

# Board Policy Manual of The Center for Election Science

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## Part 1: Policy Manual Purpose & Organization Mission/Vision

**1.1 Description and Origin.** This Board Policies Manual (BPM) contains all of the current standing (on-going) policies adopted by the board of The Center for Election Science since the initial approval on [**insert date of the board meeting when the BPM was first approved**].

**1.2 Purpose.** Our reasons for adopting this BPM include:

1.2.1 Efficiency of having all ongoing board policies in one place

1.2.2 Ability to quickly orient board members and key staff about current policies

1.2.3 Elimination of redundant or conflicting policies over time

**1.3 Transition.** These policies supersede all past policies. If an apparent conflict arises between the BPM and other policies or board resolutions, the Chair should resolve the matter, or the entire board as may be appropriate.

**1.4 Changes.** These policies are meant to be reviewed continuously, and are frequently revised and refined to reflect new wisdom. Changes may be proposed to the board by any board member, the ED, or by appointed committee. For simplicity, it's recommended that specific language changes be clearly proposed in writing. All changes must be adopted by the board by a majority vote unless that change is not material such as spelling, formatting, or relating to the table of contents.

**1.5 Maintenance of Policies.** The Secretary should ensure that staff members record and publish all standing policies correctly. This board policy manual must be made regularly available to all board and staff.

## Part 2: Board of Directors

**2.1 Purpose.** The board of directors is responsible for the mission, purpose, evaluation, fiscal health, and policies of the organization. The board delegates its authority to carries out its mission through the Executive Director as laid out in these policies, but this does not relieve any of the board's duties.

**2.2 Powers.** For the board to do its duties, the board—acting as a whole—may:

2.2.1 Make decisions on behalf of the organization with full and final authority. The board makes decisions through a majority vote unless a policy indicates otherwise.

2.2.2 Amend the bylaws and board policies as it sees fit to advance the organization's mission.

2.2.3 Use outside experts to help it accomplish its duties, though this does not remove the board's responsibilities.

2.2.4 Add and remove board directors. The board may replace vacated seats at its discretion.

2.2.5 Hire and fire the executive director.

2.2.6 Undo an organizational action—such as a committee action.

**2.3 Duties.** The board is held responsible to do the following:

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2.3.1 Select, oversee, nurture, advise, evaluate annually, establish a fair compensation package for, and, if necessary, terminate the ED.

2.3.2 Monitor and evaluate the organization's programs.

2.3.3 Ensure the financial solvency and integrity of the organization through policies and behavior.

2.3.4 Evaluate and endeavor to improve the board's performance as the organization's governing body, and set expectations for board members' involvement.

2.3.5 Act in good faith, in a manner the board reasonably believes to be in the best interests of the organization, and with the care an ordinarily prudent person would exercise in a like position under similar circumstances.

2.3.6 Obey applicable laws and policy that govern the organization, including the organization's governing and policy documents.

2.3.7 Provide ideas, advice, and feedback on organizational strategy.

2.3.8 Review, modify if appropriate, and approve the organization's budget, after it is presented by the ED.

2.3.9 Review, modify if appropriate, and approve the organization's strategic annual and/or multi-year plan after it is presented by the ED.

2.3.10 Create and maintain reasonable and responsible policies to support successful operations of the organization.

2.3.11 Reasonably insure the organization and board of directors against liability.

2.3.12 Create opportunities for board members to further their personal development in their leadership roles.

2.3.13 Upkeep a board document index for access to organizational documents.

2.3.14 Hold formal meetings at least four times a year.

2.3.15 Record minutes of all meetings containing a motion or vote.

2.3.16 Create committees, as appropriate, to fulfill the board's duties.

When voting to form a committee, the board must first define the committee charter in writing so it contains:

- (1) whether the committee is standing or ad hoc (and what the ad hoc period is),
- (2) the purpose of the committee,
- (3) what the committee's tasks/deliverables are,
- (4) what the committee's powers are, and
- (5) who comprises the committee.

