

STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION

COLORADO COMMUNITY COLLEGE SYSTEM CODE OF ETHICS

BP 3-70

APPROVED: December 10, 1987
EFFECTIVE: December 10, 1987
REPEALED: September 14, 2000
READOPTED: August 25, 2001
READOPTED: February 9, 2005

REFERENCES:

Governor's Code of Ethics
C.R.S. 18-8-301 *et seq.* (Bribery and Corrupt Influences)
C.R.S. 18-8-401 *et seq.* (Abuse of Public Office)
C.R.S. 23-60-202
C.R.S. 24-18-101 *et seq.* (Code of Ethics)

ISSUED BY:

Dr. Nancy McCallin, System President

Purpose

Public confidence in the integrity of state government demands that public officials demonstrate the highest ethical standards at all times. Those who serve the people of the State of Colorado as public officials should do so with integrity and honesty, and should discharge their duties in an independent and impartial manner. Any effort to realize personal gain through official conduct, other than as compensation set through established processes, or disclosure of confidential information, is a violation of the public trust. External obligations, financial interests, and activities of each employee of the State Board must be conducted so there is no real or perceived conflict or interference with the employee's primary obligation and commitment to the Colorado Community College System.

Scope

This policy applies to State Board members and to employees of the Board throughout the State.

Definitions

Employee: Any person hired or contracted by the State Board for Community Colleges and Occupational Education, the Colorado Community College System President, or a college president.

Immediate family: Spouse; children, step-children, and their spouses; brothers and brothers-in-law; sisters and sisters-in-law; parents and parents-in-law; nieces and nephews; grandparents and grandparents-in-law; grandchildren and their spouses; and members of the immediate household.

Related party: In addition to members of the immediate family as defined above, related parties include an estate or trust in which a Board member or employee of the Board or a party related to a Board member or employee of the Board has a beneficial interest; or an entity in which a Board member or employee of the Board or a party related to a Board member or employee of the Board is a director, officer, or has a financial interest.

Line of supervision: The immediate supervisor or any person in the ascending order of supervision up to and including the college and system president.

State Statutes Concerning Ethics and Conflict of Interest

Public employees have a fiduciary duty to the people of the State as trustees of property and are subject to the same liabilities that a private fiduciary would incur for abuse of his or her trust (C.R.S. 24-18-103). Public employees are prohibited from disclosure or use of confidential information acquired in the course of official duties for personal financial benefit, and from acceptance of any substantial benefit as a reward or inducement for improper discharge of public duties (C.R.S. 24-18-104).

Public employees (1) should not acquire or hold an interest, directly or indirectly, in any business or undertaking that may be economically benefited by action over which they have substantial authority and (2) should refrain, within six months following departure from public employment, from such conflicts of interest (C.R.S. 24-18-105).

Financial Transactions

No State Board member or employee of the Board may be an executive officer of, or own or control substantial interest in, a nongovernmental entity which enters into a transaction with the Board or a state system community college, unless written disclosure of such is made to the Secretary of State and to the Board 72 hours in advance and approval of the Board is obtained prior to completion of the transaction.

Decisions

No Board member or employee of the Board shall participate in decisions which involve a direct benefit to them or to a related party.

Code of Ethics

All employees of the State Board for Community Colleges and Occupational Education:

- (a) Shall serve the public with respect, concern, courtesy and responsiveness;
- (b) Shall demonstrate the highest standards of personal integrity, truthfulness and honesty and shall through personal conduct inspire public confidence and trust in government;

- (c) Shall not use public office to bestow any preferential benefit on anyone related to the officer, appointee or employee by family, business or social relationship;
- (d) Shall not disclose or use or allow others to use confidential information acquired by virtue of state employment for private gain;
- (e) Shall not accept outside compensation for performance of state duties. This includes acceptance of any fee, compensation, gift, reward, gratuity, expense, or other thing of monetary value that could result in real or perceived preferential treatment, impediment of governmental efficiency or economy, loss of complete independence and impartiality, decision making outside official channels, or disclosure or use of confidential information acquired through state employment;
- (f) Shall not accept any compensation, gift, payment of expenses or any other thing of value as a reward for official action taken;
- (g) Exception: Employees may accept awards from non-profit organizations for meritorious public contributions;
- (h) Shall not perform work for individual benefit when the work in question falls within the regular assignment of the individual;
- (i) Shall not engage in outside employment unless: (1) the outside employment is disclosed to the employee's immediate supervisor; and (2) the outside employment does not interfere with the performance of State duties;
- (j) Shall not use state time, property, equipment, or supplies for personal benefit or the benefit of outside employers or activities;
- (k) Shall not engage in a substantial financial transaction for his or her private business purposes with a person the employee inspects, regulates, or supervises in the course of his or her official duties;
- (l) Shall not assist any person for compensation or a contingent fee in obtaining any contract, claim, license, or other economic benefit from the State;
- (m) Shall not perform an official act directly and substantially benefiting a business or other undertaking in which the employee either has a substantial financial interest or is engaged as counsel, consultant, representative or agent;
- (n) Shall not use state time, property, equipment or supplies for private purposes or any other purpose not in the interests of the State of Colorado;
- (o) Shall not knowingly engage in any activity or business which creates a conflict of interest or has an adverse effect on the confidence of the public in the integrity of government;
- (p) Shall carry out all duties as a public servant by exposing corruption or impropriety in government whenever discovered;
- (q) Shall support equal access and employment opportunities in state government for all citizens of the State of Colorado;
- (r) Shall comply at all times with the standards of conduct set forth in title 24, article 18 of the Colorado Revised Statutes.

