



## **Certified Chamber Executive Program**

### **CCE Code of Ethics**

1. Engage in activities that are in the best interest of the community.
2. Demonstrate inclusive practices.
3. Develop professional skills, knowledge and relationships necessary to be an effective leader in the community.
4. Serve and represent the organization and community responsibly.
5. Proactively advance the chamber profession.
6. Exemplify the highest level of professional integrity.
7. Serve as a visionary leader.
8. Contribute to the financial soundness of the community and organization.
9. Practice legal methods in all personal and professional decisions and activities.
10. Demonstrate professional excellence in all organization management practices.

### **Code of Ethics Violation Procedures**

#### **I. PURPOSE AND APPLICABILITY**

- A. These procedures have been established by the Association of Chamber of Commerce Executives (ACCE) and the Certified Chamber Executive (CCE) Commission to investigate and follow up on claims of serious violations of the CCE Code of Ethics committed by individuals holding current CCE designations.
- B. For purposes of these provisions, “serious violations of the CCE Code of Ethics” include alleged illegal or improper conduct by a CCE or others on the CCE’s behalf. Examples would include but are not limited to financial fraud, theft or embezzlement; misrepresenting skills, resume, designations or experience in the process of obtaining employment; sexual harassment or abuse of employees or members; racial or other discrimination; or other similar illegal or improper behavior unbecoming to a CCE.

- C. These procedures do not apply to non-serious violations or those concerned solely with chamber management skill, competency or professional judgment. ACCE's duties to uphold the CCE Code of Ethics in these cases are fulfilled by the requirement and encouragement of continued professional education and professional contributions, and the requirement to renew the CCE regularly in order to maintain the CCE designation.

## **II. FILING AND INITIAL RESPONSE TO COMPLAINT**

- A. ACCE and the CCE Commission encourage complaints regarding serious violations of the CCE Code of Ethics by those holding a current CCE designation.
- B. Complaints may be submitted by members of the CCE Commission, other CCEs, other chamber of commerce professionals, ACCE members or staff, or members of the general public.
- C. All complaints must include a description of the alleged serious violation of the CCE Code of Ethics as well as specific references to the activities or conduct supporting the complaint.
- D. Complaints must be submitted in writing and sent via electronic mail to [cce@acce.org](mailto:cce@acce.org).
- E. Complaints must be signed. Anonymous complaints will not be accepted.
- F. Complaints should be filed within one (1) year of the alleged occurrence. Complaints exceeding this time limit may still be considered as determined by the Ethics Review Committee (see Section III below) on a case-by-case basis.
- G. Complaints must be submitted in good faith. A complaint made by a current CCE who knows it to be false, or is otherwise frivolously or maliciously submitted, will be viewed as a serious violation of the CCE of Ethics and will be reviewed and investigated consistent with these procedures.
- H. ACCE staff will acknowledge receipt of a complaint via electronic mail to the person submitting it ("the complainant"), within seven (7) business days of ACCE's receipt of the complaint. ACCE staff will inform the CCE Commission Chair that a complaint has been filed.

### **Inability to Contact the Complainant**

- A. Initial Contact Attempts:
  - 1. Upon receipt of a complaint, ACCE staff will acknowledge it via electronic mail to the complainant within seven (7) business days, as outlined in Section II.H.
  - 2. If the complainant's contact information is incomplete or incorrect, ACCE staff will make reasonable efforts to obtain the correct details.

B. Follow-Up Attempts:

1. If initial contact is unsuccessful, ACCE staff will make two additional attempts to reach the complainant over the subsequent fourteen (14) days, using all available contact methods.

C. Proceeding Without Complainant Input:

1. If, after these attempts, the complainant remains unreachable, the Ethics Review Committee (ERC) will assess the available information to determine if there is sufficient evidence to proceed with the investigation.
2. If the ERC determines that sufficient evidence exists, the case will move forward in accordance with the standard investigation procedures outlined in this policy.
3. If the ERC deems the evidence insufficient without the complainant's input, the complaint may be dismissed.

D. Documentation:

1. All contact attempts and related communications will be documented and retained as part of the complaint record.

E. Reopening of Dismissed Complaints:

1. Should the complainant become reachable or provide additional information after the complaint has been dismissed due to lack of contact, the ERC may consider reopening the case based on the new information provided.

**II. APPOINTMENT OF ETHICS REVIEW COMMITTEE & CONFLICTS OF INTEREST**

A. In response, the CCE Commission Chair will appoint a three-person Ethics Review Committee ("ERC") to perform an initial review and investigation of the complaint.