2.3.17 Keep active committee charter information easily available to the board and staff.

2.3.18 Maintain a strong board through recruiting excellent board members and, when necessary and appropriate, voting to remove members from the board. The board may vote to remove members at any time without cause.

2.3.19 Use the highest level of discretion if directing the organization's affairs so to not interfere with the responsibilities of the ED. This interference should only apply to unusual and rare circumstances.

2.3.20 Not direct staff obligations to anyone other than the ED. All board authority delegated to staff is delegated through the ED so that all authority and accountability of staff—as far as the board is concerned—is directed to the ED.

**2.4 Limitations.** It is beyond the powers of the board to:

2.4.3 Add or remove a member so that greater than 49% of board members either (1) have received financial compensation from the Corporation over the last 12 months or (2) are related

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to each other or to the executive director through familial relationships, including step and in-law relationships.

2.4.4 Assign powers to a committee allowing it to remove a board member, add a board member, amend the bylaws, dissolve the corporation, hire an executive director, or fire the executive director. This limitation is not a restriction against assigning a committee powers to vote on policy changes or other actions. The board may still vote by majority to undo a committee action.

2.4.5 The board may not vote to remove a member or to fire the ED to retaliate for acting as a whistleblower.

## Part 3: Board Members Individually

**3.1 Powers.** For a board member to do their duties, a board member may:

3.1.1 Inspect and make copies of corporate records at any time.

3.1.2 Vote, make motions, and otherwise fully participate in meetings.

**3.2 Duties.** Individual board members are responsible to do the following:

3.2.1 Meet assigned committee obligations, as applicable.

3.2.2 Meet assigned officer role obligations, as applicable.

3.2.3 Keep up to date on and obey applicable laws and policy that govern the organization, including the organization's governing and policy documents.

3.2.4 Provide ideas, advice, and feedback on organizational activities.

3.2.5 Regularly attend, be prepared for, and participate in board meetings.

3.2.6 Regularly monitor and (as appropriate) respond to board communications. Board members are to use their corporate email accounts rather than their personal email.

3.2.7 Timely sign at the beginning of the year an acknowledgment of board member expectations and take appropriate steps to meet the commitments.

3.2.8 Prioritize fundraising and personal giving for the organization.

3.2.9 Act as a knowledgeable and respectful ambassador for the organization.

3.2.10 Be a strong advocate for the organization.

3.2.11 Strategically build and utilize one's network to benefit the organization.

3.2.12 Act in the best interests of the organization.

3.2.13 Continually seek to develop skills related to board operations and nonprofit governance.

3.2.14 Treat all board members, employees, contractors, and stakeholders with respect.

**3.3 Terms & Resignations.** The board may limit board member terms and board members serve at will.

3.3.1 Board members must be re-elected after serving their first full year and again after the third full year.

3.3.2 An individual board member may serve a maximum of six consecutive full years (three additional years following a second re-election after their third year). After that time, the board member must leave the board for a minimum of one full year before the board may consider the person for another six-year term. Any following six-year terms repeat this process.

3.3.3 For board members present before term limits have been enacted, the term limits apply as usual with an exception for board members whose current term would expire within one year

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of the date term limits were enacted. Those board members would instead have a full year remaining in their term, beginning on the date that this policy is enacted.

**3.3.4** Board members effectively resign upon sending their written resignation to the board or a board officer.

**3.3.5** A board member may not resign if the board member's resignation will leave no remaining board members. The board member must instead either recruit additional board members or dissolve the organization.

**3.4 Limitations.** It is beyond the powers of an individual board member to:

**3.4.1** Direct the ED or other staff action.

**3.4.2** Speak on behalf of the board.

**3.4.3** Act on behalf of the organization or board without the board's permission.

**3.4.4** Act outside of a volunteer capacity when working alongside staff. Staff may use their discretion to decide when volunteer assistance from the board is appropriate, and to outline limits for that support.

**3.4.5** Accept funds on behalf of the Corporation into personal accounts. These funds must go directly from the donor into a CES account.

