

STATE BOARD FOR COMMUNITY COLLEGE AND OCCUPATIONAL EDUCATION

RELATIONSHIPS

SP 3-70a

APPROVED: November 11, 2009

EFFECTIVE: November 11, 2009

REFERENCE: Board Policy 3-70

ISSUED BY:

Nancy J. McCallin, System President

Scope

This policy applies to all State Board Members and all Employees of the Colorado Community College System office and the Community Colleges.

Purpose

It is the policy of the State Board for Community Colleges and Occupational Education that none of its employees or its Board members shall engage in any activity or relationship that places them in a conflict of interest between their official activities and any other interest or obligation. Conflict of interest requires all employees to disqualify themselves from participating in a decision when a personal interest is present. In addition, employees and Board members shall avoid any relationship, influence or activity that may adversely affect or give the appearance of adversely affecting an employee's independence of judgment in making decisions related to their job.

Definitions

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

Immediate family: Spouse; children, step-children, and their spouses; domestic partners; brothers and brothers-in-law; sisters and sisters-in-law; parents and parents-in-law; grandparents and grandparents-in-law; aunts and uncles; nieces and nephews; 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.

Nepotism

The State Board for Community Colleges and Occupational Education standards for employment decisions such as hiring, promoting, reappointing, evaluating, awarding salary and terminating employees are based on the qualifications for the position, ability and performance. This policy is intended to reinforce the Board's commitment to employment practices which create and maintain constructive working relationships and which reflect the Board's commitment to employment practices that are fairly, efficiently and consistently applied to all employees.

The employment of qualified relatives of employees is permissible as long as such employment does not create actual or perceived conflicts of interest. The employment of members of the same family is subject to the following:

Individuals who are related by blood, marriage, or reside in the same household are permitted to work in the same department, provided no direct reporting or direct supervisor to subordinate relationship exists. However, employees may not act in an evaluative capacity in relation to members of the employee's immediate family who are in the employee's line of supervision but are not direct reports. The employee in the evaluative position must recue himself or herself from evaluative actions concerning the immediate family member.

An employee shall not evaluate or directly supervise any student who is a member of the employee's immediate family.

Disclosure and Authorization Requirements

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 is prohibited. However, employment of family members is allowable as long as no member of their immediate family will be their immediate supervisor and the proper disclosure and authorization requirements are met.

Board Level: Employment anywhere within the System for any member of the immediate family of a Board Member or the System President must be approved by the Board prior to the appointment of that individual.

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 prior to the appointment of that individual.

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 prior to the appointment of that individual.

A college employee shall report to the employee's supervisor the enrollment of a member of the employee's immediate family in a class taught by the employee. Alternative arrangements must be made for grading and evaluation of the class performance of the immediate family member.

Consensual/Amorous Relationships:

The Board is committed to fostering an educational climate characterized by professional and ethical behavior free of discrimination and conflict of interest. Amorous relationships between an Employee and other persons within the College community may impair or undermine the learning and work environments when one person in the relationship has evaluative authority over the other or an unequal level of authority or power exists.

The Board does not interfere with private choices regarding personal relationships when these relationships do not interfere with the goals and policies of the State Board for Community Colleges and Occupational Education. However, it is the policy of the Board that employees shall not engage in an amorous relationship with another person within the College community over whom the employee exercises authority or educational or professional responsibility. Accordingly, amorous, romantic or sexual relationships in which the employee has a direct supervisory or an evaluative role over the other party, whether employee or student, are prohibited. Further, when an employee has an amorous relationship with a person in the employee's line of supervision but not a direct supervisory or evaluative role, the employee may not act in an evaluative capacity in relation to the other person.

Disclosure and Reporting Requirements

Compliance with this policy requires that employees involved in an amorous relationship excuse themselves from any authority or evaluative role with respect to the other person. These relationships must be reported to the College President and the System President. There will be no sanctions imposed on Employees who disclose an amorous relationship and take the steps necessary to avoid any potential conflict of interest.

An Employee who engages in an amorous relationship with a person over whom he or she has evaluative authority without taking steps necessary to resolve the conflict, including reporting such relationship at the earliest opportunity, may be subject to discipline, up to and including dismissal, in accordance with Board policies.

ATTACHMENT:

- A. Disclosure of Nepotism
- B. Disclosure of Consensual/Amorous Relationship

APPENDIX B

DISCLOSURE OF CONSENSUAL/AMOROUS RELATIONSHIP

Any State Board Member or employee of the Colorado Community College System or a Community College who is involved in an amorous relationship with someone they have an evaluative role over must submit this statement to the System or College Department of Human Resources.

Both parties must sign this statement in front of a witness.

I HAVE CAREFULLY READ THIS PROCEDURE, CLEARLY UNDERSTAND, AND VOLUNTARILY SIGN THIS STATEMENT.

NAME #1: _____

POSITION: _____ DATE: _____

SIGNATURE: _____

I HAVE CAREFULLY READ THIS PROCEDURE, CLEARLY UNDERSTAND, AND VOLUNTARILY SIGN THIS STATEMENT.

NAME #2: _____

POSITION: _____ DATE: _____

SIGNATURE: _____

I CERTIFY THAT I HAVE WITNESSED THE ABOVE TWO PARTIES SIGN THIS STATEMENT.

WITNESS: _____

POTITION: _____ DATE: _____

SIGNATURE: _____

DISCLOSURE

Briefly describe the reporting structure between the two individuals. Does either one directly or secondarily supervise the other's job or academic performance? Does either one have any impact on the other's job or academic evaluation?

