

CITRUS COMMUNITY COLLEGE DISTRICT BOARD

AP 2710 CONFLICT OF INTEREST

References: Government Code Sections 87105 and 87200-87210;
Title 2 Sections 18700 et seq. and as listed below

Incompatible Activities (Government code Sections 1126 and 1099)

Board members and employees shall not engage in any employment or activity that is inconsistent with, incompatible with, in conflict with or inimical to the Board member's duties as an officer of the District. A Board member shall not simultaneously hold two public offices that are incompatible. When two offices are incompatible, a board member shall be deemed to have forfeited the first office upon acceding to the second.

Financial Interest (Government Code Sections 1090 et seq.)

Board members and employees shall not be financially interested in a contract made by the Board or in any contract they make in their capacity as members of the Board or as employees.

A Board member shall not be considered to be financially interested in a contract if his/her interest meets the definitions contained in applicable law (Government Code Section 1091.5).

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 and if the remote interest is disclosed during a Board meeting and noted in the official board minutes. The affected Board member shall not vote or debate on the matter or attempt to influence any other member of the Board to enter into the contract. Remote interests are specified in Government Code Section 1091(b): they include, but are not limited to, the interest of a parent in the earnings of his or her minor child.

Employment Restrictions

An employee of the District may not be sworn in as an elected or appointed member of the Citrus College Governing Board, he or she resigns as an employee. If the employee does not resign, the employment will automatically terminate upon being sworn into office.

Financial Interest in Decision Making

If a Board member determines that he or she has a financial interest in a decision, as described in Government Code Section 87103, this determination shall be disclosed and made part of the Board's official minutes. A Board member, upon identifying a conflict of interest, or a potential conflict of interest, shall do all of the following prior to consideration of the matter:

- Publicly identify the financial interest in detail sufficient to be understood by the public,
- Recuse himself or herself from discussing and voting on the matter,
- Leave the room until the discussion, vote and any other disposition of the matter is concluded unless the matter is placed on the agenda reserved for uncontested matters. A Board member may, however, discuss the issue during the time the general public speaks on the issue.

In the case of an employee, this announcement shall be made in writing and submitted to the Board.

Gifts

Board members and any employees who manage public investments shall not accept from any single source in any calendar year any gifts in excess of the prevailing gift limitation specified by law.

Gifts of travel and related lodging and subsistence shall be subject to the above limitations except as described in Government Code Section 89508. A gift of travel does not include travel provided by the District for Board members and designated employees.

Board members and any employees who manage public investments shall not accept any honorarium, which is defined as any payment made in consideration for any speech given, article published, or attendance at any public or private gathering (Government Code Sections 89501 and 89502).

Board members and designated employees shall not accept any honorarium. The term “honorarium” does not include any gift or honorarium that is given to the District/Foundation. Earned income for personal services customarily provided in connection with a bona fide business, trade, or profession unless the sole or predominant activity of the business, trade or profession is making speeches is also excluded.

Representation (Government code Section 87407.3)

Elected officials and the Superintendent/President shall not, for a period of one-year after leaving their position, as an agent or attorney for, or otherwise represent for compensation, any person appearing before that local government agency.

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