1. Except as noted below, the ERC will be made up of three (3) current CCE Commission members.
2. Members of the appointed ERC may not have a business or personal relationship with the complainant or the person who is the subject of the complaint or have other identified conflicts of interest or reason(s) they cannot consider its merits objectively.
3. If necessary to meet the above requirements, current Certified Chamber Executives in good standing who are not members of the CCE Commission may be appointed to the ERC.

4. The members of the ERC shall not include any members of the Executive Committee of ACCE's Board of Directors ("the Executive Committee").
  5. The CCE Commission Chair shall appoint a Chair of the ERC from among its appointed members.
  6. If the complaint includes allegations relating to a CCE Commissioner, appointment to the ERC shall be as follows:
    - i. The ERC shall be appointed by another CCE in good standing selected by the Chair of ACCE's Board of Directors for this purpose.
    - ii. No members of the ERC shall be members of the CCE Commission.
    - iii. All CCE Commissioners shall be recused from any discussions or decisions relating to the complaint pursuant to any part of these procedures.
- B. The ERC may meet in person, by teleconference, video conference or by phone as often as necessary to conduct its work. Email may also be used for Committee communication, but precautions should be taken to maintain the confidentiality of all communications. All written correspondence, emails, notes of phone or video conferences, or meetings are considered to be part of the record of the proceedings.

### III. INITIATION OF ETHICS REVIEW COMMITTEE EVALUATION

- A. Once a complaint has been referred to the ERC, the ERC shall meet to review and make an initial determination regarding whether the complaint alleges a serious violation of the CCE Code of Ethics committed by an individual to which these procedures apply.
- B. If the ERC determines that allegations are not made against an individual to which these procedures apply **OR** that the complaint does not allege a serious violation of the CCE Code of Ethics, the ERC Chair shall inform the complainant within thirty (30) days of receiving the complaint. A copy of the complaint and the letter from the ERC Chair to the complainant shall be submitted electronically to [cce@acce.org](mailto:cce@acce.org) and kept in a confidential, secure electronic file for three (3) years.
- C. If the ERC determines that the complaint does involve an individual to which these procedures apply **AND** alleges a serious violation of the CCE Code of Ethics, its Chair shall do the following:
  1. Notify the complainant that an investigation and review will be conducted and that the CCE who is the subject of the complaint (the "respondent") shall be advised of the results. In addition, the ERC shall provide the complainant with a copy of these procedures and the CCE Code of Ethics.

2. Notify the respondent by electronic mail and postal mail, return receipt requested, at the address on file, along with the following supporting documents:
  - a) Copy of the complaint
  - b) Copy of these procedures
  - c) Copy of the CCE Code of Ethics
3. The ERC will request a written response from the respondent within thirty (30) days from the date of the notice. The written response will serve as the initial defense against this complaint. The ERC may request additional information from the respondent during the subsequent investigation.
4. If the respondent fails to answer the complaint in writing within the required timeframe, the ERC will evaluate the complaint based upon the facts and information available to it at that time and in subsequent investigations under these procedures.
5. In cases in which the allegations are the current subject of civil, criminal, or other governmental or regulatory proceedings, the ERC shall defer consideration of the complaint pending resolution of such other proceeding.

#### **IV. INVESTIGATION BY ETHICS REVIEW COMMITTEE**

- A. After receiving the response, if any, to the complaint by the respondent, the ERC shall investigate the complaint as necessary and appropriate. It may be assisted by ACCE staff and consult with legal counsel (with ACCE President and CEO approval) whenever in its judgment such consultation is necessary or appropriate.
- B. To perform this investigation, the ERC may separately interview the complainant, the respondent and/or any other person who may have firsthand knowledge of the facts surrounding the alleged violation to gather additional information about the alleged violation. Interviews may be conducted by personal meeting, phone call, video conference, email or other digital means.
- C. The complainant and respondent may also provide additional relevant documents to the ERC and the ERC may request such documents. All documents produced by either the complainant or respondent shall also be provided to the other party.

