

Definitions

Unless otherwise stated, all terms used in this policy have the definition given in the State Officials and Employees Ethics Act, 5 ILCS 430/1-5.

With respect to an employee whose hours are not fixed, "compensated time" includes any period of time when the employee is on premises under the control of the College and any other time when the employee is executing his or her official duties, regardless of location.

Prohibited Political Activity

"Prohibited political activity" means activities enumerated in the State Officials and Employees Ethics Act, 5 ILCS 430/5-15 as amended from time to time.

No employee shall intentionally perform any prohibited political activity during any compensated time. No Trustee or employee shall intentionally use any property or resources of the College in connection with any prohibited political activity. At no time shall any Trustee or employee intentionally require any other Trustee or employee to perform any prohibited political activity: (a) as part of that Trustee's or employee's duties, (b) as a condition of employment, or (c) during any compensated time off, i.e., as holidays, vacation or personal time off. No Trustee or employee shall be required at any time to participate in any prohibited political activity in consideration for that Trustee or employee being awarded additional compensation or any benefit, whether in the form of a salary adjustment, bonus, compensatory time off, continued employment or otherwise, nor shall any Trustee or employee be awarded additional compensation or any benefit in consideration for his or her participation in any prohibited political activity.

A Trustee or employee may engage in activities that: (1) are otherwise appropriate as part of his or her official duties, or (2) are undertaken by the individual on a voluntary basis that are not prohibited by this policy.

Limitations on Receiving Gifts

"Prohibited source" means any person or entity who:

1. Is seeking official action by: (a) a Trustee, or (b) an employee, or by the Trustee or another employee directing that employee;
2. Does business or seeks to do business with: (a) the Trustee, or (b) with an employee, or with the Trustee or another employee directing that employee;
3. Conducts activities regulated by: (a) the Trustee, or (b) by an employee or by the Trustee or another employee directing that employee; or
4. Has an interest that may be substantially affected by the performance or non-performance of the official duties of the Trustee or employee.

"Gift" means any gratuity, discount, entertainment, hospitality, loan, forbearance, or other tangible or intangible item having monetary value including, but not limited to, cash, food and drink, and honoraria for speaking engagements related to or attributable to government employment or the official position of a Trustee or employee.

Except as permitted by this policy, no Trustee or College employee, and no spouse of or immediate family member living with any Trustee or employee (collectively referred to

herein as "recipients"), shall intentionally solicit or accept any gift from any prohibited source, as defined herein, or that is otherwise prohibited by law or policy. No prohibited source shall intentionally offer or make a gift that violates this policy.

The following are exceptions to the ban on accepting gifts from a prohibited source:

1. Opportunities, benefits, and services that are available on the same conditions as for the general public.
2. Anything for which the Trustee or employee, or his or her spouse or immediate family member, pays the fair market value.
3. Any: (a) contribution that is lawfully made under the Election Code, or (b) activities associated with a fund-raising event in support of a political organization or candidate.
4. Educational materials and missions.
5. Travel expenses for a meeting to discuss business.
6. A gift from a relative, meaning those people related to the individual as father, mother, son, daughter, brother, sister, uncle, aunt, great aunt, great uncle, first cousin, nephew, niece, husband, wife, grandfather, grandmother, grandson, granddaughter, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, sister-in-law, stepfather, stepmother, stepson, stepdaughter, stepbrother, stepsister, half brother, half sister, and including the father, mother, grandfather, or grandmother of the individual's spouse and the individual's fiancé or fiancée.
7. Anything provided by an individual on the basis of a personal friendship unless the recipient has reason to believe that, under the circumstances, the gift was provided because of the official position or employment of the recipient or his or her spouse or immediate family member and not because of the personal friendship. In determining whether a gift is provided on the basis of personal friendship, the recipient shall consider the circumstances under which the gift was offered, such as: (a) the history of the relationship between the individual giving the gift and the recipient of the gift, including any previous exchange of gifts between those individuals; (b) whether to the actual knowledge of the recipient the individual who gave the gift personally paid for the gift or sought a tax deduction or business reimbursement for the gift; and (c) whether to the actual knowledge of the recipient the individual who gave the gift also at the same time gave the same or similar gifts to other Trustees or employees, or their spouses or immediate family members.
8. Food or refreshments not exceeding \$75 per person in value on a single calendar day; provided that the food or refreshments are: (a) consumed on the premises from which they were purchased or prepared; or (b) catered. "Catered" means food or refreshments that are purchased ready to consume which are delivered by any means.
9. Food, refreshments, lodging, transportation, and other benefits resulting from outside business or employment activities (or outside activities that are not connected to the official duties of a Trustee or employee), if the benefits have not been offered or enhanced because of the official position or employment of the

Trustee or employee, and are customarily provided to others in similar circumstances.

10. Intra-governmental and inter-governmental gifts. "Intra-governmental gift" means any gift given to a Trustee or employee from another Trustee or employee, and "inter-governmental gift" means any gift given to a Trustee or employee by an officer or employee of another governmental entity.
11. Bequests, inheritances, and other transfers at death.
12. Any item or items from any one prohibited source during any calendar year having a cumulative total value of less than \$100.

Each of the listed exceptions is mutually exclusive and independent of every other. A Trustee or employee, his or her spouse or an immediate family member living with the Trustee or employee, does not violate this policy if the recipient promptly takes reasonable action to return a gift from a prohibited source to its source or gives the gift or an amount equal to its value to an appropriate charity that is exempt from income taxation under Section 501 (c)(3) of the Internal Revenue Code.

#### Ethics Advisor

The President shall appoint an Ethics Advisor for the College. The Ethics Advisor shall provide guidance to the Trustees and College employees concerning the interpretation of and compliance with this policy and State ethics laws.

#### Filing Complaints

Written complaints alleging a violation of this policy shall be filed with the President or Chairman of the Board Trustees.

#### Ethics Commission

In order to effectively manage the receipt of complaints concerning violations of this policy, as soon as possible after a complaint is filed, the President shall appoint a 3-member Ethics Commission. If the President is the subject of the complaint, the Chairman of the Board of Trustees shall perform this duty. Commission members may be any College resident, except that no person shall be appointed who is related, either by blood or by marriage, up to the degree of first cousin, to the person who is the subject of the complaint.

At the Commission's first meeting, the Commissioners shall choose a chairperson from their number. Meetings shall be held at the call of the chairperson or any 2 Commissioners. A quorum shall consist of 2 Commissioners, and official action by the Commission shall require the affirmative vote of 2 members. The Commission shall have the following powers and/or duties:

1. To adopt procedures and timelines to manage a complaint and determine the complaint's disposition.
2. To investigate a complaint and receive information pertaining to it.
3. To hold a meeting, upon not less than 48 hours' public notice, with the complaining party and the person accused of violating the policy for the purpose of determining the complaint's disposition. Both parties shall be given the opportunity to provide information concerning the complaint. The meeting may be closed to the public to the extent authorized by the Open Meetings Act.

4. To request the assistance of an attorney.
5. To issue recommendations for disciplinary actions and/or refer violations to the appropriate State's Attorney for prosecution. The Commission shall, however, act only upon the receipt of a written complaint alleging a violation of this policy and not upon its own prerogative.
6. The powers and duties of the Commission are limited to matters clearly within the purview of this policy.

If the Commission finds it more likely than not that the allegations in a complaint charging a Trustee or employee with violating this policy are true, it shall notify the appropriate State's Attorney and/or recommend disciplinary action for an employee. If the complaint is deemed not sufficient, the Commission shall send by certified mail, return receipt requested, a notice to the parties of the decision to dismiss the complaint.