

Aims Community College Procedure

Board of Trustees

Code of Conduct & Code of Ethics

Purpose

Public confidence in the integrity of the Aims Community College (the “College”) demands that all Trustees demonstrate high ethical standards at all times. Trustees will discharge their duties in an independent and impartial manner.

This Procedure constitutes a non-exclusive method of investigation and resolution of beliefs that there have been one or more violations of the Code of Ethics (Policy 16) and/or Code of Conduct (Policy 24) by one or more Trustees (the “Subject Trustee(s)").

Each Trustee will annually sign an acknowledgement and agreement to abide by the Code of Ethics and Code of Conduct (individually and collectively, the “Codes”) beginning upon being sworn into office.

Ethical Violations

1. The Board is responsible for monitoring itself and ensuring adherence to both state and federal laws (“Laws”) as well as its own Codes. The College CEO/President will provide the Board with information regarding changes in legislation and ethics laws, but shall not be required to enforce Trustee(s) ethical behavior. *Where a Trustee(s) believes a Subject Trustee is violating the Codes, the Trustee(s) should endeavor to immediately and in the moment hold the Subject Trustee accountable in a respectful and professional way by reminding the Subject Trustee(s) of their duty and obligation to abide by such Codes. In the event the Subject Trustee(s) continues such behavior following the reminder, the Procedures herein should then be followed.*

2. All Board Members are expected to maintain the highest standards of conduct and ethical behavior. The Board will be prepared to promptly address any violation of the Codes and, where appropriate, to investigate the factual basis behind any charge or complaint of Trustee misconduct (the “Misconduct Complaint”) and any Subject Trustee shall abide by the determination of such investigation and recommended resolution. If a Misconduct Complaint alleges any violation of Laws, the Board will, in conjunction with the Procedures, contact legal counsel.

Complaints Resolution Procedures

The Procedure for investigating allegations of a violation of the Board of Trustees’ Codes will commence with the Procedure outlined under (1) below.

1. Process

- a. A complainant, including any Trustee(s), who believes there has been a violation of any of the Codes should, if practicable, seek to resolve the matter personally with the person against whom the allegation is made.
 - i. This approach may not be appropriate in some situations, such as if the complainant is a staff member or if the behavior in question involves harassment, bullying, or other situations where personal safety is a concern.
- b. If a personal approach under 1(a) is unsuccessful or inappropriate, complainants should raise the matter with the Board Chair/College President. The Board Chair/College President should, within a reasonable time (and recognizing that the Chair is a non-compensated position with other obligations),
 - i. Discuss with the complainant the Misconduct Complaint (this may be done by email or verbally, and a record should be kept);
 - ii. Contact the Subject Trustee(s), outline the nature of the Misconduct Complaint, and ascertain their response to the complaint;
 - iii. If appropriate, arrange a joint meeting with complainant and the Subject Trustee(s) to discuss the Misconduct Complaint;
 - iv. Make recommendations for resolving the matter in a way that seeks to establish and promote a professional and respectful working relationship between all Trustees;
 - v. Keep a brief written record on file.
- c. If the Board Chair is the person against whom the complaint is made, paragraph 1(b) shall be interpreted as referring to the Board Secretary. The same applies to the actions under 2(a).

2. Disciplinary Action

- a. Where the procedure under section 1 above fails to resolve the matter, or where because of the serious nature of the alleged behavior the procedure is deemed to be inappropriate or inadequate, the Board Chair/College CEO/President shall present the Misconduct Complaint and findings to the Board and call for a vote regarding the violations and disciplinary action to be taken.
- b. Upon a majority vote by the Board initiated under 2(a) that results in the determination that a Subject Trustee(s) violated the Codes, the Board shall have the following disciplinary powers:
 - i. private letter of reprimand;
 - ii. public reprimand during a Board meeting;
 - iii. to write a formal letter of censure with acknowledgment of such censure in a Board meeting;
 - iv. fines for continued violations of Codes;
 - v. to exclude individuals either temporarily or permanently from specific College organized or supported events or activities;
 - vi. to recommend a request for resignation from the Board of Trustees (requiring a Board resolution); and

- vii. any other reasonable consequence after discussing with legal counsel.

3. General

- a. All Misconduct Complaints, the subsequent findings, and any disciplinary actions, if any, shall be subject to the Open Meetings Act and Freedom of Information Act, if applicable, and should be documented in a report for the Board's/College's files.
- b. A party or witness acting under any stage of this Procedure who knowingly makes a statement that is untrue, malicious and frivolous or in bad faith may be subject to the disciplinary powers of the Board detailed under 2(b).
- c. Unless the matter is appropriate for discussion in executive session pursuant to C.R.S. 24-6-402(4), consideration by the full Board of any and all actions under this Procedure shall be in a formal and open meeting of the Board, under an agenda item with appropriate and legal notice.
- d. All information gathered under this Procedure and subject to executive session will be kept confidential to the extent allowable, consistent with conducting a complete and fair investigation and achieving an appropriate resolution. This may require sharing the information in the complaint (including the identity of the complainant) with other people, such as appropriate staff members, other witnesses, the Board of Trustees, Board committees, and the College's outside lawyers.
- e. Subject Trustee will be obliged to continue to fulfill all duties of a trustee, including those set forth in the Code of Ethics.

Any actions taken as described herein may be delayed, suspended, or adjourned as appropriate if a law enforcement agency or other governmental body has jurisdiction over the conduct consisting in whole or in part a violation of the Code of Ethics and/or Code of Conduct.

The applicable provisions of the Colorado Sunshine Law (C.R.S. 24-6-402 and following), the Colorado Open Records Act (C.R.S. 24-72-200.1 and following) and other Colorado Statutes will apply as otherwise appropriate to activities taken hereunder.

Revised: December 11, 2024

November 9, 2022

March 11, 2020

Adopted: March 1, 2017

Responsible Administrator: College CEO/President