#### **V. CONSIDERATION AND DECISION BY CCE COMMISSION**

- A. The ERC will determine whether and when the investigation is complete. It shall document the investigation as necessary, keep records of the facts and information it has reviewed, and set forth its findings in writing.
- B. Upon completion of the investigation, the ERC shall forward the complaint, along with its written findings and all records relating to its review, to the full CCE Commission.
- C. Based on the facts, information, and findings of the ERC, the full CCE Commission shall meet to determine whether the respondent has committed a serious violation of the CCE Code of Ethics. The Commission's evaluation shall be conducted as follows:
  - 1. The Commission may conduct as many meetings as necessary and appropriate to reach its decision and may meet in person, by phone call or video conference.
  - 2. If necessary to a decision, the Commission may refer individual questions back to the ERC for further investigation.
  - 3. A decision by the Commission that a serious violation has occurred must be made by a majority of current CCE Commissioners.
- D. In cases where the respondent is a member of the CCE Commission and the restrictions in Section III.6 apply, ACCE's President & CEO will determine whether the respondent has committed a serious violation of the CCE Code of Ethics and will follow the process outlined for the Commission in Section VI.E below.
- E. Depending on the Commission's decision, it shall proceed as follows:
  - 1. No serious violation. If the Commission determines the respondent has not committed a serious violation of the CCE Code of Ethics, the matter shall be closed and all records relating to the matter shall be forwarded to ACCE's office to be kept in secure and confidential files for three (3) years. All copies of records kept by individual ERC or CCE Commission members shall be destroyed in a manner consistent with destroying confidential records.
  - 2. Serious violation. If the Commission determines the respondent has committed a serious violation of the CCE Code of Ethics, the Commission shall:
    - a) Prepare a written determination to this effect. This determination shall describe the findings and evidence providing the basis for the determination. It will also include the appropriate disciplinary measures or other responses to be taken in response to the violation.
    - b) Appropriate disciplinary measures or other responses may include but are not limited to the following:

- i. A written letter of reprimand to the respondent that the complaint has been found to be valid, expressing appropriate concern and proposing greater sanctions if a future violation occurs.
- ii. Permanent revocation or suspension for a specified period of the respondent's CCE certification. This revocation or suspension is not formally announced.
- iii. After the appeals process has been completed or the deadline for appeals has passed (see Section VIII), the Executive Committee may determine if it is appropriate to inform others within or outside the organization about any disciplinary measures (see Section IX below).

## **VI. NOTIFICATIONS – COMPLAINANT AND RESPONDENT**

- A. The CCE Commission Chair will notify the respondent within fourteen (14) business days of reaching its decision pursuant to Section VI above.
  1. This notification will be made by overnight, registered or certified mail, return receipt requested, or other means acceptable to the respondent, including digital means.
  2. If the Commission has concluded that no serious violation occurred, it shall include this information and let the respondent know that the case has been closed.
  3. If the Commission has concluded that a serious violation has occurred, the notification shall include:
    - a) The written determination described in Section VI above, including the findings and evidence providing the basis for the determination.
    - b) The disciplinary measures or other responses taken and the timeline for those measures.
    - c) The procedure for requesting an appeal, including relevant deadlines.
- B. The CCE Commission Chair shall notify the complainant that a decision has been reached. The notification will be general and will not describe specific disciplinary actions or other responses.

## **VII. APPEALS**

- A. The respondent may appeal the decision of the CCE Commission in Section VI above within thirty (30) days of receipt of the decision, based on (1) claimed errors made during the investigation, review, or decision-making process, and/or

(2) new information not available during the review and investigation processes. Appeals will be heard by the Executive Committee of the ACCE Board of Directors (“Executive Committee”).

- B. Appeals shall be made by sending a statement describing the basis of the appeal by electronic mail to ACCE staff at this address: [cce@acce.org](mailto:cce@acce.org). The statement may be accompanied by any new information not available during the original process. ACCE staff will forward to the Executive Committee the original written determination letter, a copy of this appeal statement and any additional information provided.
- C. The Executive Committee will set a date, time and location to meet to review and consider the appeal. This meeting may take place in person, by phone call or video conference.
- D. The respondent shall be given at least thirty (30) days’ notice of the date, time and place for the above-described appeal meeting, and the respondent shall have the right to address the Executive Committee at the meeting.
- E. The Executive Committee will consider any additional information provided by the respondent to support its appeal and may take additional time beyond this initial meeting to evaluate it further. The Executive Committee may also request the support of ACCE staff or legal counsel in its review.
- F. After hearing the appeal and considering any additional information provided, the Executive Committee, by a majority vote, shall offer a recommendation to affirm, reject or modify the CCE Commission’s decision.
- G. The Chair of the Executive Committee shall notify the respondent of its decision by overnight or certified mail, return receipt requested. The Chair of the Executive Committee shall also notify the CCE Commission Chair of its decision.
- H. The imposition of disciplinary measures or other responses shall be stayed upon receipt of appeal, until the original decision is affirmed, rejected, or modified.

