BP 2710 Conflict of Interest

Reference:
Government Code Sections 1090 et seq., 1126, and 87200 et seq.;
Title 2 Sections 18700 et seq.

1.0 A member of the Board of Trustees shall not have a financial interest in any contract made by the Board.

1.1 A Board member with a financial interest in a proposed contract must disclose the interest.

1.2 Except in instances of actual necessity, the Board is prohibited from making a contract in which a Board member has a financial interest even if the conflicted member does not participate in the making of the contract.

2.0 A Board member shall not be considered to have a financial interest in a contract if their interest is limited to those interests defined as remote under Government Code Section 1091.

3.0 A Board member who has a remote interest, or a real or apparent interest other than a financial interest, in any contract considered by the Board of Trustees shall disclose their interest during a Board meeting and the disclosure shall be noted in the official Board minutes. The Board member shall not vote or debate on the matter or attempt to influence any other Board member to enter into the contract.

4.0 A Board member shall not be deemed to be interested in a contract if their interest is one defined in Government Code Section 1091.5.

5.0 A Board member shall not engage in any employment or activity for compensation that is inconsistent with, incompatible with, in conflict with, or inimical (as defined in Government Code Section 1126) to their duties as an officer of the District. A Board member shall not simultaneously hold two public offices that are incompatible.

6.0 Upon leaving the Board of Trustees, former members shall not, for a period of one year, act as an attorney, agent, or otherwise represent, for compensation, any other person by appearing before the Board, or by communicating to the Board, a committee, a Trustee, or to an officer or employee, if the appearance or communication is made for the purpose of influencing administrative or legislative action. (Government Code Section 87406.3)

7.0 In compliance with law and regulation, the Chancellor shall establish administrative procedures to provide for disclosure of investments, interests in real property, income, and arrangements for prospective employment of Board members who may be affected by their official actions, and prevent members from making or participating in the making of Board decisions which may foreseeably have a material effect on their financial interest.

7.1 Board members shall file statements of economic interest with the filing officer identified by the administrative procedures. Statements of economic interest shall include disclosure of arrangements for prospective employment.

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8.0 Board members are encouraged to seek counsel from the District's legal advisor, per Administrative Procedure 6364, Coordination and Direction of Legal Services, in every case where any question arises.

See Board Policy 2200, Board Duties and Responsibilities; Administrative Procedure 2710, Conflict of Interest; Board Policy and Administrative Procedure 2715, Code of Ethics/Standards of Practice; Board Policy 2716, Board Political Activity; Board Policy 2717, Personal Use of Public Resources; and Board Policy and Administrative Procedure 3050, Institutional Code of Ethics.

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