**3.4.6** Spend Corporate funds unless pre-approved by the board or ED (to the extent and amount under that party's discretionary control). Reimbursements must also be approved by the board or ED (again, to the extent and amount under that party's discretionary control). Pre-approval is best practice for expenses.

**3.4.7** Receive compensation from work related to serving on the board.

## Part 4: Officer Roles & Duties

**4.1 Purpose.** The purpose of officer roles is to clearly designate specific board responsibilities to individual board members. The board may designate as many officers as it wishes or as few as three (chair, treasurer, secretary). The board should act swiftly to replace vacancies for these three positions. The board may create additional officer roles as it sees fit, and fill them at its discretion. The three required officer roles are described below:

**4.2 Chair.** The chair's responsibilities include the following:

**4.2.1** Create meeting agendas with the ED for each meeting.

**4.2.2** Lead each meeting.

**4.2.3** Serve as a liaison between the board and the ED.

**4.2.4** Manage the board so to assure that its duties and the duties of its members are being met.

**4.2.5** Create and maintain the Board Document Index (in collaboration with the ED).

**4.2.6** Speak on behalf of the board. This does not include actions unless the board specifically votes to designate an actionable power.

**4.2.7** Serve as an ex officio voting member for all committees.

**4.2.8** Be the leader of the board: motivator, accountability point person, and thanker.

**4.2.9** Periodically consult with board members on their roles and help them assess their performance.

**4.2.10** Appoint all committee chairs and, with the ED, recommend who will serve on committees.

**4.2.11** Support the ED to accomplish the goals of the organization.

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4.2.12 Create and maintain an organizational calendar deciding when essential board and ED responsibilities are due (ex// board review, ED review, budget proposal, et cetera).

**4.3 Vice-Chair.** The vice-chair's responsibilities include the following:

4.3.1 Act as the chair when the chair is not present.

4.3.2 Understand the duties of the chair.

4.3.3 Assist the chair, as necessary and appropriate, in carrying out their organizational duties.

**4.4 Treasurer.** The treasurer's responsibilities include the following:

4.4.1 Create, monitor, and maintain an accurate record of the organization's finances so that it is available to the board and to staff.

4.4.2 Work with the ED and appropriate staff to timely generate quarterly and annual financial reports for the board.

4.4.3 Recommend appropriate fiscal policies, including investment guidelines.

4.4.4 Have charge and custody of, and be responsible for, all funds, financial accounts, and securities of the corporation. Spending limitations still apply.

4.4.5 Carry out authorized reimbursements.

4.4.6 Assist the ED in creating the annual budget.

**4.5 Secretary.** The secretary's responsibilities include the following:

4.5.1 Contemporaneously keep appropriate minutes for each meeting.

4.5.2 Maintain the availability of all Corporate documents.

**4.6 Parliamentarian.** The parliamentarian's responsibilities include the following:

4.6.1 Maintain a high degree of familiarity with organizational and governing policy, and work to ensure that the organization follows its policies.

## Part 5: The Executive Director (ED)

**5.1 Purpose.** The ED's purpose is to execute the mission of the organization.

**5.2 Powers.** In order for the ED to fulfill the ED's duties, the ED may:

5.2.1 Speak on behalf of the organization

5.2.2 Enter into agreements and contracts on behalf of the organization

5.2.3 Make expenditures either according to the spirit of the budget, board approval, policy approval, or unapproved transactions no greater than \$2,000.

**5.3 Duties.** The ED is responsible to do the following:

5.3.1 Establish, maintain, and eliminate programs and services to best and most efficiently achieve the mission and goals of the organization.

