

CONFLICT OF INTEREST

Governing Board members and designated employees shall adhere to the District Conflict of Interest Code adopted pursuant to the provisions of Government Code section 87300 et seq. and Board Policy 2300 - Conflict of Interest Code. Each member of the Board and each newly elected or appointed member shall receive a copy of the Conflict of Interest Code.

The District Conflict of Interest Code shall comprise the terms of the California Code of Regulations, Title 2, 18730 and any amendments to it duly adopted by the Fair Political Practices Commission, together with District attachments specifying designated positions and disclosure categories. (See Board Policy 2300.)

Board members and designated employees shall submit statements of economic interests to the District in accordance with requirements of the Conflict of Interest Code. These statements shall be filed pursuant to Government Code 87500.

Board members shall not be financially interested in any contract made by the Board or in any contract they make in their capacity as Board members, as defined by Government Code section 1090 and related case law.

A Board member shall not be deemed to be financially interested in a contract if he/she has only a remote interest in the contract. A remote interest shall be any of those defined in Government Code 1091, including the interest of a parent in the earnings of his/her minor child.

A Board member who has a remote interest in any contract considered by the Board shall disclose his/her interest during a Board meeting and have this disclosure noted in the official Board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

A Board member shall not be considered to be financially interested in a contract if any of the exceptions set forth in Government Code 1091.5 apply.

A Board member shall not be deemed to be financially interested in a contract between the Board member's spouse and the District provided the contract concerns the same employment as that held by the employee when the employee's spouse became a Board member and provided the Board member's spouse has been employed by the District in that same position for at least one year prior to the Board member's election or appointment.

Board members shall not engage in any employment or activity which is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District.

In the case of any violation of the conflict of interest code or policy by any officer, employee, or agent of the District, information on the violation will be submitted to the Board for further review and/or possible disciplinary action. (2CFR 200.318(c)(1))

Legal Reference:

EDUCATION CODE

1006 *Qualifications for holding office*

GOVERNMENT CODE

1090-1097 *Prohibitions applicable to specified officers*
 1125-1128 *Incompatible activities*
 81000-91015 *Political Reform Act of 1974, especially:*
 82019 *Definition of "Designated Employee"*
 82028 *Definition of "Gifts"*
 82030 *Definition of "Income"*
 82033 *Definition of "Interest in real property"*
 82034 *Definition of "Investment"*
 87100-87103.5 *Conflicts of interest*
 87200-87210 *Disclosure*
 87300-87313 *Conflict of interest code*
 87500. *Statements of economic interests*
 91000-91015 *Enforcement*

CODE OF REGULATIONS, TITLE 2

18100 et seq. Regulations of the Fair Political Practices Commission
69 OPS.CAL.ATTY.GEN. 255 (1986)

ADOPTED: 10/27/76; Rev. 11/23/76,1/19/77, 9/26/79,1/26/83, 3/9/88, 3/9/88, 5/27/92,4/7/93
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(BP 1007 - Conflict of Interest)