matter in fulfilling the duties of a DDH Compact Commissioner or Temporary Representative.

2. Completed Code of Conduct forms must be submitted as soon as possible after a state has appointed a Commissioner or Temporary Representative. A Commissioner or Temporary Representative cannot vote at a meeting until this form is completed. For the first year of implementation of this policy, all Commissioners and Temporary Representatives must complete the form prior to inaugural meeting.
3. Completed Code of Conduct forms are public documents which may be disclosed by the Commission upon request.

## **V. Commissioner and Temporary Representative Recusal**

Prior to the discussion of an issue in which a Commissioner or Temporary Representative believes a conflict of interest may exist, the Commissioner or Temporary Representative must announce to the Committee or Commission meeting that they are recusing themselves from participating in the caucus and voting. Once recused, the Commissioner or Temporary Representative will not be able to participate in the debate or the vote concerning the matter which led to the recusal.

## **VI. Concerns over Financial Disclosure and Conflict of Interest**

Concerns over conflicts of interest should be brought to the attention of the Chair of the Commission for consideration by the Executive Committee. The Executive Committee, in consultation with legal counsel, will determine if any of the provisions of the Commission’s Policy on Conflicts of Interest have been violated and decide the appropriate action, if any.

## **VII. Notification of Home State Appointing Authority**

If any of the following conditions are met, the Commission may notify the appropriate appointing authority in the home state of the Commissioner or Temporary Representative regarding its concern about the ability of the Commissioner or Temporary Representative to perform his/her duties in a fair and impartial manner.

1. The Commissioner or Temporary Representative has a substantial financial conflict of interest in the outcome of the matter, such as the awarding of a contract for services or employment;
2. The Commissioner or Temporary Representative has a substantial positional conflict of interest in the outcome of the matter, such as a leadership position for another organization whose purpose is contrary to that of the Commission;

3. The Commissioner or Temporary Representative has been found in violation of criminal or civil state or federal statute or regulation;
4. The Executive Committee determines that a Commissioner or Temporary Representative is not performing their duties consistent with this policy.\

**Code of Conduct Form**

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I, \_\_\_\_\_,  
*(print name)*

\_\_\_\_\_ for the State of \_\_\_\_\_  
*(title— Commissioner or temporary representative)*

hereby swear or affirm that I have read and understand the DDH Compact Commission Code of Conduct and will comply with said policy in all matters pertaining to my duties and obligations as a Commissioner, Temporary Representative, or Officer of the Commission, including my obligation to recuse myself from consideration, debate or voting on any matter that conflicts with the fair and impartial conduct of my official duties.

\_\_\_\_\_  
*(Signature)*

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_.