5.3.2 Take reasonably prudent care with the organization's funds.

5.3.3 Manage the organization's daily operations.

5.3.4 Advance the organization's mission through relevant projects and activities.

5.3.5 Act as the spokesperson and figurehead for the organization.

5.3.6 Regularly attend, be prepared for, and participate in board meetings.

5.3.7 Propose and update a strategic plan to the board in accordance with the board calendar.

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- 5.3.8 Propose an annual budget to the board in accordance with the board calendar.
- 5.3.9 Create and maintain an events calendar for events where the organization will participate.
- 5.3.10 Provide feedback on and make policy recommendations to the board.
- 5.3.11 Hire, fire, and manage all employees and contractors.
- 5.3.12 Create and update as necessary an employee handbook.
- 5.3.13 Treat all board members, employees, contractors, and stakeholders with respect.
- 5.3.14 Abide by all employment laws, laws governing the organization, and policies created by the board.
- 5.3.15 Regularly monitor and (as appropriate) respond to board communications. The ED is to exclusively use a corporate email account rather than a personal email.
- 5.3.16 Maintain a positive public character.
- 5.3.17 Create and publish an annual report describing the organization's progress in the past year.
- 5.3.18 Serve as an ex officio voting member for all committees, unless there is a conflict of interest. If only a portion of a committee's work contains a conflict of interest, then the ED will appropriately refrain from engaging in that portion but engage with the remainder.
- 5.3.19 Maintain the organization's public communications.
- 5.3.20 Make the following documents are easily available to the public:
- a) The submitted 1023 Form with attached documents
  - b) Determination letter of federal tax-exemption status
  - c) The four most recent copies of its federal tax return
  - d) Articles of Incorporation
  - e) Bylaws
  - f) Any and all other documents required by law.
- 5.4 Limitations.** It is beyond the powers of the ED to:
- 5.4.1 Vote on organizational matters in any capacity, unless that vote is informal or within the scope of a committee on which the ED serves as a voting member. The ED may only vote on committee motions that are advisory (such as recommendations or reports to the board).
- 5.4.2 Operate in a way contrary to the mission of the organization.
- 5.4.3 Make expenditures in a way that is not within the spirit of the budget, or as otherwise approved by the board or policies.
- 5.4.4 Fire or otherwise retaliate against staff for acting as a whistleblower.

## Part 6: Board Meetings

- 6.1 Types.** The board may meet in several types of meetings that allow for the board to make binding decisions so long as proper notice is given to all board members:
- 6.1.1 Regular. The board sets regular meetings ahead on the calendar at the beginning of the year. There are at least four regular meetings each year. No notice is required for regular meetings.
- 6.1.2 Special. Special meetings are meetings that are not regularly scheduled. Special meetings require at least 48 hours notice by email. No notice is required if approval is given by at least two-thirds of the board.

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**6.1.3 Carryover.** Carryover meetings are regular or special meetings that are extended to a separate time or location. Carry-over meetings are scheduled during the original meeting through majority vote.

**6.1.4 Committee.** Committee meetings are held as the committee deems fit or however the board determines unless that committee has the power to act on behalf of the organization. If a committee makes a voting action, then it must follow the rules for special meetings and keep minutes. Quorum and voting thresholds for these voting meetings are limited to committee members and not the entire board. Committees must, within 48 hours, share with the board any binding vote that acts on behalf of the organization.

**6.1.5 Informal.** Informal meetings may be held at any time without notice, but notice should be given as a courtesy. Informal meetings do not allow for votes to be cast unless the board agrees otherwise by a vote of two-thirds vote.

**6.1.6 Email.** Email votes still require minutes and procedures to be followed. For a vote over email to pass, it must be approved by all of the board. If this is an e-mail vote by a committee, then it must be approved by all of the committee members.

**6.2 Procedures.** The board must follow the following procedures for meetings:

**6.2.1 Calling.** A meeting may be called by motioning with proper notice and having that motion seconded.

**6.2.2 Quorum.** Greater than half the board must be present for a meeting to be begin and for vote to be valid.

**6.2.3 Voting proxy.** A board member may designate another board member as their proxy for a meeting. That proxy's presence counts towards the quorum for both the proxy board member and the board member using the proxy within the scope that the proxy agreement sets. A proxy is enacted only by both parties agreeing in writing for one board member to act as a proxy for the other and including: (1) the time period that the proxy will be active, (2) the votes that the proxy will act on, and (3), if the board member wishes, how the proxy board member will vote. Proxies may be delegated no more than 30 days before a meeting.

