

CITY OF GENEVA BOARD OF ETHICAL REVIEW RULES OF PROCEDURE

Introduction: The Board of Ethical Review is required by the City of Geneva to conduct investigations and issue determinations as to whether there is a basis in fact for ethics complaints described in Chapter 26 of the City Code.

These procedures are adopted to assure that proceedings of the City of Geneva Board of Ethical Review are performed in an orderly fashion and that persons filing Complaints and the subjects of Complaint are provided due process.

1. The Board of Ethical Review shall select a chairperson, a vice chairperson, and a secretary. The chairperson shall preside over all proceedings and oversee investigations of complaints. The vice chairperson shall assume the duties of chairperson in the event he/she is absent, resigns or is otherwise unable to perform his/her duties. The secretary shall maintain such record of proceedings at the Board directs.
2. **Filing of Complaints.** The procedures for filing ethics complaints are set forth in Chapter 26 of the Geneva City Code.
3. All ethics Complaints received by the City Attorney, the City Manager, the City Council, or the Board of Ethical Review, except for Complaints against a city employee, shall be forthwith delivered to the City Clerk who should maintain a file. The person or entity receiving the Complaint should not retain a copy.
4. A copy of the Complaint and supporting documents shall be delivered to the members of the Board of Ethical Review and to the subject of the Complaint within three days of filing with the City Clerk.
5. The Board of Ethical Review shall notify the person filing the Complaint that the Complaint has been received and advise him/her of the deadline for a determination of the Complaint.
6. The subject of the Complaint should be advised in writing that he/she may submit a response and documentation to the allegations of the Complaint by a certain date.
7. The Board of Ethical Review may interview the complainant, the subject of the Complaint, and other persons having knowledge of the circumstances set forth in the Complaint. Such interviews may not be required, at the discretion of the Board of Ethical Review, if there is an official video record of the conduct described in the Complaint.
8. Interviews may be conducted under oath at the discretion of the Board.

9. The Board shall have access to documents, videos, and information concerning the Complaint in the possession of the City. Employees of the City shall cooperate with requests for information. Rules of confidentiality and privilege shall apply.
10. The Board of Ethical Review shall complete its investigation and determine whether there is a basis in fact for the complaint within **45** days of the filing of the complaint with the City Clerk. Extensions of the time to issue a determination may be granted on notification to the Complainant and the Subject of the Complaint.
11. Determinations shall be made by a majority vote of the entire Board of Ethical Review.
12. The Board of Ethical Review shall issue a written report to the City Council.
13. The Record of the investigation and the determination shall be filed with the City Clerk.

These Rules of Procedure were adopted by the Board of Ethical Review on March , 2020.

Secretary