Reasonable Person Standard

Even if an employee is not actually influenced, or did not actually know that a gift or other compensation was a reward for his or her actions, the employee may not accept the gift if a reasonable person would be influenced or would know from the circumstances that the gift is improper.

Employment

Employment of members of the same immediate family is subject to the following provisions:

Board level: Employment anywhere within the System of any member of the immediate family of a Board member or the System President must be approved by the Board.

System level: Employment anywhere within the System of anyone in the immediate family of a college president or a System vice president must be approved by the System President and disclosed to the Board by the System President. Further, the employment of any person in the immediate family of a member of the central staff who is in the line of supervision of that person must be approved by the System President and disclosed to the Board by the System President.

College level: Employment of any person in the immediate family of a member of the college staff who is in the line of supervision of that person must be approved and disclosed to the system president by the college president.

In order to avoid the appearance of conflict of interest, the employment of persons in a position where a member of their immediate family will be their immediate supervisor shall be avoided.

Certification of Review and Compliance

(a) All college presidents, college senior staff, System vice presidents, and System senior staff shall submit to the System President, within 30 days of initial employment, a certificate in the form attached as Exhibit A verifying that they have read and intend to abide by this Board policy.

(b) All college presidents, college senior staff, System vice presidents, and System senior staff shall submit to the System President, within 30 days of initial employment, and on or before January 30 of each year, a Conflicts Disclosure Statement in the form attached as Exhibit B. Additionally, all college presidents and System vice presidents shall amend their annual Conflicts Disclosure Statement not more than 30 days after any conflict of interest arises.

(c) All college presidents, college senior staff, System vice presidents, and System senior staff shall submit to the System President, on or before January 30 of each year, a Disclosure of Gifts and Benefits Statement in the form attached as Exhibit C.

APPENDIX A

ACKNOWLEDGEMENT

Colorado Community College System Code of Ethics and Whistleblower Policy

All board members, college presidents, college senior staff, CCCS vice presidents, and CCCS senior staff shall submit this Acknowledgment to the CCCS President within 30 days of initial employment.

I HEREBY CERTIFY THAT I HAVE RECEIVED, READ AND INTEND TO ABIDE BY THE COLORADO COMMUNITY COLLEGE SYSTEM CODE OF ETHICS AND WHISTLEBLOWER POLICY.

NAME: _____

POSITION: _____ DATE: _____

SIGNATURE: _____

APPENDIX B

CONFLICTS DISCLOSURE STATEMENT
Colorado Community College System Code of Ethics

All board members, college presidents, college senior staff, CCCS vice presidents, and CCCS senior staff shall submit this Statement to the CCCS President within 30 days of initial employment, and annually on or before January 30.

Additionally, all board members, college presidents, college senior staff, CCCS vice presidents, and CCCS senior staff shall amend this Statement not more than 90 days after any conflict of interest arises and submit this statement to the CCCS President.

NAME: _____

POSITION: _____ DATE: _____

SIGNATURE: _____

Circle one: ANNUAL FILING AMENDMENT

CONFLICTS OR POTENTIAL CONFLICTS OF INTEREST:

If your official actions could in any way harm, benefit, or promote your private interests or the interests of your family, friends, or business associates, you have a conflict of interest. You also have a conflict of interest if pursuing your own interests is incompatible with or detrimental to the State, or in any way compromises your loyalty to the State and your commitment to your duties.

Examples of conflict of interest – for illustrative purposes only –

- My department is hiring the consulting firm in which my brother-in-law is a partner to perform consulting services.
- I am an owner of a company that plans to bid on a state contract.

Please describe below all conflicts or potential conflicts of interest which you may have. If you are uncertain whether your situation presents a conflict or potential conflict of interest, contact the CCCS Vice President for Legal Affairs. Attach additional pages if necessary.

APPENDIX C

DISCLOSURE OF GIFTS AND BENEFITS STATEMENT

Colorado Community College System Code of Ethics

All board members, college presidents, college senior staff, CCCS vice presidents, and CCCS senior staff shall submit this statement to the CCCS President before January 30 of each year.

NAME: _____

POSITION: _____ DATE: _____

SIGNATURE: _____

MUST BE REPORTED:

Speaking honoraria, appearance fees, and fees for articles/publications (any amount)

Gifts of money or cash loans of \$25 or more; and non-perishable gifts or loans of real or personal property of \$50 or more.

Tickets, meals, memberships and other expenses (perishable gifts) from any private source of \$125 or more per person, or of \$250 or more including your family or guests. These gifts need not be reported if they are reasonably related to your attendance at a community or official event (see below).

NEED NOT BE REPORTED:

Tickets, meals, memberships and other expenses from any private source that are reasonably related to community events (including cultural, educational, civic, social and charitable dinners), meetings, conferences, functions and gathering, where your attendance is not extraordinary given your position in the Colorado Community College System.

Public or privately funded travel and related expenses for attending a meeting or conference, or for participating in a trade delegation or study visit.

Non-monetary award publicly presented by an organization of public service.

Please report required gifts below. *If you are uncertain whether you should report a gift, contact the CCCS Vice President for Legal Affairs.*

Attach additional pages if necessary.