**6.2.4 Notice.** Notice of the meeting must give a location—whether virtual or physical—as well as the time and date. Agendas should be given with as much time as possible, preferably one week. The notice must be distributed to all board members (or committee members if the committee meeting contains a vote). A notice may be given through any medium.

**6.2.5 Minutes.** Minutes are required for all regular meetings and every meeting that motions for a vote. Minutes must contain the following:

- a) Time, date, attendees, and location.
- b) Specific voting actions that were taken, including who made the motions and how members voted (if vote was anonymous, then only the voting result must be shown).
- c) A brief summary of discussions, as appropriate.

**6.2.6 Starting.** Meetings begin by a motion and a second, unless the board votes otherwise.

**6.2.7 Ending.** Meetings end by a motion and a second, unless the board votes otherwise.

**6.2.8 Point of order.** Any board member may indicate a “point of order” to challenge whether a rule has been violated or may be about to be violated. The chair rules on a “point of order” decision unless the board takes the step to vote by majority otherwise.

**6.3 Voting.** The board must follow the following procedures when voting:

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6.3.1 All votes including more than two options must initially use approval voting as the default to determine the majority. Here, majority means simple majority. The board may vote to choose another voting method as it sees fit.

6.3.2 Unless otherwise specified, a majority vote is enough for the board to pass a measure.

6.3.3 All votes begin by a motion and a second, a chance for discussion, and then the vote. The chair determines when the discussion period has ended.

6.3.4 The board may agree to vote anonymously when it deems appropriate. The tally of anonymous votes must still be recorded.

6.3.5 Abstentions do not count towards the total vote count but do count towards a quorum.

6.3.6 Unless it is a committee meeting, only board members are allowed to vote.

## Part 7: Global Policies

**7.1 Whistleblower.** The organization uses the following provisions concerning whistleblowers:

7.1.1 If any board member or employee reasonably believes that some policy, practice, or activity of the organization is in violation of law, a written complaint may be filed to the ED or board of directors, as appropriate.

7.1.2 It is the organization's intent to adhere to all laws and regulations that apply to the organization, and the underlying purpose of this policy is to support the organization's goal of legal compliance.

7.1.3 An employee or board member is protected from retaliation only if the person brings the alleged unlawful activity, policy, or practice to the attention of the board or ED and provide a reasonable opportunity to investigate and correct the alleged unlawful activity. The protections described in this section are only available to those who comply with this requirement.

7.1.4 The organization will not retaliate against a board member or employee who, in good faith, has made a protest or raised a complaint of the organization or one of its parties. This also holds for complaints against individuals or entities with whom the organization had a business relationship, on the basis of a reasonable belief that the practice is in violation of law, policy, or other applicable mandate including public policy.

7.1.5 The organization will not retaliate against a board member or employee discloses or threatens to disclose the activity that the employee reasonably believes is in violation of a law, policy, or other applicable mandate including public policy.

**7.2 Conflict of Interest.** The organization uses the following provisions for its conflict of interest policy:

7.2.1 Whenever a board member or person within a committee has a financial or personal interest in any matter coming before the board of directors, the affected person must:

- a) fully disclose the nature of the interest,
- b) withdraw from voting on the matter, and
- c) withdraw from discussion once the chair or leading member decides it is appropriate (or by a majority vote of disinterested members).

7.2.2 Any transaction or vote involving a potential conflict of interest is approved only when a majority of disinterested board members—or members within the committee—determine that it is in the best interest of the corporation to do so.

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7.2.3 Meeting minutes must record the disclosure, abstention, and rationale for approval when a conflict of interest is announced.

7.2.4 If the board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it must inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

7.2.5 If, after hearing the potentially conflicted member's response and after making further investigation as warranted by the circumstances, the governing board or committee determines the member has failed to disclose an actual or possible conflict of interest, it must take appropriate disciplinary and corrective action.

**7.3 Compensation.** The organization uses the following provisions for its compensation policy:

7.3.1 The compensation for employees and contractors must be reasonable and given in return for services actually rendered for the corporation.