#### **VIII. OPTION FOR ADDITIONAL ACTION BY ACCE EXECUTIVE COMMITTEE**

- A. Once the appeals process has been completed or the deadline for appeals has passed, for cases in which a serious violation has been found, the Executive Committee may take appropriate action in addition to the actions taken by the CCE Commission.
  - 1. If the decision was not appealed, the ERC will share the written determination with the Executive Committee within three (3) business days after the appeal deadline.
  - 2. The Executive Committee will review the determination and may elect to take additional actions, which may include but are not limited to revocation of ACCE membership; removal of the respondent from ACCE leadership positions or volunteer roles;

barring the chamber or respondent from applying for ACCE awards; and/or notification(s) to relevant legal, regulatory, licensing or other authorized body, as deemed necessary to protect the public or ACCE.

3. If the Executive Committee requires records or information compiled by the ERC or the CCE Commission to determine whether additional action is merited, it may obtain such information from these entities upon request.
4. ACCE staff and legal counsel shall assist the Executive Committee in evaluating whether additional appropriate action shall be taken consistent with this Subsection.
5. If such a notification is made, the respondent will be informed in writing within thirty (30) days of the decision.

#### **IX. IMPLEMENTATION OF DECISION**

- A. The disciplinary measures or other responses determined by the CCE Commission will be final thirty (30) days after its determination pursuant to Section VI above, or, if appealed, thirty (30) days after the Executive Committee's decision on the appeal pursuant to Section VIII above.
- B. ACCE staff shall monitor compliance with any conditions established as part of its decision, including the suspension or revocation of CCE certification. If the respondent fails to comply with the conditions, ACCE staff may ask the CCE Commission to review the case. The respondent shall be notified thirty (30) days in advance of CCE Commission review and shall be afforded the opportunity to submit a written statement or explanation.
- C. Based on its review, the CCE Commission shall make a determination with respect to compliance, which shall be limited to one of the following:
  1. A finding that the respondent has complied or is complying with the conditions.
  2. A grant of additional time for the respondent to comply with the original conditions that were imposed in probation or suspension, or with further conditions as may be appropriate.
  3. A finding that the respondent has not or is not complying with the conditions, with further disciplinary action as a consequence.
- D. The CCE Commission Chair shall notify the respondent within thirty (30) days of the outcome of the Commission review and action taken, if any.

#### **X. CONFIDENTIALITY, RECORD RETENTION, BAN ON EX PARTE COMMUNICATIONS**

- A. Confidentiality. Records or information relating to a complaint submitted pursuant to these provisions, including records relating to investigation, review, and consideration of disciplinary measures or other responses, are confidential in nature and will not be shared, disclosed or described beyond the ERC, ACCE staff, the Executive Committee, the CCE Commission and ACCE legal counsel, with the following exceptions:
1. As noted above, the Executive Committee, together with ACCE staff and legal counsel, may determine that the decision or relevant information relating to the complaint must be reported to an appropriate legal, regulatory, licensing or other authorized body. If such a notification is made, the respondent will be informed in writing within thirty (30) days of the decision.
  2. Information necessary to conduct an investigation or appeal pursuant to these procedures may be disclosed as necessary.
  3. ACCE is permitted to revise its public membership and CCE Certification records as appropriate based on final disciplinary decisions pursuant to these provisions.
- B. Any violation of confidentiality is a matter potentially subject to review pursuant to these procedures.
- C. Record retention.
1. After an evaluation and decision is complete, including any appeal, all records relating to the investigation must be forwarded to ACCE staff, who will ensure they are kept in secure and confidential files for three (3) years.
  2. Copies of relevant documents may be kept by individuals (the ERC, CCE Commission, Executive Committee or ACCE staff) only for the duration of a complaint's consideration pursuant to these procedures. After the process has been concluded, these records must be destroyed in a manner consistent with destroying confidential records.
- D. Communications. While a complaint is being considered pursuant to these procedures, communications relating to the case between the parties (the complainant or the respondent) and ACCE (ERC, CCE Commission, Executive Committee, or ACCE staff) may be conducted only through the methods and procedures described herein. Decisions made shall be based only on facts and information developed via these procedures, together with appropriate advice by ACCE legal counsel, and not on outside or additional information.