7.3.2 Market based research such as surveys may be a basis to determine what is reasonable, but other resources may be used as well.

**7.4 Financial.** The organization uses the following provisions for its financial policy:

7.4.1 Nontraditional donated assets such as notes, stocks, crypto-currency must be sold immediately.

7.4.2 Financial investments by the organization must be reasonably prudent.

7.4.3 Except for reasonable compensation for services performed, no one may ever receive any of the net earnings or pecuniary profit from the operations of the corporation.

**7.5 Indemnity.** The organization uses the following provisions for its indemnity policy:

7.5.1 The corporation will, to the extent legally permissible, indemnify each person who may serve or who has served at any time for the corporation against all judicial expenses and liabilities.

7.5.2 Indemnity includes, without limitation, counsel fees, judgments, fines, and excise taxes. It further includes indemnity to penalties and settlement payments reasonably incurred by or imposed in connection with any threatened, pending or completed action, suit, or proceeding in which the person may become involved through performing their duties.

7.5.3 No indemnification is provided for any person who did not act in good faith with the reasonable belief that the action in question was in the best interests of the corporation. Any compromise or settlement payment must be approved by a majority vote of a quorum of directors who are not at that time parties to the proceeding.

7.5.4 No amendment or repeal of these indemnity provisions apply to anyone whose acts or omissions at or omissions in question occurred at any time prior to an indemnity policy change—unless the amendment or repeal was voted on by or was made with the written consent of the indemnified person in question.

**7.6 Non-Liability.** Board members and the executive director must not be held personally liable for the debts, liabilities, or other obligations of the corporation.

**7.7 Sexual Harassment.** The organization uses the following provisions for its sexual harassment policy:

7.7.1 This policy applies to all board members and employees of the organization.

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7.7.2 Violators of this policy—as determined by an investigation—will be subject to discipline, up to and including discharge, for any act of sexual harassment they commit. This discipline will be determined by the ED if the violator is a staff member or, if the violator is the ED or board member, then the discipline will be determined by the board—minus the policy violator, if the violator is a board member. The minimum discipline must include a written reprimand.

7.7.3 "Sexual harassment" is defined as unwelcome conduct of a sexual nature that is sufficiently persistent or offensive to unreasonably interfere with an employee's or board member's job performance, or an offense which would create an intimidating, hostile or offensive working environment.

7.7.4 All inquiries, complaints, and investigations are treated confidentially. Information is revealed strictly on a need-to-know basis. Information contained in a formal complaint is kept as confidential as possible. However, the identity of the complainant is usually revealed to the respondent and witnesses during an investigation.

7.7.5 If criminal activities are alleged, then police must be notified.

7.7.6 If an employee believes that they have been subject to sexual harassment or any unwelcome sexual attention, they may address the situation directly and immediately to the harasser, if possible. If the inappropriate conduct does not cease, or if the employee is unable or uncomfortable with addressing the alleged harasser directly, they should report the incident to the ED or a board officer, whichever is appropriate given the circumstance.

7.7.7 It is helpful, but not required, to provide a written record of the date, time and nature of the incident(s) and the names of any witnesses.

7.7.8 It is important to report any and all concerns of sexual harassment or inappropriate sexual conduct as soon as possible so that an immediate and impartial investigation and additional appropriate action can take place.

7.7.9 All complaints of harassment must be taken seriously no matter how minor or who is involved.

7.7.10 All investigations must be fair and impartial to all parties.

**7.8 Non-Discrimination.** The organization uses the following provisions for its non-discrimination policy:

7.8.1 The organization does not and will not discriminate on the basis of race, color, religion, creed, gender, gender expression, age, national origin, ancestry, disability, marital status, sexual orientation, or military status, in any of its activities or operations.

7.8.2 Applicable organizational activities include, but are not limited to, hiring and firing of staff, selection of volunteers, board members, contractors, and vendors.

7.8.3 The organization must remain committed to providing an inclusive and welcoming environment for all staff, board members, clients, volunteers, subcontractors, vendors, and clients.

## Last Policy Update

The board last updated these policies on **April 8, 2018**.